

1 The Little Traverse Bay Bands of Odawa Indians
2 Tribal Council Meeting
3 Tribal Court Room
4 7500 Odawa Circle
5 Harbor Springs, MI 49740
6 January 8, 2012
7
8

9 Closed Session: yes

10 Call to Order: Meeting was called to order at: 9:00 a.m.

11 Opening Ceremony: Melvin L. Kiogima

12
13 Council Present: Legislative Leader Melvin L. Kiogima, Secretary Regina Gasco Bentley,
14 Treasurer John Bott, Councilor Belinda Bardwell, Councilor John Keshick, Councilor
15 Kevin Gasco, Councilor Bill A. Denemy, Councilor Aaron Otto

16
17 Absent: Councilor Winnay Wemigwase

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

20
21 Executive Officials and Staff Present: Tribal Chairman Dexter McNamara, Vice-
22 Chairman Julie Shananaquet

23
24 Public: Renee' Dillard, Sharon Sierzputowski, Gwen Gasco, Tom Teuthorn, Sue Gasco,
25 Teke , Matt Davis

26
27 Invited Guests: none
28

29
30 9:14 a.m. Councilor Wemigwase arrived.

31
32 Motion made by Councilor Wemigwase and supported by Councilor Keshick to adopt the
33 agenda as amended for January 8, 2012.

34 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

35 Motion carried.

36
37 Motion made by Councilor Otto and supported by Treasurer Bott to approve the
38 minutes of December 18, 2011 as presented.

39 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

40 Motion carried.

41
42 Motion made by Councilor Otto and supported by Councilor Denemy to ratify into the
43 record the Phone Poll dated December 20, 2011. The reason for Phone Poll: was to
44 approve the action item within the confidential Memo dated December 20, 2011 from
45 General Counsel Bransky and authorize and approve the Executive to implement the
46 action item and such funding to come from Prior Period Funds.

47 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

48 Motion carried.

49
50 Motion made by Councilor Otto and supported by Councilor Gasco to ratify into the
51 record the Phone Poll dated December 27, 2011. The reason for Phone Poll was to

1 acknowledge receipt of a nominee for the Prosecutor position and schedule an interview
2 for nominee Matt Lesky for Saturday, January 7, 2012 at 1:00 p.m., contingent on the
3 Legislative Office receiving the needed information from the Executive Office.

4 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

5 Motion carried.

6
7 Motion made by Councilor Keshick and supported by Councilor Otto to ratify into the
8 record the Phone Poll dated January 03, 2011. The reason for Phone Poll: To "authorize
9 the action set out in Confidential Memo 010312-01 from General Counsel James
10 Bransky."

11 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

12 Motion carried.

13
14 Elder Comments: Doug Emery spoke regarding emergency assistance and education
15 assistance.

16
17 Motion made by Councilor Denemy and supported by Treasurer Bott to accept receipt of
18 the Chairman's report for January 8, 2012.

19 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

20 Motion carried.

21
22 Motion made by Secretary Gasco Bentley and supported by Councilor Wemigwase to
23 approve Enrollment list A - Eligible for Citizenship dated December 21, 2011 for a total of
24 12.

25 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

26 Motion carried.

27
28 Motion made by Secretary Gasco Bentley and supported by Councilor Wemigwase to
29 approve Enrollment List B – Declination In-eligible dated December 21, 2011 for a total
30 of 6.

31 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

32 Motion carried.

33
34 10:24 a.m. Recess called.

35 10:36 a.m. Meeting reconvened.

36
37 Motion made by Councilor Otto and supported by Councilor Denemy to accept
38 Legislative Leader Kiogima's verbal and written report for January 8, 2012.

39 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

40 Motion carried.

41
42 Motion made by Councilor Wemigwase and supported by Councilor Bardwell to accept
43 Secretary Gasco Bentley's verbal report for January 8, 2012.

44 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

45 Motion carried.

46
47 Motion made by Councilor Wemigwase and supported by Councilor Otto to accept
48 Treasurer Bott's verbal report for January 8, 2012.

49 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

50 Motion carried.

51

1 Motion made by Councilor Otto and supported by Councilor Gasco to approve
2 supplemental funding request for expansion of the Grant Department in the amount of
3 \$96,300 for fiscal year 2012 to come from prior period funds.

4 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

5 Motion carried.

6
7 Motion made by Secretary Gasco Bentley and supported by Councilor Gasco to approve
8 supplemental funding request to establish the Native American Graves Protection and
9 Repatriation Act (NAGPRA) and Michigan Anishinaabek Cultural Preservation &
10 Repatriation Alliance (MACPRA) representative according to Waganakising Odawak
11 Statute 2011-017 LTBB Waganakising Representative to Michigan Anishnaabeg Cultural
12 Preservation And Repatriation Alliance (MACPRA) And Native American Graves
13 Protection and Repatriation Act (NAGPRA) in the amount of \$18,000 for fiscal year 2012
14 to come from prior period funds.

15 Vote: 8 - Yes, 1 – No (Councilor Bardwell), 0 - Abstained, 0 – Absent

16 Motion carried.

17
18 Motion made by Treasurer Bott and supported by Councilor Gasco to approve and
19 authorize the Executive to pay the property taxes for 229 South Huron Avenue,
20 Mackinaw City, for FY 2012 to come from the Property Taxes line item within the
21 Executive budget and recommend approval of any additional supplemental funds
22 necessary to meet the obligation; and that the Executive shall present Tribal Council with
23 future annual budgets that contain funding necessary to meet this obligation.

24 Vote: 7- Yes, 1 – No (Councilor Otto) 1 – Abstained (Councilor Keshick), 0 – Absent

25 Motion carried.

26
27 11:46 a.m. Public comment opened: Gwen Gasco spoke as a language student
28 regarding Gijigowi Department. Tom Teuthorn spoke in support of a language
29 department, the procurement/management of grants and Council working to make it
30 happen. Matt Davis spoke regarding the language classes and the need for more
31 communication. Renee Dillard spoke regarding the language. Sharon Sierzputowski
32 spoke regarding the language classes.

33 12:15 p.m. Public Comment closed.

34
35 12:24 p.m. Lunch recess called.

36 1:31 p.m. Meeting reconvened.

37
38 Motion made by Councilor Gasco and supported by Councilor Denemy to approve
39 Judicial and Prosecutorial Appointments Policy POL-WOS 2006-003 010712-001.

40 Vote: 5 - Yes, 3 - No (Councilor Keshick, Councilor Otto, Secretary Gasco Bentley), 1 –
41 Abstained (Councilor Wemigwase), 0 – Absent

42 Motion carried.

43
44 Motion made by Councilor Gasco and supported by Councilor Bardwell to appoint
45 Matthew Lesky as Tribal Prosecutor to serve for a term of three (3) years.
46 Roll call vote: Councilor Bardwell-yes, Councilor Denemy-yes, Councilor Gasco-yes,
47 Councilor Keshick-no, Councilor Otto-yes, Councilor Wemigwase-yes, Treasurer Bott-
48 yes, Secretary Gasco Bentley-no, Legislative Leader Kiogima-yes

49 Motion carried.

50
51 Motion made by Councilor Bardwell and supported by Councilor Gasco to request the
52 Executive to consider the Grant Writer positions be partially tasked with searching and

1 applying for grants through relative policy and/or procedure that could possibly benefit
2 out of area Citizens.
3 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)
4 Motion carried.
5
6 Motion made by Councilor Bardwell and supported by Councilor Denemy to amend the
7 agenda to add the draft Ambassadorial Statute to Action Items/Motions.
8 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)
9 Motion carried.
10
11 2:18 p.m. Motion made by Councilor Otto and supported by Councilor Bardwell to go into
12 closed session for Legal issues.
13 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)
14 Motion carried.
15
16 2:30 p.m. Legislative Leader Kiogima left the meeting.
17
18 3:26 p.m. Motion made by Councilor Otto and supported by Treasurer Bott to return to
19 open session.
20 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)
21 Motion carried.
22
23 3:27 p.m. Recess called.
24 3:31 p.m. Meeting reconvened.
25
26 Motion made by Councilor Otto and supported by Councilor Denemy to table the Land
27 and Reservation Committee Report until the next regular schedule Tribal Council
28 meeting.
29 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)
30 Motion carried.
31
32 Motion made by Secretary Gasco Bentley and supported by Councilor Gasco to approve
33 and accept the donation of land parcel located along M119, in Bear Creek Township,
34 Emmet County, Michigan, Tax ID parcel #01-16-27-300-003 in memory of Mary Lou
35 Kishigo-Wall.
36 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)
37 Motion carried.
38
39 Motion made by Councilor Denemy and supported by Secretary Gasco Bentley to
40 approve the thank you letter to Loren H and Carol A. Wall and authorize the Tribal Chair
41 and Legislative Leader to sign on behalf of the Tribe.
42 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)
43 Motion carried.
44
45 Motion made by Councilor Otto and supported by Councilor Keshick to approve
46 Confidential Memo 010812-01.
47 Vote: 7 - Yes, 1 – No (Secretary Gasco Bentley), 0 - Abstained, 1 – Absent (Legislative
48 Leader Kiogima)
49 Motion carried.
50

1 Motion made by Treasurer Bott and supported by Councilor Gasco to accept the Legal
2 and Legislative Committee report as presented by Secretary Gasco Bentley for January
3 8, 2012.

4 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)

5 Motion carried.

6
7 Motion made by Councilor Wemigwase and supported by Councilor Bardwell to approve
8 the Tribal Council and its Committees Public Hearing Policy for General Rules of
9 Conduct.

10 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)

11 Motion carried.

12
13 Ethics Committee: no meeting to report.

14
15 Motion made by Councilor Wemigwase and supported by Councilor Denemy to accept
16 the Gaming Authority Committee verbal report for January 8, 2012.

17 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)

18 Motion carried.

19
20 Motion made by Councilor Otto and supported by Councilor Bardwell to posts to the
21 Legislative Calendar Membership to Midwest Alliance of Sovereign Tribes (MAST),
22 National Congress of American Indians (NCAI) and United Tribes of Michigan draft
23 Statutes.

24 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)

25 Motion carried.

26
27 Motion made by Councilor Bardwell and supported by Councilor Keshick to post the
28 Tribal Chair Ambassadorial Capacity and Tribal Representative draft Statue to the
29 Legislative Calendar.

30 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)

31 Motion carried.

32
33 4:39 p.m. Motion made by Treasurer Bott and supported by Secretary Gasco Bentley to
34 adjourn.

35 Vote: 5 - Yes, 3 – No (Councilor Gasco, Councilor Bardwell, Councilor Otto), 0 -
36 Abstained, 1 – Absent (Legislative Leader Kiogima)

37 Motion carried.

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

43
44
45
46 _____
Regina Gasco Bentley, Tribal Council Secretary

_____ Date