The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
November 8, 2009

Closed Session: yes
Call to Order: Meeting was called to order at: 9:36 a.m.
Opening Ceremony: John Bott

Council Present: Legislative Leader Julie Shananaquet, Secretary Regina Gasco Bentley, Treasurer John Bott, Councilor Belinda Bardwell, Councilor Melvin L. Kiogima, Councilor Aaron Otto, Councilor Marvin Mulholland, Councilor Rita Shananaquet
Absent: Councilor Gerald V. Chingwa

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

Executive Officials and Staff Present: Tribal Chairman Ken Harrington, Vice-Chairman Dexter McNamara, General Counsel James Bransky, Gaming Board of Directors: Chairperson Carol McFall, Office Manager Cathy Portman, Director Dollie Keway, Director Fred Kiogima, Secretary/Treasurer Sheran Patton and Director Judy Pierzynowski, Casino: Hospitality Manager Mike Bodjiak, Table Games Director Susan Foster, Marketing Director Phil Gonzales, Slot Director Frank Kirsch, Human Resources: Administration Manager Gerri Mesack and Coordinator Katie Bauer

Guests: John Kawegoma, Bea Law, Judy Field, Sharon Sierzputowski, Marcia Sutton, Christina Rohn, John Liebgott, Collin Sutton, Linda Gasco

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Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to adopt the agenda for November 8, 2009 as amended.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Chingwa)
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to add to the agenda for November 8, 2009 approval of the Special Minutes of November 7, 2009.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Chingwa)
Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Otto to approve the minutes of October 25, 2009 as corrected.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Chingwa)

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Kiogima to approve the Special Meeting minutes of November 7, 2009.
Vote: 7 - Yes, 0 - No, 1 – Abstained (Legislative Leader Julie Shananaquet), 1 – Absent (Councilor Chingwa)
Motion carried.
9:56 a.m. Councilor Chingwa arrived.

Tribal Elder Comments: Harvey Gibson spoke regarding the cancellation of Elders luncheons, John Kawegoma spoke regarding the Tribal Chairman's news articles, and the Tribal bond issues. Judy Field spoke regarding Tribal Council wages, travel and the campaign comments from Legislative Leader Julie Shananaquet, Councilor Bardwell and Councilor R. Shananaquet. Judy also spoke regarding the Elder's lunch, Nimkee Technologies, Inc., the budget hearing process, and the non-gaming enterprises. John Kawegoma further spoke regarding a Constitutional convention. Judy Field further spoke regarding the Petoskey News Review reporter not attending Tribal meetings.

10:50 a.m. Recess called.
11:12 a.m. Meeting reconvened.

Motion made by Secretary Gasco Bentley and supported by Councilor Otto to accept Legislative Leader Julie Shananaquet's verbal and written report for November 8, 2009.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to accept the resignation of Marty VanDeCar from the Election Board, and to declare that seat vacant.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell to appoint Councilor Rita Shananaquet, Councilor Marvin Mulholland, and Councilor Aaron Otto to the Constitutionally Mandated Rules of Conduct for Officials of Tribal Government Ethics Committee.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

11:49 a.m. Public Comment opened: Harvey Gibson spoke regarding Elder's lunches, John Kawegoma spoke regarding BIA (Bureau of Indian Affairs) lease approvals.
11:53 a.m. Public Comment closed.

Motion made by Councilor R. Shananaquet and supported by Councilor Otto to accept Treasurer Bott's Treasurer and Appropriations and Finance Committee meetings verbal and written reports for November 8, 2009.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Otto to adopt Tribal Resolution: Funding for Children's Winter Solstice Party and Monetary Gift. Funding in the amount of $17,000 is to come from prior period funds.
Roll Call Vote: Councilor Bardwell-no, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-no, Councilor R. Shananaquet-yes, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes
Motion carried.

Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to approve the Appropriations and Finance Committee to research ANA grants for technical infrastructure.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

12:30 p.m. Lunch recess called until 2:00 p.m.
2:01 p.m. Meeting Reconvened.

3:13 p.m. Public Comment: Michele LaCount spoke regarding the Casino Abeli program and a Governmental mentoring program.
3:16 p.m. Public comment closed.

3:16 p.m. Motion made by Councilor R. Shananaquet and supported by Councilor Otto to go into closed session for confidential financial matters-Casino.
Vote: 8 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 0 - Absent
Motion carried.

3:17 p.m. Recess called.
3:38 p.m. Meeting reconvened.

3:39 p.m. Closed session began.

4:14 p.m. Motion made by Councilor Mulholland and supported by Councilor R. Shananaquet to return to open session.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

4:15 p.m. Recess called.
4:27 p.m. Meeting reconvened.

Motion made by Secretary Gasco Bentley and supported by Treasurer Bott to adopt Tribal Resolution Funding from the United States Department of Agriculture (USDA), Food and Nutrition Services, Food Distribution Program on Indian Reservations (FDPIR).

Roll Call Vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell to adopt Tribal Resolution Approval to submit: State of Michigan, Department of Human Services, Bureau of Juvenile Justice Community Programming and Support Services, Child Care Fund Unit: Little Traverse Bay Bands of Odawa Indians Child Care Fund Annual Tribal Plan.
Roll Call Vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Bott to approve Enrollment list A – Eligible for Citizenship dated October 19, 2009 for a total of 16.
Vote: 8 - Yes, 1 - No (Councilor Chingwa), 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to approve Enrollment List B – Declination (Ineligible) dated October 19, 2009 for a total of 3.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to acknowledge receipt of Enrollment C - List Voluntary Relinquishment dated October 20, 2009 for a total of 1.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell to acknowledge receipt of Tribal Chairman Harrington's verbal and written report with confidential items contained therein.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to accept the Land and Reservation Committee verbal report from Committee Chairperson Kiogima for November 8, 2009.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to accept Legislative Services Attorney Budnick's verbal and written report for November 8, 2009.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to place on the Legislative Calendar the Whistle Blower Protection, Health Department and Treasurer's Responsibilities Draft Statutes.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to appoint Lily Anderson to the Education Appeals Board for a 4-year term expiring on September 21, 2013.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to appoint John Keshick and Daugherty Johnson III to the Natural Resource Commission for a 4-year term ending September 21, 2013.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Secretary Gasco Bentley to appoint Debbie De Leon for a 2-year term ending September 21, 2011; Bill A. Denemy for a 3-year term and Heidi Bosma for a 3-year term ending September 21, 2012 to the Child Welfare Commission.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Mulholland to appoint Emily Proctor for a 3-year term ending September 21, 2012 to the Child Welfare Commission.
Vote: 2 - Yes, 7 - No (Councilor Bardwell, Councilor Chingwa, Legislative Leader Julie Shananaquet, Treasurer Bott, Councilor R. Shananaquet, Councilor Otto, Secretary Gasco Bentley, 0 - Abstained, 0 - Absent
Motion failed.

Motion made by Secretary Gasco Bentley and supported by Councilor Chingwa to appoint Marilyn Shananaquet Hume for a 3-year term ending September 21, 2012 to the Gaming Regulatory Commission.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

5:25 p.m. Motion made by Councilor Otto and supported by Councilor Bardwell to adjourn.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

These Minutes have been read and approved as corrected:

11-22-09

Regina Gasco Bentley, Tribal Council Secretary Date