The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
April 5, 2009

Closed Session: none
Call to Order: Meeting was called to order at: 9:38 a.m.
Opening Ceremony: Beatrice Law

Council Present: Legislative Leader Beatrice A. Law, Secretary Regina Gasco Bentley, Treasurer Gerald Chingwa, Councilor Dexter McNamara, Councilor Alice Yellowbank, Councilor Melvin L. Kiogima, Councilor Marvin Mulholland
Absent: Councilor Rita Shananaquet, Councilor Fred Harrington, Jr.

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

Executive Officials and Staff Present: Tribal Chairman Frank Ettawageshik

Guests: Ken Harrington, Fred Kiogima

Acknowledgement: Rita Shananaquet received the Tribal Council Oath of Office on March 25, 2009 in the Tribal Court room.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to approve the agenda for April 5, 2009 with amendments.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Harrington, Jr., Councilor Shananaquet)
Motion carried.

Motion made by Councilor Yellowbank and supported by Councilor Kiogima to approve the minutes of March 22, 2009 as presented.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Harrington, Jr., Councilor Shananaquet)
Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Yellowbank to ratify into the record the Phone Poll dated March 27, 2009 to approve Confidential Memo #032709-01 presented by Legislative Services Attorney Budnick because of immediate deadline. The Phone Poll passed by a vote of 6-yes, 1-no, 0-abstained, 2-absent.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Harrington, Jr., Councilor Shananaquet)
Motion carried.

Elders Comments: none at this time.

11:00 a.m. Recess called.
11:07 a.m. Meeting reconvened.

Motion made by Councilor McNamara and supported by Treasurer Chingwa to accept Legislative Leader Law's verbal and written report for April 5, 2009 with confidential items contained therein.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Harrington, Jr., Councilor Shananaquet)
Motion carried.

11:46 a.m. Public Comment opened: no comments.
11:46 a.m. Public Comment closed.

12:09 p.m. Lunch recess called.
1:41 p.m. Meeting reconvened.

Motion made by Councilor Mulholland and supported by Councilor Kiogima to accept the Treasurer/Appropriations and Finance Committee Chairperson Treasurer Chingwa's verbal report for April 5, 2009.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Harrington, Jr., Councilor Shananaquet)
Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor McNamara to appoint BDO Siedman LLP Accountants and Consultants as auditors for the Odawa Casino Resort at a cost not to exceed for FY2009 of $193,135, FY2010 at $202,625 and FY2011 at $212,520 to be paid through the enterprise account.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Harrington, Jr., Councilor Shananaquet)
Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Yellowbank to appropriate $12,000 to the Tribal Council's 1101-0-00 budget and $3,400 to the 2000-0-00 budget. Funding to come from the General Fund.
Vote: 3 - Yes, 4 – No (Secretary Gasco Bentley, Councilor McNamara, Legislative Leader Law, Councilor Kiogima), 0 - Abstained, 2 - Absent (Councilor Harrington, Jr., Councilor Shananaquet)
Motion failed.

3:05 p.m. Public Comment opened: Michele LaCount spoke requesting Tribal Council be fiscally responsible by requesting copies of all contracts the Tribe currently holds. Donna Budnick spoke regarding Sault Ste Marie Tribal Fisherman and their Bay De Noc illegal fishing court case currently in the Sault Tribe Court as well as concern for LTBB to seek restitution.
3:18 p.m. Public Comment closed.

Motion made by Councilor McNamara and supported by Secretary Gasco Bentley to accept the Land and Reservation Committee Chairperson Kiogima's verbal report for April 5, 2009.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Harrington, Jr., Councilor Shananaquet)
Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Mulholland In order to make a knowledgeable and well-informed decision on the proper allocation of land use, the Tribal Council requests the Executive Branch to conduct a property assessment for the Second Street property, and authorizes and requests the Tribal Chairman through his administrative oversight authority, to the extent necessary, provide such assessment to the Tribal Council.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Harrington, Jr., Councilor Shananaquet)
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to accept the Legislative Services Attorney Budnick's verbal and written report for April 5, 2009.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Harrington, Jr., Councilor Shananaquet)
Motion carried.

3:42 p.m. Recess called.
3:52 p.m. Meeting reconvened.

Motion made by Councilor Yellowbank and supported by Secretary Gasco Bentley to adopt Tribal Resolution: Request for Funding from the Environmental Protection Agency Little Traverse Bay Bands of Odawa Indians Fiscal Year 2009 Tribal Solid Waste Management Assistance Project.
Roll Call Vote: Councilor Harrington, Jr., -absent, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Yellowbank to adopt Tribal Resolution: Request for Funding from the United States Department of Justice, Office of Community Oriented Policing Services, Little Traverse Bay Bands of Odawa Indians COPS FY 2009 Hiring Recovery Program.
Roll Call Vote: Councilor Harrington, Jr., -absent, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

5:05 p.m. Motion made by Treasurer Chingwa and supported by Councilor McNamara to adjourn.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Harrington, Jr., Councilor Shananaquet)
Motion carried.

These Minutes have been read and approved as written.

Regina Gasco Bentley 4-19-09

Regina Gasco Bentley, Tribal Council Secretary Date