

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
June 27, 2010

Closed Session: yes

Call to Order: Meeting was called to order at: 9:01 a.m.

Opening Ceremony: Sarah VanDeCar

Council Present: Secretary Regina Gasco Bentley, Treasurer John Bott, Councilor Gerald Chingwa, Councilor Marvin Mulholland, Councilor Aaron Otto

Absent: Legislative Leader Julie Shananaquet, Councilor Melvin L. Kiogima, Councilor Belinda Bardwell, Councilor Rita Shananaquet

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

Executive Officials and Staff Present: Vice-Chairman Dexter McNamara

Guests: Sarah VanDeCar, Bea Law, Marcia Sutton, Andrew Stich, Don Lasley, Bill Denemy, Rose Smalley

Motion made by Treasurer Bott and supported by Councilor Otto to adopt the agenda with additions for June 27, 2010.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent, (Legislative Leader J. Shananaquet, Councilor Bardwell, Councilor Kiogima, Councilor R. Shananaquet)

Motion carried.

9:07 a.m. Councilor Kiogima arrived.

Motion made by Councilor Otto and supported by Treasurer Bott to approve the minutes of June 6, 2010 as presented.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent, (Legislative Leader J. Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Bott to ratify into the record the Phone poll dated June 11, 2010: "To approve the confidential letter of engagement with Stuyvesant Square Advisors, Inc. as submitted by Legislative Services Attorney Budnick on June 11, 2010, with the expressed limited sovereign immunity waiver clause to meet an immediate deadline to protect a vital interest of the Tribe." The Phone Poll passed 5-yes, 3-no, 0-abstained, 1-absent.

Vote: 5 - Yes, 1 - No (Councilor Mulholland), 0 - Abstained, 3 - Absent, (Legislative Leader Julie Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Tribal Elders Comments: Sarah VanDeCar spoke regarding dental concerns with the Executive, including the release of confidential information to the Accounting Department. Bea Law thanked Tribal Council for their work regarding the dental assistance program.

Motion made by Treasurer Bott and supported by Councilor Kiogima to accept Legislative Leader Shananaquet's written report for June 27, 2010.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent, (Legislative Leader J. Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

9:24 a.m. Motion made by Councilor Otto and supported by Treasurer Bott to go into closed session for confidential business matters-Casino).

Vote: 5 - Yes, 0 - No, 1 - Abstained (Treasurer Bott), 3 - Absent, (Legislative Leader Julie Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

9:45 a.m. Motion made by Councilor Mulholland and supported by Councilor Otto to return to open session.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent, (Legislative Leader J. Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Otto to accept Secretary Gasco Bentley's verbal report with confidential items.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent, (Legislative Leader J. Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

Motion made by Councilor Mulholland and supported by Councilor Kiogima to accept the Appropriations and Finance Committee verbal report for June 27, 2010 as provided by Treasurer Bott, Committee Chairperson.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent, (Legislative Leader J. Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

Motion made by Councilor Chingwa and supported by Secretary Gasco Bentley to accept the Land and Reservation Committee verbal report as presented by Councilor Kiogima Committee Chairperson.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent, (Legislative Leader J. Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Mulholland to accept the Ethics Committee verbal report for June 27, 2010 presented by Committee Chairperson Otto.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent, (Legislative Leader J. Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

Councilor Otto provided an FYI only regarding attendance at the next Tribal Council meeting weekend in July.

Motion made by Treasurer Bott and supported by Councilor Otto to accept Councilor Kiogima's verbal Tribal Council member report for June 27, 2010.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent, (Legislative Leader J. Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Chingwa to accept Legislative Services Attorney Budnick's verbal and written report for June 27, 2010.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent, (Legislative Leader J. Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

Motion made by Councilor Otto and supported by Councilor Kiogima to adopt Tribal Resolution Tribal Council Consents to and Authorizes the Tribal Chair and Tribal Treasurer to Sign Necessary Document in conjunction with the Bond Restructuring.

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

Motion carried.

Motion made by Councilor Mulholland and supported by Treasurer Bott to adopt Tribal Resolution MCEA Supplemental funding Appropriation of \$110,000 to Fund Current Scholarship Levels and Rates for FY 2010 from prior year funds.

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

Motion carried.

11:39 a.m. Public Comment opened: Bea Law spoke in opposition to the Murray Road Housing Alternative Energy Project using that location to put a Biomass plant & Windmills due to it being a residential area.

11:42 a.m. Public Comment closed.

11:44 a.m. Motion made by Councilor Kiogima and supported by Treasurer Bott to go into closed session for Legal.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent, (Legislative Leader J. Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

12:03 p.m. Motion made by Councilor Kiogima and supported by Councilor Chingwa to return to open session.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent, (Legislative Leader J. Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

12:03 p.m. Lunch recess called.

1:35 p.m. Meeting reconvened.

Motion made by Councilor Kiogima and supported by Treasurer Bott to approve the Request for Funding from the United States Department of Agriculture, Natural Resources Conservation Service, Wildlife Habitat Improvement Program (WHIP), Little Traverse Bay Bands of Odawa Indians, Invasive Species Removal Project.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent, (Legislative Leader J. Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Otto to approve: Approval for Grant Agreement between the Michigan Department of Community Health and the Little Traverse Bay Bands of Odawa Indians - Public Health Preparedness and Response for Bioterrorism FY 10-11.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent, (Legislative Leader J. Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Kiogima to approve: Funding from the United States Department of Agriculture (USDA), Food and Nutrition Services, Food Distribution Program on Indian Reservations (FDPIR).

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent, (Legislative Leader J. Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

Motion made by Councilor Mulholland and supported by Councilor Chingwa to disapprove LTBB Elders Program Dental Services Regulations REG-ELD-RES 022110-01 060210-002.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent, (Legislative Leader J. Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

Motion made by Councilor Mulholland and supported by Treasurer Bott to request the Legislative Services Attorney Budnick draft a Writ of Mandamus to

compel compliance by the Tribal Chairman with Tribal Resolution 022110-01 for Tribal Council approval.

Vote: 5 - Yes, 1 - No (Councilor Otto), 0 - Abstained, 3 - Absent, (Legislative Leader Julie Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

Motion made by Councilor Chingwa and supported by Councilor Mulholland to pass Legal and Legislative Committee Statute.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent, (Legislative Leader J. Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

3:02 p.m. Public Comment opened: no comments.

3:02 p.m. Public Comment closed.

3:17 p.m. Recess called.

3:21 p.m. Meeting reconvened.

3:22 p.m. Motion made by Councilor Mulholland and supported by Councilor Kiogima to adjourn.

Vote: 5 - Yes, 1 - No (Councilor Otto), 0 - Abstained, 3 - Absent, (Legislative Leader Julie Shananaquet, Councilor Bardwell, Councilor R. Shananaquet)

Motion carried.

These Minutes have been read and approved as corrected:

Regina Gasco Bentley, Tribal Council Secretary

7-11-10
Date