

**The Little Traverse Bay Bands of Odawa Indians**

Tribal Council Meeting  
Tribal Council Chambers  
7500 Odawa Circle  
Harbor Springs, MI 49740  
March 17, 2013

Closed Session: Yes

Call to Order: Meeting was called to order at: 9:02 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 Aaron Otto, Councilor Kevin Gasco

Absent: Treasurer John Bott, Councilor Winnay Wemigwase

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele LaCount, Treasury Director Michael Garrow, Administrative Assistant Yvonne McShane, and General Counsel James Bransky (by phone)

Executive Officials and Staff Present: LTBB Planning Director Bryan Gillett

Public: Annette VanDeCar, Andrew Stitch, Marvin Mulholland, Glenna Kimball, Janice Shackelford, Tami Okuly, Frank King and John Kawegoma, Edward Shenoskey

Invited Guests: none

---

Motion made by Councilor Denemy and supported by Councilor Gasco to adopt the agenda for March 17, 2013.

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

Motion carried.

9:07 a.m. Treasurer Bott arrived.

Motion made by Treasurer Bott and supported by Councilor Bardwell to approve the minutes for March 3, 2013 as corrected.

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

Motion carried.

9:09 a.m. Councilor Wemigwase arrived.

9:10 a.m. Elder comments: no comments.

Motion made by Councilor Gasco and supported by Treasurer Bott to accept Legislative Leader Kiogima's verbal Report.

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

Motion carried.

Secretary Gasco Bentley read into the minutes the Phone Poll: Dated: March 3, 2013: To approve the submission of the MSU Product Center Request for counseling application and authorize Ad-hoc Agricultural Assessment Workgroup member Alan Proctor to sign and submit the application for services. The phone poll passed 9-yes, 0-no, 0-abstained, 0-absent.

Secretary Gasco Bentley read into the minutes Phone Poll: Dated March 13, 2013: To approve the Letter of Engagement from Fredericks & Pebbles dated March 13, 2013; authorize Legislative Leader Melvin Kiogima to sign the Letter of Engagement and approve payment for the legal services rendered to come from the Legal Department Budget. The phone poll passed 6-yes, 2-no (Secretary Gasco Bentley, Councilor Wemigwase), 0-abstained, 1-absent (Treasurer Bott)

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept Secretary Gasco Bentley's verbal report for March 17, 2013.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to accept Treasurer Bott's verbal report for March 17, 2013.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to accept Councilor Wemigwase 2013 RES Conference (Reservation Economic Summit) & American Indian Business Trade travel report.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Keshick to accept Councilor Gasco's Gaming Authority Committee report for March, 17, 2013.

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

Motion carried.

Motion made by Councilor Gasco and supported Treasurer Bott to accept the Land and Reservation Committee verbal report from Legislative Leader Kiogima for March 17, 2013.

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

Elder Comments: No Comments.

Motion made by Councilor Gasco and supported by Councilor Keshick to accept the verbal Legal and Legislative Committee Report from Secretary Gasco-Bentley for March 17, 2013.

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

Motion made by Councilor Gasco and supported by Treasurer Bott to accept verbal report from the Ethics Committee as given by Chairman Otto and committee member Wemigwase for March 17, 2013.

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

Elder Comment: John Kawegoma talked about the Ethics Committee being made up of Citizens and not Tribal Councilors as he feels it is currently conflicting.

Elder Comment: Janice Shackleford agreed with John Kawegoma.

10:20 a.m. Recess called.

10:55 a.m. Meeting reconvenes.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept the verbal report by Councilor Wemigwase for the Hearing Aid Assessment Work Group for March 17, 2013.

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

Motion made by Councilor Gasco and supported by Treasurer Bott to accept the Junior Tribal Council As-Hoc Committee meeting verbal report from Councilor Wemigwase for March 17, 2013.

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

Motion made by Councilor Bardwell and supported by Councilor Wemigwase to accept the verbal and written report from Councilor Keshick regarding the Agricultural Assessment Work Group for March 17, 2013.

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

Motion made by Councilor Gasco and supported by Councilor Keshick to accept Treasury Director Garrow's verbal and written report for March 17, 2013.

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

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Gasco to accept the verbal report from Legislative Services Attorney Budnick.

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

Motion carried.

Elder Comment: Marvin Mulholland commented on the Senate bill 78 regarding endangered species changes and the environment. Councilor Keshick said there is a website for signing onto a petition against the proposed legislation.

Elder Comment: John Kawegoma talked about the use of adobe software members only website that is in the development stage. He also asked about training for Citizens to use it during the Annual Community Meeting.

Motion made by Secretary Gasco-Bentley and supported by Councilor Denemy to approve the Citizenship List A - Eligible for Citizenship dated March 6, 2013 For a total of 6.

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

Motion carried.

Motion made by Secretary Gasco-Bentley and supported by Councilor Gasco to approve the Citizenship List B - Declination Ineligible for Citizenship dated March 6, 2013 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 add Amendment to Land and Reservation Committee draft Statute to the Legislative Calendar.

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

Motion carried.

11:50 a.m. Public Comment:

- John Kawegoma spoke regarding the March 7 Legislative and Legal Committee and how other departments should interact with the Elder's Program. John said he went to the Executive as asked that different departments look at what they have for the Elders and that per the Executive, he would not do it. John then requested the Legal and Legislative Committee make the request. John further spoke regarding previous in home member meetings long ago and how they talked about

seven generation teachings and the need to work as a unified people. This he spoke in reference to more committees of Citizens particularly with regard to what they would get paid and sharing the wealth between Tribal Council and the Citizen Committee members and how he would work for free on a Committee and said those who don't, don't have a true heart.

- Janice Shackleford spoke regarding leadership working together. Janice also spoke regarding her son who returned home and cannot believe what they have been hearing when he tries to get assistance with regard to how the Branches of government get along. Janice further spoke regarding the Dominic family era, her serving on the Gaming Commission and the Tribe going backward instead of forward, always undoing and not giving chances.
- Andrew Stich asked about the Tribal Council motion regarding contacting the police and whether the information was open to the public. Councilor Wemigwase responded to Andrew that she is working on it as authorized by motion. Andrew also asked for a Mackinaw city update. Legislative Leader Kiogima responded that Tribal Council will have a closed session today regarding the same in order to make sure the project proceeds in the right way. Andrew further asked what process is for the Burial Board and who it will work to purchasing parcels, do soil testing, and check for drainage any issues. Legislative Leader Kiogima stated the Executive is tasked with doing assessments regarding properties.
- Tammy Okuly requested Tribal Council create a statute regarding Tribal Citizens not being fired for reporting concerns in the Tribal Government. Legislative Services Attorney Budnick suggested Tribal Council review the Whistle Blowers Statute for intent. Tammy asked for having a law in place for Citizen Employees to be able to speak at all levels with regard to the Tribal Government.
- John Kawegoma added to Tammy's concern that it not be a Whistle Blowers Act, but something different to protect employee Citizen Rights. John also spoke regarding his previous employment termination and how he was terminated while hospitalized because he would not apologize for an incident. Said He talks about things in public comment so he can bring issues to the Tribal Council that are in the community.
- Janice Shackleford stated she believes Tribal Council is doing a good job.

12:12 p.m. Lunch recess called.

1:30 pm. Meeting reconvened.

Motion made by Councilor Wemigwase and supported by Councilor Bardwell to amend the agenda to include action item National Indian Gaming representative for 2013 Trade Show and Convention.

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

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Denemy to pass Amendment to Waganakising Odawak Statute 2005-01 Natural Resources Commission Amendment and Repeal of Statutory Inland Regulations.

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 Otto and supported by Councilor Gasco to add to the Legislative Calendar draft Statute to Approve Negotiations.

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

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Wemigwase to add to the Legislative Calendar draft Statute Exclude Individuals or Parties from Tribal Lands and Properties.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Gasco to post Min-A-Mshkiki- Gumik, INC. Draft Statute.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Wemigwase to approve Certified Motion: National Indian Gaming Association (NIGA) Representative for the 2013 Tradeshow and Convention.

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

Motion carried.

1:37 p.m. Motion made by Councilor Gasco and supported by Councilor Bardwell to go into closed session for Land.

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

Motion carried.

3:02 p.m. Motion made by Councilor Gasco and supported by councilor Denemy to go back into open session.

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

Motion carried.

3:02 p.m. Public Comment: Andrew Stich commented on the \$50,000 to the Odawa Economic Development Inc., Corporate Charter and what it was used for. Council responded that it was to be used for razing the old Victories building in order to further economic development for that property.

3:04 p.m. Public Comment closed.

3:16 p.m. Motion by Secretary Gasco-Bentley and supported by Councilor Otto to go into closed session to discuss confidential business.

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

Motion carried.

3:42 p.m. Motion by Councilor Gasco and supported by Treasurer Bott to go back into open session.

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

Motion carried.

Motion by Treasurer Bott and supported by Councilor Denemy to amend the agenda to include the Contracting Statute.

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

Motion carried.

Motion made by Secretary Gasco-Bentley and supported by Treasurer Bott to pass the Contracting Statute.

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

Motion carried.

4:14.p.m. Motion made by Councilor Gasco and supported by Councilor Wemigwase 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 corrected:

Regina Gasco Bentley  
Regina Gasco Bentley, Tribal Council Secretary

4-11-13  
Date