

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
June 9, 2016
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740

Opening ceremony: Frank Bernard

Closed Session: yes

Call to Order: Meeting was called to order at: 9:02 a.m.

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

Absent: Legislative Leader position, Councilor David Harrington

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

Executive Officials and Staff Present: Tribal Chair Regina Gasco Bentley, Mobility Coordinator Amanda Swiss, Interim Tribal Administrator Alan Proctor

Judicial Officials and Staff: none

Public: Andrew Stich, Petchiese Carol King, Tammy Okuly Shananaquet

Invited Guests: none

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to adopt the agenda for July 7, 2016 as presented.

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

Motion carried.

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to approve the minutes of June 23, 2016 with correction.

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

Motion carried.

9:42 a.m. Councilor Harrington arrived.

1 Motion made by Councilor Law and supported Treasurer Reyes to acknowledge
2 receipt of Tribal Historic Preservation Officer Wesley Andrew's 2nd Quarter
3 verbal report for July 7, 2016.

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

5 Motion carried.

6
7 **10:19 a.m.** Break

8 **10:34 a.m.** Return

9
10 Motion made by Councilor Law and supported by Treasurer Reyes to
11 acknowledge receipt of the Executive verbal update as provided by Chairperson
12 Gasco-Bentley, Mobility Coordinator Amanda Swiss and Interim Tribal
13 Administrator Alan Proctor for July 7, 2016.

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

15 Motion carried.

16
17 **Secretary Report**

18
19 i. **Documents Delivered to Executive**

- 20
21 - Waganakising Odawak Statute Financial Disclosure by Tribal Officials
22 was submitted to the Executive on 06-10-16 and signed on 06-30-16.
23
24 - Tribal Resolution #062316-01– Supplemental Funding in the Amount of
25 \$61,000 for Elders Shuttle was submitted to the Executive on 06-24-16
26 and signed on 06-27-16.
27
28 - Tribal Resolution #062316-02– Supplemental Funding in the Amount
29 of \$44,000 for Behavioral health from Access to Recovery Fund
30 balance was submitted to the Executive on 06-24-16 and signed on
31 06-27-16.

32
33 ii. **Vetoes: none**

34 iii. **Phone Polls: none**

35
36 Motion made by Councilor Law and supported by Councilor McNamara to accept
37 Secretary Otto's verbal and written report as presented on the agenda for July 7,
38 2016.

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

40 Motion carried.

41
42 **Treasurer Report-FYI**

43 i. **Appropriations and Finance Committee**

- 44 - Last Meetings: June 14, 2016 at 1:00 pm
45 - Next Meeting: July 12, 2016 at 1:00 pm in the Council Chambers

1 Land and Reservation Committee - FYI

- 2 - Last Meetings: June 17, 2016
- 3 - Next Meeting: July 14, 2016 at 1:00 pm in the Council Chambers

4
5 Ethics Committee update regarding Complaint 040416-01

- 6 - Last Meetings: June 27, 2016
- 7 - Next Meeting: Special Meeting July 8, 2016 at 10:00 a.m. in Council
8 Chambers

9
10 Motion made by Treasurer Reyes and supported by Secretary Otto to accept the
11 Ethics Committee verbal and written report as presented by Councilor Law
12 Committee Chairperson for July 7, 2016.

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

14 Motion carried.

15
16 **11:43 a.m.** Public comment opened:

- 17
- 18 - Andrew Stich asked about the Ethics Complaint, inquired about the
19 Veto of the 2017 Budget Resolution.
- 20
- 21 - Tammy Okuly Shananaquet asked about the Ethics Committee
22 process of review and what is the outcome of those reviews.
- 23
- 24 - Petchiese Carol King asked if she could move into the Cabins at
25 Wilderness, who is living at the farm house and inquired how the new
26 Mackinaw Casino is doing.
- 27

28 **12:04 p.m.** Public Comment Closed

29
30 **12:04 p.m.** Lunch Break

31 **1:34 p.m.** resumed

32
33 Motion made by and supported by to accept Sr. Financial Analyst Stella Kay's
34 verbal and Written Report for July 7, 2016.

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

36 Motion carried.

37
38 Motion made by Councilor Law and supported by Treasurer Reyes to accept
39 Legislative Services Attorney Donna Budnick's verbal report for July 7, 2016.

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

41 Motion carried.

42
43 **2:27 p.m.** Motion made by and supported by to go into closed session for legal.

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

45 Motion carried.

1 **3:05 p.m.** Motion made by Councilor Harrington and supported by Councilor Law
2 to return to open session.

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

4 Motion carried.

5
6 **3:05 p.m.** Motion made by Treasurer Reyes and supported by Councilor Law to
7 accept General Counsel Bransky’s verbal Enjiinakneng report for July 7, 2016.

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

9 Motion carried.

10
11 **3:06 p.m.** Public Comment opened: no comments

12 **3:07 p.m.** Public Comment closed

13
14 **3:07 p.m.** Break

15 **3:18 p.m.** Return

16
17 Motion made by Councilor Law and supported by Treasurer Reyes to override
18 the Executive Veto of Tribal Resolution #042116-03 Appropriation of /Funds for
19 the 2017 Fiscal Year Operating Budgets for the following reasons: 1) the
20 Executive is requesting an additional \$109,000 of General Fund Spending which
21 will result in a planned deficit budget (more spending than revenue); 2) the
22 General Funds are based on the Odawa Casino Resorts net revenues, and we
23 do not want to over-estimate the amount of revenue; 3) the Executive Branch has
24 consistently underspent the budget on average \$1,700,000 since 2012, and can
25 absorb the requested additional \$109,000.

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

27 Motion carried.

28
29 Motion made by Treasurer Reyes and supported by Councilor Shananaquet to
30 acknowledge receipt of the Legislative Office Manager verbal and written report
31 for July 7, 2016.

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

33 Motion carried.

34
35 Motion made by Councilor Law and supported by Treasurer Reyes to
36 acknowledge the receipt of BDO Little Traverse Bay Bands of Odawa Indians
37 Trust Fund Financial Statements Year Ended December 31, 2015.

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

39 Motion carried.

40
41 Motion made by Treasurer Reyes and supported by Councilor Harrington to post
42 Waganakising Odawak Statute Housing Department to the Legislative Calendar
43 in the Odawa Register as sponsored by Councilor Beatrice Law.

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

45 Motion carried.

1 **3:30 p.m.** Councilor McNamara left the meeting.

2
3 Motion made by Councilor Shananaquet and supported by Councilor Naganashe
4 to approve Policy and Procedures for Appointment for Vacancy to Tribal Council.
5 Motion withdrawn.

6
7 Motion made by Councilor Law and supported Secretary Otto to amend the
8 agenda to include Public Schools of Petoskey's Board of Education request for
9 use of the Tribal Emblem.

10 Vote: 6 - Yes, 1 – No (Councilor Shananaquet), 0 - Abstained, 1 – Absent
11 (Councilor McNamara)

12 Motion carried.

13
14 Motion made by Councilor Law and supported by Councilor Naganashe to
15 authorize and approve the Public Schools of Petoskey's Board of Education use
16 of the Little Traverse Bay Bands of Odawa Indians Tribal Emblem for a
17 “sponsorship board”, in recognition of the Tribe’s involvement in the McDougal
18 Road extension project, which will be on display at the new Petoskey High
19 School (PHS) Stadium and this action shall not to be considered or intended to
20 be an endorsement of the PHS mascot/logo.

21 Vote: 6 - Yes, 1 – No (Councilor Shananaquet), 0 - Abstained, 1 – Absent
22 (Councilor McNamara)

23 Motion carried.

24
25 Motion made by Councilor Shananaquet and supported by Treasurer Reyes to
26 pass Waganakising Odawak Statute The Tribal Emblem and Seal of The
27 Waganakising Odawak Nation.

28 Roll call vote: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-
29 no, Councilor McNamara-absent, Councilor Naganashe-yes, Councilor
30 Shananaquet-yes, Treasurer Reyes-yes, Secretary Otto-yes

31 Motion carried.

32
33 **4:14 p.m.** Motion made by Councilor Law and supported by Councilor
34 Shananaquet to go into closed session for personnel.

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

36 Motion carried.

37
38 **5:16 p.m.** Motion made by Councilor Harrington and supported by Councilor
39 Bernard to return to open session.

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

41 Motion carried.

42
43
44 Please contact the Legislative Office at 231-242-1403, or 231-242-1404 for
45 additional updates and clarifications of these minutes as presented.

1 These Minutes have been read and approved as written (or) corrected: (delete
2 either the word "written" or "corrected" as pertains to how the minutes were
3 approved.)
4

5
6
7
8

Aaron Otto, Tribal Council Secretary

Date

DRAFT