

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Council Chambers  
7500 Odawa Circle  
Harbor Springs, MI 49740  
February 3, 2013

Closed Session: yes

Call to Order: Meeting was called to order at: 9:03 a.m.

Opening Ceremony: Melvin L. Kiogima

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

Executive Officials and Staff Present: Tammy Okuly

Prosecutor Office: Prosecutor Lesky

Public: Annette VanDeCar, John Kawegoma, Heidi Bosma, Rochelle Ettawageshik

Odawa Casino Resort: General Manager David Wolf, Finance Director Roger Borton, Human Resource Director Melissa Richards, Marketing Director Karyann Waukazoo, Hospitality Director Michael Bodjiak, Director of Property Operations Barry Laughlin, Associate Hospitality Director Henry Rowland

Invited Guests: one

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9:06 a.m. Treasurer John Bott arrived.

Motion made by Treasurer Bott and supported by Councilor Wemigwase to adopt the agenda for February 3, 2013 as amended.

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

Motion carried.

Motion made by Councilor Otto and supported by Treasurer Bott to approve the minutes of January 20, 2013 as presented.

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

Motion carried.

Elder comments: no comments at this time.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept Legislative Leader Kiogima verbal report for February 3, 2013.

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

Motion carried.

Secretary Gasco Bentley read into the minutes the Phone Poll dated January 25, 2013: to authorize Michael Garrow, LTBB Treasury Director, to sign the Letter of Agreement between the Little Traverse Bay Bands of Odawa Indians and Resources for Native Nation Building (RNNB) with funding to come from the Office of Treasury FY2013 budget. The Phone Poll passed: 9-yes, 0-no, 0-abstained, 0-absent., and; the Phone Poll dated January 28, 2013: to authorize and approve Enjinaaknegeng and the Director of Treasury to negotiate a contract with Sovereign Finance as the Financial Advisor/Consultant for the Mackinaw Project and refinancing of Odawa Casino Resort debt structure, for Tribal Council's approval. The Phone Poll passed: 7-yes, 2-no (Secretary Gasco Bentley, Councilor Wemigwase), 0-abstained, 0-absent.

Motion made by Councilor Bardwell and supported by Councilor Wemigwase to accept Secretary Gasco Bentley's report for February 3, 2013.

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

Motion carried.

9:32 a.m. Recess called.

9:33 a.m. Meeting reconvened.

9:33 a.m. Motion made by Councilor Wemigwase and supported by Councilor Denemy to go into closed session for confidential business matters.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)

Motion carried.

9:41 a.m. Motion made by Treasurer Bott and supported by Councilor Wemigwase to return to open session.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)

Motion carried.

9:41 a.m. Recess called.

9:50 a.m. Meeting reconvened.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept Treasurer Bott's verbal report for February 3, 2013.

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

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Keshick to accept Councilor Bardwell Tribal Council member verbal and written travel report for February 3, 2013.

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

Motion carried.

10:40 a.m. Recess called.

11:05 a.m. Meeting reconvened.

Motion made by Treasurer Bott and supported by Councilor Denemy to accept the verbal Gaming Authority Committee report from Committee Chair Gasco for February 3, 2013.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Gasco to accept the Land and Reservation Committee verbal report from Committee Chair Kiogima for February 3, 2013.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to accept Agricultural Assessment Work Group verbal report from Councilor Keshick for February 3, 2013.

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

Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott to approve and authorize the Legislative Leader to sign the letter of support for the Michigan Federally Recognized Tribes Extension Program to seek funding from the USDA-NIFA Federally-Recognized Tribes Extension Program.

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

Motion carried.

Elder Comments: John Kawegoma spoke regarding his request for a written break down definition clarification of prior period funds expenditures for full disclosure as an asset for Tribal Citizens; clarification of the transfer funds from the casino and how the additional funds received will be used; when is testing for possible ground contaminations done that may be present on land considered for purchase, leasing land opposed to purchasing land; why doesn't the Ethics

Committee have regular meetings even when there are no complaints and where is the Committees Policy; why can't Tribal Citizens attend Casino closed sessions that do not involve personnel issues or any other Tribal issues in closed session; when will webcasting of meetings start for the Citizens; where does the public transit system funding come from. Ken Harrington spoke regarding Treasurer Bott voting with regard to matters related to the Mackinaw casino proposed project and Citizen's concern about voting on such.  
Elder Comments closed.

12:05 p.m. Public Comment opened.

12:06 p.m. Public Comment closed.

12:07 p.m. Lunch recess called.

1:30 p.m. Meeting reconvened.

Motion made by Councilor Gasco and supported by Treasurer Bott to accept the Hearing Aid Assessment Work Group and Junior Tribal Council Ad-hoc Committee verbal report as presented by Councilor Wemigwase for February 3, 2013.

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

Motion carried.

2:23 p.m. Recess called.

2:32 p.m. Meeting reconvened.

2:41 p.m. Motion made by Councilor Wemigwase and supported by Councilor Bardwell to go into closed session for confidential business matters casino.

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

Motion carried.

2:46 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.

3:03 p.m. Public Comment: John Kawegoma asked the Treasury Director to define government priority spending.

3:07 p.m. Public Comment closed.

Motion made by Councilor Gasco and supported by Treasurer Bott to accept Treasury Director Garrow's verbal and written report for February 3, 2013.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept Legislative Services Attorney Budnick's verbal and written report for February 3, 2013.

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

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Gasco to appoint Marvin Mulholland to the Waganakising Odawa Development, Inc. Corporate Charter to a 3-year term ending April 1, 2014.

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 Waganakising Odawa Development, Inc. 4th Quarter Report.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Gasco to acknowledge receipt of the Native American Graves Protection Repatriation Act Fourth Quarter 2012 Report as received from Wes Andrews on December 31, 2012.

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

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Gasco to acknowledge the receipt of the Executive Oversight Report received on February 2, 2013.

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

Motion carried.

Motion made by Councilor Otto and supported by Councilor Gasco to acknowledge receipt of the written report including the minutes of the Agricultural Assessment Work Group.

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

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Wemigwase to post amendments to the proposed Economic Development Committee Statute.

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

Motion carried.

Motion made by Councilor Denemy and supported by Councilor Wemigwase to acknowledge receipt of Executive Nomination of David Dominic for Gaming Regulatory Commission.

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

Motion made by Councilor Gasco and supported by Councilor Wemigwase to approve Certified Motion: Request for Funding for LTBBOI FY 2013 Adult Drug Court Discretionary Grant Program.  
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent  
Motion carried.

Motion made by Treasurer Bott and supported by Councilor Wemigwase to approve Certified Motion: Request for Funding for Little Traverse Bay Bands of Odawa Indians Tribal Home Visiting Grant Program.  
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent  
Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott to approve Certified Motion: Request for Funding for Little Traverse Bay Bands of Odawa Indians FY 2014 Capital Assistance and Planning Project.  
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: Request for Funding for LTBBOI Improving Screening Rates among Native Americans: "Wal-Mart Cancer Screening" Project.  
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent  
Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott to approve Certified Motion: Request for Funding for Little Traverse Bay Bands of Odawa Indians FY 2013 Bureau of Indian Affairs (BIA) Great Lakes Restoration Initiative (GLRI) Fisheries Habitat Monitoring Project.  
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent  
Motion carried.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to approve Certified Motion: Request for Funding for Little Traverse Bay Bands of Odawa Indians FY 2013 Coordinated Tribal Assistance Solicitation (CTAS).  
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent  
Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Gasco to approve Certified Motion: Request for Funding for Little Traverse Bay Bands of Odawa Indians FY 2013 Circle of Flight Project.  
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent  
Motion carried.

Motion made by Councilor Denemy and supported by Secretary Gasco Bentley to post Amendments to the Gaming Delegation and Authority Statute.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Bott to post Amendments to the Interim Criminal Code.

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

Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott to approve the Grant, Donation and Other Funding Policy.

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

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Gasco to adopt the Tribal Historic Preservation Office Protection and Management of Archaeological, Historical, And Cultural Properties and Cultural Resources Statute.

Roll call: Councilor Bardwell-yes, Councilor Denemy-yes, Councilor Gasco-yes, Councilor Keshick-yes, Councilor Otto-yes, Councilor Wemigwase-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Kiogima-yes

Motion Carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept the Odawa Casino Resort 4<sup>th</sup> Quarter Report.

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

Motion carried.

4:10 p.m. made by Councilor Wemigwase and supported by Councilor Gasco to go into close session for confidential business matters.

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

Motion carried.

4:37 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.

Motion made by Councilor Bardwell and supported by Councilor Gasco to approve and authorize Legislative Leader Kiogima to submit the memo to the Tribal Chair McNamara, dated February 3, 2013, regarding Tribal Resolution #010613-02.

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

Motion carried.

4:45 p.m. Motion made by Councilor Gasco supported by Treasurer Bott to adjourn.

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

Motion carried.

Please contact the Legislative Office at 231-242-1403, 231-242-1404 or 231-242-1406 for additional updates and clarifications of these minutes as presented.

These Minutes have been read and approved as written:

Regina Gasco Bentley  
Regina Gasco Bentley, Tribal Council Secretary

2-17-13

Date