

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
January 19, 2014

Closed Session: yes

Call to Order: Meeting was called to order at: 9:15 a.m.

Opening Ceremony: Julie Shananaquet

Council Present: Legislative Leader Regina Gasco Bentley, Treasurer Marcella Reyes, Secretary Julia Shananaquet, Councilor Bill A. Denemy, Councilor John Keshick III, Councilor Beatrice A. Law

Absent: Councilor Winnay Wemigwase, Councilor Michael Naganashe, 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: Tribal Chairman Fred Kiogima, Vice-Chair Deb DeLeon

Public: Andrew Stich

Invited Guests: via Telephone Conference: Tim Kincaid of Fredericks and Peebles , Jeff Lamb and Melissa Robertson of Sovereign Finance, and David Wolf, General Manager and Roger Borton, Finance Director of Odawa Casino Resort.

Motion made by Councilor Bill Denemy and supported by Councilor Law to approve the agenda as presented.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Wemigwase, Councilor Naganashe, Councilor Otto)

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Denemy to approve the minutes of January 5, 2014 as presented.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Wemigwase, Councilor Naganashe, Councilor Otto)

Motion carried.

9:21 a.m. Elder comments: No comments.

Motion made by Secretary Shananaquet and supported by Councilor Keshick to acknowledge receipt of the written Executive oversight report for December 2013.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Wemigwase, Councilor Naganashe, Councilor Otto)

Motion carried.

9:36 a.m. Councilor Wemigwase arrived.

10:00 a.m. Councilor Otto and Councilor Naganashe arrived.

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to accept Legislative Leader Gasco Bentley verbal report for January 19, 2014.

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

Motion carried.

Secretary Report

The following Tribal Council approved documents were delivered to the Executive:

- Tribal Resolution 120813-01 Funding for Traditional Burial Grounds Board in the Amount of \$40,000 for FY 2014 to come from prior period funds (Delivered to Executive Office on 01/06/14, due back on 02/05/14 if not sooner or if expressly vetoed).
- Waganakising Odawak Statute - Tribal Treasurer Responsibilities (Delivered to Executive Office on 01/06/14, due back on 02/05/14 if not sooner or if expressly vetoed).

There are no Vetoed Documents to report.

There are no Phone Polls to report.

Motion made by Councilor Law and supported by Councilor Wemigwase to accept Secretary Shananaquet's verbal report for January 19, 2014.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Naganashe to accept Treasurer Reyes verbal report for January 19, 2014.

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

Motion carried.

10:07 a.m. Recess called.

10:20 a.m. Meeting reconvened.

Tribal Council Member Reports: No Individual Reports and no travel reports.

Gaming Authority Committee – FYI - Meeting on January 27, 2014

Motion made by Councilor Wemigwase and supported by Councilor Law to accept the verbal report of the Agricultural Assessment Work Group as presented by Committee Chairperson, Councilor Keshick for January 19, 2014.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to accept the verbal report of the Land and Reservation Committee as presented by Committee Chairperson, Legislative Leader Gasco Bentley for January 19, 2014.

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

Motion carried.

Motion made by Councilor Law and supported by Councilor Keshick to accept the verbal report of the Legal and Legislative Committee as presented by Committee Chairperson, Legislative Leader Gasco Bentley for January 19, 2014.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to amend the agenda to include Tribal Resolution: Recession and Repeal of outdated resolutions and grant funding requests for the year 2006.

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

Motion carried.

No Ethics Committee report.

Motion made by Secretary Shananaquet and supported by Councilor Wemigwase to accept Treasury Director Garrow's verbal and written report for January 19, 2014.

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

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to accept Legislative Services Attorney Budnick's verbal and written report for January 19, 2014.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Wemigwase to accept Legislative Office Manager LaCount's verbal and written report for January 19, 2014.

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

Motion carried.

11:19 a.m. Public Comment opened:

- Andrew Stich commented on funds used for land purchase vs health service shortfalls. Questioned money spent on Victories, Waterpark, and Appleyard.

11:24 a.m. Public Comment closed.

11:35 a.m. Meeting Resumes

11:35 a.m. – 12:09 p.m. 2013 Presentation by Merrill Lynch Investment Account Performance presented by Barbara Bencini, Senior Vice President of Boyd, Bencini, Gibbons & Associates.

Motion made by Councilor Law and supported by Treasurer Reyes to acknowledge receipt of the 2013 Presentation by Merrill Lynch Investment Account Performance presented by Barbara Bencini, Senior Vice President of Boyd, Bencini, Gibbons & Associates.

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

Motion carried.

12:10 p.m. Lunch recess called.

1:30 p.m. Meeting resumed.

1:30 p.m. Motion made by Secretary Shananaquet and supported by Councilor Keshick to go into closed session for legal.

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

Motion carried.

1:39 p.m. Councilor Wemigwase arrived.

Telephone conference Participants: Tim Kincaid of Fredericks and Peebles, Jeff Lamb and Melissa Robertson of Sovereign Finance, and David Wolf General Manager and Roger Borton Finance Director of Odawa Casino Resort.

2:06 p.m. Motion made by Secretary Shananaquet and supported by Councilor Law to return to open session.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to approve Tribal Resolution, Supplemental Funding in the Amount of \$650,000 for Closing Costs for the Loan Financing of Odawa Casino Resort.

Motion withdrawn.

Motion made by Councilor Law and supported by Councilor Naganashe to close on the Odawa Casino Resort loan with a delayed draw of funds, by having the Trustee send the redemption notice to the bondholders upon receipt of the

declination letter from the National Indian Gaming Commission (NIGC) and wait until the end of the 30-day notice period to take the funds from Wells Fargo and pay off the bondholders.

Vote: 7 - Yes, 2 - No (Councilor Otto, Councilor Keshick), 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to adopt Tribal Resolution, Supplemental Funding in the Amount of \$650,000 for Closing Costs for the Loan Financing of Odawa Casino Resort.

Roll call: Councilor Denemy-yes, Councilor Keshick-no, Councilor Law-yes, Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-yes, Treasurer Reyes-yes, Secretary Shananaquet-yes, Legislative Leader Gasco Bentley-yes

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Wemigwase to approve Certified Motion # 011914-01 Request for Funding from the United States Department of Justice, Office on Violence Against Women (OVW), Fiscal Year 2014 Justice for Families Program, Little Traverse Bay Bands of Odawa Indians Justice for Families Program.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to approve Certified Motion # 011914-02 Request for Funding from the Frey Foundation Repatriation, Archives and Records Department Cultural Collections Expansion and Improvement.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Secretary Shananaquet to approve Certified Motion # 011914-03 Request for Funding from the Rotary Club of Petoskey's Rotary Park Grant Repatriation, Archives and Records Department Cultural Collections Expansion and Improvement.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Naganashe to pass the amendment to 2012-018, Amendment to Waganakising Odawak Statute 2012-018 Succession Plan for Officers of Tribal Council.

Roll call vote: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-yes, Treasurer Reyes-yes, Secretary Shananaquet-yes, Legislative Leader Gasco Bentley-yes

Motion carried.

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

CERTIFIED MOTION # 011914-01

Request for Funding from the United States Department of Justice,
Office on Violence Against Women (OVW),
Fiscal Year 2014 Justice for Families Program,
Little Traverse Bay Bands of Odawa Indians
Justice for Families Program

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 Article IX. of the Little Traverse Bay Bands of Odawa Indians Constitution determines the judicial power of the Tribe shall be vested in a Tribal Court system;

WHEREAS the Tribe recognizes that sexual assault, domestic violence, dating violence and stalking are serious crimes that have life altering impact on victims, for whom inappropriate responses can increase danger or even lead to death, which makes judicial and court personnel training programs a vital component of court development regarding these crimes;

WHEREAS LTBB is a current recipient of OVW grant award # 2011-WC-AX-K020 under the Court Training and Improvements program that ends September 30, 2014, the purpose of which is to increase capacity of the Tribal Court infrastructure to support improved responses to violent crimes against women of all ages;

WHEREAS the United States Department of Justice, Office on Violence Against Women, has announced funding availability under the FY 2014 Justice for Families Program to continue Court Training and Improvements programs related to

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Certified Motion # 011914-01 Request for Funding from the United States Department of Justice,
Office on Violence Against Women (OVW), Fiscal Year 2014 Justice for Families Program,
Little Traverse Bay Bands of Odawa Indians Justice for Families Program

Secretary Shananaquet



court responses to the crimes of sexual assault, domestic violence, dating violence and stalking, including an option to expand services to include legal assistance for victims.

THEREFORE, BE IT RESOLVED that the Tribal Council of the Little Traverse Bay Bands of Odawa Indians authorizes and supports this grant application to the United States Department of Justice, Office on Violence Against Women for a 24-month Justice for Families Program continuation plus expansion program to include legal assistance to victims.

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

CERTIFICATION

Received by the Executive Office on 1/6/14 by [Signature]

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

Date: 1-6-14

[Signature]

Executive, Tribal Chair/Vice Chair

Received by the Legislative Office on 1.8.14 by [Signature]

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 January 19, 2014 at which a quorum was present, by a vote of 9 in favor, 0 opposed, 0 abstentions, 0 absent as recorded by this certification as an official action on behalf of Little Traverse Bay Bands of Odawa Indians.

Date: 1-19-14

[Signature]
Regina Gasco Bentley, Legislative Leader

Date: 1-19-14

[Signature]
Julie Shananaquet, Secretary

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

CERTIFICATION

Received by the Executive Office on 1/9/14 by [Signature]

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

Date: 1/10/14 [Signature]
Executive, Tribal Chair/Vice Chair

Received by the Legislative Office on 1.10.14 by [Signature]

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 January 19, 2014 at which a quorum was present, by a vote of 9 in favor, 0 opposed, 0 abstentions, 0 absent as recorded by this certification as an official action on behalf of Little Traverse Bay Bands of Odawa Indians.

Date: 1-19-14 [Signature]
Regina Gasco Bentley, Legislative Leader

Date: 1-19-14 [Signature]
Julie Shananaquet, Secretary



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

CERTIFIED MOTION # 01192014-03

Request for Funding from the Rotary Club of Petoskey's Rotary Park Grant
Repatriation, Archives and Records Department
Cultural Collections Expansion and Improvement

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); and

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

WHEREAS the Tribe relies on the collection of tribal history and culture that is significant to the identity of the Odawa people including Odawa history, spirituality, traditions, arts, values and mannerisms; and

WHEREAS the Tribe operates a Repatriation, Archives and Records department with a goal to provide meaningful and accurate information regarding the history of the Odawa/Anishinaabek and repatriation issues to the widest range of audiences possible; and

WHEREAS the Rotary Club of Petoskey has announced funding to improve the quality of life for area residents/families by providing grants for capital projects in Emmet, Charlevoix and Cheboygan counties.

THEREFORE, BE IT RESOLVED that the Tribal Council of the Little Traverse Bay Bands of Odawa Indians authorizes and supports this grant application to the Petoskey Rotary Club of Petoskey for the Repatriation, Archives and Records Department Cultural Collections Expansion and Improvement.

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

CERTIFICATION

Received by the Executive Office on 1/9/14 by RS

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

Date: 1/10/14 Alphie McLean

Executive, Tribal Chair/Vice Chair

Received by the Legislative Office on 1.10.14 by [Signature]

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 January 19, 2014 at which a quorum was present, by a vote of 9 in favor, 0 opposed, 0 abstentions, 0 absent as recorded by this certification as an official action on behalf of Little Traverse Bay Bands of Odawa Indians.

Date: 1-19-14 Regina Gasco Bentley
Regina Gasco Bentley, Legislative Leader

Date: 1-19-14 Julie Shananaquet
Julie Shananaquet, Secretary



Motion made by Councilor Law and supported by Councilor Wemigwase to pass the Contracts Statute.

Roll call vote: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-yes, Treasurer Reyes –yes, Secretary Shananaquet-yes, Legislative Leader Gasco Bentley-yes

Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to authorize and approve the Legislative Leader and Tribal Chair to sign the letters addressed to Assistant Secretary of Indian Affairs regarding FY 2013 Operating Plan for Public Safety and Justice Programs and FY 2015 Budget Planning.

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

Motion carried.

Motion made by Councilor Law and supported by Councilor Naganashe to approve Certified Motion 011914-04 Certificate of Indian Tribal Entity and Limited Waiver of Sovereign Immunity for the Wells Fargo Deposit Accounts and Treasury Management Services.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to request General Counsel Bransky to submit application to the United States Secretary of the Interior to have the Gill Road Property placed into trust.

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

Motion carried.

Motion made by Councilor Law and supported by Councilor Naganashe to remove the following parcels from consideration by the Tribe: #52, #61, #63, #64, #65, #68, #69, #70, #71, #72, #73, #74.

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

Motion carried.

Motion made by Councilor Keshick and supported by Treasurer Reyes to post the Donated Land and Acceptance Statute to the Legislative Calendar as sponsored by Legislative Leader Gasco Bentley.

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

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Naganashe to approve Tribal Resolution: Rescission and Repeal of Outdated Resolutions for the year of 2006.

Roll call vote: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-yes, Treasurer Reyes–yes, Secretary Shananaquet-yes, Legislative Leader Gasco Bentley-yes

Motion carried.

Motion made by Councilor Law and supported by Councilor Keshick to approve Tribal Resolution: Rescission and Repeal of Resolutions for Grant Funding for the year of 2006.

Roll call vote: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-yes, Treasurer Reyes-yes, Secretary Shananaquet-yes, Legislative Leader Gasco Bentley-yes

Motion carried.

Motion made by Councilor Otto and supported by Councilor Denemy to authorize and approve the Legislative Leader and Tribal Chair to submit a letter to Mackinaw Village President Hingston reiterating the Tribe's request for approval of class III gaming within Mackinaw Village.

Vote: 8 - Yes, 1 – No (Secretary Shananaquet), 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to acknowledge receipt of the 2013 Waganakising Odawa Development, Inc. Corporate Charter 4th quarter report.

2:50 p.m. Public comment opened: no comments.

2:50 p.m. Public closed.

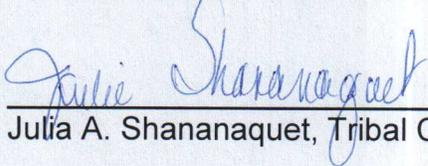
2:51 p.m. Motion made by Councilor Keshick and supported by Councilor Denemy to adjourn.

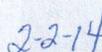
Vote: 8 - Yes, 1- No (Councilor Otto), 0 - Abstained, 0 – Absent

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:


Julia A. Shananaquet, Tribal Council Secretary


Date