

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

Closed Session: none
Call to Order: 9:10 a.m.
Opening Ceremony: Michael Naganashe

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

Absent: Councilor John Keshick at roll call. Arrives after lunch.

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

Executive Officials and Staff Present: Chairperson Regina Gasco Bentley, Natural Resource Department Director Doug Craven

Public: Jon Shawa

Invited Guests: Merle Carson-Election Board

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

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 the minutes of the Regular Meeting held on June 18, 2015, as corrected.

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

Motion carried.

Executive Updates

Motion made by Councilor Law and supported by Secretary Shananaquet to acknowledge the verbal report as presented by Chairperson Regina Gasco Bentley on July 9, 2015.

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

Motion carried.

Legislative Leader Report - Position is currently vacant.

Secretary Report:

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

- Tribal Resolution #060415-01; To Establish A Michigan Tribal Sex Offender Registration and Notification Act (Sorna) Coalition
Delivered to the Executive department on 06-08-15
Signed by the Executive on 06-17-15.
- Tribal Resolution #061815-01: to Appropriate to the Odawa Casino Resort to implement the Five Year Strategic Plan in the Amount of \$3,320,000.00 to come from the Restricted General Fund Balance Funds, Economic Development Reserve and allow for OCR to Reserve Profits
Delivered to the Executive Department on 06-18-15
Signed by the Executive on 06-18-15.
- Tribal Resolution #061815-02: Odawa Casino Resort Five Year Strategic Plan Delegation of Authority
Delivered to the Executive Department on 06-18-15
Signed by the Executive on 06-18-15.
- Waganakising Odawak Statute Donated Land Acceptance
Delivered to the Executive on 06-24-15
Signed by the Executive on 06-26-15.

Vetoes: None

Phone Polls: None

Motion made by Councilor Naganashe and supported by Councilor Wemigwase to accept Secretary Shananaquet's verbal and written report as presented on July 9, 2015.

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

Motion carried.

Treasurer Report: FYI Next AFC meeting to be held 07/13/15

Tribal Council Travel Reports: None to report

Tribal Council Reports:

Motion made by Councilor Law and supported by Treasurer Reyes to acknowledge the verbal request to address the Treasury Department Statute as presented by Councilor Otto on July 9, 2015

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

Motion carried.

Tribal Council Committee Reports:

Agriculture Assessment Work Group – No report

10:22 a.m. Break

10:36 a.m. Resume

Land and Reservation Committee – No report

Legal Legislative Committee

Motion made by Secretary Shananaquet and supported by Councilor Denemy 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 – July 8, 2015 meeting was cancelled. No report

Legislative Office Reports:

Sr. Financial Analyst Report

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

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

Motion carried.

Legislative Services Attorney Report

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

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

Motion carried.

11:46 a.m. Public Comment opens

- Citizen Jon Shawa commented regarding Election Board move. There was no appeal filed. Initiative Update

12:06 p.m. Public Comment closes

Enjinaaknegeng

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

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

Motion carried.

12:34 p.m. Lunch Break
1:33 p.m. Meeting Resumes

Councilor Keshick arrives

Councilor Otto absent

Motion made by Councilor Law and supported by Treasurer Reyes to approve Tribal Resolution: Grant of Perpetual Right-of-Way to the BIA for Road Improvements On Shops at Victories Trust Parcel

Vote: 5-Yes, 0-No, 0-Abstained, 3-Absent (Councilor Otto, Councilor Naganashe, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve Tribal Resolution: Grant of Perpetual Utility Right-of-Way to Tribe for Parking Lots On Shops at Victories Trust Parcel

Vote: 5-Yes, 0-No, 0-Abstained, 3-Absent (Councilor Otto, Councilor Naganashe, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Law and supported by Councilor Denemy to approve Tribal Resolution: Grant of Perpetual Utility Right-of-Way to Tribe for Improvements On Shops at Victories Trust Parcel

Vote: 5-Yes, 0-No, 0-Abstained, 3-Absent (Councilor Otto, Councilor Naganashe, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Law and supported by Councilor Keshick to approve Tribal Resolution: Michigan Department of Transportation Performance Resolution for Tribal Governments

Vote: 5-Yes, 0-No, 0-Abstained, 3-Absent (Councilor Otto, Councilor Naganashe, Councilor Wemigwase)

Motion carried.

1:41 p.m. Councilor Naganashe arrives

Legislative Office Manager

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

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

Motion carried.

1:51 p.m. Councilor Wemigwase arrives

LTBB Charter and/or Enterprise Committee/Board Reports

Gaming Enterprise Board

Motion made by Secretary Shananaquet and supported by Councilor Denemy to accept the verbal report of the Gaming Enterprise Board (GEB) as presented by Councilor Law, Committee Chairperson.

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

Motion carried.

Tribal Council Reports, continued:

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to acknowledge the verbal travel report presented by Councilor Keshick, regarding attendance at BIA's Partners in Action Conference held in Baraboo, WI.

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

Motion carried.

2:29 p.m. Break

2:38 p.m. Resume

Motion made by Secretary Shananaquet and supported by Councilor Law to amend the agenda to include Lawsuit for "Initiative #1, Tribal Per Capita Distribution".

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to approve and authorize General Counsel Bransky to file a lawsuit on behalf of the Tribal Chairperson and Tribal Council regarding "Initiative #1, Tribal Per Capita Distribution".

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

Motion carried.

Action Items – Motions

Motion made by Secretary Shananaquet and supported by Councilor Wemigwase to accept and authorize the Sales and Use Tax Refund settlement received from the State of Michigan, State Treasurers Warrant, in the amount of \$521,435.45, received June 26, 2015, to be deposited into the General Fund Account.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Naganashe to acknowledge receipt of Roger Borton's Letter of Interest for the Odawa Economic Development Management, Inc. and to set up an interview.

Vote: 5-Yes, 2-No (Councilor Keshick, Secretary Shananaquet), 0-Abstained, 1-Absent (Councilor Otto)

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Keshick to accept the 2015 2nd Quarter written reports from the Tribal Historic Preservation & Native American Graves Protection Repatriation Act Reports Officer Wesley L. Andrews as received July 3, 2015.

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

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Wemigwase to accept the 2015 2nd Quarter written report from the Traditional Tribal Burial Inc. as compiled and Submitted by: Wesley L. Andrews on July 3, 2015.

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

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to authorize Tribal Council Secretary Julie Shananaquet and Tribal Treasurer Marcella Reyes to sign the Merrill Lynch check request form to transfer funds from the LTBB investment account for the Great American Fidelity/Crime Insurance Policy Renewal for Tribal Council in the amount of \$11,800 and made payable to broker representative, Cottingham and Butler, P.O. Box 449, Dubuque, IA 52004-0449 and submit same to Merrill Lynch.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Naganashe to approve the William Raymond Kiogima and Helen Agnes Kiogima Noozwin Act Regulations REG-WOS-2006-001-061215-001.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to approve the Little Traverse Bay Bands of Odawa Indians Gaming Enterprise Board Appointment Policy.

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

Motion carried.

Motion made by Councilor Naganashe and supported by Councilor Wemigwase to acknowledge receipt of the Little Traverse Bay Bands of Odawa Indians 2014 Year end Audit as received from BDO.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to amend the agenda to include approval and posting of July 20, 2015 Work Session for the purpose of GEB Applicant review.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to approve July 20, 2015 Work Session.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to approve Certified Motion Forrest Management Plan for Little Traverse Bay Bands of Odawa Indians for Protection of Resources.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to amend the agenda to include include the letter to Ziibimijwang, Inc. and acknowledgement receipt of 2014 Trust Fund Financial Statements.

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

Motion carried.

Motion made by Councilor Law and supported by Councilor Naganashe to approve the letter to the Ziibimijwang, Inc. dated July 9, 2015, requesting a meeting and quarterly reports and authorize the Treasurer to sign it.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to acknowledge receipt of 2014 Trust Fund Financial Statements/Audit.

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

Motion carried.

Action Items: Roll Call Votes

Motion made by Councilor Law and supported by Treasurer Reyes to appoint John Lemire as Associate Judge for a 4-year term pursuant to the oath of office.

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

Motion carried.

3:19 p.m. Public Comment opens

- Citizen John Keshick reiterated need for Public Relations person

3:26 p.m. Public Comment closes

Motion made by Treasurer Reyes and supported by Councilor Wemigwase to pass Waganakising Odawak Statute Amendment to Dissolution of Marriage.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Denemy to pass Waganakising Odawak Statute Adult Welfare Protection Statute.
Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-yes, Councilor Otto-absent, Councilor Wemigwase-yes, Treasurer Reyes-yes, Secretary Shananaquet-yes
Motion carried.

Other Items of Business

Adjournment

3:32 p.m. Motion made by Councilor Denemy and supported by Councilor Law to adjourn meeting.
Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Otto)
Motion carried.

Next Scheduled Meeting July 23, 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 corrected.


Julia A. Shananaquet, Tribal Council Secretary


Date