

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
March 3, 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, Secretary Regina Gasco-Bentley, Treasurer John Bott, Councilor Belinda Bardwell, Councilor Bill A. Denemy, Councilor Kevin Gasco, Councilor John Keshick, Councilor Aaron Otto, Councilor Winnay Wemigwase. Absent: None

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

Executive Officials and Staff Present: None

Public: Doug Emery, Andrew Stich, Annette VanDeCar, Janice Shackelford, Denise Petoskey, Sam Shenoskey, Edward Shenoskey, Cheri Dominic, and Glenna Kimball

Invited Guests: None

Motion made by Councilor Gasco and supported by Councilor Wemigwase to adopt the agenda for March 3, 2013 as amended.

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

Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott to approve the minutes from February 17, 2013 with corrections.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Gasco to accept the verbal report from Legislative Leader Kiogima.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept the verbal report from Secretary Gasco Bentley.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to accept Treasurer Bott's verbal report.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Keshick to accept Tribal Council member reports from Councilor Gasco, Councilor Otto, and Councilor Bardwell.

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

Motion carried.

Land and Reservation: no report.

Elder Comments: Doug Emery spoke regarding his ban at the Casino. He stated his ban was up January 31, 2013 but the Casino still has not lifted the ban and he understands Tribal Council cannot lift the ban but would like the Tribal Council to write a letter to the Casino asking them to lift it. John Kawegoma spoke regarding his attendance at an Appropriations and Finance Committee meeting regarding the food and utility reimbursements for the Elder's and asked whether or not the reimbursements could be increased due to an increase in charges by the utility companies. John also spoke regarding Elder in-home care needs and employing our own people to care for our own people.

10:39 a.m. Recess called.

11:10 a.m. Meeting reconvened.

Motion made by Councilor Wemigwase and supported by Secretary Gasco Bentley to accept the Gaming Authority Committee report from Committee Chairperson Gasco for March 3, 2013.

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

Motion carried

Land and reservation: No report.

11:49 a.m. Public Comment: Andrew Stich asked Tribal Council to separate Environmental Services and Natural Resource Department, and to get rid of the Fishery and put the money elsewhere for current needs including building maintenance. John Kawegoma stated he wants the Elder Program renamed via the legislative process as the Department of Elder Services in order to work more cohesively with other departments.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept the Legal and Legislative Committee verbal report from Committee Chairperson Gasco Bentley for March 3, 2013.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell to temporarily appoint Councilor Gasco and Councilor Denemy to the Ethics Committee.

Vote: 7 - Yes, 0 - No, 0 - Abstained, (Councilor Gasco and Councilor Denemy)

0 - Absent

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept the Ethics Committee verbal report as presented Chairperson Otto for March 3, 2013

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

Motion carried.

12:06 p.m. Lunch Recess Called.

1:31 p.m. Meeting reconvened.

Motion made by Councilor Gasco and supported by Councilor Bott to accept Legislative Services Attorney Budnick's verbal and written report for March 3, 2013.

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

1:39 p.m. Councilor Keshick arrives.

1:42 p.m. Councilor Wemigwase arrives

Motion made by Councilor Bardwell and supported by Treasurer Bott to accept the verbal report from the Agricultural Assessment Workgroup as presented by Councilor Keshick for March 3, 2013.

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

Motion carried

Hearing Aid Assessment and Junior Tribal Council Ad-Hoc Committees: No Reports.

Motion made by Treasurer Bott and supported by Councilor Wemigwase to table the Waganakising Odawak Statute 2005-01 Natural Resource Commission Amendment and Repeal of Inland Regulations.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Denemy to approve Certified Motion: Request for Funding from U.S. Department of Health and Human Services Administration for Children and Families, Administration on Children, Youth and Families, Little Traverse Bay Bands of Odawa Indians Child Care and Development Fund Program.

Vote 7 – Yes, 2 – No (Councilor's Wemigwase, Gasco Bentley), 0 – Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Denemy to approve Certified Motion: Funding from the U.S. Department Agricultural (USDA), Food and Nutrition Services Little Traverse Bay Bands of Odawa Indians Food Distribution Program Nutrition Education (FDPNE).

Vote 7 – Yes, 2 – No (Councilor Wemigwase, Secretary Gasco Bentley), 0- Abstained, 0 - Absent.

Motion carried.

Secretary Gasco-Bentley and Councilor Wemigwase voted not to approve the Certified Motions above based on policy in order to send the requests to the Appropriations and Finance Committee.

Motion made by Councilor Bardwell and supported by Councilor Gasco to pass the Marriage Statute.

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

Motion carried.

2:19 p.m. Recess called.

2:30 p.m. Meeting reconvened.

Motion made by Councilor Gasco and supported by Councilor Bardwell to adopt Tribal Resolution: Appropriations to Odawa Economic Development Management, Inc. (OEDMI) in the amount of \$50,000 to come from prior period funds

Roll call vote: Councilor Bardwell–yes, 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.

Motion made by Councilor Gasco and supported by Councilor Otto to approve Certified Motion: Request for funding the U.S. Department of Housing and Urban Development FY 2013 Indian Community Development Block Grant Program Public Facilities and Improvement Project Little Traverse Bay Bands of Odawa Indians Youth Facility Project.

Motion and support withdrawn.

Motion made by Councilor Bardwell to forward the above Executive request to the Appropriations and Finance Committee in accordance with Policy.

Motion withdrawn.

Above Motions were withdrawn as staff will communicate with the Executive Office.

Motion made by Councilor Bardwell and supported by Councilor Wemigwase to approve Camping Regulations for Camping of Tribal Lands REG-WOS 2005-01 111312-003.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Gasco to table the Natural Resource Access Site Regulations REG-Waganakising Odawak Statute 2008-012.

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

Motion carried.

2:49 p.m. Recess called.

3:00 p.m. Meeting reconvened.

3:05 p.m. Public Comment opened: Denise Petoskey requested Tribal Council follow the Open Meeting Statute with regard to personnel issues. Denise also thanked Council for passage of the marriage statute. Cheri Dominic thanked Council on the passage of the Marriage Statute. Annette VanDeCar thanked Councilors who voted yes on the Marriage Statute.

3:06 p.m. Public comment closed.

3:06 p.m. Motion made by Treasurer Bott and supported by Councilor Wemigwase to go into closed session for Personnel.

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

Motion carried.

3:47 p.m. Motion Made by Councilor Gasco and supported by Councilor Bardwell to return to open session.

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

Motion carried

3:48 p.m. Motion made by Councilor Gasco and supported by Councilor Bott to go into closed session for Legal.

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

Motion carried

4:16 p.m. Motion made by Councilor Bott and supported by Councilor Bardwell to return to open session.
Vote: 8 - Yes, 0- No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)
Motion carried

4:18 p.m. Break and Councilor Wemigwase left the meeting.

4:32 p.m. Resume meeting.

4:33 p.m. Motion made by Councilor Bardwell and supported by Councilor Gasco to go into closed session for Legal.

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

Motion carried

5:04 p.m. Councilor Bardwell Left the meeting.

5:06 p.m. Motion Made by Treasurer Bott and supported by Councilor Gasco to return to open session.

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

Motion carried.

5:07 p.m. Motion made by Treasurer Bott and supported by Councilor Gasco to adjourn.

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

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
Regina Gasco Bentley, Tribal Council Secretary

4-23-13
Date