

1 The Little Traverse Bay Bands of Odawa Indians
2 Tribal Council Meeting
3 Tribal Court Room
4 7500 Odawa Circle Harbor Springs, MI 49740
5 March 22, 2009
6
7

8 Closed Session: yes

9 Call to Order: Meeting was called to order at: 9:33 a.m.

10 Opening Ceremony: Alice Yellowbank
11

12 Council Present: Legislative Leader Beatrice A. Law, Secretary Regina Gasco
13 Bentley, Treasurer Gerald Chingwa, Councilor Dexter McNamara, Councilor
14 Alice Yellowbank, Councilor Melvin L. Kiogima, Councilor Fred Harrington, Jr.,
15 Councilor Marvin Mulholland,

16 Absent: none
17

18 Legislative Office Staff Present: Legislative Services Attorney Donna Budnick,
19 Office Manager Michele LaCount
20

21 Executive Officials and Staff Present: Tribal Chairman Frank Ettawageshik, Vice-
22 Chairman William Denemy, Executive Assistant Rebecca Atkinson
23

24 Guests: John Bott, Debra DeLeon, Mary Roberts, Ken Roberts, Rita
25 Shananaquet, Ken Harrington, Roger Emery, Julie Shananaquet, Janet Shomin,
26 Marcia Sutton, Fred Kiogima, George Anziano, Andrew Stich, Christine Shomin
27

28
29 Motion made by Councilor Kiogima and supported by Secretary Gasco Bentley to
30 adopt the agenda for March 22, 2009 as amended.

31 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

32 Motion carried.
33

34 11:04 a.m. Recess called.

35 11:21 a.m. Meeting reconvened.
36

37 Motion made by Councilor Yellowbank and supported by Secretary Gasco
38 Bentley to approve Procedures for Appointment for Vacancy to Tribal Council.

39 Vote: 6 - Yes, 2 - No (Councilor Harrington, Jr., Councilor Kiogima), 0 -
40 Abstained, 0 - Absent

41 Motion carried.
42

43 11:45 a.m. Public Comment opened: Ken Harrington spoke with regard to the
44 process for the Tribal Council vacancy.
45

46 Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa
47 to appoint Rita Shananaquet to fill the Tribal Council vacancy.

1 Vote: 5 - Yes, 3 – No (Councilor Harrington, Jr., Councilor Kiogima, Councilor
2 McNamara), 0 - Abstained, 0 - Absent
3 Motion carried.

4
5 Motion made by Councilor Kiogima and supported by Councilor Yellowbank to
6 approve the minutes of March 8, 2009 with corrections.
7 Vote: 8- Yes, 0 - No, 0 - Abstained, 0 - Absent
8 Motion carried.

9
10 Motion made by Treasurer Chingwa and supported by Councilor Yellowbank to
11 approve the letter in response to complaint dated February 12, 2009 filed by
12 Yvonne McShane against Executive/Chairman, Frank Ettawageshik for non
13 compliance with the “Waganakising Odawak Constitutionally Mandated Rules
14 and Procedures Disclosure of Public Documents” Section VI. Violations;
15 Hearings, and Consequence.
16 Vote: 7 - Yes, 0- No, 1 – Abstained (Councilor Kiogima), 0 - Absent
17 Motion carried.

18
19 Motion made by Treasurer Chingwa and supported by Councilor Yellowbank to
20 accept Legislative Leader Law’s verbal report for March 22, 2009.
21 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent
22 Motion carried.

23
24 Motion made by Councilor McNamara and supported by Councilor Mulholland to
25 accept Tribal Treasurer and Appropriations and Finance Committee Chairperson
26 Chingwa’s verbal report for March 22, 2009.
27 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent
28 Motion carried.

29
30 3:00 p.m. Public Comment opened: no comments.
31 3:00 p.m. Public Comment closed.

32
33 Motion made by Councilor Mulholland and supported by Councilor McNamara to
34 accept the Land and Reservation Chairperson Kiogima’s verbal report for March
35 22, 2009.
36 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent
37 Motion carried.

38
39 Motion made by Councilor Kiogima and supported by Treasurer Chingwa to
40 accept Legislative Services Attorney Budnick’s verbal report for March 22, 2009.
41 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent
42 Motion carried.

43
44 3:53 p.m. Recess called.
45 4:04 p.m. Meeting reconvened.

46

1 Motion made by Councilor Mulholland and supported by Councilor McNamara to
2 accept the Executive Oversight Report including confidential items contained
3 therein.

4 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

5 Motion carried.

6
7 Motion made by Councilor Mulholland and supported by Treasurer Chingwa to
8 adopt Tribal Resolution: Request for Funding from the United States Department
9 of Justice, Office of Community Oriented Policing Services, Little Traverse Bay
10 Bands of Odawa Indians COPS FY 2009 Tribal Resources Grant Program.

11 Roll Call Vote: Councilor Harrington, Jr. -no, Councilor Kiogima-yes, Councilor
12 McNamara-yes, Councilor Mulholland-yes, Councilor Yellowbank-no, Treasurer
13 Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

14 Motion carried.

15
16 Motion made by Councilor Yellowbank and supported by Secretary Gasco
17 Bentley to adopt Tribal Resolution: Request for Funding from the Environmental
18 Protection Agency, Region 5 Little Traverse Bay Bands of Odawa Indians
19 Resource Conservation Challenge Grant Program

20 Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor
21 McNamara-yes, Councilor Mulholland-yes, Councilor Yellowbank-yes, Treasurer
22 Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

23 Motion carried.

24
25 Motion made by Treasurer Chingwa and supported by Councilor Kiogima to
26 adopt Tribal Resolution: Request for Funding from the U.S. Department of
27 Justice, Office of Justice Programs' Sex Offender Sentencing, Monitoring,
28 Apprehending, Registering, and Tracking (SMART) Office; Little Traverse Bay
29 Bands of Odawa Indians SMART Office FY 2009 Support for Adam Walsh Act
30 Implementation Grant Program.

31 Roll Call Vote: Councilor Harrington, Jr. -no, Councilor Kiogima-yes, Councilor
32 McNamara-yes, Councilor Mulholland-yes, Councilor Yellowbank-no, Treasurer
33 Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

34 Motion carried.

35
36 Motion made by Secretary Gasco Bentley and supported by Councilor
37 Yellowbank to adopt Tribal Resolution: Request for Funding from the Substance
38 Abuse and Mental Health Services Administration Center for Mental Health
39 Services Little Traverse Bay Bands of Odawa Indians Tribal Youth Suicide
40 Prevention Grant.

41 Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor
42 McNamara-yes, Councilor Mulholland-yes, Councilor Yellowbank-yes, Treasurer
43 Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

44 Motion carried.

45
46 Motion made by Councilor McNamara and supported by Treasurer Chingwa to
47 adopt Tribal Resolution: Request for Funding from the Bureau of Indian Affairs

1 Little Traverse Bay Bands of Odawa Indians Inland Lake Bathymetric Mapping
2 Project.

3 Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor
4 McNamara-yes, Councilor Mulholland-yes, Councilor Yellowbank-yes, Treasurer
5 Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
6 Motion carried.

7
8 Motion made by Councilor Mulholland and supported by Councilor Kiogima to
9 approve the Policy for Payment to Minors for Tribal Revenue Allocation #POL-
10 Res 061106-22-032209-001.

11 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent
12 Motion carried.

13
14 Motion made by Secretary Gasco Bentley and supported by Councilor
15 McNamara to approve Enrollment List A – Eligible for Citizenship dated February
16 26, 2009 for a total of 17.

17 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent
18 Motion carried.

19
20 Motion made by Secretary Gasco Bentley and supported by Councilor
21 McNamara to approve Enrollment list B - Declination ineligible dated February
22 26, 2009 for a total of 4.

23 Vote: 7 - Yes, 1 - No (Councilor Harrington, Jr.), 0 - Abstained, 0 - Absent
24 Motion carried.

25
26 Motion made by Treasurer Chingwa and supported by Councilor Kiogima to
27 adopt Tribal Resolution: Authorization for Cooperative Conservation Law
28 Enforcement Agreements with Little River Band of Odawa Indians, Grand
29 Traverse Band of Ottawa and Chippewa and Sault Ste Marie Tribe of Chippewa
30 Indians.

31 Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor
32 McNamara-yes, Councilor Mulholland-yes, Councilor Yellowbank-yes, Treasurer
33 Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
34 Motion carried.

35
36 Motion made by Councilor McNamara and supported by Secretary Gasco
37 Bentley to adopt Tribal Resolution: Provide for a Payment Schedule for the
38 Remaining Balance Due on the Line-of-Credit for Bell's Fishery.

39 Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor
40 McNamara-yes, Councilor Mulholland-yes, Councilor Yellowbank-yes, Treasurer
41 Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
42 Motion carried.

43
44 5:02 p.m. Motion made by Secretary Gasco Bentley and supported by Councilor
45 McNamara to go into closed session for confidential business matters.

46 Vote: 7 - Yes, 1 - No (Councilor Harrington, Jr.), 0 - Abstained, 0 - Absent
47 Motion carried.

1 5:23 p.m. Motion made by Treasurer Chingwa and supported by Councilor
2 Yellowbank to return to open session.

3 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

4 Motion carried.

5
6 Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa
7 to adopt Tribal Resolution: The Odawa Casino Resort is in Default on Payments
8 to the Tribal Government.

9 Roll Call Vote: Councilor Harrington, Jr. -no, Councilor Kiogima-yes, Councilor
10 McNamara-no, Councilor Mulholland-yes, Councilor Yellowbank-yes, Treasurer
11 Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

12 Motion carried.

13
14 Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to
15 approve the Welfare of Adults Regulations.

16 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

17 Motion carried.

18
19 Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to
20 approve the Tribal Council Hearing Procedures.

21 Vote: 7 - Yes, 1 – No (Councilor Harrington, Jr.), 0 - Abstained, 0 - Absent

22 Motion carried.

23
24 Motion made by Treasurer Chingwa and supported by Councilor McNamara to
25 post to the Legislative Calendar the Gaming Board of Directors Draft Statute,

26 Vote: 7 - Yes, 1 – No (Councilor Harrington, Jr.), 0 - Abstained, 0 - Absent

27 Motion carried.

28
29 Motion made by Councilor Mulholland and supported by Treasurer Chingwa to
30 post the Investment Draft Statute to the Legislative calendar.

31 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0- Absent

32 Motion carried.

33
34 5:45 p.m. Motion made by Councilor Harrington, Jr., and supported by Councilor
35 McNamara to adjourn.

36 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0- Absent

37 Motion carried.

38
39
40
41 These Minutes have been read and approved as written (or) corrected: (delete
42 either the word "written" or "corrected" as pertains to how the minutes were
43 approved.)

44
45
46
47 _____
48 Regina Gasco Bentley, Tribal Council Secretary

_____ Date