

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
October 21, 2012

Closed Session: Yes

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

Opening Ceremony: Melvin L. Kiogima

Council Present: Legislative Leader Melvin L. Kiogima, Secretary Regina Gasco Bentley, Councilor Aaron Otto, Councilor John Keshick III, Councilor Bill A. Denemy,

Absent: Treasurer John Bott, Councilor Belinda Bardwell, Councilor Kevin Gasco, Councilor Winnay Wemigwase

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Treasury Director Michael Garrow, Legislative Branch Administrative Assistant Michael Smith

Executive Officials and Staff Present: None

Public: Jake Boyd, Edward Shenoskey, Janice Shackleford, John Gasco, Tammy Okuly, Andrew Stich, Linda Gokee, Yvonne McShane, Doug Craven

Invited Guests: Daniel Berg, Bryan Gillette – Odawa Economic Development Management Inc., Ben Banfield – Odawa Fishery Inc.

Motion made by Councilor Otto and supported by Councilor Denemy to adopt the agenda as amended for October 21, 2012 in Honor of Kateri Tetakwitha, the First Native American to enter Sainthood as the patroness of ecology, nature, and the environment.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Otto and supported by Councilor Keshick III to approve the minutes of October 07, 2012 as corrected.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

9:06 a.m. Elder Comments: no comments at this time.

Motion made by Councilor Denemy and supported by Councilor Keshick III to accept Legislative Leader Kiogima's report.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Keshick III and supported by Councilor Denemy to accept Secretary Gasco Bentley's report.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Keshick III and supported by Councilor Otto to accept Secretary Gasco Bentley's travel report.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Denemy to accept the Gaming Authority Committee report for October 21, 2012 as presented by Committee member Councilor Otto.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Keshick III and supported by Secretary Gasco Bentley to accept the Treasury Director verbal report for October 21, 2012 as presented by Treasury Director Michael Garrow.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Keshick III to accept the Legislative Services Attorney verbal report for October 21, 2012 as presented by Legislative Services Attorney Donna Budnick.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

10:00 a.m. Elder Comments: Janice Shackleford speaking up for people in regards to lack of housing and the waiting list in our housing and once Elder's leases are up they will be asked to move according to H.U.D. regulations of "Over Housing" i.e., 1 person living in 3 or 2 bedroom H.U.D. homes. Also spoke on Tribal Citizens airing tribal disputes such as what occurred up in Mackinaw City town meeting and giving tribal citizens a sounding board so that this does not happen. Tammy Okuly further tried to define or touch on what seems to be a part of the housing department problem and that there seems to be a lack of

sufficient staff in housing to handle the realities of the problems that confront our tribe's housing issues. Janice Shackelford spoke on housing that is going up in California and how the housing is built to take care of the people, how can they do it there and we cannot do things like that here or to make things like that happen here for our Tribal Citizens. Also Janice and Tammy spoke about a meeting that was set-up to go view a Petoskey Apartment complex that is for sale in which Tammy had made contact with the sellers for potential Elder Housing or housing in general for the Tribe and they invited Tribal Council and the Executive for a viewing and no one from Tribal Council or the Executive showed which there was a lot reaching out was made and they did this with schedules in mind and some people agreed then never showed, which was a very big disappointment and showed a lack of interest in the housing problem. Tammy also commented that the Tribe should hire or contract Cherie Dominic to assist Legislative Services Attorney Donna Budnick in a legal capacity since she has graduated from law school and she should be taking the bar exam shortly.
10:24 a.m. Elder Comment closed.

10:24 a.m. Recess called.

10:55 a.m. Meeting reconvened.

Motion made by Councilor Keshick III and supported by Councilor Denemy to assign the Corporate Charter Appointment Policy to the Legal and Legislative Committee.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Keshick III and supported by Councilor Otto to acknowledge receipt of the Executive Monthly Oversight report October 21, 2012.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Keshick III and supported by Councilor Denemy to pass the Tribal Council Committees Meeting Policy and Procedures for use of Electronic Communications.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Otto and supported by Secretary Gasco Bentley to disapprove Camping Regulations for Camping on Tribal Lands REG-WOS 2005-01 091712-002.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Denemy to approve Gaming Regulatory Commission REGULATIONS REG-WOS 2005-06 100212-012.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

11:44 a.m. Public Comment Opened: Andrew Stich suggested shrinking Tribal Council members down to 5 members. Andrew also stated that Council went into closed session during the meeting on 10/07/12 and he waited and waited for them to come back out of closed session so that he could come back into the meeting and it took too long so Andrew said he just left. Linda Gokee stated she is disappointed about job positions posted and the need for extra staff and also talked about how the 2 week pay period should be moved back to being paid weekly and the problems that it is causing employees. Andrew Stich asked about Tribal Council traveling around for the Mackinaw Casino meetings for input for Tribal Citizens in outlying areas and his concern that there are too many councilors traveling to these outlying meetings.

11:52 a.m. Public Comment closed.

Motion made by Secretary Gasco Bentley and supported by Councilor Keshick III to approve Certified Motion: Request for Funding from the U.S. Environmental Protection Agency, Under Section 103 of the Clean Air Act, FY 2013 Region 5 Tribal Air Grants, Little Traverse Bay Bands of Odawa Indians, Clean Air Program.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Otto and supported by Secretary Gasco Bentley to approve Certified Motion: U.S. Department of Housing and Urban Development, Section 4-Enterprise rural and Native American Initiative, Little Traverse Bay Bands of Odawa Indians, Section 4 Supportive Housing Planning Grant.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

12:02 p.m. Lunch recess called.

1:30 p.m. Meeting reconvened.

Motion made by Councilor Denemy and supported by Councilor Keshick III to acknowledge receipt of Odawa Fishery, Inc., 3rd Quarter Report for October 2012 as presented by Odawa Fishery Inc., Board Chairman Ben Banfield.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

2:39 p.m. Recess called.

2:51 p.m. Meeting reconvened.

Motion made by Councilor Denemy and supported by Councilor Keshick III to acknowledge receipt of Odawa Economic Development Management, Inc. Corporate Charter 3rd Quarter Report for October 2012 as presented by Vice-President Bryan Gillette.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

3:00 p.m. Public Comment opened.

3:00 p.m. Public Comment closed.

Motion made by Secretary Gasco Bentley and supported by Councilor Denemy to approve the Executive to sign the United States Patent and Trademark Combined Declaration of Use and Incontestability of Mark.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Keshick III to approve Citizenship List A – Eligible for citizenship dated October 15, 2012 for a total of 4.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Keshick III to approve Citizenship List B – Declination (Ineligible) dated October 15, 2012 for a total 1.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Otto and supported by Secretary Gasco Bentley to amend the agenda to go into closed session for Land purposes.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

3:26 p.m. Motion made by Secretary Gasco Bentley and supported by Councilor Denemy to go into closed session for Land purposes.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)

Motion carried.

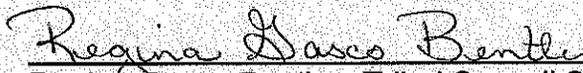
4:07 p.m. Motion made by Councilor Otto and supported by Councilor Denemy to return to open session.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Denemy to approve the Action Item contained with Confidential Memo 102112-01 as submitted by Legislative Services Attorney Budnick.
Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)
Motion carried.

4:11 p.m. Motion made by Secretary Gasco Bentley and supported by Councilor Keshick III to adjourn.
Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Treasurer Bott, Councilor Bardwell, Councilor Gasco, Councilor Wemigwase)
Motion carried.

These Minutes have been read and approved as written:


Regina Gasco Bentley, Tribal Council Secretary

11-4-12
Date