

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Court Room  
7500 Odawa Circle  
Harbor Springs, MI 49740  
May 6, 2012

Closed Session: yes

Call to Order: Meeting was called to order at: 9:00 a.m.

Opening Ceremony: Melvin L. Kiogima

Council Present: Councilor Belinda Bardwell, Councilor Bill A. Denemy, Councilor Kevin Gasco, Councilor John Keshick, Councilor Aaron Otto, Treasurer John Bott, Secretary Regina Gasco Bentley, Legislative Leader Melvin Kiogima

Absent: Councilor Winnay Wemigwase

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

Executive Officials and Staff Present: Planning Director Bryan Gillette

Public: Rose Smalley, Sarah VanDeCar, John Kawegoma, Andrew Stich, John Gasco, Denise Petoskey

Invited Guests: Casino Employees: General Manager Dave Wolf, Human Resource Director Melissa Richards, Director Karyann Waukazoo, Finance Director Roger Borton, Hospitality Director Michael Bodjiak, of Gaming Operations Frank Kirsch, Director of Finance Roger Borton

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Motion made by Councilor Gasco and supported by Councilor Bardwell to adopt the amended agenda for May 6, 2012 in Honor of Joseph Kishigo.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Gasco to approve the minutes of April 22, 2012 as presented.

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

Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott to approve the Special Meeting minutes of April 27, 2012 as presented.

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

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Motion carried.

Elder comments: Rose Smalley asked about the Associate Judge absence. Rose also asked about the Victories and 911 Spring Street Buildings. Rose additionally spoke in opposition of the daycare building purchase due to the age of the building and asked about Tribal Preference for Apple Yard Daycare.

9:23 a.m. Councilor Wemigwase arrived.

Elder comments continued: Rose further asked Tribal Council to spend more time thinking about the decisions they make that affect everyone. Sara VanDeCar thanked people for their prayers for her recovery, John Kawegoma asked what the Tribes master plan is and spoke with concern regarding how money is spent and budget cuts. Councilor Wemigwase read Judy Field's Elder comment regarding opposition to land purchase of the daycare.

10:00 a.m. Motion made by Councilor Wemigwase and supported by Councilor Gasco to go into closed session for Confidential Business Matters.

Vote: 5 - Yes, 0 - No - Abstained, 4 – Absent (Councilor Aaron Otto, Councilor Wemigwase, Treasurer Bott, Councilor Denemy)

Motion carried.

10:51 a.m. Motion made by Councilor Wemigwase and supported by Councilor Aaron Otto to return to open session.

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

Motion carried.

10:53 a.m. Recess called.

11:13 a.m. Meeting reconvened.

Motion made by Councilor Wemigwase and supported by Councilor Bardwell to accept the Gaming Authority Committee report which includes the Casino Quarterly report for May 6, 2012.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Gasco to approve Enrollment List - A, Eligible for Citizenship dated April 18, 2012 for a total of 6.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to approve Enrollment List - B Declination Ineligible dated April 18, 2012 for a total of 2.

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

Motion made by Councilor Wemigwase and supported by Treasurer Bott to acknowledge receipt of the Executive report for April 22, 2012.

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

11:46 a.m. Public Comment: Andrew Stich asked about the necessity of the Office of the Treasury opposed to having a Chief Operating Officer. Andrew also spoke regarding spending money on buying buildings. Andrew also asked why there was a break-up of the Education Department.

12:00 p.m. Public Comment closed.

12:00 p.m. Lunch Recess called.

1:30 p.m. Meeting reconvened.

Motion made by Councilor Wemigwase and supported by Secretary Gasco Bentley to hold a Public Hearing for Comments regarding Waganakising Odawak Statute Draft Amendment to 2007-001 Marriage Statute to be held on June 9, 2012 at 1:30 p.m.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 accept the Legislative Leader Kiogima – Absent  
Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Gasco to accept the Legislative Leader Kiogima's verbal report for May 6 2012.

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

2:23 p.m. Recess called.

2:39 p.m. Meeting reconvened.

3:11 p.m. Public Comment opened: Denise Petoskey requested Tribal Council to vote today on the Amendment to Marriage Statute to constitutionally protect minority rights.

3:14 p.m. Public Comment closed.

Motion made by Councilor Gasco and supported by Councilor Denemy to approve the Capital Project expenditure for remodeling of 911 Spring Street, Petoskey, MI in the amount of \$674,934.71 to come from prior period funds and authorize Tribal Chair to sign any documents necessary to facilitate the remodeling project.

Vote: 5 - Yes, 4 - No (Councilor Wemigwase, Councilor Keshick, Councilor Otto, Secretary Gasco Bentley), 0 – Absent

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Motion carried.

Motion made by Councilor Denemy and supported by Councilor Gasco to approve Supplemental Funding Request to the Education Department for managing expenses for the Appleyard Day Care transition plan in the amount of \$49,148.00 to come from prior period funds.

Vote: 7 - Yes, 2 - No (Councilor Wemigwase, Secretary Gasco Bentley), 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Gasco to approve Supplemental Funding Request to the Odawa Fishery Inc. for operation expenses and inventory purchases in the amount of \$25,000.00 to come from prior period funds.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Secretary Gasco Bentley to acknowledge receipt of the Trust Fund Portfolio.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Otto to accept the Treasurer's report as given by Appropriations and Finance Committee Secretary Gasco.

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

Motion carried.

3:53 p.m. Recess called.

4:08 p.m. Meeting reconvened.

3:22 p.m. Motion made by Councilor Wemigwase and supported by Councilor Bardwell to go into closed session for Land purpose.

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

Motion carried.

4:49 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 Secretary Gasco Bentley and supported by Councilor Wemigwase to name the proposed road that leads off from Dryer Road to the fish hatchery as "Giigoohns Miikaan" (Little Fish Trail).

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Keshick to pursue the purchase of land parcel #50.

Vote: 7 - Yes, 2 – No (Councilor Bardwell, Legislative Leader Kiogima), 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Gasco to accept the Land and Reservation Committee report as presented by Committee Chairperson Kiogima.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept the written report from Treasury Director Garrow.

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

Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott to accept Secretary Gasco Bentley's Legal and Legislative Committee verbal report.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Otto to accept the Ethic's Committee verbal report from Chairperson Otto.

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

Motion carried.

Motion made by Councilor Otto and supported by Treasurer Bott to post the Limited Liability Codes Draft Statute to the Legislative Calendar.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept Tribal Council member reports as presented by Treasurer Bott and Councilor Wemigwase.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Keshick to approve Certified Motion: AdHoc Administration for Native Americans (ANA) Good Governance Training Committee.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Keshick to approve the action item contained in the Confidential Memo #050212-01 as submitted by Legislative Services Attorney Budnick.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to accept verbal and written report from Legislative Services Attorney Budnick.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Keshick to approve the Tribal Council Phone Poll Policy.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Bardwell to remove the proposed draft statute: Membership in United Tribes of Michigan, Midwest Alliance of Sovereign Tribes, National Indian Gaming Association, and National Congress of American Indians from the Legislative Calendar.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to acknowledge receipt of the Nomination of Frank Ettawageshik for the Waganakising Odawa Development, Inc.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell to approve the contract between LTBB and Associate Judge James Genia and authorize the Legislative Leader to sign the contract.

Vote: 5- Yes, 0 - No (Councilor Gasco, Councilor Wemigwase, Treasurer Bott, Councilor Otto), 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Bott to assign the draft Statute: Office of Citizen's to the Legal and Legislative Committee.

Vote: 7 - Yes, 2 – No (Councilor Bardwell, Councilor Otto), 0 - Abstained, 0 – Absent

Motion carried.

5:58 p.m. Motion made by Secretary Gasco Bentley and supported by Councilor Gasco to adjourn.

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

Motion carried.

These Minutes have been read and approved as written:

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Regina Gasco Bentley, Tribal Council Secretary

5-20-12

Date