

Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
October 6, 1997
10:00 a.m.

Closed Session: A closed session was conducted.

Called To Order: Meeting called to order at 10:30 a.m.

Opening Ceremony: Opening ceremony was conducted by Patti Dyer-Deckrow

Council Present: George Anthony, Janet Shomin, Barry Laughlin, Alice Yellowbank
Frank Ettawageshik, Patti Dyer-Deckrow,

Council Absent: Shirley Oldman

Staff Present: Michelle Chingwa, Susan Keller

Guests Present: Frank Shunock

Alice had a comment on client confidentiality. Will appear later in minutes.

Council Arrives: Shirley Oldman arrived at 11:12 a.m.

Motion was made by **George Anthony** and was **Seconded** by **Alice Yellowbank** to adopt the agenda as amended.

Vote: 7 YES

0 NO

0 ABSTAINED

Motion Carried

Tribal Chairman's Report

Chairman Ettawageshik reported on recent meetings in Sault Ste. Marie with Bernard Bouchor. He also spoke with the Mackinaw City Motel Association. Chairman Ettawageshik stated there is a lot of support from general public and that positive people are really looking forward for to us coming there. Chairman Ettawageshik also attended a meeting in Lansing with Rick Weiner and Mike Jacobson and was brought up to date on compact negotiations.

On Monday, October 7, 1997 there will be a meeting with Bruce Babbitt on to ensure the compact is the front of his agenda for the three tribes. This meeting is for the Chairman and people from gaming companies at Kildee's office at 3:00 p.m. Secretary Babitt will meet first with the Chairman then the Gaming companies. Patti Dyer-Deckrow would like Alice Yellowbank to attend the second meeting. There will be a third meeting regarding a fund raiser for Congressman Kildee. Alice Yellowbank stated she did not think that she could make it.

Chairman Ettawageshik and Alice Yellowbank will be attending a meeting in Grand Rapids with Jeff Davis, Attorney's Office Special Assistant on Indian Affairs.

Also stated was that the Sacred Hoop will be coming to the LTBB offices and more information on time and when will be collected.

Frank Shunock attended a World Gaming Conference. He stated there is a real concern with the workings of the legislature in the next legislative session. He stated the most optimistic opening date would be May, 1997.

Chairman Ettawageshik gave a brief review of the Land in Trust issue. He has received the preliminary title opinion from the Solicitor's office. Marianna Shulstad stated that the publication requirements of 151.12 of 25 CFR. The Solicitor gave their opinion that LTBB is subject to this portion of the 25 CFR. This would entail a 30 day judicial review period. George Anthony requested an update every two weeks on the progress of this.

The zoning on the potential new office site at 915 Emmet Street was not correct. A meeting has been held with the city planning commission and there is an approval process to go through in order to use this as office space. The planning commission tabled this item for 21 days and stated they can then have a special meeting and to approve the new zoning. Bryan Gillett will be attending this meeting.

A discussion was held regarding Mariana Shulstad's expenses for attending meetings and office supplies used for binders and such.

Motion was made by **Patti Dyer-Deckrow** and was **Seconded** by **Barry Laughlin** to raise the expense limit with Leonard Street and Deinard for Mariana Shulstad by \$10,000.00.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

The need for more 25 CFR's was discussed by Council.

Motion was made by **Alice Yellowbank** and was **Seconded** by **Patti Dyer-Deckrow** to purchase two more 25 CFR's.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

Motion was made by **Janet Shomin** and was **Seconded** by **George Anthony** to accept the Tribal Chairman's verbal report and handouts.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

Chairman Ettawageshik requested Tribal Council approval to terminate the attorney relationship with Dorsey & Whitney.

Motion made by **George Anthony** and was **Seconded** by **Barry Laughlin** to terminate the relationship with Dorsey & Whitney.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

Motion was made by **Janet Shomin** and was **Seconded** by **Barry Laughlin** to pay the bills as presented.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

Accountant:

A standard bank resolution and bank signature card is needed for the Legal Accountant. Standard bank resolution and bank card needing signature.

Motion was made by **Alice Yellowbank** and was **Seconded** by **George Anthony** in support of **Resolution #10069601** for signature card for the Tribal Accountant.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

It was stated by Patti Dyer-Deckrow that money is need for food and mileage for the core Constitution Committee.

Motion was made by **Barry Laughlin** and was **Seconded** by **Janet Shomin** to pay the Constitution core committee members mileage for constitution meeting.

Vote: 6 YES 1 (Shirley Oldman) NO 0 ABSTAINED **Motion Carried**

Comments: Shirley Oldman stated she thought that there was a previous motion like this and questioned if this supersedes the original motion.

Much discussion was held regarding Constitution mileage.

Recess: Recess was called a 2:55 p.m. Meeting was called back to order at 3:16 p.m.

Motion was made by **Shirley Oldman** and was **Seconded** by **Barry Laughlin** to table minutes of the September 22, 1997 meeting.

Vote: 6 YES 0 NO 1 (Barry Laughlin) ABSTAINED **Motion Carried**

Public Comment: Public comment opened at 3:41 p.m. Barry Laughlin stated that the Headstart Open House received great reviews. **Public Comment:** Public comment closed at 3:42 p.m.

Alice Yellowbank questioned why the dental agreement submitted by the Health Director contained a record of a tribal member. She questioned confidentiality of patients. The Tribal Administrator could not determine how this happened but will meet with the health administrative assistant and the Health Director. She also stated the tribal member would be contacted and apologized to, along with a letter of explanation.

Council Procedure Manual

It was stated that the Council Procedure Manual that is prepared by Susan Keller and Barry Laughlin will be added to the agenda for Tribal Council review.

Motion was made by **Janet Shomin** and was **Seconded** by **Barry Laughlin** to adopt the Tribal Council Procedures for an interim of 30 days.

Vote: 2 (Patti Dyer-Deckrow, Barry Laughlin) YES 3 (Shirley Oldman, Janet Shomin, Alice Yellowbank) NO 2 (George Anthony, Frank Ettawageshik) ABSTAINED **Motion Failed**

Motion was made by **Patti Dyer-Deckrow** and was **Seconded** by **Shirley Oldman** to table the Tribal Council Procedure Manual.

Vote: 6 YES 1 (Barry Laughlin) NO 0 ABSTAINED **Motion Carried**

Tribal Administrator's Report:

The Tribal Administrator has received the Well & Septic contract. She stated it is the tribal member's responsibility insure they have building permits. Also reported was that the children of the Headstart Program love their teachers. There are four slots left for Native children. There are two slots filled by non native children.

The Commodity Food Program had an onsite visit by the BIA. While the inspectors were here they were introduced to Francis Killer and his associates. LTBB passed their on site study. Staff worked until 3:00 a.m. to complete tasks that needed to be in place prior to the BIA visit.

Francis Killer stated that our indirect cost rate proposal was due on July 1, 1996. He stated this needs to be completed and he will assist with the proposal. Francis also stated that Tribal Council could include wages for themselves to be trained and they need to attend training on indirect cost. He stated Council could legitimize the wages through indirect at a higher rate. Francis Killer also stated that the BIA used to provide technical assistance to get systems into place, but the BIA no long provides this assistance. Also stated was that an A-128 audit by the federal government will come in the next 28 months.

Motion was made by **George Anthony** and was **Seconded** by **Shirley Oldman** to accept the Tribal Administrator's report.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

Comment: Alice Yellowbank requested information on people who have been hired or who have left the tribe.

Gaming:

Marilyn Williams gave a verbal report on gaming administration. She provided a list of items that need to be completed. She stated at the next meeting the administration will be going over policies and procedures, and forms for administration to review..

Janet Shomin handed on information from Francis Killer and Associates which included Francis Killer's report from the on site visit, and an Accounting Procedures Manual that Kristi Houghton and Susan Keller worked on. Janet further stated that it was not her intent to put anybody in a position where they felt defensive. She is beginning to

realize there are problems in this organization that need to be brought to light. She has real concerns that need to be addressed.

At this point Council stated that this may be a personnel issue and might possibly done in closed session.

Motion was made by **Patti Dyer-Deckrow** and was **Seconded** by **Alice Yellowbank** to go into Closed Session.

Vote: 4 YES 3 NO 0 ABSTAINED **Motion Carried**

The Tribal Administrator stated she it does not matter to her whether the session is opened or closed.

Closed Session: Closed session conducted at 4:37 p.m.

These minutes have been read and approved as written:

Barry Laughlin, Tribal Council Secretary **Date**