The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
August 9, 2009

Closed Session: yes
Call to Order: Meeting was called to order at: 9:33 a.m.
Opening Ceremony: Beatrice A. Law

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

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

Executive Officials and Staff Present: Tribal Chairman Frank Ettawageshik, General Counsel James Bransky, Gaming Board of Directors: Chair-Carol McFall, Sherri Patton, Fred Kiogima, Judy Pierzynowski, Gaming Board of Directors Office Manager Cathy Portman, Casino: General Manager Sean Barnard, Properties Operations Barry Laughlin, Hospitality Manager Mike Bodjiak, Human Resource Director Denise White, Table Games Director Susan Foster, Finance Director Scott Cannady

Guests: Julie Shananaquet, Belinda Bardwell, Oppenheimer and Co. Eben Perison, Fredericks, Peebles and Morgan Tim Kincaid, (guest), Ken Harrington, John Bott, Roy Smithkey, Jr., Aaron Otto

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Motion made by Councilor Mulholland and supported by Councilor Kiogima to adopt the agenda for August 9, 2009 with additions.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor McNamara to approve the minutes of July 26, 2009 with corrections.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

Tribal Elder Comments: Frank Ettawageshik regarding a published book called the Art of Tradition.

9:56 a.m. Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa to go into closed session for confidential Business matters.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

10:16 a.m. Motion made by Councilor Harrington, Jr., and supported by Councilor Mulholland to return to open session
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

10:17 a.m. Motion made by Councilor Harrington, Jr., and supported by Treasurer Chingwa to go into closed session for attorney client privilege discussion.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

12:29 p.m. Motion made by Councilor Mulholland and supported by Councilor Harrington, Jr., to go out of closed session.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

12:31 p.m. Public Comment opened: Roy Smithkey, Jr., spoke regarding housing complex issues and individual rights.
12:39 p.m. Public Comment closed.

12:39 p.m. Lunch recess called until 1:50 p.m.
1:53 p.m. Meeting reconvened.

2:15 p.m. Councilor McNamara arrived.

2:35 p.m. Motion made by Councilor Kiogima and supported by Secretary Gasco Bentley to go into closed session for business purposes.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

3:00 p.m. Motion made by Secretary Gasco Bentley and supported by Councilor McNamara to return to open session.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

3:00 p.m. Recess called.
3:06 p.m. Meeting reconvened.

3:06 p.m. Public Comment opened: Cathy Portman spoke regarding Casino employee complaints. Ken Harrington spoke regarding Casino performances and the Tribal Preference law. Michele LaCount spoke regarding adherence to Tribal law.
3:13 p.m. Public Comment closed.

Motion made by Treasurer Chingwa and supported by Councilor Kiogima to accept Legislative Leader Law's verbal and written report for August 9, 2009 with confidential items contained therein.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

Motion made by Councilor McNamara and supported by Secretary Gasco Bentley to accept Councilor Kiogima's Land and Reservation Chairperson verbal and written report for August 9, 2009.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

Motion made by Councilor Harrington, Jr., and supported by Councilor Mulholland to adopt Tribal Resolution: Casino Debt.
Roll Call Vote: Councilor Harrington, Jr., -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent, Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Councilor McNamara and supported by Councilor Kiogima to accept Legislative Services Attorney Budnick's verbal and written report for August 9, 2009.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa to accept Tribal Chairman Ettawageshik's verbal and written report for August 9, 2009.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor McNamara to adopt Tribal Resolution: Authorization to Grant Easement to Emmet County for Non-Motorized Trail along Anderson Road.
Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent,

Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Councilor McNamara and supported by Treasurer Chingwa to adopt Tribal Resolution: Supplemental Funding for Elders program for Food and Utility Assistance.
Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent, Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to adopt Tribal Resolution: Funding from the USDA-CSREES, North Central Region (NCR) Sustainable Agriculture Research and Education (SARE) Little Traverse Bay Bands of Odawa Indians Sustainable Agriculture Grant Program.
Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent, Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor McNamara to adopt Tribal Resolution: Request for Funding from the United States Fish and Wildlife Service, Little Traverse Bay Bands of Odawa Indians Natural Resources Department 2010 Tribal Wildlife Grant.
Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent, Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Kiogima to adopt Tribal Resolution: Funding Renewal from the U.S. Department of Health and Human Services Indian Health Service Little Traverse Bay Bands of Odawa Indians 2010 Annual Funding Agreement.
Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent, Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor McNamara to adopt Tribal Resolution: Inter-Tribal Council of Michigan, Inc. funding from U.S. Department of Health and Human Services, Centers for Disease Control Little Traverse Bay Bands of Odawa Indians REACH US Program.

Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent, Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to approve Citizenship List A – Eligible for Citizenship dated July 22, 2009 for a total of 9.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Mulholland to approve Citizenship List B – Declination (Ineligible) dated July 22, 2009 for a total of 3.
Vote: 6 - Yes, 1 – No (Councilor Harrington, Jr.), 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa to acknowledge the receipt of Citizenship List C - Relinquishment dated July 22, 2009 for a total of 1.
Vote: 6 - Yes, 1 – No (Councilor Harrington, Jr.), 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

Motion made by Treasurer Chingwa and supported by Secretary Gasco Bentley to approve Citizenship Statute Regulations REG-WOS 2008-006 072809-002.
Vote: 6 - Yes, 1 – No (Councilor Harrington, Jr.), 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

Motion made by Treasurer Chingwa and supported by Secretary Gasco Bentley to disapprove the Michelle Chingwa Education Assistance Scholarship Regulations REG-WOS 2007-05 080709-005.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Mulholland to approve Michelle Chingwa Education Assistance Scholarship Regulations REG-WOS 2007-05 080809-006.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Kiogima to disapprove the Business Registration Regulations REG-WOS 2006-009 080709-002.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

Motion made by Councilor Kiogima and supported by Secretary Gasco Bentley to approve Business Registration Regulations REG-WOS 2006-009 080809-003.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Mulholland to adopt Tribal Resolution Strategic Plan for Tribal Land Acquisition.
Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent, Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Councilor Mulholland and supported by Secretary Gasco Bentley to adopt Tribal Resolution: Firearm Prohibition.
Roll Call Vote: Councilor Harrington, Jr. -no, Councilor Kiogima-yes, Councilor McNamara-no, Councilor Mulholland-yes, Councilor Shananaquet-absent, Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Mulholland to pass the Disclosure of Public Documents Statute.
Roll Call Vote: Councilor Harrington, Jr. -no, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent, Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

5:35 p.m. Motion made by Councilor Harrington, Jr. and supported by Councilor McNamara to reject all pending regulations and remove all pending legislation from the Legislative calendar and adjourn.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Shananaquet, Councilor Yellowbank)
Motion carried.

These Minutes have been read and approved as corrected:

Regina Gasco Bentley 8-23-09
Regina Gasco Bentley, Tribal Council Secretary Date