

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Court Room  
7500 Odawa Circle  
Harbor Springs, MI 49740  
November 6, 2011

Closed Session: yes

Call to Order: Meeting was called to order at: 9:09 a.m.

Opening Ceremony: Carla McFall

Council Present: Legislative Leader Gerald V. Chingwa, Secretary Regina Gasco Bentley, Treasurer John Bott, Councilor Belinda Bardwell, Councilor Aaron Otto, Councilor Melvin L. Kiogima, Councilor Kevin Gasco, Councilor Bill Denemy, Councilor Winnay Wemigwase

Absent: none

Council Present after John Keshick III Oath of Office: Secretary Regina Gasco Bentley, Treasurer John Bott, Councilor Belinda Bardwell, Councilor Aaron Otto, Councilor John Keshick III, Councilor Melvin L. Kiogima, Councilor Kevin Gasco, Councilor Bill Denemy, Councilor Winnay Wemigwase

Absent: none

Legislative Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount, General Counsel James Bransky

Executive Officials and Staff Present: Tribal Chairman Dexter McNamara, Natural Resource Director Doug Craven, Planning Director Bryan Gillett, Vice-Chair Julie Shananaquet, Annette VanDeCar, Natural Resource Commissioner Billy McNamara

Judicial Branch Present: Associate Judge Kronk, Court Clerk Cynthia Brouckaert

Public: Alice Yellowbank, Linda Gokee, Theresa Keshick, Jordan Bussey, Mary Keshick, Brooke Robinson, Thomas Teuthorn, Matt Davis, Carla McFall, Tom Teuthorn, Alice Hughes, Yvonne McShane, Jon Shawa, Christine Shomin, Michele Keshick, Andrew Stich, Bill Denemy Sr., Nancy Kiogima, Heidi Bosma, Merle Carson, Arlene L. Foreman, Jasmine Jackson, Carol Quinones, Kaiah Keshick

Invited Guests: LTBB's Federal Lobbyist Lydia Hofer, LTBB's Michigan Lobbyist Noel LaPorte

---

Motion made by Councilor Bardwell and supported by Councilor Denemy to adopt the agenda with additions for November 6, 2011.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent  
Motion carried.

Motion made by Councilor Kiogima and supported by Treasurer Bott to approve the minutes of October 23, 2011 as presented.

Vote: 8 - Yes, - No, 1- Abstained (Councilor Keshick III), 0 – Absent  
Motion carried.

Elder Comments: Alice Yellowbank spoke with concern regarding Tribal Preference and in support of Melvin L. Kiogima for Legislative Leader.

Nominations for Legislative Leader: Melvin L. Kiogima and Winnay Wemigwase.

Melvin L. Kiogima elected by Tribal Council as Legislative Leader.

Nominations for Secretary: Regina Gasco Bentley, Winnay Wemigwase, Belinda Bardwell.

Regina Gasco Bentley elected by Tribal Council as Secretary.

Nominations for Tribal Treasurer: John Bott, Kevin Gasco.

John Bott elected by Tribal Council as Tribal Treasurer.

Motion made by Councilor Bardwell and supported by Councilor Keshick III to accept the Appropriations and Finance Committee Report as presented by Legislative Leader Kiogima Committee Member for November 6, 2011.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent  
Motion carried.

Motion made by Councilor Otto and supported by Councilor Keshick III to approve the letter of agreement with Rehmann dated November 1, 2011, to provide management consulting services in the amount not to exceed \$10,000.00 and authorizes the Treasurer to sign such agreement and approve supplemental funding in the amount of \$10,000.00 to be added to the Legislative budget to come from Prior Period Funds.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent  
Motion carried.

10:30 a.m. Recess called.

10:50 a.m. Meeting reconvened.

Motion made by Councilor Denemy and supported by Councilor Bardwell to amend the agenda to include the appointment to the Appropriations and Finance Committee.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Treasurer Bott, Councilor Wemigwase)  
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Wemigwase to appoint Councilor Denemy and Councilor Gasco to the Appropriations and Finance Committee.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Legislative Leader Kiogima and supported by Treasurer Bott to appoint Councilor Wemigwase, Councilor Otto, and Councilor Bardwell to the Ethics Committee.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Denemy and supported by Councilor Bardwell to appoint Councilor Keshick III, Councilor Gasco, and Councilor Otto the Gaming Authority Committee.

Vote: 8 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 0 – Absent

Motion carried.

11:47 a.m. Public Comment opened: Andrew Stich spoke regarding the Executive Economic Development Commission, and the proposed Council Economic Development Committee proposed Legislation. Bill Denemy, Sr., spoke in support of Citizen Concerns to be involved on Executive Committees in lieu of Council committees. Michele LaCount spoke in support of Council providing web updates and hearing concept papers to Citizens for clarity with regard to Council intentions.

12:01 p.m. Public comment closed.

Motion made by Councilor Denemy and supported by Councilor Keshick III to approve the modified Mtigwaakiis Site Plan, Revision #7 of October 22, 2011, as submitted by Planning Director Bryan Gillette, specifically for the placement of a windmill on the west side of the property.

Vote: 8 - Yes, 1 – No (Secretary Gasco Bentley), 0 - Abstained, 0 – Absent

Motion carried.

12:05 p.m. Lunch recess called.

1:30 p.m. Meeting reconvened.

Noel LaPorte, LTBB's Michigan Lobbyist update.

Lydia Hofer, LTBB's Federal Lobbyist update.

3:12 p.m. Public Comment opened. No comments.

3:13 p.m. Public Comment closed.

3:13 p.m. Recess called.

3:29 p.m. Meeting reconvened.

Motion made by Treasurer Bott and supported by Councilor Otto to form an Ad-Hoc Committee Consisting of Frank Ettawageshik, Regina Gasco Bentley

and Winnay Wemigwase to create the after-words for the McClurken report and submit same to Tribal Council for approval by the end of 2011.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

4:08 p.m. Motion made by Councilor Otto and supported by Councilor Wemigwase to go into closed session for confidential business matters.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

4:30 p.m. Motion made by Legislative Leader Kiogima and supported by Councilor Wemigwase to return to open session.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Gasco to accept the Land and Reservation Committee report as presented by Legislative Leader Kiogima Committee Chairperson.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Bardwell to appoint Secretary Gasco Bentley, Legislative Leader Kiogima, Councilor Wemigwase to the Land and Reservation Committee.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Denemy and supported by Councilor Bardwell to accept the Legal and Legislative Committee verbal report from Committee person Secretary Gasco Bentley.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Legislative Leader Kiogima to approve the Judicial and Prosecutorial Appointments Policy and Procedures.

Vote: 8 - Yes, 1 – No (Councilor Otto), 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Wemigwase to approve the move of the following: Tribal Court, Human Services, Prosecutor and Law Enforcement to 911 Spring Street, Petoskey, MI.

Vote: 6 - Yes, 1 – No (Councilor Otto), 2 – Abstained (Councilor Bardwell, Councilor Keshick), 0 – Absent

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Gasco to appoint Secretary Gasco Bentley, Councilor Wemigwase, Councilor Otto to the Legal and Legislative Committee.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Legislative Leader Kiogima and supported by Secretary Gasco Bentley to post to the Legislative Calendar the Economic Development Draft Statute, Office of Citizens Legal Assistance Draft Statute, Odawa Gaming Enterprise Management Draft Statute, Odawa Gaming Enterprise Management, Inc. Corporate Charter.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Otto and supported by Councilor Bardwell to accept Councilor Bardwell Tribal Council member verbal and written report for November 6, 2011.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Otto and supported by Councilor Bardwell to accept Legislative Leader Kiogima's report for November 6, 2011.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Denemy and supported by Councilor Gasco to accept Legislative Services Attorney Budnick's verbal report for November 6, 2011.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Otto and supported by Secretary Gasco Bentley to approve and authorize the Legislative Leader to sign the stipulation to dismiss case no. C-120-0411.

Vote: 6 - Yes, 0 - No, 1 – Abstained (Councilor Keshick III), 2 – Absent Councilor Wemigwase, Treasurer Bott)

Motion carried.

5:52 p.m. Motion made by Legislative Leader Kiogima and supported by Councilor Gasco to go into closed session for legal.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

6:13 p.m. Motion made by Councilor Bardwell and supported by Councilor Wemigwase to return to open session.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Wemigwase to accept Enjinaaknegeng verbal report for November 6, 2011.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Legislative Leader Kiogima to approve Enrollment List A - Eligible for Citizenship dated October 26 for a total of 5.

Vote: 8 - Yes, 0 - No, 1 - Abstained (Councilor Keshick), 0 - Absent

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell to approve List B - Declination In-Eligible dated October 26 for a total of 4.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Gasco to appoint Allie Maldonado to the position of Chief Judge for a 4 year term.

Motion withdrawn.

Motion made by Councilor Denemy and supported by Councilor Gasco to approve and authorize the Legislative Leader to negotiate contracts within the parameters of the Constitutionally Mandated Compensation Statute for the appointed positions of Judge, Associate Judge, Appellate Justices and Prosecutor and submit same to Tribal Council for approval.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to appoint Allie Maldonado for a 4 year term to the position of Chief Judge.

Vote: 7 - Yes, 1 - No (Councilor Wemigwase), 1 - Abstained (Councilor Keshick), 0 - Absent

Motion carried.

6:34 p.m. Motion made by Councilor Bardwell and supported by Councilor Wemigwase to adjourn.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

These Minutes have been read and approved as written:

\_\_\_\_\_  
Regina Gasco Bentley, Tribal Council Secretary

11-30-11  
Date