The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
January 23, 2011

Closed Session: yes
Call to Order: Meeting was called to order at: 9:10 a.m.
Opening Ceremony: Moment of Silence

Physical Council Present: Legislative Leader Julie Shananaquet, Secretary Regina Gasco Bentley, Treasurer John Bott, Councilor Belinda Bardwell, Councilor Aaron Otto

Absent: Councilor Melvin L. Kiogima, Councilor Marvin Mulholland, Councilor Gerald V. Chingwa, 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, Tribal Chairman Ken Harrington. Natural Resource Director Doug Craven

Guests: Doug Emery, Diane Bott, Yvonne McShane, Steve Socham, John Keshick, Winnay Wemigwase, Beverly Wemigwase, Bill Denemy, Nancy Kiogima, Dean Samuels, Jr.

9:13 a.m. Councilor Kiogima arrived.
9:15 a.m. Councilor Chingwa arrived.

Motion made by Treasurer Bott and supported by Councilor Otto to adopt the agenda as amended for January 23, 2011.
Vote: 7- Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Mulholland, Councilor R. Shananaquet)
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to approve the minutes of January 9, 2011 as presented.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Mulholland, Councilor R. Shananaquet)
Motion carried.

9:21 a.m. Elder Comments: no comments.

Motion made by Councilor Bardwell and supported by Councilor Kiogima to accept the Secretary Gasco Bentley verbal Secretary report for January 23, 2011.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Mulholland, Councilor R. Shananaquet)
Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Kiogima to accept Treasurer Bott's verbal and written Treasurer and Appropriations and Finance Committee report for January 23, 2011.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Mulholland, Councilor R. Shananaquet)
Motion carried.

10:10 a.m. Motion made by Secretary Gasco Bentley and supported by Treasurer Bott to go into close session for personnel.
Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Mulholland, Councilor R. Shananaquet, Legislative Leader J. Shananaquet)
Motion carried.

10:27 a.m. Motion made by Councilor Otto and supported by Treasurer Bott to return to open session.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Mulholland, Councilor R. Shananaquet)
Motion carried.

10:28 a.m. Recess called. Councilor Mulholland arrived.
10:38 a.m. Meeting reconvened.

Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell to approve supplemental funding for Legislative Office Summer Intern in the amount of $9,500.00 to come from prior period funds.
Vote: 8 - Yes, 0 – No, 0 - Abstained, 1 – Absent (Councilor R. Shananaquet)
Motion carried.

11:51 a.m. Public Comment opened: Yvonne McShane requested definitions to acronyms used on the agenda and minutes. Yvonne also asked for definition of church and state with regard to the Tribe. Doug Emery was concerned with treatment during an interview process. John Keshick spoke regarding the Inland Consent Decree and fish hatchery planting.
12:02 p.m. Public Comment closed.

Motion made by Councilor Otto and supported by Secretary Gasco Bentley to accept the Legislative Leader J. Shananaquet verbal and written report for January 23, 2011.
Vote: 8 - Yes, 0 – No, 0 - Abstained, 1 – Absent (Councilor R. Shananaquet)
Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Mulholland to approve Tribal Council travel for 2011.
Vote: 8 - Yes, 0 – No, 0 - Abstained, 1 – Absent (Councilor R. Shananaquet)
Motion carried.

Motion made by Councilor Mulholland and supported by Councilor Kiogima to approve the donation by CMS Land Company, for construction and maintenance of the LTBB Fishery in the amount of $250,000.00 in accordance with the Grant, Donation and Other Funding Policy.
Vote: 5 - Yes, 3 – No (Councilor Otto, Councilor Chingwa, Secretary Gasco Bentley), 0 - Abstained, 1 – Absent (Councilor R. Shananaquet)
Motion carried.

12:08 p.m. Lunch recess called.
1:33 p.m. Meeting reconvened. Councilor R. Shananaquet arrived.

Motion made by Councilor Bardwell and supported by Councilor R. Shananaquet to accept the Land and Reservation Committee update as presented by Committee Chairperson Kiogima.
Vote: 9 - Yes, 0 – No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Bardwell to accept the Legal and Legislative Committee update as presented by Committee Chairperson Chingwa for January 23, 2011.
Vote: 9 - Yes, 0 – No, 0 - Abstained, 0 - Absent
Motion carried.

Rules of Conduct Committee update from Committee Chairperson Councilor Otto consisted of no reports filed for Committee review.

Motion made by Councilor Bardwell and supported by Councilor R. Shananaquet to accept the Gaming Authority Committee report as presented by Committee Chairperson Chingwa for January 23, 2011.
Vote: 7 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 1 – Absent (Councilor R. Shananaquet)
Motion carried.

2:40 p.m. Recess called.
2:51 p.m. Meeting reconvened.

3:07 p.m. Public Comment opened: Yvonne McShane spoke regarding Tribal Council Commissions stipends with regard to Tribal Council's compensation. Yvonne also spoke regarding the Native American Graves Protection and Repatriation Act and who that position reports to. Dean Samuels Jr., spoke with concern regarding the economic development of the former Victories property.
3:16 p.m. Public Comment closed.

Motion made by Councilor R. Shananaquet and supported by Secretary Gasco Bentley to accept Legislative Services Attorney Budnick's verbal and written report for January 23, 2011.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to table the Confidential Supplemental Release and Summary of the Bonds until such time that Tribal Council can meet with the bondholder to discuss further; and all information regarding the bond and the negotiation of the bond shall remained confidential until released from Tribal Council.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor Bardwell and supported by Treasurer Bott to acknowledge receipt of Tribal Chairman Harrington's verbal and written report for January 23, 2011.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Secretary Gasco Bentley to approve: Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, Little Traverse Bay Bands of Odawa Indians, FY2011 Circle of Flight Project.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to approve: Funding from the U.S. Department of Housing and Urban Development FY 2011 Rural Innovation Fund Program Little Traverse Bay Bands of Odawa Indians Housing Rural Innovation Fund Project.
Vote: 7 - Yes, 2 – No (Legislative Leader Julie Shananaquet, Councilor Chingwa), 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Legislative Leader Julie Shananaquet and supported by Councilor Bardwell to approve: Request for Funding from Hestia Foundation Hestia Women's Giving Circle Little Traverse Bay Bands of Odawa Indians "My Daughter, My Friend".
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to approve: Request for Funding from the U.S. Department of Justice, Office on Violence Against Women Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program Little Traverse Bay Bands of Odawa Indians Arrest Program.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Secretary Gasco Bentley to approve: Request for Funding from the National Historical Publications and Records Commission National Archives and Records Administration Little Traverse Bay Bands of Odawa Indians Digitizing Historical Records Project.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell to approve: Request for Funding from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance, Justice and Mental Health Collaboration Program, Little Traverse Bay Bands of Odawa Indians Collaboration of Justice and Mental Health Systems Project.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to approve: Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, Great Lakes Restoration Initiative (GLRI) Little Traverse Bay Bands of Odawa Indians, FY2011 BIA GLRI Eagle Project.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Legislative Leader J. Shananaquet to approve: Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, Great Lakes Restoration Initiative (GLRI) Little Traverse Bay Bands of Odawa Indians, FY2011 BIA GLRI Beaver Island Project.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Legislative Leader J. Shananaquet to approve: Enrollment List A – Eligible for Citizenship dated January 20, 2011 for a total of 7.
Vote: 8 - Yes, 1 – No (Councilor Chingwa), 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to acknowledge: Citizenship List C – Voluntary Relinquishment dated January 20, 2011 for a total of 2.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Legislative Leader J. Shananaquet and supported by Secretary Gasco Bentley to approve: 1836 Ceded Territory Natural Resources Rules and Regulations REG-WOS 2008-012 102710-001.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Legislative Leader J. Shananaquet to pass: Waganakising Odawak Statute Financial Disclosure by Tribal Officials.
Councilor Bardwell-yes, Councilor Chingwa-no, Councilor Kiogima-yes, Councilor Mulholland-no, Councilor R. Shananaquet-absent, Councilor Otto-no, Treasurer Bott-no, Secretary Gasco Bentley-no, Legislative Leader Julie Shananaquet-yes
Motion failed.

Motion made by Legislative Leader J. Shananaquet and supported by Councilor Bardwell to pass: Waganakising Odawak Statute Bullying Prohibition.
Councilor Bardwell-yes, 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-yes
Motion carried.

5:05 p.m. Councilor R. Shananaquet left the meeting.

Motion made by Legislative Leader Julie Shananaquet and supported by Councilor Chingwa to pass: Waganakising Odawak Statute Treasury Office.
Roll Call Vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-absent, Councilor Otto-no, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes
Motion carried

Motion made by Councilor Mulholland and supported by Councilor Chingwa to approve: Odawa Economic Development Management Inc., Corporate Charter.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor R. Shananaquet)
Motion carried.

Motion made by Legislative Leader J. Shananaquet and supported by Treasurer Bott to post: to the Legislative Calendar the Gaming Regulatory Statute to the Legislative Calendar.
Vote: 7 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 1 – Absent (Councilor R. Shananaquet)
Motion carried.

5:12 p.m. Motion made by Secretary Gasco Bentley and supported by Treasurer Bott to go into closed session for personnel.
Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 – Absent (Legislative Leader J. Shananaquet, Councilor Mulholland, Councilor R. Shananaquet, Councilor Kiogima)
Motion carried.

5:30 p.m. Motion made by Treasurer Bott and supported by Councilor Bardwell to return to open session.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor R. Shananaquet)
Motion carried.

5:31 p.m. Motion made by Treasurer Bott and supported by Councilor Chingwa to adjourn.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor R. Shananaquet)
Motion carried. .

These Minutes have been read and approved as written:

2-8-11

Regina Gasco Bentley, Tribal Council Secretary Date