

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle
Harbor Springs, MI 49740
June 10, 2012

Closed Session: yes

Call to Order: Meeting was called to order at: 9:02 a.m.

Opening Ceremony: Doug Emery

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

Absent: Councilor John Keshick, Councilor Winnay Wemigwase

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele LaCount, Treasury Director Michael Garrow, Summer Legal Intern Tanya Gibbs

Executive Officials and Staff Present: Tribal Chairman Dexter McNamara, Vice-Chairperson Julie Shananaquet

Public: Annette VanDeCar, Virginia Lewis, Rose Smalley, Sarah VanDeCar, Doug Emery, Tammy Okuly, Jake Boyd, Mary Keshick, Kahtnee Tobasageshik, Janice Shackelford, John Gasco, Mary Keshick, Glenna Kimball, Sam Shenoskey, Edward Shenosky

Invited Guests: none

9:09 a.m. Councilor Keshick arrived.

Motion made by Councilor Gasco and supported by Councilor Bardwell to adopt the agenda for June 10, 2012 as amended.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Denemy to approve the minutes of, May 20, 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 minutes for the Special Meeting of May 30, 2012 as presented.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Wemigwase)
Motion carried.

9:20 a.m. Councilor Wemigwase arrived.

Elder Comments: Doug Emery spoke regarding his banishment from the Odawa Casino and filing of complaint against the Tribal Prosecutor. Doug also spoke regarding the Education Department Services. Doug further spoke regarding the Tribal Government interview process. Virginia Lewis spoke regarding the Elder's Department and a forensic audit of the FY2010 and FY 2012 Budgets. Rose Smalley spoke in support of the Elder's requesting more money due to poverty levels. Rose also asked for an update regarding Appleyard Daycare. Jake Boyd spoke regarding his termination from the casino during his health recovery stage. Sarah VanDeCar spoke in support of Virginia Lewis and the Elder's Advisory Board. Janice Shackelford spoke in regards to fire safety for Elders.

10:10 a.m. Recess called.

10:25 a.m. Meeting Reconvened.

Motion made by Treasurer Bott and supported by Councilor Denemy to acknowledge receipt of the Executive report for June 10, 2012.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

11:45 a.m. Public comment opened: Tammy Okuly spoke regarding the need for Citizen legal representation. Annette VanDeCar spoke regarding employee rights with regard to the decisions of the employee handbook development as well as the FY2013 budget process. Janice Shackelford spoke regarding the development of an employee newsletter. Katnee Tobasageshick spoke regarding her income versus Tribal apartment income requirements.

12:02 p.m. Public Comment closed.

12:07 p.m. Lunch recess called.

1:30 p.m. Meeting reconvened. Councilor Otto, Treasurer Bott, Councilor Wemigwase absent.

1:32 p.m. Councilor Otto, Treasurer Bott arrived.

1:40 p.m. Councilor Wemigwase arrived.

Motion made by Secretary Gasco Bentley and supported by Councilor Gasco to approve Enrollment for Citizenship List – A dated May 23 2012 for a total of 3.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

LTBB Minutes of Tribal Council Meeting dated: June 10, 2012

Motion made by Secretary Gasco Bentley and supported by to approve Enrollment for Citizenship List – B Ineligible dated May 23 2012 for a total of 2.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Keshick to acknowledge the receipt of Enrollment List - C Voluntary relinquishment dated May 23, 2012 for a total of 1.

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

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Denemy to approve the LTBB lease with Daniel Berg to provide for the exercising of Treaty Rights for the term of one year, starting June 2012 to June 2013, in the amount of \$8,500.00 to come from the Natural Resource Department Budget/Treaty Rights Enhancement line-item and authorizes the Tribal Chairman to sign the lease.

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

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Wemigwase to accept Legislative Leader Kiogima verbal report for June 10, 2012.

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

Motion carried.

Secretary Gasco Bentley read into the minutes the Tribal Council Phone Poll dated May 25, 2012: Motion to approve the issuance of an "off-premises" license for wine sales at "Just North" located at 1760 Lears Road, Petoskey, MI 49770, until the date of approval of Waganakising Odawak Statute 2009-019 Liquor and Tobacco Licensing Board Statute by the Bureau of Indian Affairs and authorizes the Tribal Chairman to sign the license.

Motion made by Treasurer Bott and supported by Councilor Gasco to accept the Secretary Gasco Bentley's verbal report for June 10, 2012.

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

Motion carried.

2:39 p.m. Recess called.

2:55 p.m. Meeting reconvened.

2:56 p.m. Motion made by Councilor Otto and supported by Councilor Gasco to go into Closed Session for Confidential Business Matters.

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

Motion carried.

LTBB Minutes of Tribal Council Meeting dated: June 10, 2012

3:39 p.m. Motion made by Councilor Bardwell and supported by Councilor Gasco to return to open session.

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

Motion carried.

3:39 p.m. Public Comment opened: no comments.

3:40 p.m. Public Comment closed.

Motion made by Councilor Gasco and supported by Councilor Denemy to approve Certified Motion: Legislative Budget Capital Project Fund and Appropriation of Supplemental Funding in the amount of \$65,000.00 to come from prior period funds.

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

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Gasco to approve Certified Motion: Legislative Budget Appropriation of Supplemental Funding for Consultants in the amount \$16,254.00 to come from prior period funds.

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

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Gasco to approve the posting of the draft Investment 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 Treasurer Bott's verbal report for June 10, 2012.

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

Motion carried.

Motion made by Councilor Denemy and supported by Councilor Wemigwase to override Executive Veto to the Amendment to Waganakising Odawak Statute 2010-011 Civil Traffic.

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

Motion carried.

4:04 p.m. Councilor Gasco left the meeting.

Motion made by Councilor Wemigwase and supported by Councilor Bardwell to accept Treasury Director Garrow's report for June 10, 2012.

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

Motion carried.

4:23 p.m. Recess called.

4:38 p.m. Meeting reconvened.

Motion made by Councilor Bardwell and supported by Councilor Denemy to approve the Gaming Authority Committee report for June 10, 2012 as presented by Councilor Otto Committee member.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Bardwell to accept the Land and Reservation Committee report as presented by Legislative Leader Kiogima Committee Chairperson for June 10, 2012.

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

Motion carried.

Motion made by Councilor Otto and supported by Treasurer Bott to approve Certified Motion: Request for Trust Acquisition of Parcel in Emmet County, Mackinaw City, MI.

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

Motion carried.

Motion made by Councilor Otto and supported by Treasurer Bott to approve Certified Motion: Request for Trust Acquisition of Parcel in Emmet County, Mackinaw City, MI.

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

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Denemy to accept the Legislative and Legislative Committee Member report as presented by Secretary Gasco Bentley Committee Chairperson for June 10, 2012.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Bott to recommend to the Tribal Chair to include (2) or more front-line employees as part of the review of the Employee Handbook along with the Legal and Legislative Committee.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Bott to post to the Legislative Calendar Office of the Executive Services Attorney draft Statute.

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

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Wemigwase to pass Waganakising Odawak Statute Office of Citizen's Legal Assistance.

Roll call vote: Councilor Bardwell-yes, Councilor Denemy-yes, Councilor Gasco-absent, Councilor Keshick-no, Councilor Otto-yes, Councilor Wemigwase-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Kiogima-yes,

Motion carried.

Motion made by Councilor Bardwell and supported by Treasurer Bott to accept the Ethics Committee Report for June 10, 2012 as presented by Councilor Otto Committee Chairperson.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Bott to accept Tribal Council Member reports from Councilor Keshick and Councilor Bardwell for June 10, 2012.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Denemy to accept Legislative Services Attorney Budnick verbal and written report for June 10, 2012.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Gasco, Treasurer Bott)

Motion carried.

6:40 p.m. Motion made by Councilor Denemy and supported by Councilor Wemigwase to adjourn.

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

Motion carried.

These Minutes have been read and approved as written:

Regina Gasco Bentley, Tribal Council Secretary

6-24-12
Date