

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Legislative Meeting  
915 Emmet Street, Administrative Building  
August 22, 1999  
10:00 a.m.

**Closed Session:** Yes

**Called to Order:** Meeting was called to order at 10:00 a.m.

**Opening Ceremony:** Conducted by Gerald Chingwa and George Anthony.

**Council Present:** Chairman Gerald V. Chingwa, Vice-Chairwoman Alice Yellowbank, Secretary Dorothy Gasco, Treasurer Rita Shananaquet, Councilor George Anthony and Councilor Susan Wysocki.

**Council Absent:** Councilor Janet Shomin

**Staff Present:** See attached list

**Guests:** See attached list

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**Motion** made by **Councilor Anthony** and **Supported** by **Councilor Wysocki** to adopt the Agenda as presented and amended.

**Vote:** 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shomin**)

**Motion Carried**

**Motion** made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to postpone review of the minutes for the meeting dated July 11, 1999, until the next meeting on September 12, 1999.

**Vote:** 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shomin**)

**Motion Carried**

**Council Arrives:** **Councilor Shomin** arrived at 10:15 a.m.

**Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor Wysocki** to accept the minutes for the meeting dated July 25, 1999 as corrected.

**Vote:** 7 Yes 0 No 0 Abstained 0 Absent

**Motion Carried**

**Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor Anthony** to accept the minutes for the meeting dated August 8, 1999.

**Motion Withdrawn.**

**Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Shomin** to postpone approval of the minutes dated August 8, 1999 until they have been typed and prepared in the proper format.

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**Vote:** 7 Yes 0 No 0 Abstained 0 Absent

**Motion Carried**

1 **Public Comment:** Opened at 10:38 Public comment made by **Councilor**  
2 **Anthony.**

3 **Public Comment:** Closed at 10:40

4

5 **Recess:** A five-minute break was called with the meeting re-convening at 10:45  
6 a.m.

7

8 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to  
9 postpone approval of Waganakising Odawa Education Statute, until a revised  
10 draft is received from Jim Bransky.

11 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

12 **Motion Carried**

13

14 **Motion** made by **Councilor Anthony** and **Supported** by **Councilor**  
15 **Shananaquet** to postpone the approval of the Tribal Employment Rights Office  
16 (TERO) Statute until the next legislative session.

17 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

18 **Motion Carried**

19

20 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor**  
21 **Shomin** to approve changes to Waganakising Odawa Statue #1998013, Trust  
22 Fund Board Statute, removing credit information from background checks.

23 **Vote:** 5 Yes 2 No (**Councilors Yellowbank/Anthony**) 0 Abstained 0 Absent

24 **Motion Carried**

25

26 **Recess:** A lunch break was taken at 12:15, with meeting re-convening at 2:00  
27 p.m.

28

29 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank**  
30 to postpone approval of the Election Statute to the next legislative session.

31 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

32 **Motion Carried**

33

34 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor**  
35 **Shomin** to amend the Personnel Policy eliminating the “at will” section and  
36 maintaining the grievance procedures outlined.

37 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

38 **Motion Carried**

39

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41 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor**  
42 **Anthony** to change the category and wage steps of the Office Manager position  
43 on the wage grid to fall within the Program Managers wage and step category.

44 **Vote:** 6 Yes 1 No (**Councilor Shomin**) 0 Abstained 0 Absent

45 **Motion Carried**

46

1 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank**  
2 to amend the Personnel Policies, effective August 22, 1999, that no person may  
3 be employed in Tribal Government who is serving on the Tribal Council. This  
4 provision shall not apply to any tribal governmental employees who are already  
5 serving on the Tribal Council as of this date, for the remainder of their Tribal  
6 Council term.

7 **Vote:** 5 Yes 0 No 1 Abstained (**Councilor Wysocki**) 1 Absent (**Councilor**  
8 **Anthony**)

9 **Motion Carried**

10  
11 **Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Wysocki**  
12 to approve the Education Commission Statute as amended.

13 **Vote:** 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

14 **Motion Carried**

15  
16 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor**  
17 **Anthony** to rescind the Motion of August 8, 1999, to have **Chairman Chingwa**  
18 contact Attorney Peter Ellsworth to represent us in the present lawsuits.

19 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

20 **Motion Carried**

21  
22 **Public Comment:** Opened at 3:04 p.m. No public comment at this time.

23 **Public Comment:** Closed at 3:05 p.m.

24  
25 **Public Comment:** Re-opened at 3:07 p.m. Public Comment made by Harriet  
26 Booth.

27  
28 **Public Comment:** Closed at 3:11 p.m.

29  
30 **Motion** made by **Councilor Gasco** and **Supported** by **Councilor Shananaquet**  
31 to take Item 4 on the agenda, Victories Casino, for immediate consideration.

32 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

33 **Motion Carried**

34  
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36  
37 **Motion** made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank**  
38 to go into closed session for the Victories discussion.

39 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

40 **Motion Carried**

41  
42 **Closed Session:** Called at 3:12 p.m.

43 **Closed Session:** Opened at 5:47 p.m.

44  
45 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor**  
46 **Shananaquet** to support the budget for table game expansion of \$785,000.00 as  
47 recommended by James Rider, General Manager.

48 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

1 **Motion Carried**

2

3 **Motion** made by **Councilor Shananaquet** and **Supported** by  
4 **Councilor Yellowbank** to approve training stipend for the Gaming Administration  
5 and Gaming Regulatory Commission of \$100.00 per day to include travel days.

6 **Vote: 6** Yes **0** No **0** Abstained **1** Absent (**Councilor Anthony**)

7 **Motion Carried**

8

9 **Recess:** Called at 6:06 p.m., meeting re-convened at 6:20 p.m.

10

11 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank**  
12 to go into closed session for discussion of legal and land issues.

13 **Vote: 6** Yes **0** No **0** Abstained **1** Absent (**Councilor Anthony**)

14 **Motion Carried**

15

16 **Closed Session:** Called at 6:23 p.m.

17

18 **Council Leaves:** **Councilor Anthony** leaves at 7:26 p.m.

19

20 **Closed Session:** Opened at 9:55 p.m.

21

22 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor**  
23 **Shomin** to approve \$150.00 stipend, per day, for Tribal Council to attend  
24 training, including travel days.

25 **Vote: 6** Yes **0** No **0** Abstained **1** Absent

26 **Motion Carried**

27

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32 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor**  
33 **Shomin** to recess the legislative session of the Tribal Council meeting of August  
34 22, 1999, at 10:01 p.m. and reconvene on August 23, 1999,  
35 at 10:30 a.m. for continued discussion and action to prior approved agenda  
36 items and to continue the work on closed session land issues.

37 **Vote: 6** Yes **0** No **0** Abstained **1** Absent (**Councilor Anthony**)

38

39 **Meeting reconvenes at 10:30 a.m. August 23, 1999**

40

41 **Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor**  
42 **Shananaquet** to go into closed session for discussion of land issues.

43 **Vote: 5** Yes **0** No **0** Abstained **2** Absent (**Councilors Anthony/Gasco**)

44 **Motion Carried**

45

46 **Closed Session:** Called at 10:47 a.m.

47

1 **Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Shomin**  
2 to go out of closed session and re-enter open session at 12:05 p.m.

3 **Vote:** 5 Yes 0 No 0 Abstained 2 Absent (**Councilors Anthony/Gasco**)

4 **Motion Carried**

5  
6 **Recess:** A break for lunch was taken at 12:15 p.m. with the meeting re-  
7 convening at 1:50 p.m.

8  
9 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor**  
10 **Yellowbank** to postpone approval of the Tobacco Litigation Contract and  
11 Resolution until Jim Bransky views the documents with his recommendations.

12 **Vote:** 5 Yes 0 No 0 Abstained 2 Absent (**Councilors Anthony/Gasco**)

13 **Motion Carried**

14  
15 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Wysocki** to  
16 approve the Wade Trim Proposals (Tribal Government Complex Master Plan and  
17 Tribal Programs Facilities) infrastructure for housing, and to authorize **Chairman**  
18 **Chingwa** to sign said contracts.

19 **Vote:** 4 Yes 1 No (**Councilor Shananaquet**) 0 Abstained 2 Absent  
20 (**Councilors Anthony/Gasco**)

21 **Motion Carried**

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24  
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27 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor**  
28 **Yellowbank** to move discussion of Tribal Council meeting dates to the next  
29 meeting on September 12, 1999.

30 **Vote:** 5 Yes 0 No 0 Abstained 2 Absent (**Councilors Anthony/Gasco**)

31 **Motion Carried**

32  
33 **Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor**  
34 **Shananaquet** to approve stipend, mileage and per diem for **Councilor Anthony**  
35 to attend the Five Tribes meeting August 24-25, 1999.

36 **Vote:** 5 Yes 0 No 0 Abstained 2 Absent (**Councilors Anthony/Gasco**)

37  
38 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank**  
39 for **Resolution #19980823-01** to support and authorize the program application  
40 to EPA for Section 104 Clean Water Act, and to further authorize **Chairman**  
41 **Chingwa** to sign said application.

42 **Vote:** 5 Yes 0 No 0 Abstained 2 Absent (**Councilors Anthony/Gasco**)

43 **Motion Carried**

44  
45 **Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Shomin**  
46 to recommend that LTBB Gaming Regulatory Commission and Gaming  
47 Administration seek training sites other than Kewadin Casino and Resort until the

1 pending lawsuit between Bay Mills and Sault Ste. Marie Tribes v LTBB and  
2 National Indian Gaming Commission has been resolved.

3 **Vote: 5 Yes 0 No 0 Abstained 2 Absent (Councilors Anthony/Gasco)**

4 **Motion Carried**

5  
6 **Motion** made by **Councilor Wysocki** and **Supported** by **Councilor Yellowbank**  
7 to accept List A of persons eligible for enrollment for membership to the LTBB as  
8 requested and approved by the Enrollment Office and Commission.

9 **Vote: 3 Yes 1 No (Councilor Shananaquet) 1 Abstained (Chairman**  
10 **Chingwa 2 Absent (Councilors Anthony/Gasco)**

11 **Motion Carried**

12  
13 **Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Shomin**  
14 to accept List B of persons ineligible for enrollment for membership to the LTBB  
15 as requested and approved by the Enrollment

16 Office and Commission

17 **Vote: 4 Yes 1 No (Councilor Shananaquet) 0 Abstained 2 Absent**  
18 **(Councilors Anthony/Gasco)**

19 **Motion Carried**

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23 **Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Shomin**  
24 to accept **Chairman Chingwa's** verbal report.

25 **Vote: 4 Yes 0 No 1 Abstained (Chairman Chingwa) 2 Absent (Councilors**  
26 **Anthony/Gasco)**

27 **Motion Carried.**

28  
29 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor**  
30 **Shomin** to adjourn the Legislative Session of the Tribal Council for August 22-23,  
31 1999 at 4:55 p.m.

32 **Vote: 5 Yes 0 No 0 Abstained 2 Absent (Councilors Anthony/Gasco)**

33 **Motion Carried**

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37 **These Minutes have been read and approved as written :**

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41 \_\_\_\_\_  
42 Dorothy Gasco, Tribal Council Secretary

\_\_\_\_\_ Date

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