The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
October 20, 2013

Closed Session: No
Call to Order: Meeting was called to order at: 9:05 a.m.
Opening Ceremony: Beatrice A. Law

Council Present: Legislative Leader Regina Gasco Bentley, Secretary Julie Shananaquet, Treasurer Marcella Reyes, Councilor Bill A. Denemy, Councilor Beatrice A. Law, Councilor Michael Naganashe, Councilor Aaron Otto

Absent: Councilor John Keshick, Councilor Winnay Wemigwase

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

Executive Officials and Staff Present: Vice-Chair Deb DeLeon; Gaming Regulatory Commission: Cathy Portman Bradley, Beverly Wemigwase, David Dominic; Regulatory Director: Vince Cook, Human Resources Director Denise Petoskey

Public: Annette VanDeCar, Doug Emery, Dollie Keway, Frank Ettawageshik, Andrew Stich, Garcia Medicine

Invited Guests: none

Motion made by Secretary Shananaquet and supported by Councilor Denemy to adopt the agenda for October 20, 2013 as amended.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Keshick, Councilor Wemigwase)
Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve the minutes of October 6, 2013 with corrections.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Keshick, Councilor Wemigwase)
Motion carried.

9:16 a.m. Elder comments:

- Doug Emery shared his church's mission to print and send bibles to China and asked to be able to use Appleyard Day care building to do it; His ban from entering the Casino and request to return; The Michelle Chingwa Education Assistance Act and a need for more funds for future students; and The Marriage Statute being a wrong that needs to be made right to put it out to the people for a vote.

- David Dominic asked Doug Emery why he is asking for the Marriage Statute to be changed; and stated we all need to work together and sometimes we do not because individually we do not know everything so we need to appoint the best people we can.

9:28 a.m. Councilor Winnay Wemigwase arrived.

9:40 a.m. - 10:03 a.m. Interview with Frank Ettawageshik for Land and Reservation.

Statement read by Tribal Vice-Chairperson DeLeon regarding citizen appointments to Committee, Boards and Commissions.

10:24 a.m. Recess called.
10:40 a.m. Meeting reconvened.

Review of the Tribal Minimum Internal Control Standards as presented by the Executive via Gaming Regulatory Commission.

Motion made by Secretary Shananaquet and supported by Councilor Wemigwase to acknowledge receipt from the Executive, the Tribal Minimum Internal Control Standards: REG-WOS 2005-06 092613-014 and the September 2013 Executive Report.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to approve the Tribal Minimum Internal Control Standards: REG-WOS 2005-06 092613-014 as amended effective January 1, 2014.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to accept Legislative Leader Gasco Bentley verbal report for October 20, 2013.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

11:45 a.m. Public Comment opened:

- Annette VanDeCar spoke regarding Health Care Benefits for the Tribal Government employees.

- Denise Petoskey asked when Citizens will receive the McClurken study.

- Andrew Stich asked why Tribal Council cancelled their October 19, 2013 as the Tribal Minimum Internal Control Standards could have been worked on then; and asked that the signs around the government building commons center be removed; and would like to see Tribal Council function without an attorney opinion during the meeting.

12:06 p.m. Public Comment closed.

12:07 p.m. Lunch recess.
1:29 p.m. Meeting reconvened.

Secretary Shananaquet Report:

The following (6) Certified Motions were delivered to Tribal Chairman's office and remain outstanding requiring Chairman's signature and return:

- Certified Motion # 100613-01 Request for Funding from the National Endowment for the Humanities America's Historical and Cultural Organizations: Planning Grants Little Traverse Bay Bands of Odawa Indians Repatriation and Archives Department "A Reflection of Ourselves: A Visual History of the Transition of the Odawa of Little Traverse During the 1800s" Planning Grant. (11/06/13 due back date)

- Certified Motion #100613-02 Midwest Alliance of Sovereign Tribes Representative for LTBB. (11/06/13 due back date)

- Certified Motion #100613-03 United Tribes of Michigan Representative for LTBB (11/06/13 due back date)

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- Certified Motion #100613-04 United States Department of the Interior, Bureau of Indian Affairs Authorization for P.L. 93-638 Contract. (11/06/13 due back date)

- Certified Motion # 100613-05 Request for Funding from the US Environmental Protection Agency, Under Section 103 of the Clean Air Act, FY 2014 Region 5 Tribal Air Grants, Little Traverse Bay Bands of Odawa Indians Clean Air Program. (11/06/13 due back date)

- Certified Motion #100613-06 Long Range Transportation Plan FY 2013 – FY 2018. (11/06/13 due back date)

The following (4) Resolutions were delivered to Tribal Chairman's office and remain outstanding requiring Chairman Kiogima's signature and return:

- Tribal Resolution 092213-05 Funding for Odawa Fishery Inc., (10/23/13 due date)

- Tribal Resolution 100613-01 - Appropriation of Additional Funds for 2013 Per Cap Distribution (11/06/13 due back date)

- Tribal Resolution # 101513-01 Appropriation of Funds for the 2015 Operating Budgets and Funding Allocation for the 2015 Fiscal Year. (11/14/13 due back date)

Tribal Council requires signed copies of the following:

- Tribal Resolution #070713-02 Ground Lease Termination

- Dillard Home Purchase Contract and Residential Lease of Tribal owned land.

No vetoed documents to report.

The following telephone polls were conducted:

- October 08, 2013 Motion to approve and authorize a contract with Larry Dyer to develop a land use plan, organizational plan, financial plan, and a farm management plan in the amount of $7,400.00 to come from the Legislative Budget and authorizes Legislative Leader Gasco Bentley and Treasurer Reyes to sign such consultant contract.
  The phone poll passed: 8-Yes, 1-No (Councilor Law), 0-Abstain, 0-Absent.

- On Oct 15, 2013, To recommend to Tribal Council to approve Tribal Resolution Appropriation of Funds for the 2015 Operating Budgets and Funding Allocation for the 2015 Fiscal Year.
  The phone poll passed: 7-Yes, 2-No (Councilor Keshick, Councilor Otto), 0-Abstain, 0-Absent.

Due to an error in wording a second phone poll was conducted with correct wording.

- October 15, 2013 Motion to adopt Tribal Resolution: Appropriation of Funds for the 2015 Operating Budgets and Funding Allocation for the 2015 Fiscal Year. The phone poll passed: 7-yes, 2-No (Councilor Keshick III, Councilor Otto), 0-Abstain, 0-Absent.

Motion made by Councilor Wemigwase and supported by Councilor Naganashe to accept Secretary Shananaquet's verbal report for October 20, 2013.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Naganashe to accept Treasurer Reyes' verbal and written report for the Appropriations and Finance Committee as presented on October 20, 2013.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

Motion made by Councilor Law and supported by Councilor Naganashe to accept verbal travel reports from Councilor Law, Councilor Wemigwase, and Councilor Otto and Treasurer Reyes regarding National Congress of American Indians with written reports to follow.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

Motion made by Councilor Otto and supported by Councilor Wemigwase to accept the Legal and Legislative Committee verbal report from Committee Chair Gasco Bentley for October 20, 2013.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to accept the Ethics Committee verbal report from Committee Chair Otto for October 20, 2013.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

2:58 p.m. Public Comment opened:

- Andrew Stich asked for clarification regarding the Land use phone poll and what it would do for the exactly.

- Dolly Keway read a letter she wrote and will deliver to the Casino General Manager regarding her mother's casino scoop of ice cream birthday comp.

3:06 p.m. Public Comment closed.
3:06 p.m. Recess called.
3:23 p.m. Meeting reconvened.

Motion made by Councilor Denemy and supported by Councilor Wemigwase to accept Treasury Director Garrow's verbal and written report for October 20, 2013.

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

Motion made by Councilor Wemigwase and supported by Councilor Law to accept Legislative Services Attorney Budnick's verbal report for October 20, 2013.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Law to authorize Little Traverse Bay Bands of Odawa Indians to join the National Congress of American Indians/inter-tribal amicus brief in Michigan v. Bay Mills Indian Community, United States Supreme Court case No. 12-515, and to contribute $5,000.00 to National Congress of American Indians for the costs of preparation of the brief to come from the Enjinaaknegeng consultant's line item."
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

Motion made by Councilor Naganashe and supported by Councilor Denemy to accept Legislative Office Manager LaCount's verbal and written report for October 20, 2013.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Denemy to rescind Motion made by Councilor Denemy and supported by Councilor Law to appoint Jon Shawa to the Election Board for a 3-year term expiring September 21, 2016. Motion made by Councilor Keshick and supported by Treasurer Reyes to appoint Alice Hughes to the Election Board for a 3-year term expiring September 21, 2016 and Motion made by Councilor Law and supported by Councilor Naganashe to appoint Carol Quinones to the Election Board for a 3-year term expiring September 21, 2016 as incorrect terms were applied.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

Motion made by Councilor Denemy and supported by Councilor Law to appoint Jon Shawa to the Election Board for a 4-year term expiring September 21, 2017.
Vote: 7 - Yes, 1 – No (Secretary Shananaquet), 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Law to appoint Alice Hughes to the Election Board for a 4-year term expiring September 21, 2017.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

Motion made by Councilor Law and supported by Councilor Naganashe to appoint Carol Quinones to the Election Board for a 4-year term expiring September 21, 2017.
Vote: 7 - Yes, 1 – No (Secretary Shananaquet), 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Naganashe to approve Citizenship List C - Relinquishment dated October 11, 2013 for a total of 1.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Denemy to approve the Tribal Council 2014 Regular Work Session and Meeting schedule.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

Motion made by Councilor Law and supported by Councilor Naganashe to approve Certified Motion: Request for funding from the National Congress of American Indians Partnership for Tribal Governance Initiative Leadership Development Project.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Law to approve Certified Motion: Sub-grant from Inter-Tribal Council of MI; reaffirmation to contract through the Bureau of Indian Affairs under PL 93-638 for State Child Care Funds.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

Motion made by Councilor Law and supported by Councilor Denemy to authorize and approve the Legislative Leader and Treasurer to sign the letter of engagement with Fredericks Peebles & Morgan LLP to provide legal services regarding the financing for the Tribe's Senior Notes.
Vote: 6 - Yes, 2 – No (Secretary Shananaquet and Councilor Otto), 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to post the Contract Statute to the Legislative calendar.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS
7500 Odawa Circle
Harbor Springs, MI 49740

CERTIFIED MOTION # 102013-01

Request for funding from the National Congress of American Indians
Partnership for Tribal Governance Initiative
Leadership Development Project

WHEREAS the Waganakising Odawak, known in English as Little Traverse Bay Bands of Odawa Indians is a nation of citizens with inherent sovereignty and right to self-governance and;

WHEREAS the Little Traverse Bay Bands of Odawa Indians ("LTBB") is a federally recognized Indian Tribe under Public Law 103-324, and is a party to numerous Treaties with the United States the most recent of which being the Treaty of Washington of March 28, 1836 (7 Stat. 491) and the Treaty of Detroit of 1855 (11 Stat. 621);

WHEREAS the Little Traverse Bay Bands of Odawa Indians Tribal Council is the elected legislative body of the Tribe;

WHEREAS the Tribe recognizes the need to invest in projects to strengthen tribal governance;

WHEREAS the Tribe desires to build the leadership capacity within the Tribal government through leadership development training for tribal leaders and tribal staff;

WHEREAS the National Congress of American Indians has announced funding availability through the Partnership for Tribal Governance Initiative to invest in Leadership Development initiatives.

THEREFORE, BE IT RESOLVED that the Tribal Council of the Little Traverse Bay Bands of Odawa Indians authorizes and supports this request for funding from the National Congress of American Indians for a 12-month Little Traverse Bay Bands of Odawa Indians Leadership Development Initiative.

BE IT ALSO RESOLVED that the Little Traverse Bay Bands of Odawa Indians will provide a matching contribution for related indirect costs paid from the Program Support budget in an amount not to exceed $9,000.

Secretary Shananaquet

FURTHER RESOLVED, that the LTBB Tribal Chair, Vice Chair, Tribal Administrator, or another designee from the Tribal Chair is authorized to execute any documents necessary to apply for, receive, and administer funds under the grant.

CERTIFICATION

Received by the Executive Office on 10-22-13 by _____

The Executive concurs and recommend this action of the Tribal Council.

Date: 10-22-13 _____
Fred Kiogima, Tribal Chairperson

As Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Certified Motion was duly approved by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held October 20, 2013 at which a quorum was present, by a vote of 8 in favor, 0 opposed, 0 abstentions, 1 absent as recorded by this certification as an official action on behalf of Little Traverse Bay Bands of Odawa Indians.

Date: 10-20-13 _____
Regina Gasco Bentley, Legislative Leader

Date: 10/20/13 _____
Julie Shananaquet, Secretary

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS
7500 Odawa Circle
Harbor Springs, MI 49740

CERTIFIED MOTION # 102013-02

Request for the Reaffirmation of the Inter-Tribal Council of Michigan, Inc. Contract, through the Bureau of Indian Affairs under PL 93-638, for the State Child Care Funds

WHEREAS the Waganakising Odawak, known in English as Little Traverse Bay Bands of Odawa Indians is a nation of citizens with inherent sovereignty and right to self-governance and;

WHEREAS the Little Traverse Bay Bands of Odawa Indians ("LTBB") is a federally recognized Indian Tribe under Public Law 103-324, and is a party to numerous Treaties with the United States the most recent of which being the Treaty of Washington of March 28, 1836 (7 Stat. 491) and the Treaty of Detroit of 1855 (11 Stat. 621);

WHEREAS the Little Traverse Bay Bands of Odawa Indians Tribal Council is the elected legislative body of the Tribe;

WHEREAS, Tribal organizations are eligible to apply for and contract with the Bureau of Indian Affairs to plan, conduct and administer program under the authority of Public Law 93-638; and

WHEREAS, The Inter-Tribal Council of Michigan, Inc. is a duly organized governing body under State Charter filed April 16, 1968; and

WHEREAS, Article I of the Articles of Incorporation established a Joint Tribal Organization which represents eleven (11) federally recognized tribes in Michigan; and

WHEREAS, the Little Traverse Bay Bands of Odawa Indians is a member Tribe of the Inter-Tribal Council of Michigan, Inc.; and

WHEREAS, The Inter-Tribal Council of Michigan, Inc. has been delegated authority by its member tribes to contract with the Bureau of Indian Affairs pursuant to Public Law 93-638, as amended, to administer a Child Welfare Assistance Program.

THEREFORE BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians hereby requests the Inter-Tribal Council of Michigan, Inc. to enter into a PL 93-638 contract with the Bureau of Indian Affairs and as authorized by 25 CFR, Part 900 Contracts under the

Indian Self-Determination and Education Assistance Act for Child Welfare Assistance Program.

BE IT FURTHER RESOLVED that the LTBB Tribal Chairperson, Vice Chairperson, Tribal Administrator, or another designee from the Tribal Chairperson is hereby authorized to negotiate and execute all necessary documents by and between the Bureau of Indian Affairs and the Inter-Tribal Council of Michigan, Inc. Little Traverse Bay Bands of Odawa Indians.

CERTIFICATION

Received by the Executive Office on 10-22-13 by _____

The Executive concurs and recommend this action of the Tribal Council.

Date: 30 Oct 13

_____
Fred Kiogima, Tribal Chairperson

As Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Certified Motion was duly approved by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held October 20, 2013 at which a quorum was present, by a vote of 8 in favor, 0 opposed, 0 abstentions, 1 absent as recorded by this certification as an official action on behalf of Little Traverse Bay Bands of Odawa Indians.

Date: 10-20-13

Regina Gasco Bentley
Regina Gasco Bentley, Legislative Leader

Date: 10/20/13

Julie Shananaquet
Julie Shananaquet, Secretary

Motion made by Councilor Law and supported by Councilor Wemigwase to post Domestic Violence Statute to the Legislative calendar.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried.

The Odawa Fishery, Inc. 2013 3rd Quarter Report is scheduled to be addressed at the next Tribal Council meeting on November 6, 2013.

The Waganakising Odawa Development, Inc. 2013 3rd Quarter Report is scheduled to be addressed at the next Tribal Council meeting on November 6, 2013.

Motion made by Councilor Wemigwase and supported by Councilor Law to accept the Tribal Traditional Burial Board Inc., Corporate Charter 3rd Quarter Report for October 20, 2013.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Keshick)
Motion carried

4:48 p.m. Motion made by Councilor Wemigwase and supported by Councilor Naganashe to adjourn
Vote: 8-yes, 0-No, 0-Abstained, 1-Absent (Councilor Keshick)

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 corrected:

Julie Shananaquet 11-3-13

Julie Shananaquet, Tribal Council Secretary Date