

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
March 3, 2016
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740

Closed Session: yes

Call to Order: Meeting was called to order at: 9:00 a.m.

Open Ceremony by Councilor Frank Bernard

Council Present: Secretary Aaron Otto, Treasurer Marcella Reyes, Councilor Frank Bernard, Councilor Beatrice Law, Councilor McNamara, Councilor Michael Naganashe, Councilor Julia Shananaquet

Absent: Councilor David Harrington

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

Executive Officials and Staff Present: Tribal administrator Albert Colby Jr.

Judicial Officials and Staff: none

Public: Andrew Stich

Invited Guests: none

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to adopt the agenda for March 3, 2016 with additions.

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

Motion carried.

9:11 a.m. Councilor Harrington arrived.

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to approve the minutes of February 18, 2016 as corrected.

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

Motion carried.

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to accept the Executive verbal oversight report as provided by Tribal Administrator Albert Colby, Jr. for March 3, 2016.

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

Motion carried.

Tribal Council Officer Reports:

Legislative Leader position absent

Secretary Report:

i. *Documents Delivered to the Executive:*

-Waganakising Odawak Statute 2016-01; Removal of Commissioners was delivered to the Executive on 02-09-16 and signed on 02-26-16.

-Waganakising Odawak Statute 2016-02; Constitutionally Mandated Compensation for Tribal Prosecutor was delivered to the Executive on 02-26-16 and signed on 02-26-16.

-Tribal Resolution #021816-01; Supplemental Funding in the amount of \$1,000 for the 2016 Community Meeting to come from General Funds was delivered to the Executive on 02-24-16 and signed on 02-24-16.

-Tribal Resolution #021816-02; Supplemental Funding in the Amount of \$27,000 for the Election Board to come from General Funds was delivered to the Executive on 02-24-16 and signed on 02-24-16.

-Tribal Resolution #021816-03; Supplemental Funding in the amount of \$241,000 for Health Park renovations to come from the Third Party Billing Revenue/Access to Recovery Fund Balance was delivered to the Executive on 02-24-16 and signed on 02-24-16.

-Tribal Resolution #021816-04; Ad-hoc Violence Against Women Act Regulations Committee was delivered to the Executive on 02-24-16 and signed on 02-24-16.

-Tribal Resolution #021816-05; Supplemental Funding in the amount of \$62,208 for Gaming Regulatory Department to come from General Funds submitted to the Executive on 02-26-16 and signed on 02-26-16.

ii. Vetoes: None

iii. Phone Polls: None

Motion made by Councilor Law and supported by Councilor McNamara to accept Secretary Otto's verbal and written report verbal and written report as provided on the agenda for March 3, 2016.

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

Treasurer Report: Appropriations and Finance Committee next meeting on March 8, 2016 at 1:00 p.m. in the Council Chambers.

Tribal Council Travel Reports:

Secretary Otto: National Association of Food Distribution Programs on Indian Reservations in Washington D.C.

Motion made by Councilor Law and supported by Councilor Shananaquet to accept Secretary Otto's verbal and written Travel Report for National Association of Food Distribution Programs on Indian Reservations.

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

Tribal Council Member Reports: none

Tribal Council Committees update:

Land and Reservation Committee next Meeting March 11, 2016 at 9:00 a.m. in the Council Chambers.

Ethics Committee next Meeting March 7, 2016 at 9:00 a.m. in the Council Chambers.

10:13 a.m. Break

10:32 a.m. Resumed

Motion made by Councilor Law and supported by Treasurer Reyes to accept Senior Financial Analyst Stella Kay's verbal and written report as presented on March 3, 2016.

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

11:09 a.m. Motion made by Councilor Shananaquet and supported by Councilor Law to go into closed session for legal and land.

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

11:46 a.m. Motion made by Councilor David Harrington and supported by Councilor Law to return to open session.

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

11:48 a.m. Public Comment opened:

- Andrew Stich spoke regarding the February 18, 2016 Tribal Council Public Comment period and recommendations for future comment periods, and the cost of the reservation boundary litigation. Odawa Casino Resort debt should pay off first.

11:58 a.m. Public Comment closed.

11:59 a.m. Lunch recess

1:30 p.m. Meeting resumed

Motion made by Councilor Law and supported by Councilor Shananaquet to approve and authorize the disenrollment of Tribal Citizen Lizabeth Snow Keway #5292, for the reason of dual enrollment with another Federally Recognized Tribe; and directs Enrollment Department to dis-enroll such Tribal Citizen, since no one appeared on behalf of the enrollee Lizabeth Snow Keway #5292, nor were there any documents submitted to Tribal Council at a Disenrollment Hearing that was set for today's meeting at 1:30 p.m.

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

Motion carried in accordance with Constitutional requirement of (7) seven affirmative votes of Tribal Council.

1:52 p.m. Motion made by Treasurer Reyes and supported by Councilor Law to go into closed session legal.

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

Motion carried.

2:28 p.m. Motion made by Councilor Law and supported by Treasurer Reyes to return to open session.

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

Motion carried.

2:44 p.m. Councilor Harrington arrived.

Motion made by Councilor Shananaquet and supported by Councilor Law to accept the Enjiinakneng report as provided by General Counsel Bransky for March 3, 2016.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Shananaquet to accept Legislative Services Attorney Budnick verbal and written report including travel report to: Strengthening Tribal Law to Protect Native Women and Families.

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

Motion carried.

3:02 p.m. Recess.

3:17 p.m. Reconvened.

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to accept Legislative Office Manager Portman-LaCount verbal and written report for March 3, 2016.

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

Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Law to amend the agenda to include Confidential Memo #030316-02 regarding land parcel 97.

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

Motion carried.

Motion made by Councilor Shananaquet, and supported by Councilor Naganashe to approve Certified Motion #030316-01; National Indian Gaming Association (NIGA) Representative.

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

Motion carried.

Motion made by Councilor Law and supported by Councilor Shananaquet to acknowledge receipt of the Executive nomination of Melvin L. Kiogima for the Gaming Regulatory Commission for a 3-year term ending March 31, 2019 and set up an interview.

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

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to authorize Secretary Otto to sign the Wells Fargo Banking Documents for the Odawa Casino Resort in regards to the Certificate of Indian Tribal Entity and Limited Waiver of Sovereign Immunity.

Vote: 5 - Yes, 0 - No, 2 - Abstained (Councilor Harrington, Councilor Bernard), 1- Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to approve Confidential Memo #030316-02 from General Counsel James Bransky regarding land parcel 97.

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

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to adopt Tribal Resolution; To Amend the "Addendum A" to Tribal Resolution #061815-01: *To Appropriate to Odawa Casino Resort 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 to implement the Five Year Strategic Plan.

Roll call vote: Councilor Bernard-yes, Councilor Harrington-abstained, Councilor Law-yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor Shananaquet-no, Treasurer Reyes-yes, Secretary Otto-yes
Motion carried.

4:00 p.m. Motion made by Councilor Shananaquet and supported by Councilor Law to adjourn.

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

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:



Aaron Otto, Tribal Council Secretary

3-18-2016
Date