

Closed Session Meeting Minutes # 1

NORAM is arranging for finances with banks because it is believed that lands are going to be taken into trust relatively soon. NORAM is seeking approval from Council on the figures that are presented for purchasing the land.

Have closed on Bell (22 acres), Reusman (in dispute over payment) (40 acres), Cherry (100 acres, closing February 20), Stewart 80 acres, Manthai 40 acres (Refinancing), Maudry (Refinancing) Bernhardt II (40 acres), Alldridge 2 ½ to 3 acres (Refinancing). Bernhardt I is another 40 acres and owns about 18 acres.

Victories, Mr. Newfinki, 2.5 million, agreed to reduce down payment substantially to appraised value. Blance will be deferred to pay from profits of enterprise. Final terms have not been negotiated. Need satisfactory opinion from Mariana Shulstad.

This can be included in today's approval, or can be brought back in two weeks. Mariana has given her opinion. There is confusion on NORAM's part on how the opinion can allow us to operate a Class II gaming. NORAM will continue to deal with Victories and consideration should be taken today on the other land acquisitions today.

George Anthony questioned if any property has increased because of knowledge of the tribe purchasing the land. Frank Schnook stated that Reusman has done this. Reusman is the key piece for development.

Chairman Ettawageshik questioned Council if they were supportive of passing a resolution today that would authorize NORAM to purchase this land for the listed prices. This land would be bought, transferred to the tribe subject to a lease/hold mortgage, and then LTBB is able to put the land into trust subject to that lease/hold mortgage. The resolution is one of the keys to get the land into trust. This would quickly allow for our applications.

The Interior Board of Indian Appeals (IBIA) that appeals to land in trust are not going to the Interior Board of Indian Appeals which is an administrative court within the bureau in the Department of Interior. Applications can now move faster because they are now going straight to federal court if there are appeals.

George Anthony stated this is what we have planned all along and he has no problem with this.

Council discussed the aspects of land purchase and land that is clear of claims to purchase. Many large parcels of land around the bay were inspected and there were very few that were clear to purchase.

Chairman Ettawageshik read aloud the draft resolution 01259801 for purchasing the eight parcel to the Tribal Council.

(Rita Shananaquet and Michelle Chingwa were out of room from 11:28 to 11:40)

Tribal Council made changes to the resolution in regards to use and authorization.

Frank Schnook stated that started with LTBB four years ago. NORAM now believes they are very close in Michigan. Have decided as of December 29 to terminate or assign all other indian projects involved in. LTBB and Wyondot the only projects they are working on. Wyondot monies from NORAM have escalated quickly. NORAM have cut back significantly on any other projects.

Jim Bransky read back the changes to the draft resolution to Tribal Council. Tribal Council

Frank Schnook spoke about legislation to be introduced into Lansing in the next 2 weeks. Two different wordings to permit contract. Ellsworth and Weiner are working on draft that Hertel and Gagliardi have promised to introduce in the house in the next two weeks. If this does not happen in the next two weeks is the tribe ready to file the suit against the lawsuit against the Sault Tribe. Hertel and Gagliardi are worried because one of the other tribes allowed a letter to be seen against Sault Tribe. The mayor was very upset not to have seen this letter and it puts into question Bernard's ability for license.

In addition to the suit from LTBB, we are still waiting to hear what happens at the Department of Justice and Interior relative to the lawsuit from the tribes. Michael Dettmer met with people in Wash January 14 and is relatively optimistic that we will get the go ahead to file the suit and is ready to go the legislature this coming week that this is going to happen. This will bring pressure on the legislature to act. The problem is we do not know how they can. We have something that will cause them to do something. The problem is we do not know what they can do at this time. Because of how Frank Kelly gave opinion that compacts need a bill not a resolution it has thrown everybody into a terminal. Bill could prove very difficult to pass. Attempting to figure out a bill or resolution this week that everybody is satisfied that will get us what we want. If we have a bill that passes our compact that is likely that it will be opposed by the other tribes because theirs were only approved by resolution not bill. Attempt to get Frank Kelly to qualify it by making an exception for LTBB.

While we are doing a frontal attack with legislation, legislative services bureau have stated that passing a bill for a resolution is unconstitutional. At the same time we put a rider on appropriations bill that authorizes the governors negotiation in any instance of this where money is going to the strategic fund.

This week the attorneys will be speaking regarding the opinion and opening a Class II. Once finalized the Victories site could be open within 30 days.

Motion was made by **George Anthony** and was **Seconded** by **Alice Yellowbank** to go out of closed session at 12:09 p.m.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

Closed Session #2

Mariana Shulstad feels that we are preparing for Inland Hunting and Fishing rights in the ceded territory. Ethno Historical data needs to be beefed up before going into US v. Michigan. She is recommending contracting with Bruce White from Wisconsin. Coordinate with GTB to foot the bill until LTBB can kick in. First document in contract. Second document is confidentiality agreement. Meeting was held with George Bennett, John Petoskey, Bill Rasstater and are in agreement with this to pay for this service.

Motion was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to authorize Chairman Ettawageshik to sign the Ethno Historical and Research agreement with Bruce White, Ph.d.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

Motion was made by **Michelle Chingwa** and was **Seconded** by **Shirley Oldman** to authorize Chairman Ettawageshik, Leonard Street & Dienard, and Michigan Indian Legal Services to sign the Joint Litigation Agreement with Grand Traverse Band.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

Theresa Keshick is suing LTBB stating that procedure was not followed regarding her termination. This has been reviewed with Patrick Shannon, Tribal Prosecutor and he stated that we followed procedure and he would handle it. Met with Kristi Houghton, Mike McCreery, Dora Willis will meet with Patrick Shannon on Friday.

Personnel Committee needs to meet regarding posting for position.

Chairman Ettawageshik turned the chair over to Shirley Oldman at 5:46 p.m.

Chairman Departs: Chairman Ettawageshik departed at 5:46 p.m.

Closed Session for Treasurer Rita Shananaquet's report.

Barry Laughlin stated that with Killer & Associates would only discuss things with Frank. All the correspondence would go to the chairman. None of the information was discussed with Accountant in the room.

Barry Laughlin also stated that budget cuts being done with the department manager know what was going on.

Shirley Oldman stated that she thought she was involved with the hiring of the accounting person. Rita Shananaquet stated that she was not involved. Alice Yellowbank questioned if she was here.

Rita Shananaquet stated that she would like the Resolution debated. If we cannot trust our Tribal Administrator and Tribal Chairman that this is bad. She thinks that if something like this should happen again than some sanctions or steps should be done. Alice Yellowbank feels that Barry Laughlin should be reprimanded as well. Rita Shananaquet would like the part of the Accounting Technician deleted.

Alice Yellowbank stated on page two of fifth paragraph up with contract negotiations. Asked for clarification.

Discussion ensued on contracts with Francis Killer & Associates, NORAM, sending Susan Keller to meetings, false reports to membership.

Motion was made by **George Anthony** and was **Seconded** by **Barry Laughlin** to go out of closed session at 6:07 p.m.

Vote: 6 YES

0 NO

0 ABSTAINED

Motion Carried