The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
September 27, 2009

Closed Session: none
Call to Order: Meeting was called to order at: 9:44 a.m.
Opening Ceremony: Carol McFall

Council Present: Legislative Leader Julie Shananaquet, Secretary Regina Gasco Bentley, Treasurer Bott, Councilor Belinda Bardwell, Councilor Melvin L. Kiogima, Councilor Aaron Otto, Councilor Marvin Mulholland, Councilor Rita Shananaquet, Councilor Gerald Chingwa
Absent: none

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chairman Ken Harrington, Vice-Chairman Dexter McNamara, Gaming Board of Directors: Chairperson Carol McFall, Office Manager Cathy Portman, Gaming Regulatory Commission Beverly Wemigwase, Regulatory Director Vince Cook

Guests: Christina Rohn, Sarah VanDeCar, Richard Wemigwase, Harvey Gibson, Marcia Sutton, Diana Naganashe, Roy Smithkey, William McMillan, Marjorie Janis, Jennie Heeres, John Liebgott, Linda Gasco, Rosemary Knapp

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Motion made by Secretary Gasco Bentley and supported by Councilor Otto to adopt the agenda for September 27, 2009 as amended.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Bardwell to approve the minutes of September 13, 2009 as corrected.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Otto to approve the minutes of September 25, 2009 as presented.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor Mulholland and supported by Councilor Bardwell to ratify into the record the Phone Poll dated September 17, 2009 to approve the

Forbearance Agreement between Little Traverse Bay Bands of Odawa Indians and MFC Global Investment Management (US) LLC, BlackRock Financial Management Inc., Regiment Capital Advisors, and Pioneer Investment Management Inc., presented to Tribal Council by Donna L. Budnick, Legislative Services Attorney on September 17, 2009. The Phone Poll passed. The phone poll was conducted for time sensitive matters.
Vote: 7 - Yes, 1 – No (Councilor R. Shananaquet), 1 – Abstained (Treasurer Bott), 0 - Absent

10:10 a.m. Elder Comments: Richard Wemigwase spoke regarding the annual pumpkin patch event, the Elder's Association contribution and a request for a Tribal Council contribution.
10:14 a.m. Elder Comments closed.

Motion made by Secretary Gasco Bentley and supported by Councilor Chingwa to accept Legislative Leader Shananaquet's verbal and written report for September 27, 2009.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Chingwa to adopt Tribal Resolution Establishment and Authority of the "Legislative/Executive" Team.
Roll Call Vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes, Councilor Otto-yes, Treasurer Bott-abstained, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes
Motion carried.

11:01 a.m. Recess called.
11:15 a.m. Meeting reconvened.

Motion made by Councilor R. Shananaquet and supported by Councilor Chingwa to accept Secretary Gasco Bentley's verbal and written report for September 27, 2009.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell to accept Treasurer Bott's verbal and written report for September 27, 2009.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to accept Councilor Otto's verbal Tribal Council Member report for September 27, 2009.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Chingwa to accept Legislative Services Attorney Budnick's verbal and written report for September 27, 2009 with confidential items contained therein.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

11:49 a.m. Public Comment opened: Sarah VandeCar spoke requesting revisions to Indian Preference in Tribal Employment Statute. Roy Smithkey spoke in support of news reports and comments. Harvey Gibson spoke regarding bond updates to Tribal Citizens and Tribal Chairman communication during Elder's lunch.
11:57 a.m. Public Comment closed.

12:10 p.m. Lunch recess called.
1:34 p.m. Meeting reconvened.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to approve Enrollment List A - Eligible for Citizenship dated August 21, 2009 for a total of 11.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to approve Enrollment List B – Declination (Ineligible) dated August 21, 2009 for a total of 4.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor Kiogima and supported by Secretary Gasco Bentley to adopt Tribal Resolution: Request for Funding from the National Endowment for the Humanities, Sustaining Cultural Heritage Collections, Little Traverse Bay Bands of Odawa Indians Sustaining Cultural Heritage Collection Implementation Grant.
Roll Call Vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes
Motion carried.

Motion made by Councilor Chingwa and supported by Councilor Kiogima to adopt Tribal Resolution: Request for Funding from the U.S. Department of Health and Human Services Indian Health Service Little Traverse Bay Bands of Odawa Indians FY 2010 IHS Oral Health Promotion / Disease Prevention Grant.
Roll Call Vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes

Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Chingwa to table the request for Appropriation for Additional Funding to Expand Grants Department until further review by the Appropriations and Finance Committee.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor R. Shananaquet supported by Secretary Gasco Bentley to table the Murray Road Site Plan until further review by the Land and Reservation Committee.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Otto to approve Gaming Regulatory Commission Regulations REG WOS 2005-06 091609-008.
Vote: 8 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 0 - Absent
Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Chingwa to table the Minimum Internal Control Standards Amendments REG WOS 2005-06 091609-006.
Vote: 8 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 0 - Absent
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell to accept the Executive verbal and written report for September 27, 2009 with confidential items contained therein.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

2:53 p.m. Recess called.
3:07 p.m. Meeting reconvened.

3:07 p.m. Public Comment opened: Rosemary Knapp spoke regarding the Tribal blood quantum statute requirement and request for legislative action. Rosemary also spoke with concern regarding posting Tribal business in the Petoskey News Review. Diane Naganashe asked Treasurer Bott for a financial report regarding the Interim Chief Financial Officer and Controller positions. Matt Lesky spoke regarding the Interim Chief Financial Officer position. Cheryl Kishigo-Lesky spoke regarding the position as Interim Chief Financial Officer.
3:39 p.m. Public Comment closed.

Motion made by Councilor Chingwa and supported by Councilor Mulholland to reimburse Tribal Council attendance at the September 25, 2009 Special Meeting.
Vote: 1 - Yes, 8 - No (Councilor Otto, Councilor Kiogima, Secretary Gasco Bentley, Legislative Leader Julie Shananaquet, Councilor Mulholland, Councilor R. Shananaquet, Treasurer Bott), 0 - Abstained, 0 – Absent

Motion failed.

Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to release the Closed Session Minutes of April 18, 1999.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor Kiogima and supported by Councilor R. Shananaquet for the Closed Session Meeting Minutes of March 5, 2006 to remain closed.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

4:25 p.m. Motion made by Councilor Otto and supported by Councilor Bardwell to adjourn.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

These Minutes have been read and approved as corrected:

Regina Gasco Bentley 10-11-09

Regina Gasco Bentley, Tribal Council Secretary Date