

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
January 8, 2006
Tribal Court Room 7500 Odawa Circle
Smudging 9:15 a.m.
9:30 a.m.

Executive Session: no

Call to Order: Meeting was called to order at 9:34a.m.

Council Present: Legislative Leader Beatrice A. Law, Secretary Melvin L. Kiogima Treasurer Shirley Oldman, Councilor Dexter McNamara, Councilor Alice Yellowbank, Councilor Rita Shananaquet, Councilor Mary Roberts, Councilor Regina Gasco Bentley, Councilor Fred Harrington, Jr.

Absent: none

Executive Office Present: Tribal Chairman Frank Ettawageshik, William Denemy-Vice Chairman, Rebecca Fisher-Executive Assistant

Legal Staff Present: James Bransky, General Counsel

Staff Present: Michele LaCount-Legislative Office Manager, Deleta Gasco Smith-Acting Tribal Administrator, Valerie Tweedie-Chief Financial Officer

Commission, Boards and Committees: none

Guests: Harvey Gibson Doug Emery, Roger Emery, Marty VanDeCar, Grace Zerbe, Donna Budnik, Linda Harper, Chuck Willis, Edith Teuthorn, Theresa Henry

Opening Ceremony: Fred Harrington, Jr.

Motion made by Treasurer Oldman and supported by Councilor Yellowbank to adopt the agenda as amended.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Yellowbank and supported by Councilor Gasco Bentley to approve the minutes of December 18, 2005 as presented.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Elders Report: Harvey Gibson

Motion made by Secretary Kiogima and supported by Councilor Roberts to accept the Elder's verbal report as given by Harvey Gibson

Vote: 8 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Shananaquet)

Motion Carried

Motion made by Councilor Shananaquet and supported by Treasurer Oldman to accept the Legal Department's verbal report as presented by James Bransky, General Counsel.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Harrington and supported by Treasurer Oldman to place the Waganakising Odawak Statute Nation's Seal on the Legislative Agenda.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Harrington and supported by Councilor Gasco Bentley to enact William Raymond Kiogima and Helen Agnes Kiogima Noozwin Act.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion Carried

Motion made by Councilor Roberts and supported by Councilor Yellowbank to enact the Legislative Calendar Waganakising Odawak Statute Tribal Youth Services Division Act.

Motion Withdrawn as a vote to enact must be taken by roll call vote.

Motion made by Councilor Roberts and supported by Councilor Yellowbank to place on the Legislative Agenda Waganakising Odawak Statute Tribal Youth Services Division Act.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Harrington and supported by Councilor Roberts to place Waganakising Odawak Statute Executive Pardons on the Legislative Agenda.

11:45 a.m. Public Comment opened: Doug Emery, John Kawegoma, Chuck Willis, Marty VanDeCar, Harvey Gibson

12:10 p.m. Public Comment closed

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

12:11 p.m. Lunch recess called until 1:40 p.m.

1:43 p.m. Meeting reconvened

Motion made by Councilor Harrington and supported by Treasurer Oldman to adopt Resolution #010806-01 2006 Tribal Council Support for "Water is Life,

Water is Sacred” Conference, Michigan Indian Education Council Conference, and Anishinabemowin Teg.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion Carried

Motion made by Treasurer Oldman and supported by Councilor Shananaquet to approve the changes as presented for the Gaming Regulatory Commission Regulations #REG-GRC-1000-01.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Shananaquet and supported by Councilor Gasco Bentley to adopt Resolution #010806-02 Possession of Firearms.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion Carried

Motion made by Councilor Shananaquet and supported by Councilor Roberts to adopt Resolution #010806-03 Ratification of Interim Prosecutorial Services Agreement.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion Carried

Motion made by Treasurer Oldman and supported by Councilor Shananaquet to adopt Resolution #010806-04 Providing Pool of Hearing Officers.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion Carried

3:03 p.m. Recess called

3:12 p.m. Meeting resumed

Motion made by Councilor Shananaquet and supported by Treasurer Oldman to accept the Executive verbal and written report for January 8, 2006.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor McNamara and supported by Councilor Yellowbank to appoint Allie Greenleaf Maldonado as Chief Judge to Tribal Court for a term of four- years commencing upon swearing in no sooner than February 1, 2006.

Vote: 5 Yes, 4 No (Secretary Kiogima, Treasurer Oldman, Councilor Shananaquet, Councilor Roberts), 0 Abstained, 0 Absent

Motion Failed due to Constitutional requirement of six out of nine as a majority vote for this motion.

Motion made by Councilor Roberts and supported by Councilor Shananaquet to have the Executive send Tribal Council another nomination for Chief Judge.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Gasco Bentley and supported by Councilor Shananaquet to appoint Jenny Lee Kronk as the Associate Judge to the Tribal Court for a term of two-years commencing upon swearing in no sooner than February 1, 2006.

Vote: 6 Yes, 3 No (Councilor Harrington, Councilor Roberts, Councilor McNamara), 0 Abstained, 0 Absent

Motion Carried

4:00 p.m. Public Comment Opened: Harvey Gibson, John Kawegoma

4:11 p.m. Public Comment Closed

Motion made by Councilor Yellowbank and supported by Councilor McNamara to appoint Winona Singel as an Appellate Justice to serve a six-year term commencing upon swearing in no sooner than February 1, 2006.

Vote: 8 Yes, 1 No (Secretary Kiogima), 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor McNamara and supported by Treasurer Oldman to appoint Donna Budnik to Appellate Justice to serve a Four-year term, commencing upon swearing in no sooner than February 1, 2006.

Vote: 8 Yes, 1 No (Councilor Shananaquet), 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor McNamara and supported by Treasurer Oldman to appoint Rita Gasco Shepard to serve a two-year term as Tribal Elder Appellate Justice commencing upon swearing in no sooner than February 1, 2006.

Vote: 8 Yes, 1 No (Councilor Shananaquet), 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Shananaquet and supported by Secretary Kiogima to appoint William Gregory as Tribal Prosecutor to serve a three-year term commencing immediately.

Vote: 6 Yes, 3 No (Councilor Harrington, Councilor Yellowbank, Legislative Leader Law), 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Shananaquet and supported by Treasurer Oldman to appoint to the Natural Resource Commission Phil J. Harmon beginning upon swearing in for a term ending September 21, 2007.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Roberts and supported by Councilor Harrington to appoint the nomination of Arlene Naganashe to the Housing Commission upon swearing in for a term ending September 21, 2007.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

4:32 p.m. Recess called

4:44 p.m. Meeting reconvened

Motion made by Councilor Shananaquet and supported by Councilor Yellowbank for Tribal Council to attend the Annual National Indian Gaming Association Trade Show and Convention in April 2006 with, no more than two Tribal Council members to attend.

Vote: 8 Yes, 1 No (Secretary Kiogima), 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Roberts and supported by Councilor Shananaquet to send two Tribal Council members to attend the National Indian Gaming Association Reservation Economic Summit in February 2006.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Yellowbank and supported by Treasurer Oldman for Tribal Council to attend the Critical Issues Conference in Mt. Pleasant, Michigan during the month of March 2006.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Yellowbank and supported by Councilor Shananaquet for Tribal Council to attend the Water is Sacred Conference in May-June 2006 in Sault Ste. Marie, Michigan.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Gasco Bentley and supported by Councilor Yellowbank to direct the Executive Department to contract with David Shananaquet to build frames, and hang the pictures of the clans purchased for the Tribal Courtroom. Contract not to exceed, \$1500.00. Money to come from the General Fund.

Vote: 8 Yes, 0 No, 1 Abstained (Councilor Shananaquet), 0 Absent

Motion Carried

5:35 p.m. Motion made by Councilor Shananaquet and supported by Councilor Harrington to adjourn.

Vote: 8 Yes, 1 No (Councilor McNamara), 0 Abstained, 0 Absent

Motion Carried

These Minutes have been read and approved as written:

Approved:

Melvin L. Kiogima, Tribal Secretary

Date