

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
October 9, 2014

Closed Session: No
Call to Order: 9:06 a.m.
Opening Ceremony: Tamara Kiogima

Council Present: Legislative Leader Regina Gasco Bentley, Secretary Julia Shananaquet, Treasurer Marcella Reyes, Councilor Bill A. Denemy, Councilor John Keshick III, Councilor Beatrice A. Law, Councilor Aaron Otto

Absent: Councilor Michael Naganashe, Councilor Winnay Wemigwase

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Treasury Director Michael Garrow, Enjinaaknegeng General Counsel James Bransky, Legislative Office Manager Michele LaCount, Legislative Office Administrative Assistant Tamara Kiogima

Executive Officials and Staff Present: Chairman Fred Kiogima, Vice-Chair Deb DeLeon, Tribal Chief Financial Officer Carrie Carlson, Interim Tribal Administrator Denise Petoskey, Executive Services Attorney Dianne Vitols

Judicial Staff: Chief Judge Allie Maldonado, Tribal Court Administrator Sara Brubaker

Public: Andrew Stich

Invited Guests: none

9:15 a.m. Councilor Naganashe arrives

Motion made by Councilor Law and supported by Treasurer Reyes to adopt the agenda of October 9, 2014, as amended

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

Motion carried.

Motion made by Councilor Law and supported by Councilor Naganashe to approve the minutes of September 25, 2014 as presented.

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

Motion carried.

9:18 a.m.: Elder comments

9:18 a.m. Tribal Court Update – Chief Judge Maldonado

Discussion Items: Child Support Orders, Failure to comply with submission of Backlog Reports, Draft of “A Restatement of the Law of The Little Traverse Bay Bands of Odawa Indians, 2014 Volume.” Court Administrator Sara Brubaker presented “Sober Living Strategic Plan”, and discussed various court grants utilized. Wellbriety and the importance of developing a program for youth, similar to Alanon. Requested an open communication procedure between Tribal Council and Judicial.

Motion made by Secretary Shananaquet and supported by Councilor Law to acknowledge receipt of the 2013 Annual Judicial Branch Report and the verbal report of Chief Judge Maldonado as presented on October 9, 2014.

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

Motion carried.

Motion made by Councilor Law and supported by Secretary Shananaquet to authorize Legislative Leader Gasco Bentley to send a letter to the Appellate Justices requesting overdue Backlog Reports.

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

Motion carried.

10:32 a.m. Break

10:47 a.m. Resume

Enjinaaknegeng

Motion made by Secretary Shananaquet and supported by Councilor Otto to accept General Counsel Bransky's verbal and written report as presented on October 9, 2014.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to authorize Enjinaaknegeng to retain Hogen Adams as a consultant.

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

Motion carried.

Executive Updates

Discussion Items: Tribe has received Grant approval in the amount of \$482,985.00 for Archives Expansion

Motion made by Secretary Shananaquet and supported by Councilor Denemy to acknowledge the verbal report of Chairman Kiogima as presented on October 9, 2014.

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

Motion carried.

Legislative Leader Report

Discussion Items: No meetings w/Executive to report. E-mail(s) received from Elder Citizen C. Gibson regarding health care costs, Elder Citizen J. Fields regarding Berg Farm and Farmer's Market.

Motion made by Secretary Shananaquet and supported by Councilor Otto to accept Legislative Leader Gasco Bentley's verbal report as presented on October 9, 2014.

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

Motion carried.

11:46 a.m. Public Comment Opens

- Andrew Stich inquired into the difference between the Ethics Committee and the Ethics Ad-hoc committee and how many reports have been reviewed. Mr. Stich also inquired into the total budget numbers and outstanding payment of ongoing debt. There were further questions about the Tribal Council Work Session agenda.

11:59 a.m. Public Comment Closes

12:00 p.m. Lunch Break

1:31 p.m. Meeting Resumes

Secretary Report

The following Tribal Council approved/adopted documents were delivered to the Executive:

- Waganakising Odawak Statute Amendment to WOS 2010-021 Gaming Delegation and Authority.
- Certified Motion #092614-01; Authorization of Inter-Tribal Council of Michigan, Inc. to administer the BIA Child Welfare Assistance Program under PL 93-638
- Tribal Resolution: Supplemental funding in the Amount of \$12,000, and Authorization for Legal Services Engagement of Drummond Woodsum for the Development of a Draft Tribal Governmental Personnel Policy Handbook.

Vetoed: None

Phone Polls: Phone Poll conducted on 10-01-14 for the following purpose: Motion to Approve Certified Motion #100114-01 Request for Funding from the U.S. Department of Health and Human Services Indian Health Services Sustainability Funds, Little Traverse Bay Bands of Odawa Indians Health Park energy Audit. The Phone Passed: 8-Yes, 0-No, 0-Abstain, 1-Absent.

Additional Information provided: Attended the 3rd Annual Three Tribe Land and Reservation meeting @ Odawa Hotel and continue my attendance to the Violence Against Women Act committee meetings where we continue to work on the Domestic Violence Statute. Have concern with Health Department turning away Citizens needing assistance with mental health issues.

Motion made by Councilor Law and supported by Councilor Naganashe to accept Secretary Shananaquet's verbal report as presented on October 9, 2014.

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

Motion carried.

Treasurer Report

Discussion Items: Reported on Finance Committee (AFC) Meetings of September 29, 2014, 2016 Budget Hearings held on October 6, 2014 and October 8, 2014. Next regular AFC meeting will be held October 14, 2014.

Motion made by Councilor Naganashe and supported by Councilor Law to accept Treasurer Reyes' verbal report as presented on October 9, 2014.

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

Motion carried.

Tribal Council Reports

Motion made by Councilor Denemy and supported by Councilor Law to approve Tribal Council attendance to the "Abuse in Later Life Service Provider Cross Training" to be held on October 17, 2014, at the LTBB Tribal Health Clinic.

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

Motion carried.

Tribal Council Travel Reports – None to report

Tribal Council Committee Reports:

Gaming Authority Committee

Motion made by Councilor Naganashe and supported by Treasurer Reyes to accept the verbal report of the Gaming Authority Committee as presented by Councilor Otto, Committee Chairman.

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

Motion carried.

Agriculture Assessment Work Group

Motion made by Secretary Shananaquet and supported by Councilor Law to accept the verbal report of the Agriculture Assessment Work Group as presented by Councilor Keshick, Committee Chairman.

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

Motion carried.

Land and Reservation Committee

Motion made by Treasurer Reyes and supported by Councilor Law to accept the verbal report of the Land and Reservation Committee as presented by Legislative Leader Gasco Bentley, Committee Chairperson.

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

Motion carried.

Legal Legislative Committee

Motion made by Councilor Naganashe and supported by Councilor Law to accept the verbal report of the Legal Legislative Committee as presented by Legislative Leader Gasco Bentley, Committee Chairperson.

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

Motion carried.

Ethics Committee

Motion made by Councilor Keshick and supported by Councilor Law to accept the verbal report of the Ethics Committee as presented by Councilor Otto, Committee Chairman.

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

Motion carried.

2:16 p.m. Break

2:28 p.m. Resume

Legislative Office Reports:

Treasury Director Report

Motion made by Councilor Otto and supported by Councilor Naganashe to accept Treasury Director Garrow's verbal and written report as presented on October 9, 2014.

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

Motion carried.

Legislative Services Attorney Report

Motion made by Treasurer Reyes and supported by Councilor Law to accept Legislative Services Attorney Budnick's verbal and written report as presented on October 9, 2014.

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

Motion carried.

Legislative Office Manager

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to accept Legislative Office Manager LaCount's verbal and written report as presented on October 9, 2014.

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

Motion carried.

Action Items - Motions

Motion made by Councilor Keshick and supported by Councilor Naganashe to acknowledge receipt of the Odawa Fishery, Inc. 2014 2nd Quarter Report.
Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Wemigwase)
Motion carried.

Motion made by Councilor Keshick and supported by Councilor Denemy to acknowledge receipt of the Tribal Traditional Burial Board 3rd Quarter Report.
Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Wemigwase)
Motion carried.

Motion made by Councilor Keshick and supported by Councilor Naganashe to approve Enrollment List A Eligible for Citizenship dated September 16, 2014, for a total of 8.
Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Wemigwase)
Motion carried.

Motion made by Councilor Keshick and supported by Councilor Law to approve Enrollment List B In-Eligible for Citizenship dated September 16, 2014, for a total of 2.
Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Wemigwase)
Motion carried.

Motion made by Councilor Keshick and supported by Councilor Law to acknowledge receipt of the 2013 Audit as prepared by Rehmann.
Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Wemigwase)
Motion carried.

Motion made by Councilor Law and supported by Secretary Shananaquet to Approve Certified Motion #100914-01 Request for Funding from the U.S. Department of Health and Human Services Health Resources and Services Administration (HRSA), Office of Rural Health Policy Rural Health Care Services Outreach Program FY 2015 Little Traverse Bay Bands of Odawa Indians Substance Abuse-Mental Health Program "New and Enhanced Substance Abuse-Mental Health Services and Outreach".
Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Wemigwase)
Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Keshick to post to the Legislative Calendar: Amendment to Waganakising Odawak Statute # 2012-010 Child Protection Statute-Sponsor Councilor Keshick.
Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Wemigwase)
Motion carried.

Motion made by Councilor Keshick and supported by Councilor Naganashe to approve Grants, Donations and Other Funding Policy.
Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Wemigwase)
Motion carried.

Motion made by Councilor Keshick and supported by Councilor Law to accept the receipt of the Executive Nominations of Rochelle Ettawageshik for the Child Welfare Commission and Cathy Bradley for the Gaming Regulatory Commission, with interviews to be scheduled.

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

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Naganashe to approve Tribal Council attendance at the Federally Recognized Tribes Extension Program, November 14, 2014 at Island Resort and Casino.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Keshick to amend today's agenda to include posting the Waganakising Odawak Statute, Leasing of Trust Lands Statute to the legislative calendar.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to post to the Legislative Calendar: Waganakising Odawak Statute Leasing of Trust Lands Statute, sponsored by Councilor Law.

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

Motion carried.

Action Items - Roll Call Votes

Discussion: Councilor Otto raised questions as to whether or not someone was slated to move into the proposed house and whether or not the process was followed regarding site plan approval. AFC concerns when presented with this Supplemental fund request was that of the number of Citizens requiring housing many Tribal Council members would like to see this amount of money to be used to build or refurbish a property that will house more than a single family.

Motion made by Councilor Keshick and supported by Councilor Naganashe to adopt Tribal Resolution: Supplemental Funding in the Amount of \$201,015.00 for new home at Wah Wahs Noo Da Ke Village.

Roll call: Councilor Denemy-no, Councilor Keshick-no, Councilor Law-no, Councilor Naganashe-no, Councilor Otto-yes, Councilor Wemigwase-absent, Treasurer Reyes-no, Secretary Shananaquet-no, Legislative Leader Gasco Bentley-no

Motion fails.

Motion made by Councilor Law and supported by Treasurer Reyes to adopt Tribal Resolution: Supplemental Appropriation to Increase 2014 Per Capita Distribution Payments.

Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-yes, Councilor Otto-no, Councilor Wemigwase-absent, Treasurer Reyes-yes, Secretary Shananaquet-yes, Legislative Leader Gasco Bentley-yes

Motion carried.

3:21 p.m. Public comment opens

3:21 p.m. Public comment closes

Discussion: Council Denemy read into the minutes his letter of support for weekly payroll. Letter is signed and is available for review by citizens.

Motion made by Councilor Denemy and supported by Councilor Keshick to adopt Tribal Resolution: Supplemental Funding for Accounting Department to reinstitute the Tribal Employee Weekly Payroll in the amount of \$64,000.00 to come from Prior Period Funds

Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-yes, Councilor Otto-no, Councilor Wemigwase-absent, Treasurer Reyes-yes, Secretary Shananaquet-yes, Legislative Leader Gasco Bentley-yes

Motion carried.

Discussion: Tribal Council would like to thank all the Branches of Government and the Treasury Department Staff for their participation in the 2016 Budget process.

Motion made by Councilor Keshick and supported by Councilor Law to adopt Tribal Resolution: Tribal Government Priority Funding Allocation Percentages for FY 2016.

Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-absent, Treasurer Reyes-yes, Secretary Shananaquet-yes, Legislative Leader Gasco Bentley-yes

Motion carried.

Adjournment

3:35 p.m. Motion made by Councilor Keshick and supported by Councilor Denemy to adjourn meeting.

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

Motion carried.

Next Scheduled Meeting
October 23, 2014

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.



Julia A. Shananaquet, Tribal Council Secretary



Date

APPROVED