

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Council Chambers  
7500 Odawa Circle  
Harbor Springs, MI 49740  
February 5, 2015

Closed Session: Yes  
Call to Order: 9:01 a.m.  
Opening Ceremony: Beatrice A. Law

Council Present: Secretary Julia Shananaquet, Treasurer Marcella Reyes, Councilor Bill A. Denemy, Councilor Beatrice A. Law, Councilor Aaron Otto

Absent: Councilor Keshick, 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

Executive Officials and Staff Present: Chairperson Gasco Bentley, Human Resource Director Denise Petoskey, Tribal Administrator Albert Colby, Jr.

Public: Citizen Virginia Lewis, Citizen Andrew Stich

Invited Guests: Odawa Casino Personnel: General Manager Eric McLester, Slot Director Dennis Shananaquet, Property Operations Director Barry Laughlin, Chief Financial Officer Roger Borton, Table Games Director Shane Robertson, Marketing Director Britta Erickson, Food and Beverage Director Henry Rowland, Human Resources Director Katie Eberly; Odawa Economic Development Management, Inc. Board Members Alan Proctor, Bryan Gillett and, Steve Hayward, Consultant.

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9:08 a.m. Councilor Wemigwase arrives.

Motion made by Treasurer Reyes and supported by Councilor Law to adopt the agenda of February 5, 2015 as amended.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Keshick)

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to approve the minutes of the Regular Meeting held on January 22, 2015, and the Special Meeting held on January 30, 2015, as corrected.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Keshick)

Motion carried.

**9:12 a.m.: Elder comments – None at this time.**

**9:12 a.m. - 10:13 a.m.:** Odawa Casino Resort (OCR) 2014 4th Quarter Business Plan Summary and Performance Report, including a Closed Session for Confidential Business

9:34 a.m. Motion made by Councilor Law and supported by Councilor Wemigwase to go into closed session for confidential business matters.  
Vote: 6-Yes, 1-No (Secretary Shananaquet), 0-Abstained, 1–Absent (Councilor Keshick)  
Motion carried.

10:00 a.m. Motion made by Councilor Law and supported by Councilor Denemy to return to open session.  
Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Keshick)  
Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Wemigwase to acknowledge receipt of the Odawa Casino Resort (OCR) 2014 4th Quarter Business Plan Summary and Performance Report as presented by OCR Personnel.  
Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Keshick)  
Motion carried.

**10:15 a.m. Break**

**10:29 a.m. Meeting resumes**

### **Executive Updates**

**Discussion Items:** Michigan Indian Legal Services Strategic Planning request for LTBB Input. Northern Shores Loan Fund is applying for grant for Tribal Citizens and would like to partner with LTBB. Letter from Fochtman agreeing to continued use of building and looking into signing a Memorandum of Understanding (MOU). Government Complex commons area soon to be completed.

10:35 a.m. Councilor Keshick arrives.

10:36 a.m. Motion made by Councilor Denemy and supported by Councilor Wemigwase to go into closed session for personnel at the request of the Executive.  
Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent  
Motion carried.

**11:20 a.m. Fire alarm and evacuation**

**11:30 a.m. Returned to closed session**

11:48a.m. Motion made by Councilor Law and supported by Councilor Wemigwase to return to open session.  
Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent  
Motion carried.

11:49 a.m. Public Comment opens:

- Citizen Andrew Stich commented on Tribal Council Travel, and holding Closed Sessions during the day. Wanted update on the 2013 investigation. Mr. Stich was asked to discontinue derogatory statements made on behalf of "other" citizens. Citizen Stich questioned Tribal Councils authority to change meeting dates. Asked where to find Tribal Council travel reports, and was instructed on how to utilize Citizen Portal to find them. Questioned Cross Village tree cutting. Stated that the Natural Resources and Environmental should be two separate departments. Requested clarity of the Election Board Supplemental funding request for Special Election.

12:05 p.m. Public comment closes.

Motion made by Secretary Shananaquet and supported by Councilor Law to acknowledge the verbal Executive report of Chairperson Gasco-Bentley as presented on February 5, 2015.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent  
Motion carried.

**12:06 p.m. Lunch Break**

**1:30 p.m. Meeting resumes**

**1:30 p.m.** Odawa Economic Development Management, Inc. (OEDMI) presentation by Board Members Alan Proctor and Bryan Gillett, Steve Hayward – Authenticity Livewire Consultant.

**2:54 p.m. Break**

**3:09 p.m. Meeting resumes**

3:00 p.m. Councilor Keshick exits meeting

Motion made by Councilor Law and supported by Councilor Wemigwase to approve Certified Motion Odawa Economic Development Management, Inc. (OEDMI); that approves the Operating Agreement with SVC Development, LLC, and OEDMI dated December, 2014, and authorizes the OEDMI to execute the agreement.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Keshick)

Motion carried.

**Legislative Leader Report** - Position is currently vacant

**Secretary Report:**

**Discussion Items:** Medical Marijuana, and need for full Council work session on Employee Handbook with invitation to Executive and Judicial.

3:17 p.m. Public Comment opens:

- Citizen Bernadece Compo-Boda commented on nomination for Tribal Prosecutor. Would like to see clearly defining definition of Tribal Preference.

3:21 p.m. Public comment closes.

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

- Tribal Resolution #012215-01: Supplemental Funding in the amount of \$4,500 for the Election Board FY2014 Budget.  
Signed by the Executive Department on January 27, 2015
- Tribal Resolution #012215-02: Supplemental Funding in the amount of \$95,850 for Department of Kikaajik.  
Signed by the Executive Department on January 27, 2015
- Tribal Resolution #012215-03: Amendment to the Legislative Branch Operations Governmental Employee Personnel Policies Handbook.  
Signed by the Executive Department on January 27, 2015

**Vetoes:** None

**Phone Polls:** None

Motion made by Councilor Law and supported by Treasurer Reyes to accept Secretary Shananaquet's report as presented on February 5, 2015.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Keshick)

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to approve Tribal Council attendance at the Employee Handbook Meeting to be held on February 18, 2015 at 9:00 a.m. Notice of meeting will be sent to Executive and Judicial Branch.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Keshick)

Motion carried.

**Treasurer Report:** Notice of next Appropriations and Finance Committee meeting to be held 02/09/15.

### **Tribal Council Member Reports**

Motion made by Secretary Shananaquet and supported by Councilor Naganashe to accept the verbal Travel Report of Councilor Otto regarding attendance at Small Farm Conference held in Traverse City, MI on January 23, 24, 2015.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Keshick)

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Law to accept the verbal Travel Report of Treasurer Reyes regarding attendance at Small Farm Conference, held in Traverse City, MI on January 23, 24, 2015.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Keshick)

Motion carried.

Councilor Denemy requested discussion regarding Appellate Justices not attending the Tribal Council meeting as invited.

### **Tribal Council Committee Reports**

**Gaming Authority Committee** – No additional information to OCR's report that was given this morning.

#### **Agriculture Assessment Work Group**

Motion made by Councilor Denemy and supported by Councilor Wemigwase to accept the verbal report of the Agriculture Assessment Work Group as presented by Treasurer Reyes, Committee Secretary.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Keshick)

Motion carried.

**Land and Reservation Committee** - No meeting held since last Tribal Council meeting.

#### **Legal Legislative Committee**

Motion made by Councilor Denemy and supported by Councilor Wemigwase to accept the verbal report of the Legal and Legislative Committee as presented by Councilor Law, Committee Chairperson.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Keshick)

Motion carried.

**Ethics Committee** - Complaint No. 111214-01: Transferred to Tribal Council to set a date for a Hearing.

4:17 p.m. Councilor Keshick arrives

Motion made by Councilor Law and supported by Councilor Wemigwase to accept the verbal report of the Ethics Committee including letter requesting approval of policy and acknowledge receipt of the Complaint No. 111214-01, in which a Hearing is requested.

Vote: 7-Yes, 0-No, 0-Abstained, 0-Absent  
Motion carried.

#### **Legislative Office Reports:**

##### **Treasury Director Report**

Motion made by Councilor Wemigwase and supported by Councilor Otto to accept Treasury Director Garrow's verbal and written report as presented on February 5, 2015.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent  
Motion carried.

##### **Legislative Services Attorney Report**

Motion made by Councilor Law and supported by Councilor Naganashe to accept Legislative Services Attorney Budnick's verbal report as presented on February 5, 2015.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent  
Motion carried.

##### **Enjinaaknegeng**

Motion made by Councilor Denemy and supported by Councilor Wemigwase to accept General Counsel Bransky's verbal and written report as presented on February 5, 2015.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent  
Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Wemigwase to approve General Counsel Bransky's action item contained in Confidential Attorney/Client Memo 020515-01.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent  
Motion carried.

##### **Legislative Office Manager**

Motion made by Treasurer Reyes and supported by Councilor Denemy to accept Legislative Office Manager LaCount's verbal and written report as presented on February 5, 2015.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent  
Motion carried.

**4:53 p.m. Break**  
**5:02 p.m. Meet resumes**

##### **Action Items**

Motion made by Secretary Shananaquet and supported by Councilor Denemy to post to the Legislative Agenda in the Odawa Register the Criminals and Crimes proposed legislation as sponsored by Councilor Otto.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Keshick to amend the agenda to include additional travel for Councilor Wemigwase to travel on behalf of Chairperson Gasco-Bentley to Washington, D.C., on February 26, 2015.

Vote: 7-Yes, 1-No (Secretary Shananaquet), 0-Abstained, 0-Absent

Motion carried.

Motion made by Councilor Naganashe and supported by Councilor Keshick to approve Councilor Wemigwase to attend the Consultation with U.S. Department of State, regarding the U.N. World Conference on Indigenous Peoples, Washington D.C., February 26, 2015, as the Tribe's Representative.

Vote: 7-Yes, 1-No (Secretary Shananaquet), 0-Abstained, 0-Absent

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to post to the Legislative Agenda in the Odawa Register: Paternity and Custody proposed legislation, as sponsored by Councilor Denemy.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried.

5:20 p.m. Councilor Naganashe leaves

Motion made by Councilor Keshick and supported by Councilor Wemigwase to approve travel for Councilor Keshick to attend the Native Nations 8th Annual Tribal Casino & Hotel Development Conference February 16-17, 2015 in Las Vegas NV.

Vote: 6-Yes, 1-No (Councilor Law), 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to acknowledge receipt of the letter of interest for Odawa Fishery, Inc. Corporate Charter from Ervin R. Barrett and to set up an interview.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to post the updated Victim's Rights proposed legislation to the Legislative Agenda in the Odawa Register, as sponsored by Councilor Wemigwase.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Denemy to approve travel for Tribal Council members to attend the Tribal Marijuana Conference, February 27, 2015 in Tulalip, Washington.

Vote: 5-Yes, 2-No (Councilor Keshick, Councilor Law), 0-Abstained, 1-Absent (Councilor Naganashe)  
Motion carried.

Secretary Shananaquet is withdrawing motion regarding posting of the Treasury Department proposed legislation.

Motion made by Councilor Law and supported by Councilor Wemigwase to accept the nomination of Angela Sherigan for Tribal Prosecutor and set up an interview, pending a background check.

Vote: 6-Yes, 1-No (Councilor Keshick), 0-Abstained, 1-Absent (Councilor Naganashe)  
Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to send the SunTel Services Government Buildings Security Access Control System Proposal to the Appropriations and Finance Committee for 2015 budget Supplemental funding recommendation.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)  
Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Otto to post to the Legislative Agenda in the Odawa Register the Little Traverse Bay Bands of Odawa Indians Tribal Council Ethics Hearing Policy for General Rules of Conduct.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)  
Motion carried.

Motion made by Councilor Keshick and supported by Councilor Wemigwase to approve Agricultural Ad-hoc Work Group attendance at the following: March 20, 2015 Organic Certification: Creating the Organic Systems Plan, to be held in Charlevoix, MI.

Vote: 6-Yes, 1-No (Councilor Law), 0-Abstained, 1-Absent (Councilor Naganashe)  
Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve scheduling a Special Work Session on February 25, 2015 at 10:00 a.m. to work on the Human Resources Department proposed legislation as sponsored by former Legislative Leader Gasco Bentley.

Vote: 5-Yes, 2-No, 0-Abstained, 1-Absent (Councilor Naganashe)  
Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to approve the letter dated February 5, 2015, to the Appellate Court requesting a date from the Appellate Court to meet with Tribal Council to discuss, Judiciary

Administrative Rule, ATBB AR-001: Backlog Reports and authorize Tribal Treasurer to sign and submit the letter.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Keshick to pass Waganakising Odawa Statute Elder's Commission as sponsored by Councilor Keshick.

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

Motion carried.

### **Other Items of Business (Prior to Adjournment)**

6:15 p.m. Motion made by Councilor Wemigwase and supported by Councilor Law to go into closed session for personnel.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

6:25 p.m. Motion made by Councilor Keshick and supported by Councilor Wemigwase to return to open session.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

### **Adjournment**

6:32 p.m. Motion made by Councilor Denemy and supported by Councilor Law to adjourn meeting.

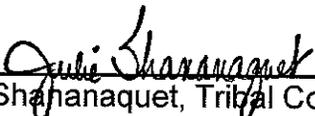
Vote: 7-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Naganashe, Councilor Wemigwase)

Motion carried.

Next Scheduled Meeting  
February 19, 2015

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

These Minutes have been read and approved as written (or) corrected: (delete either the word "written" or "corrected" as pertains to how the minutes were approved.)

  
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Julia A. Shananaquet, Tribal Council Secretary

02-20-15  
\_\_\_\_\_  
Date