

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
December 2, 2012

Closed Session: none

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

Opening Ceremony: Legislative Leader Kiogima

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

Absent: Treasurer John Bott

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

Executive Officials and Staff Present: Elder's Department Transportation-John Gasco, Elder's Coordinator Tammy Okuly

Public: Annette VanDeCar, John Kawegoma, Sam Shenoskey, Edward Shenoskey, Yvonne McShane, Doug Emery

Invited Guests: none

Motion made by Councilor Gasco and supported by Councilor Wemigwase to adopt agenda for December 2, 2012 as amended.

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

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Bardwell to approve the minutes of November 18, 2012 as presented.

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

Motion carried.

Elder Comments: no comments at this time.

Motion made by Councilor Bardwell and supported by Councilor Gasco to accept Legislative Leader Kiogima's verbal report for December 2, 2012.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Gasco to accept Secretary Gasco Bentley verbal report for December 2, 2012.

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

Motion carried.

Elder Comment opened: Doug Emery thanked the 2-Tribal Council who voted for the motion to appoint him to the Gaming Regulatory Commission; his ban from the Casino and his interview for the Gaming Regulatory Department. Doug also asked Tribal Council to check as to why he cannot get a job with the government. Doug also spoke regarding previous problems with his Michelle Chingwa Education Assistance Act scholarships. John Kawegoma spoke regarding the Odawa Trails newsletter and it's editing of Elder comments; what needs to be adhered to by Tribal Council with regard to the recent Court case Harrington v Little Traverse Bay Bands of Odawa Indians Tribal Council, and Elder care and monitoring guidelines.

10:13 a.m. Recess called.

10:32 p.m. Meeting reconvened.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept Councilor Keshick verbal and written travel report for December 2, 2012.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Keshick to accept Legislative Leader Kiogima's verbal Land and Reservation Committee report for December 2, 2012.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Denemy to accept the Agricultural Assessment Workgroup report as presented by committee member Councilor Gasco for December 2, 2012.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Otto to accept Treasury Director Garrow's verbal and written report for December 2, 1012.

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

Motion carried.

Elder Comments: Doug Emery read the letter he received from the casino regarding his ban from the casino as adverse to casino policy. John Kawegoma spoke regarding the Tribe's master land use plan; the Tribal Council agricultural Assessment work group with regard to the fire suppression system for the government building; a request for Tribal Council travel reports to be housed in

the Education Department cultural library. John also asked where the former Chairman Ettawageshik travel reports are.

11:46 a.m. Public Comment opened: Yvonne McShane asked what has become of the hearing aid issue. Doug Emery asked if the Michelle Chingwa Education Assistance Act has brought an appropriation request for an increase to the scholarship in order to restore it to its previous levels.

11:58 p.m. Public Comment closed.

11:58 a.m. Lunch recess called.

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

Councilor Keshick arrived.

Councilor Otto arrived.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept Legislative Services Attorney Budnick's verbal and written report for December 2, 2012.

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 Keshick to approve the Traditional Tribal Burial Grounds Corporate Charter.

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 Denemy to assign and authorize the following Board members to the Traditional Tribal Burial Board, Inc., Charter Corporation: Wesley Andrews and Alice Yellowbank to a 4-year term ending September 21, 2016, Mary Gasco and Nicole Biber to an initial 2-year term ending September 21, 2014. Thereafter terms shall be for 4-years.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Otto to approve Certified Motion: Request for funding from General Mills Champions for Healthy Kids Initiative Little Traverse Bay Bands of Odawa Indians.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to approve Certified Motion: Request for funding from the United States

Environmental Protection Agency Environmental Justice Small Grants Program
Indoor Air Quality.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Otto to approve
Certified Motion: Request for funding from U.S. Department of Health and
Human Services Indian Health Service Little Traverse Bay Bands of Odawa
Indians FY 2012 – FY 2014 Special Diabetes Program for Indians.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Secretary Gasco Bentley
to acknowledge receipt of Susie Swadling nomination from the Executive for the
Waganakising Odawa Development, Inc. and set up an interview.

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

Motion carried.

Motion made by Councilor Keshick and supported by Legislative Leader Kiogima
to acknowledge receipt of Trent Crable from the Executive for Appellate Justice
and set up an interview.

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 Bardwell
to approve the issuance of a liquor license for sale of alcoholic beverages solely
for consumption on the premises at the Odawa Hotel, which is located on land
held in trust for the Tribe by the United States at 1444 US 131 S. 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.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Gasco to
approve a liquor license for Biindigen for “off-premises” license to sell alcohol at
2169 US 31 North, 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.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to approve the issuance of a liquor license for sale of alcoholic beverages for consumption on the premises at Odawa Casino Resort, which is located on land held in trust for the Tribe by the United States at 1760 Lears Road, Petoskey, MI 49770, and an "off-premises" license for wine sales at the "Up North" and the Sage Restaurant at the same address, 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.

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

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Denemy to approve the Memorandum of Understanding between the State of Michigan Department of Environmental Quality and the Little Traverse Bay Bands of Odawa Indians Natural Resource Department.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Secretary Gasco Bentley to post the Tribal Historical Preservation Office Protection and Management of Archaeological, Historical and Cultural Properties and Cultural Resources Statute to the Odawa Registry.

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

Motion carried.

Motion made by Councilor Keshick and supported by Secretary Gasco Bentley to post the Worker's Compensation Statute to the Odawa Registry.

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

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Denemy to approve the letter addressed to the Village of Mackinaw, dated December 2, 2012, and authorizes General Counsel Bransky to send the letter to the village.

Vote: 5 - Yes, 2 – No (Councilor Otto, Secretary Gasco Bentley), 0 - Abstained, 2 – Absent (Treasurer Bott, Councilor Wemigwase)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell to pass the Amendment to Waganakising Odawak Statute 2012-012 Investment Statute.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Legislative Leader Kiogima to amend the agenda to include Pond Street recommendations from the Executive to designate the site as a "Wild Area".

Vote: 2 - Yes, 5 - No (Councilor Gasco, Councilor Keshick, Councilor Bardwell, Councilor Denemy, Councilor Otto), 0 - Abstained, 0 - Absent
Motion carried.

The above motion was discussed and the action was tabled.

Motion made by Secretary Gasco Bentley and supported by Councilor Keshick to adjourn.

Above motion was placed on hold in consideration of Public Comment.

2:35 p.m. Public Comment opened: Yvonne McShane undated Tribal Council regarding the Odawa Fishery Corporate Charter members stipends being \$250.00. Annette VanDeCar asked for an update regarding the Executive directive eliminative 2-yr employment agreements.

2:40 p.m. Public Comment closed.

2:41 p.m. Motion above to adjourn continues:

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

These Minutes have been read and approved as corrected:



Regina Gasco Bentley, Tribal Council Secretary

12-16-12

Date