

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
April 9, 2015

Closed Session: Yes
Call to Order: 9:03 a.m.
Opening Ceremony: Beatrice Law

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

Absent: Councilor John Keshick, Councilor Winnay Wemigwase

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

Executive Officials and Staff Present: Chairperson Gasco Bentley, Elder's Department Director Arlene Naganashe, Regulatory Director Vince Cook

Public: Doug Emery, David Dominic

Invited Guests: Odawa Casino Resort General Manager Eric McLester, Finance Director Roger Borton

Motion made by Councilor Denemy and supported by Councilor Law to adopt the agenda of April 9, 2015 as amended.

Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Keshick, Councilor Wemigwase)
Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve the minutes of the Regular Meeting held on March 19, 2015, as corrected.

Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Keshick, Councilor Wemigwase)
Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve the minutes of the Special Meeting held on March 27, 2015, as presented.

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

Motion carried.

9:00 a.m. Odawa Casino Resort Presentation by General Manager Eric McLester

9:20 a.m. Motion made by Councilor Law and supported by Treasurer Reyes to go into closed session for confidential business matters.

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

Motion carried.

9:33 a.m. Motion made by Treasurer Reyes and supported by Councilor Denemy to return to open session.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to acknowledge Odawa Casino Resort presentation as presented by General Manager Eric McLester.

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

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve Gaming Regulatory Commission Regulations REG-Waganakising Odawak Statute 2011-005 -040915-014.

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

Motion carried.

9:41 a.m.: Elder comments

- Elder Citizen Doug Emery voiced his concern regarding the Elder Luncheon.
- Elder Citizen David Dominick spoke of need to find out what the citizens really want and need. Need to have a sense of community.
- Elder Citizen and Elder's Department Director Arlene Naganashe reported her review of grants and the need to be in compliance.
- Elder Citizen Bill A. Denemy voiced his concern of misinformation and the effect of politics during luncheons.
- Elder Citizen Beatrice Law also voiced her concern with the misinformation being presented at the luncheons
- Elder Citizen Albert Colby, Jr., suggested respectful open forums at the Elder luncheons and Elder's exercising their overall voting rights.

10:23 a.m. Break

10:36 a.m. Resume

Executive Updates -

Discussion: Location movement of Elder luncheon, Handout of Luncheon Statistics, Issues with the Title 6 A and C – AOA Grant, Need for additional money for Elder dental, update on missing POW/MIA flag, increased cost of the addition to the government complex (Archives and Records), Environmental Assistance given in Mackinaw area spill, plan for cap-ex funds, swipe card system close to implementation, Health Department close to rolling out the Veterans billing system, Requested a date for the Housing Tax Credit Training (tentative date of May 18, 015), and a thank you notice article for the Tribe from Petoskey News Review regarding road repairs.

Motion made by Councilor Law and supported by Secretary Shananaquet to acknowledge the verbal Executive report of Chairperson Gasco-Bentley as presented on April 9, 2015, with additional input from Elder's Director Naganashe and Tribal Administrator Colby.

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

Motion carried.

Legislative Leader Report - Position is currently vacant.

Secretary Report:

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

- Waganakising Odawak Statute 2015-004 Amendment to Waganakising Odawak Statute #2008-006 Enrollment for Citizenship Statute.
Signed on 03/19/15.
- Waganakising Odawak Statute 2015-006 Amendment to Waganakising Odawak Statute #2012-010 Child Protection Statute.
Signed on 03/19/15
- Tribal Resolution #030515-01-Decommision and Safe Removal of Pipeline Running under the Straits of Mackinac.
Signed on 03/19/15.
- Waganakising Odawak Statute Tribal Human Resources Department Statute. Signed on 04/08/15.
- Tribal Resolution #031915-01-Funding for Email Archival Server for Legal and the Reservation Restoration Plan in the amount of \$8,235.00 to come from prior period funds.
Signed on 03/20/15.

Veto: None

Phone Polls: The following phone polls were conducted on the following dates:

- 03/20/15: Motion to approve Councilor Keshick to participate in the Red Cliff, Wisconsin and Bayfield, Minnesota Section 8, tax credit housing April 6 – 9, 2015.
Vote: 6-Yes, 2-No, (Secretary Shananaquet, Councilor Law) 0-Abstained, 0-Absent
- 03/26/15: Motion to approve Certified Motion #032615-01 Request for Funding from the U.S. Department of Agriculture, Natural Resources Conservation Service; Environmental Quality Incentives Program (EQIP) for Ziibimijwang, Inc.
Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

Motion made by Councilor Denemy and supported by Treasurer Reyes to accept Secretary Shananaquet's report as presented on April 9, 2015.

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

Motion carried.

Treasurer Report:

Motion made by Secretary Shananaquet and supported by Councilor Naganashe to accept the Treasurer's report as presented by Treasurer Reyes on April 9, 2015.

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

Motion carried.

Tribal Council Travel Reports: - No travel reports given.

Tribal Council Committee Reports:

Gaming Authority Committee

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

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

Motion carried.

Agriculture Assessment Work Group

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

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

Motion carried.

11:45 Public Comment opened

- Citizen Andrew Stich suggested that the Ethics Committee consist of different aged citizens. Also inquired into Casino consultant and the Gaming Enterprise Board. Requested that the various Boards and Charters post their meeting dates. Questioned the status of outstanding investigation.

11:47 a.m. Public Comment closed

Land and Reservation Committee – No meeting to report

Legal Legislative Committee

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

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

Motion carried.

Ethics Committee – No meeting to report

11:52 a.m. Lunch Break

1:30 p.m. Meeting Resumes

Councilor Keshick arrived

Councilor Wemigwase arrived

Tribal Council Member Reports:

Motion made by Councilor Law and supported by Treasurer Reyes to acknowledge receipt of Councilor Wemigwase report regarding the Rehmann Forensic Audit.

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

Motion carried.

Legislative Office Reports:

Sr. Financial Analyst Report

Motion made by Councilor Wemigwase and supported by Councilor Law to accept Sr. Financial Analyst Stella Kay's verbal and written report as presented on April 9, 2015.

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

Motion carried.

Legislative Services Attorney Report

1:42 p.m. Motion made by Councilor Wemigwase and supported by Councilor Otto to go into closed session for legal matters.

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

Motion carried.

2:18 p.m. Motion made by Councilor Wemigwase and supported by Treasurer Reyes to return to open session.

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

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Wemigwase to accept Legislative Services Attorney Budnick's verbal and written report as presented on April 9, 2015.

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

Motion carried.

Enjinaaknegeng

Motion made by Councilor Wemigwase and supported by Councilor Law to accept General Counsel Bransky's verbal and written report as presented on April 9, 2015.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to authorize General Counsel Bransky to send correspondence dated April 9, 2015 to Kevin Washburn, Assistant Secretary Indian Affairs.

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

Motion carried.

Legislative Office Manager

Motion made by Treasurer Reyes and supported by Councilor Wemigwase to accept Legislative Office Manager LaCount's verbal and written report as presented on April 9, 2015.

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

Motion carried.

2:39 p.m. Break

2:52 p.m. Resume

Action Items - Motions

Motion made by Councilor Wemigwase and supported by Councilor Law to approve Tribal Council attendance at the National Congress of American Indians Saint Paul Minnesota June 28-July 1, 2015 Mid-Year Conference and San Diego California October 18-23, 2015 Annual Convention.

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

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to accept the nomination of Catherine Castagne for Tribal Prosecutor and set up an interview pending a back ground investigation.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to acknowledge receipt of the Tribal Historic Preservation Officer 2015 1st Quarter Report.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to approve Enrollment List C Voluntary Relinquishment dated April 6, 2015 for a total of 1.

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

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to approve the Little Traverse Bay Bands of Odawa Indians May 2014-April 2015 Annual Report as presented by Legislative Services Attorney Donna Budnick.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Wemigwase to acknowledge receipt of, and record Declaration 040915-01 Statement of Support of a Public Forum on Hydraulic Fracturing.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Keshick to acknowledge receipt of and record Declaration 040915-02 Statement in Support of Removal of Black River Dams.

Motion withdrawn.

Action Items: Roll Call Votes

Motion made by Councilor Wemigwase and supported by Councilor Law to adopt Tribal Resolution: Ad-hoc Violence Against Woman Act/Tribal Law and Order Act Committee.

Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-yes, Treasurer Reyes-yes, Secretary Shananaquet-yes

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Wemigwase to adopt Tribal Resolution: Approval to Amend the FY 2015 Gaming Authority

Committee Budget for the Final Payment of the Steve Simon Analyst Contract in the amount of \$13,500.00.

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

Motion made by Councilor Law and supported by Councilor Wemigwase to adopt Tribal Resolution: Supplemental Funding in the Amount of \$120,000.00 for the Legislative Branch FY2015 Budget for purchase of parcel 84; "608 Second Street" property.

Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-yes, Treasurer Reyes-yes, Secretary Shananaquet-yes
Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to adopt Tribal Resolution: Initiation of Dispute under Section VI.C.3 of the Chippewa Ottawa Resource Authority (CORA) Charter in regards to the Great Lakes Resources Committee (GLRC) action taken on March 19, 2015 to restrict LTBB's ability to exercise Great Lakes Fishing Treaty Rights.

Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-yes, Treasurer Reyes-yes, Secretary Shananaquet-yes
Motion carried.

Other Items of Business

3:38 p.m. Motion made by Treasurer Reyes and supported by Councilor Law to go into closed session for personnel.

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

4:29 p.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.

Adjournment

4:30 p.m. Motion made by Councilor Denemy and supported by Councilor Wemigwase to adjourn meeting.

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

**Next Scheduled Meeting
April 23, 2015**

