

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Council Chambers  
7500 Odawa Circle  
Harbor Springs, MI 49740  
May 5, 2013

Closed Session: yes

Call to Order: Meeting was called to order at: 9:03 a.m.

Opening Ceremony: Melvin L. Kiogima

Council Present: Legislative Leader Melvin L. Kiogima, Treasurer John Bott, Secretary Regina Gasco Bentley, Councilor Belinda Bardwell, Councilor John Keshick, Councilor Bill A. Denemy, Councilor Aaron Otto, Councilor Kevin Gasco

Absent: Councilor Winnay Wemigwase

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

Executive Officials and Staff Present: Tribal Chairman Dexter McNamara, Elder Coordinator Tammy Okuly, LTBB Youth Services: Sara Lucier

Public: Annette VandeCar, Doug Emery, Edward Shenoskey, Glenna Kimball,

Invited Guests: Odawa Casino: General Manager Dave Wolf, Human Resources Director Melissa Richards, Finance Director Roger Borton, Human Resource Director Melissa Richards, Marketing Director Karyann Waukazoo, Hospitality Director Michael Bodjiak, Director of Property Operations Barry Laughlin  
Michigan State University-Bethan Pykucki, Darin Bagley, Crooked Tree Youth Leadership Program: David Andress, Julia Yates, Keisha Lovely, Pellston Schools Title VII: Laura Chaney, Daniel Przybylski, Sr.,

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9:11 a.m. Councilor Wemigwase arrived.

Motion made by Councilor Gasco supported by Councilor Wemigwase to adopt the amended agenda for May 5, 2013 in honor of the one year memorial of Joseph Kishego's passage.

Vote: 9 - Yes, - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to approve the minutes of April 19, 2013 Special Meeting as presented.

Vote: 9- Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bott to approve the minutes of April 21, 2013 as presented.

Vote: 9 -Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

9:23 a.m. Elders Comments: None at this time. Elders Comment will remain open.

Crooked Tree Youth Leadership Program presented Council a report on their citizenship program through Pellston High School and Michigan State University. They spoke on what they have learned about all local Governments including Tribal. They feel that LTBB does an amazing job. They are interested in meeting Tribal youth and coming to functions.

Motion by Secretary Gasco-Bentley and supported by Treasurer Bott to acknowledge that Tribal Council has not received the constitutionally mandated Executive Oversight Report from the Tribal Chairman for the month of March 2013, and last report received was the February Report received on April 21, 2013, in order to fulfill of the duties of the Chair, Article VIII. C. 6. Shall submit monthly written reports of his/her oversight responsibilities of Tribal operations to the Tribal Council, and make such available to the Tribal Citizenship.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried

10:09 a.m. Elders Comment: No comments.

Motion by Councilor Bardwell and supported by Councilor Gasco to accept Legislative Leader Kiogima's verbal report for May 5, 2013.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

10:44 a.m. Elders Comment: No Comments.

10:45 a.m. Recess called.

11:11 a.m. Meeting Reconvened.

Secretary Gasco Bentley read into the minutes the following Phone Polls:

Phone Poll dated 04/22/13: To override the Tribal Chairman's veto of Tribal Resolution #021713-02 Refinancing of the Tribe's Notes and Other Economic Development Opportunities Including the potential Mackinaw City Casino. The phone poll failed: 6-yes, 1-no (Secretary Gasco-Bentley), 1-abstain (Councilor Wemigwase), 1-absent (Treasurer Bott).

Phone Poll dated 04/29/13: To approve Tribal Resolution Appropriation of Funds for the 2014 Operating Budgets and Restatement of Funding Allocation for the 2014 Fiscal Year for a total budget of \$36,238,807, which includes: \$2,134,316 for the Legislative Branch; \$1,113,232 for the Judicial Branch; \$87,686 for the Election Board; \$160,834 for the Prosecutor; \$28,992,739 for the Executive Branch; and, \$3,750,000 for the Repayment of Debt/Tribal Priorities. The phone poll passed: 7-yes, 1-no (Councilor Otto), 0-Abstain, 1- Absent (Councilor Bardwell)

Phone Poll 04/29/13: To approve the contract with Sovereign Finance dated April 29, 2013, pursuant to Tribal Resolution #021713-02 Refinancing of the Tribe's Notes and Other Economic Development Opportunities Including the Potential Mackinaw City Casino, in the amount of \$145,000 which will come from the M-Project capital fund, with \$15,000 due and payable upon execution of the contract. The phone poll passed 6-Yes, 2-no (Councilor Wemigwase and Secretary Gasco-Bentley) 1-abstain (Treasurer Bott), 0-absent.

11:30 a.m. Recess called.

11:45 a.m. Meeting reconvened.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to accept Secretary Gasco-Bentley's verbal report for May 5, 2013.

Vote: 9 Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

12:30 p.m. Public comment: No comment.

12:30 p.m. Public Comment: Public Comment closed.

12:33 p.m. Elder Comment: Doug Emery thanked Council for their service.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept Treasurer Bott verbal report for May 5, 2013.

Vote: 9 - Yes, 0 - No, 0- Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept Treasurer Bott verbal report for May 5, 2013.

Vote: 9 - Yes, 0 - No, - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bott to accept Councilor Bardwell's Tribal Council Members verbal and written report for May 5, 2013.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott to accept Secretary Gasco-Bentley's Legal and Legislative Committee's verbal report as presented by Committee Chairperson Gasco-Bentley for May 5, 2013.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Elder comments: no comments.

12:45 p.m. Lunch recess.

2:15 p.m. Meeting reconvened.

2:29 p.m. Motion by Councilor Gasco and supported by Councilor Bardwell to go into closed for confidential business matters.

Vote: 8 - Yes, 0 - No, 1 - Abstained (Treasurer Bott), 0 - Absent

Motion carried.

2:45 p.m. Motion by Councilor Bott and supported by Councilor Denemy to return to open session.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion by Treasurer Bott and supported by Councilor Denemy to accept the Gaming Authority Committee verbal and written report for May 5, 2013.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion by Councilor Gasco and supported by Treasurer Bott to accept Ethics Committee verbal report as presented by Councilor Otto for May 5, 2013.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Wemigwase to accept Councilor Keshick's Agricultural Assessment Work Group verbal report for May 5, 2013.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Hearing Aid Assessment Work Group: no report.

3:03 p.m. Public Comment opened: No Comments.

3:03 p.m. Public Comment closed.

Motion made by Councilor Bardwell and supported by Treasurer Bott to Accept Councilor Wemigwase's Junior Tribal Council Ad-hoc Committee verbal report for May 5, 2013.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

3:12 p.m. Recess called.

3:20 p.m. Meeting reconvened.

3:22 p.m. Motion by Councilor Otto and supported by Councilor Bardwell to go into closed session for confidential business matters.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

4:21 p.m. Motion by Councilor Gasco and supported by Councilor Wemigwase to return to open session.

Vote: 9 - Yes, - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Gasco to accept Treasury Director Garrow's verbal and written report for May 5, 2013.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

4:58 p.m. Recess called.

5:12 p.m. Meeting reconvened.

Motion made by Councilor Gasco and supported by Councilor Denemy to accept Legislative Services Attorney Budnick;s verbal report for May 5, 2013.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion by Councilor Keshick and supported by Councilor Gasco to approve the Little Traverse Bay Bands of Odawa Indians Lease with Daniel S. Berg to provide for exercising Treaty Rights for a term of 1-yr starting June 1, 2013 and ending June 1, 2014 in the amount of \$6,500 as budgeted by the Natural Resource Department and approve and authorize the Tribal Chairman to sign the list.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott to approve Enrollment List A – Eligible for Citizenship dated April 22, 2013 for a total of 10.

Vote: 9 -Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to approve Enrollment List B – Declination (Ineligible) dated April 22, 2013 for a total of 2.

Vote: 9 -Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Enjinaaknegeng: No report.

Motion made by Councilor Bardwell and supported by Councilor Gasco to acknowledge receipt of Executive Nominations: Tribal Historic Preservation Officer (THPO), Associate Judge, and Appellate Justice.

Vote: 9 -Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to adopt the Tribal Resolution: Authorization of Odawa Casino Resort Business Banking Account and Treasury Management Documents and Limited Waiver of Sovereign Immunity and Related Matters.

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

Motion carried.

5:39 p.m. Motion by Councilor Gasco and supported by Councilor Bardwell to go into closed session for Legal issues.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried

6:02 p.m. Motion by Treasurer Bott and supported by Councilor Denemy to return to open session.

6:02 p.m. Recessed called.

6:13 p.m. Meeting reconvened.

Motion by Councilor Bardwell and supported by Councilor Gasco to amend the agenda to include the Tribal Resolution to Authorization of Government Banking Accounts And Treasury Management Documents, Limited Waiver Of Sovereign Immunity And Related Matters.

Vote: 9 -Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion by Councilor Gasco and supported by Treasurer Bott to adopt the Tribal Resolution: Authorization of Government Banking Accounts and Treasury Management Documents, Limited Waiver of Sovereign Immunity and Related Matters.

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

Motion carried.

6:14 p.m. Motion made by Councilor Bardwell and supported by Councilor Wemigwase to go into closed session for personnel.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0- Absent  
Motion carried.

6:30 p.m. Councilor Wemigwase departs.

6:48 p.m. Motion made by Councilor Gasco and supported by Councilor Bardwell to return to open session.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1- Absent-(Councilor Wemigwase)  
Motion carried.

6:50 p.m. Motion made by Councilor Bardwell and supported by Councilor Gasco to go into closed session for personnel.

Vote: 8 -Yes, 0 - No, 0 - Abstained, 1- Absent (Councilor Wemigwase)  
Motion carried.

7:15 p.m. Councilor Bardwell departs.

7:33 p.m. Motion made by Councilor Gasco and supported by Treasurer Bott to return to open session.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Wemigwase, Councilor Bardwell)  
Motion carried.

7:33 p.m. Motion made by Councilor Gasco and supported by Treasurer Bott to adjourn.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Wemigwase, Councilor Bardwell)  
Motion carried.

Please contact the Legislative Office at 231-242-1403, 231-242-1404 or 231-242-1406 for additional updates and clarifications of these minutes as presented.

These Minutes have been read and approved as written.

  
Regina Gasco Bentley, Tribal Council Secretary

5-19-13  
Date