

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Court Room  
7500 Odawa Circle  
Harbor Springs, MI 49740  
August 5, 2012

Closed Session: yes

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

Opening Ceremony: Melvin L. Kiogima

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

Absent: Councilor Bill A. Denemy Councilor, John Keshick, Councilor Winnay Wemigwase

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

Executive Officials and Staff Present: Tribal Chairman Dexter McNamara, Planning Director Bryan Gillett

Casino Staff Present: Finance Director Roger Borton, Gaming Operations Frank Kirsch

Public: Doug Emery, John Kawegoma, Tammy Okuly, John Gasco, Alan Proctor, Edward Shenoskey, Jake Boyd, Glenna Kimball, Sam Shenoskey,

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Motion made by Councilor Gasco and supported by Treasurer Bott to adopt the amended agenda for August 5, 2012.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Denemy, Councilor Keshick, Councilor Wemigwase)

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Otto to approve the minutes of July 22, 2012 as presented.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Denemy, Councilor Keshick, Councilor Wemigwase)

Motion carried.

Elder Comments: no comments at this time.

Motion made by Councilor Gasco and supported by Treasurer Bott to approve Certified Motion: Request for Funding from the Great Lakes Fishery Trust, Little Traverse Bay Bands of Odawa Indians Tribal Fishing and Recreational Fishing Access Project – 9 Mile Point.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Denemy, Councilor Keshick, Councilor Wemigwase)

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Gasco to approve Certified Motion: Request for Funding from the U.S. Department of Housing and Urban Development ICDBG Imminent Threat Program Little Traverse Bay Bands of Odawa Indians Water Systems Improvement Project.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Denemy, Councilor Keshick, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott to approve Certified Motion: Request for funds as a sub-grantee from the Michigan Public Health Institute (MPHI) in collaboration with the Inter-Tribal Council of Michigan for Little Traverse Bay Bands of Odawa Indians REACH Program.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Denemy, Councilor Keshick, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Otto to approve Certified Motion: Funding Renewal from the U.S. Department of Health and Human Services Indian Health Service Little Traverse Bay Bands of Odawa Indians Annual Funding Agreement.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Denemy, Councilor Keshick, Councilor Wemigwase)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Gasco to approve Enrollment for Citizenship List – A dated July 11, 2012 for a total of 5.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Denemy, Councilor Keshick, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Otto and supported by Treasurer Bott to accept Legislative Leader Kiogima's verbal report for August 5, 2012.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Denemy, Councilor Keshick, Councilor Wemigwase)

Motion carried.

Elder Comments: John Kawegoma spoke regarding the Casino article in the Odawa Trails pertaining to the investment fund. Doug Emery supported John Kawegoma and asked if there is a plan to pay back the investment funds. Doug also spoke regarding his affiliations with the Education Department and Casino.

10:05 a.m. Public Comment opened: no comments.

10:05 a.m. Public Comment Closed.

10:06 a.m. Recess called.

10:23 a.m. Meeting reconvened.

10:23 a.m. Motion made by Councilor Otto and supported by Councilor Bardwell to go into closed session for confidential business matters.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Denemy, Councilor Keshick, Councilor Wemigwase)

Motion carried.

11:45 a.m. Recess called.

11:51 Meeting reconvened.

1:12 p.m. Lunch recess.

1:50 p.m. Meeting reconvened.

2:56 p.m. Motion made by Councilor Bardwell and supported by Councilor Otto to return to open session.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Denemy, Councilor Keshick, Councilor Wemigwase)

Motion carried.

2:56 p.m. Recess called.

3:12 p.m. Meeting reconvened.

3:13 p.m. Public Comment opened: no comments.

3:13 p.m. Public Comment closed.

Motion made by Councilor Bardwell and supported by Treasurer Bott to accept the nomination of JoAnne Gasco for the Appellate Justice position and set up an interview in accordance with the Judicial and Prosecutorial Policy.

Vote: 5 - Yes, 0 - No, 1 – Abstained (Councilor Gasco), 3 – Absent (Councilor Denemy, Councilor Keshick, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Otto to accept Secretary Gasco Bentley verbal report.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Denemy, Councilor Keshick, Councilor Wemigwase)  
Motion carried.

Motion made by Treasurer Bott and supported by Councilor Gasco to authorize and approve the additional position to the Legislative Branch for a Senior Financial Analyst within the Office of Treasury.

Vote: 5 - Yes, 1 – No (Secretary Gasco Bentley), 0 - Abstained, 3 – Absent (Councilor Denemy, Councilor Keshick, Councilor Wemigwase)  
Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott to authorize and approve the supplemental funding addition to the Legislative Branch Budget (2315-0-01) in the amount of \$56,000.00 to come from prior period funds for the costs associated for a Senior Financial Analyst within the Office of Treasury for the remainder of FY 2012.

Vote: 5 - Yes, 1 – No (Secretary Gasco Bentley), 0 - Abstained, 3 – Absent (Councilor Denemy, Councilor Keshick, Councilor Wemigwase)  
Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to authorize and approve the supplemental funding addition to the Legislative Branch Budget (2315-0-01) in the amount of \$140,430.00 to come from prior period funds for the costs associated for a Senior Financial Analyst within the Office of Treasury for FY 2013.

Vote: 5 - Yes, 1 – No (Secretary Gasco Bentley), 0 - Abstained, 3 – Absent (Councilor Denemy, Councilor, Keshick, Councilor Wemigwase)  
Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to authorize and approve the supplemental funding submitted by Odawa Fishery, Inc., (OFI) for \$34,000 to cover the anticipated balance of salary, fringe and other expenses related to the hiring of a Fisheries Manager and/or consultant for OFI for the last four (4) months of 2012.

Vote: 5 - Yes, 1 – No (Secretary Gasco Bentley), 0 - Abstained, 3 – Absent (Councilor Denemy, Councilor Keshick, Councilor Wemigwase)  
Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept Treasurer Bott verbal report for August 5, 2012.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Denemy, Councilor Keshick, Councilor Wemigwase)  
Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott to accept the Treasury Director verbal report.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Denemy, Councilor Keshick, Councilor Wemigwase)

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Gasco to accept the Land and Reservation Committee verbal report for August 5, 2012.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 – Absent (Councilor Bardwell, Councilor Denemy, Councilor Keshick, Councilor Wemigwase)

Motion carried.

4:48 p.m. Recess called. Councilor Aaron Otto left the meeting.

5:00 p.m. Meeting reconvened.

Motion made by Councilor Gasco and supported by Secretary Gasco Bentley to accept Councilor Bardwell Internet Gaming and National Indian Gaming Association travel reports for August 5, 2012.

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

Motion carried.

Motion made by Treasurer Bott and supported by Secretary Gasco Bentley to accept Councilor Gasco Internet Gaming travel report for August 5, 2012.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Secretary Gasco Bentley to post to the Legislative Calendar the Amendment to Waganakising Odawak Statute 2002-04 Indian Preference in Tribal Employment.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Gasco to accept Legislative Services Attorney Budnick's verbal and written report for August 5, 2012.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Denemy, Councilor Keshick, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott to pass the Sex Offender Registration and Notification Statute.

Roll Call vote: Councilor Bardwell-yes, Councilor Denemy-absent, Councilor Gasco-yes, Councilor Keshick-absent, Councilor Otto-absent, Councilor Wemigwase-absent, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Kiogima-yes  
Motion Carried

Motion made by Secretary Gasco Bentley and supported by Councilor Gasco to pass the Department of Human Services Statute.

Roll Call vote: Councilor Bardwell-yes, Councilor Denemy-absent, Councilor Gasco-yes, Councilor Keshick-absent, Councilor Otto-absent, Councilor Wemigwase-absent, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Kiogima-yes  
Motion Carried

Motion made by Treasurer Bott and supported by Councilor Gasco to pass the Child Protection Statute.

Roll Call vote: Councilor Bardwell-yes, Councilor Denemy-absent, Councilor Gasco-yes, Councilor Keshick-absent, Councilor Otto-absent, Councilor Wemigwase-absent, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Kiogima-yes  
Motion Carried

Motion made by Treasurer Bott and supported by Councilor Gasco to pass the Child Welfare Commission Statute.

Roll Call vote: Councilor Bardwell-yes, Councilor Denemy-absent, Councilor Gasco-yes, Councilor Keshick-absent, Councilor Otto-absent, Councilor Wemigwase-absent, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Kiogima-yes  
Motion Carried

Motion made by Councilor Bardwell and supported by Councilor Gasco to amend the Agenda to include Confidential Memo #080512-01.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Councilor Otto, Councilor Denemy, Councilor Keshick, Councilor Wemigwase)  
Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to approve the "action item" contained within the Confidential Memo #072512-01 as submitted by Legislative Services Attorney Budnick.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Councilor Otto, Councilor Denemy, Councilor Keshick, Councilor Wemigwase)  
Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Gasco to acknowledge receipt of the Odawa Economic Development Management Inc., 2nd Quarter Report.

LTBB Minutes of Tribal Council Meeting dated: August 5, 2012

Secretary Gasco Bentley RMB

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Councilor Otto, Councilor Denemy, Councilor Keshick, Councilor Wernigwase)  
Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott post the Tribal Council Committees Meeting Policy and Procedures for use of Electronic Communications.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Councilor Otto, Councilor Denemy, Councilor Keshick, Councilor Wernigwase)  
Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to approve the items contained with the Confidential Memo dated 080512-01.

Vote: 4 - Yes, 1 - No (Secretary Gasco Bentley), 0 - Abstained, 4 - Absent (Councilor Otto, Councilor Denemy, Councilor Keshick, Councilor Wernigwase)  
Motion carried.

6:21 p.m. Motion made by Councilor Gasco and supported by Councilor Bardwell to adjourn.

Vote: 4 - Yes, 1 - No (Treasurer Bott), 0 - Abstained, 4 - Absent (Councilor Otto, Councilor Denemy, Councilor Keshick, Councilor Wernigwase)  
Motion carried.

These Minutes have been read and approved as written:

Regina Gasco Bentley, Tribal Council Secretary

8-19-12  
Date