

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle Harbor Springs, MI 49740
December 16, 2012

Closed Session: yes

Call to Order: Meeting was called to order at: 9:06 a.m.

Opening Ceremony: Legislative Leader Kiogima

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

Absent: Treasurer John Bott, Councilor Winnay Wemigwase, Councilor Belinda Bardwell, Councilor Aaron Otto

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele LaCount, Treasury Director Michael Garrow

Executive Officials and Staff Present: Elder's Coordinator Tammy Okuly

Public: Annette VanDeCar, Virgil Williams

Invited Guests: none

9:09 a.m. Councilor Wemigwase arrived.

9:10 a.m. Councilor Otto arrived.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to adopt agenda for December 16, 2012 as amended.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Treasurer Bott, Councilor Bardwell)

Motion carried.

Motion made by Councilor Otto and supported by Councilor Denemy to approve the minutes December 2, 2012 as corrected.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Treasurer Bott, Councilor Bardwell)

Motion carried.

Elder Comments: no comments at this time.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to accept Legislative Leader Kiogima's verbal report for December 16, 2012.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Treasurer Bott, Councilor Bardwell)

Motion carried.

Secretary Gasco Bentley reported a phone poll conducted by Tribal Council on December 6, 2012 to appeal Tribal Court case #C-120-0411 (Harrington v Tribal Council) and instruct Attorney Jodi Doak to file the needed paperwork. The Phone Poll passed: 6 – yes, 0 – no, 2 – abstained, 1 – absent.

Motion Carried.

Motion made by Councilor Keshick and supported by Councilor Gasco to accept Secretary Gasco Bentley's verbal report for December 16, 2012.

Vote: 6 - Yes, 0 - No, 1 – Abstained (Secretary Gasco Bentley), 2 – Absent (Treasurer Bott, Councilor Bardwell)

Motion carried.

The Treasurer's report was tabled to later in the meeting.

9:58 a.m. Treasurer Bott arrived.

Motion made by Councilor Denemy and supported by Councilor Gasco to accept Councilor Keshick Tribal Council Member verbal and written travel report regarding the Federally Recognized Tribes Extension Program {F.R.T.E.P.} Native Women and Youth Agricultural Conference for December 16, 2012.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Bardwell)

Motion carried.

Elder Comment opened: Virgil Williams asked about the Mackinaw Casino Project and commented that he does not believe the Tribe will make money in the winter in Mackinaw. Legislative Leader Kiogima explained the feasibility study that was done regarding the project. Virgil stated the Tribe should pay off the current bonds first. Legislative Leader Kiogima explained the financial study indicating the current bond and proposed casino debt being paid off sooner than the bond criteria.

Motion made by Councilor Otto and supported by Councilor Wemigwase to accept Treasurer Bott's verbal report for December 16, 2012.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Bardwell)

Motion carried.

10:19 a.m. Recess called.

10:48 a.m. Meeting reconvened.

Motion made by Councilor Keshick and supported by Treasurer Bott to accept the Legal and Legislative Committee report as presented by Secretary Gasco Bentley Committee Chairperson for December 16, 2012.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Bardwell)

Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott to accept the Hearing Assistance Ad-Hoc work group report as presented by Councilor Wemigwase for December 16, 2012.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Bardwell)

Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott to accept the Junior Tribal Council Ad-Hoc Committee verbal report as presented by Councilor Wemigwase for December 16, 2012.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Bardwell)

Motion carried

11:45 a.m. Public Comment opened: no comments at this time.

11:45 a.m. Public comment closed.

Elder Comments: no comments at this time.

Motion made by Councilor Gasco and supported by Councilor Otto to accept Treasury Director Garrow's verbal and written report for December 16, 2012.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Bardwell)

Motion carried.

12:01 p.m. Lunch recess called.

1:30 p.m. Meeting reconvened.

Motion made by Treasurer Bott and supported by Councilor Denemy to accept Legislative Services Attorney Budnick's verbal report for December 16, 2012.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Bardwell)

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Gasco to acknowledge the receipt of the Election Board Regulations and Policies & Procedure.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Bardwell)

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Gasco to acknowledge the receipt of the Executive Oversight Report dated November 2012 and the Report dated through December 15, 2012.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Bardwell)

Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott to acknowledge the receipt of the FY 2014 proposed budgets from the Executive Branch, the Legislative Branch, the Judicial Branch, the Prosecutor, the Election Board, and the Gaming Authority Committee Draft Budget for 2013.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Bardwell)

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to authorize Enjinaaknegeng to offer the position of Citizen's Legal Assistance Attorney to LTBB Citizen Cherie Dominic, and to negotiate an arrangement for her to initially work under the guidance and supervision of Michigan Indian Legal Services.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Bardwell)

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Gasco to authorize the Chairman, Police Chief and Prosecutor to execute extensions of the Inter-local Agreement for Deputization and Mutual Law Enforcement Assistance Between the Little Traverse Bay Bands of Odawa Indians and the County of Emmet, and the Inter-local Agreement for Deputization and Mutual Law Enforcement Assistance Between the Little Traverse Bay Bands of Odawa Indians and the County of Charlevoix. This authorization will remain in place unless and until Tribal Council takes action to terminate under paragraph 29 of the Agreements.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Bardwell)

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Denemy to adopt Waganakising Odawak Statute: Recall of An Official and Leave of Absence.

Roll call vote: Councilor Bardwell-absent, Councilor Denemy-yes, Councilor Gasco-yes, Councilor Keshick-yes, Councilor Otto-no, Councilor Wemigwase-no, Treasurer Bott-yes, Legislative Leader Kiogima-yes, Secretary Gasco Bentley-yes

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Wemigwase to amend the agenda to add the following: Tribal Resolution "Supplemental Funding for Traditional Burial Grounds Board"; Traditional Burial Grounds Board member's stipends, and Closed Session for Legal purposes.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Bardwell)

Motion carried.

Motion made by Councilor Denemy and supported by Councilor Wemigwase to adopt Tribal Resolution: Supplemental Funding for Traditional Burial Grounds Board in the Amount of \$25,000.00 for Fiscal Year 2013 to come from Prior Period Funds.

Roll call vote: Councilor Bardwell-absent, Councilor Denemy-yes, Councilor Gasco-yes, Councilor Keshick-yes, Councilor Otto-yes, Councilor Wemigwase-yes, Treasurer Bott-yes, Legislative Leader Kiogima-yes, Secretary Gasco Bentley - yes

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to allow Traditional Burial Boards members to receive stipends in the amount of \$150.00 per meeting with no more than one stipend received per day.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Bardwell)

Motion carried.

2:17 p.m. Motion made by Councilor Otto and supported by Treasurer Bott to go into closed session for confidential legal matters.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Bardwell)

Motion carried.

2:37 p.m. Motion made by Councilor Gasco and supported by Councilor Wemigwase to return to open session.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Bardwell)

Motion carried.

2:38 p.m. Public Comment opened: no comments.

2:38 p.m. Public comment closed.

2:38 p.m. Motion made by Treasurer Bott and supported by Secretary Gasco Bentley to adjourn.

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

Motion carried.

These Minutes have been read and approved as corrected:


Regina Gasco Bentley, Tribal Council Secretary

1-6-13

Date