

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
April 23, 2015

Closed Session: Yes
Call to Order: 9:00 a.m.
Opening Ceremony: Michael Naganashe

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

Absent: none

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Sr. Financial Analyst Stella Kay, Legislative Office Manager Michele LaCount

Executive Officials and Staff Present: Chairperson Gasco Bentley

Public: Citizen Doug Emery, Citizen Andrew Stich, Citizen Rick Norberg, Citizen Melissa Laughlin, Citizen Bernadece Boda

Invited Guests: Odawa Casino Resort - General Manager Eric McLester, Director of Property Operations Barry Laughlin, Director of Slots Dennis Shananaquet, Director of Hospitality Hank Rowland, Finance Director Roger Borton, Human Resources Director Katie Eberly, Table Games Director Shane Robertson, Marketing Director Britta Erickson.

Motion made by Councilor Law and supported by Treasurer Reyes to adopt the agenda of April 23, 2015 as amended.

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

Motion made by Councilor Denemy and supported by Councilor Wemigwase to approve the minutes of the Regular Meeting held on April 9, 2015, as corrected.

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

9:09 a.m.: Elder comments

- Citizen Emery brought up need to have an Ombudsman

9:15 a.m. Odawa Casino Resort Q1 Performance Review and Business Plan

9:41a.m. Motion made by Councilor Law and supported by Councilor Wemigwase to go into closed session for confidential business matters.
Vote: 7-Yes, 1-No (Secretary Shananaquet), 0-Abstained, 0-Absent
Motion carried.

10:19 a.m. Motion made by Councilor Law and supported by Councilor Keshick to return to open session.
Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent
Motion carried.

Motion made by Councilor Law and supported by Councilor Denemy to acknowledge Odawa Casino Resort 2015 1st Quarter Performance Review and Business Plan, as presented by General Manager Eric McLester and staff.
Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent
Motion carried.

10:39 a.m. Break
10:50 a.m. Resume

10:51 a.m. Elder Comments continued

- Citizen Barry Laughlin commented on Bell's Fishery and Marina and his overall good experience and the excellent fish product. Mention his trip to Grand Rapids and OCR placed 2nd in Building competition regarding conservation of electrical consumption.

Executive Updates

Discussion: Asked if there is a suggested change of the quartley grant reports. Cleared up the error in the initial letter sent out to housing tenants. Auditors will be returning for two weeks. Archives and Records were asked to stay within the original budgeted amount. Attended the Enbridge Meeting.

Motion made by Councilor Wemigwase and supported by Councilor Law to acknowledge the verbal Executive report of Chairperson Gasco-Bentley as presented on April 23, 2015 and acknowledge receipt of the April Executive Oversight Report.

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

Legislative Leader Report - Position is currently vacant

Secretary Report: Nothing to report other than attendance at Budget Hearings.

Veto: None

Phone Polls: None

No motion necessary as this was presented as a FYI.

Treasurer Report:

Motion made by Councilor Law and supported by Councilor Naganashe to accept the Treasurer's report as presented by Treasurer Reyes on April 23, 2015.

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

Motion carried.

Tribal Council Member Reports:

Motion made by Councilor Wemigwase and supported by Councilor Naganashe to acknowledge the verbal travel report of Councilor Otto regarding his attendance at both the Marijuana Conference and attendance at the National Indian Gaming Assoc , held in San Diego, CA.

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

Motion carried.

11:49 a.m. Public Comment

- Citizen Melissa Laughlin inquired into creation of legislation regarding protection of elected official. Concerned with safety for Tribal Council members.
- Citizen Andrew Stich brought forward a district court case involving a Tribal Council member. Asked about the broken farm machinery (tractor) and the purchase of a roto tiller. Looked into the travel reports and he believes that council members should be required to submit written reports within a reasonable time.
- Citizen Rick Norberg commented on the successful Youth Program.
- Citizen Bernadece Boda discussed the need to hold meetings on the weekends so that youth can attend. Stressed the importance of meeting the budgetary needs of the Youth Program and discussion regarding ratio of adult supervision per # of children.

12:09 p.m. Public Comment Closes.

12:10 p.m. Lunch

1:33 p.m. Meeting Resumes

Tribal Council Committee Reports:

Gaming Authority Committee – Information was presented during the OCR presentation. No additional information to add.

Agriculture Assessment Work Group

Motion made by Councilor Law and supported by Councilor Wemigwase 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, 0-Absent

Motion carried.

Land and Reservation Committee

Motion made by Councilor Wemigwase and supported by Councilor Denemy to accept the verbal report of the Land and Reservation Committee as presented by Councilor Keshick, Committee Chairman.

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

Motion carried.

Councilor Keshick requested that Roll Call votes be addressed prior to his departing meeting. The following 2 items were addressed with complete action listed under roll call votes: 1)Waganakising Odawak Statute Personal Protection Orders and No Contact Orders and Violations of Protective Orders and 2)To appoint Catherine Castagne as Tribal Prosecutor.

2:45 p.m. Councilor Keshick exits meeting.

Legal Legislative Committee – No report

2:51 p.m. Break

3:03 p.m. Resume

Ethics Committee – No report at this time

Legislative Office Reports:

Legislative Services Sr. Financial Analyst Report

Motion made by Treasurer Reyes and supported by Councilor Wemigwase to accept Sr. Financial Analyst Stella Kay's verbal and written report as presented on April 23, 2015.

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

Motion carried.

3:13 p.m. Motion made by Councilor Law and supported by Treasurer Reyes to go into closed session for legal matters.

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

Motion carried.

4:04p.m. Motion made by Councilor Law and supported by Councilor Wemigwase to return to open session.

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

Motion carried.

4:05 p.m. Break

4:17 p.m. Resume

Legislative Services Attorney Report

Motion made by Councilor Wemigwase and supported by Councilor Denemy to accept Legislative Services Attorney Budnick's verbal report as presented on April 23, 2015.

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

Enjinaaknegeng – No individual report, reference telephone conference.

Legislative Office Manager

Motion made by Secretary Shananaquet and supported by Councilor Denemy to accept Legislative Office Manager LaCount's verbal report as presented on April 23, 2015.

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

Action Items - Motions

Motion made by Councilor Wemigwase and supported by Councilor Law to amend the agenda to include Elder Commission nominees.

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 Treasurer Reyes' and Councilor Wemigwase's travel to the Midwest Alliance of Sovereign Tribes Summer Meeting June 3-4, 2015 in Green Bay Wisconsin.

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

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to acknowledge receipt of Tribal Traditional Burial Board Inc 2015 1st Quarter Report.

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

Motion made by Councilor Wemigwase and supported by Councilor Law to approve Enrollment List C Voluntary Relinquishment of Citizenship dated April 21, 2015 for a total of 1.

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

Motion made by Treasurer Reyes and supported by Councilor Law NOT to pursue Land Parcel 90 as recommended by the Land and Reservation Committtee.

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

Motion made by Councilor Wemigwase and supported by Councilor Law to approve Certified Motion #042315-01: Request for Funding from U.S. Department of Agriculture Natural Resources Conservation Service FY 2015

Environmental Quality Incentives Program (EQIP) Climate Change Forestry Project.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Naganashe to approve Certified Motion #042315-02: Funding from the United States Department of Agriculture (USDA), Food and Nutrition Services Little Traverse Bay Bands of Odawa Indians Food Distribution Program on Indian Reservations (FDPIR) Supplemental Funding.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Wemigwase to approve Certified Motion #042315-03: Funding from the U.S. Department of Health and Human Services, Indian Health Services, Little Traverse Bay Bands of Odawa Indians Annual Funding Agreement, Award Increase.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Wemigwase to approve Certified Motion #042315-04: Request for funding from the Bureau of Indian Affairs FY 2015 Climate Change Funds.

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

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve Certified Motion #042315-05: Funding from the United States Department of the Interior Bureau of Indian Affairs, Office of Justice Services FY 2015 Law Enforcement Services Non-Recurring Funds.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to approve Certified Motion #042315-06: Funding from the United States Department of the Interior Bureau of Indian Affairs FY 2015 One-Time Only Year End Funds.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to approve Certified Motion #042315-07: Request for Funding from the Indian Health Service SDPI Healthy Heart.

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

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to acknowledge receipt of John Lemire for Associate Judge and to set up an interview upon receipt of a qualified back ground report.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Law to approve Certified Motion 042315-08 Removal of Black River Dams.

Vote: 6-Yes, 1-No (Councilor Otto), 0-Abstained, 1–Absent (Councilor Keshick)

Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to approve the Letter to Tribal Citizens dated April 23, 2015, regarding the Little Traverse Bay Bands of Odawa Indians Reservation and authorize all of the Councilors to sign.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Otto to acknowledge receipt of the Ziibimijwang Inc and Odawa Fishery, Inc. 2015 1st Quarter Written Reports.

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

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to acknowledge receipt of the Elder's Commission Nominees and to schedule interview for the following: JoAnn Carey, Richard Wemigwase, Lisa Flynn and Debra Smithkey-Browne.

Vote: 6-Yes, 1-No, 0-Abstained, 1–Absent (Councilor Keshick)

Motion carried.

Action Items: Roll Call Votes

Motion made by Councilor Law and supported by Treasurer Reyes to adopt Waganakising Odawak Statute Personal Protection Orders and No Contact Orders and Violations of Protective Orders.

Motion withdrawn.

Motion made by Treasurer Reyes and supported by Councilor Law to appoint Catherine Castagne as Tribal Prosecutor for a 3-year term.

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: Allocation of General Fund Balance to Address Tribal Priorities

Tribal Priorities of Investments, Legal Expenses, Economic Development and Supplemental Funding.

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

Motion made by Treasurer Reyes and supported by Councilor Law to adopt Tribal Resolution: Rescission of Tribal Resolution #010613-02 and Reallocation of Capital Project Fund Monies to the General Fund Balance Funds.

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

Motion made by Councilor Naganashe and supported by Councilor Law to adopt Tribal Resolution: Utility Costs for the Kings Inn property.

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

Motion made by Secretary Shananaquet and supported by Councilor Wemigwase to adopt Tribal Resolution: Prepare for Litigation and Appropriation of Funds.

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

Motion made by Councilor Wemigwase and supported by Councilor Denemy to adopt Tribal Resolution: Funding for Waganakising Odawak Statute 2015-001 Elders Commission.

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

Motion made by Councilor Wemigwase and supported by Councilor Law to pass the Gaming Enterprise Board Statute.

Roll call: Councilor Denemy-yes, Councilor Keshick-absent, 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: Odawa Casino Resort Five Year Strategic Plan.

