

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
March 2, 2014

Closed Session: Yes
Call to Order: 9:11 a.m.
Opening Ceremony: Beatrice Law

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, Councilor Michael Naganashe

Absent: Councilor Aaron Otto, Councilor Winnay Wemigwase

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chairman Fred Kiogima, Vice-Chairperson Deb DeLeon, Executive Services Attorney Dianne Vitols

Public: Andrew Stich, Douglas Sprague

Invited Guests: none

Motion made by Councilor Naganashe and supported by Treasurer Reyes to adopt the agenda of March 2, 2014 with changes.

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

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve the minutes of February 16, 2014 as presented.

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

Motion carried.

9:21 a.m.: Elder comments open: no comments at this time.

Executive Updates:

Chairman Kiogima gave an update on the following: L. Brooks Patterson Letter of Apology, Hearing Aid Program, Venison Distribution, and Lansing Meet and Greet.

Motion made by Secretary Shananaquet and supported by Councilor Law to acknowledge the verbal report from Chairman Kiogima for March 2, 2014.

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

Motion carried.

9:34 a.m. Douglas Sprague, Elder, thanked the Tribe for continuing the Food and Utility Reimbursement Program.

Motion made by Councilor Naganashe and supported by Councilor Law to accept Legislative Leader Gasco Bentley's verbal and written report for March 2, 2014.

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

Motion carried.

10:12 a.m. Break.

10:25 a.m. Meeting resumes.

Secretary Report:

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

- Tribal Resolution #011914-03 Supplemental Funding in the Amount of \$650,000 for Closing Costs for the Loan Financing of Odawa Casino Resort (Signed by the Executive February 24, 2014)
- Tribal Resolution #021614-01 Appropriation to Odawa Economic Development Management, Inc. (OEDMI) in the amount of \$50,000 to come from Prior Period Funds (Signed by the Executive 02/24/14)
- Tribal Resolution #021614-02 Supplemental Funding in the amount of \$1,300,000 to address FY 2014 Health Service Budget Shortfalls (Signed by the Executive February 24, 2014)

Vetoed:

- Contracts Statute.

Phone Polls:

- Motion to authorize and approve General Counsel Bransky to send the confidential counter-proposal letter to Jennifer M. Cassell, Assistant Regional Counsel, U.S. Department of Health & Human Services regarding Contract Disputes Act Claim for Contract Support Costs.

The phone poll passed: 9-Yes, 0-No, 0-Abstain, 0-Absent.

Motion made by Councilor Naganashe and supported by Councilor Law to accept Secretary Shananaquet's verbal report for March 2, 2014.

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

Motion carried.

Motion made by Councilor Naganashe and supported by Legislative Leader Gasco Bentley to accept Treasurer Reyes verbal report for March 2, 2014 as presented by Secretary Shananaquet.

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

Motion carried.

Tribal Council Member Reports:

Motion made by Secretary Shananaquet and supported by Councilor Law to accept Secretary Shananaquet's verbal and written travel report for National Judicial College Tribal Code Development TLOA, VAWA & Non-Indians on February 25-26, 2014, Treasurer Reyes and Legislative Leader Gasco Bentley's verbal travel report for United Tribes of Michigan for February 25 & 26, 2014 as presented on March 2, 2014.

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

Motion carried.

Motion made by Councilor Naganashe and supported by Treasurer Reyes to accept Councilor Denemy's verbal report regarding Special Tribute for Tribal Citizen Woodrow Unruh as presented on March 2, 2014.

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

Motion carried.

Motion made by Councilor Denemy and supported by Treasurer Reyes to accept the verbal report of the Agricultural Assessment Work Group as presented by Councilor Keshick, Ad hoc Work Group Chairman.

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

Motion carried.

Land and Reservation Committee: No report.

Motion made by Councilor Keshick and supported by Councilor Denemy to accept the verbal report of the Legal Legislative Committee Meeting of February 5, 2014 as presented by Committee Chairperson Legislative Leader Gasco Bentley on March 2, 2014.

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

Motion carried.

LTBB TRIBAL COUNCIL PHONE POLL

Reason for Phone Poll: Motion to authorize and approve General Counsel Bransky to send the confidential counter-proposal letter to Jennifer M. Cassell, Assistant Regional Counsel, U.S. Department of Health & Human Services regarding Contract Disputes Act Claim for Contract Support Costs.

Authorization: Legislative Leader Regina G. Bentley
Phone Poll Conducted by: Legislative Office Admin Asst Michael Smith

Council Members:

- John Keshick III Yes X No Date/Time Called: # of attempts:
Bill A. Denemy Yes X No Date/Time Called: # of attempts:
Winnay Wemigwase Yes X No Date/Time Called: # of attempts:
Aaron Otto Yes X No Date/Time Called: # of attempts:
Michael Naganashe Yes X No Date/Time Called: # of attempts:
Beatrice A. Law Yes X No Date/Time Called: # of attempts:
Marcella Reyes Yes X No Date/Time Called: # of attempts:
Julie Shananaquet Yes X No Date/Time Called: # of attempts:
Regina Bentley Yes X No Date/Time Called: # of attempts:

Phone Poll Vote:

VOTE: 9 Yes 0 No 0 Abstained 0 Absent

Comments:

John Keshick III _____

Bill A. Denemy _____

Winnay Wemigwase _____

Aaron Otto _____

Michael Naganashe _____

Beatrice A. Law _____

Marcella Reyes _____

Julie Shananaquet _____

Regina Bentley _____

The Legislative Office Manager or Administrative Assistance in accordance with policy certifies the results of this Phone Poll and that the results of the phone poll were sent via e-mail to Tribal Council:

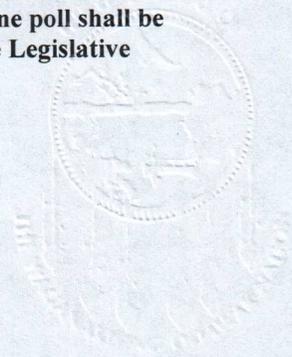
Michael Smith

02/20/14

Michael Smith Legislative Branch Admin Asst

Date:

In accordance with the Tribal Council Phone Poll Policy approved on May 6, 2012, the action approved, the Tribal Council Member's vote, and the results of the vote of the phone poll shall be announced by the Secretary at the next meeting and recorded in the Minutes. The Legislative Office shall maintain the certified record of the phone poll on file.



Ethics Committee: No report.

Motion made by Councilor Keshick and supported by Councilor Naganashe to accept Treasury Director Garrow's written report for March 2, 2014.

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

Motion carried.

Motion made by Councilor Law and supported by Councilor Naganashe to accept Legislative Services Attorney Budnick's verbal and written for March 2, 2014.

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

Motion carried.

Motion made by Councilor Keshick and supported by Treasurer Reyes to accept General Counsel James Bransky's written report for March 2, 2014.

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

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Naganashe to accept Legislative Office Manager LaCount's verbal and written report for March 2, 2014.

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

Motion carried.

Discussion regarding a tentative override of Chairman Kiogima's veto of Tribal Resolution #120813-01 Funding for Traditional Burial Grounds Board in the Amount of \$40,000 for Fiscal Year 2014 to come from Prior Period Funds.

Discussion: Due to the lack of full council discussion and vote will be tabled until next meeting.

Discussion regarding a tentative override of Chairman Kiogima's veto of the Contracts Statute. Tribal Council is referring the vetoed statement to the Legislative Services Attorney Budnick and Legal Legislative Committee for review and comment.

Motion made by Councilor Keshick and supported by Councilor Denemy to acknowledge receipt of Donald Bell, Jr. letter of interest for the Odawa Fishery, Inc., Corporate Charter and to set up an interview at the next regular work session of Tribal Council.

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

Motion carried.

Motion made by Councilor Law and supported by Councilor Naganashe to approve Certified Motion #030214-01 Request for Funding from the United States Department of Justice, Office on Violence Against Women (OVW), Little Traverse Bay Bands of Odawa Indians Tribal Sexual Assault Services Program.
Vote: 7-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Otto, Councilor Wemigwase)
Motion carried.

Motion made by Councilor Naganashe and supported by Councilor Denemy to approve Certified Motion #030214-02 Request for Funding from the U.S. Department of Justice Adult Drug Court Discretionary Grant Program FY 2014 Little Traverse Bay Bands of Odawa Indians White Feather Adult Drug Court Enhancements with the enhanced hours ceasing upon completion of grant.
Vote: 7-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Otto, Councilor Wemigwase)
Motion carried.

Motion made by Treasurer Reyes and supported by Secretary Shananaquet to approve Certified Motion #030214-03 Request for Funding from the United States Department of Justice, Coordinated Tribal Assistance Solicitation Little Traverse Bay Bands of Odawa Indians FY 2014 CTAS Grant, with new position ceasing upon completion of grant.
Vote: 7-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Otto, Councilor Wemigwase)
Motion carried.

11:39 a.m. Public Comment opens:

- Andrew Stich question the status of investigation started over a year ago. He was inquiring into the payments made for the Farm property and wishes that the Tribe will utilize land already owned by the Tribe.

11:57 a.m. Public Comment closes.

Motion made by Councilor Law and supported by Councilor Keshick to **NOT** purchase parcel 77.
Vote: 7-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Otto, Councilor Wemigwase)
Motion carried.

11:57 a.m. Break.

12:10 p.m. Meeting resumes.

Motion made by Councilor Naganashe and supported by Treasurer Reyes to accept the Gaming Authority Committee report for February 21, 2014 as presented by Legislative Leader Gasco Bentley, Committee Member on March 2, 2014.

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

CERTIFIED MOTION # 030214-01

Request for Funding from the United States Department of Justice,
Office on Violence Against Women (OVW),
Little Traverse Bay Bands of Odawa Indians
Tribal Sexual Assault Services 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 the Tribe recognizes that national and local statistics indicate one in three Native American women will experience a form of sexual violence in their lifetime;

WHEREAS the Tribe currently operates a Victim Support Services Program through its Department of Human Services to provide assistance to victims of domestic violence-related crimes;

WHEREAS the Tribe seeks to enhance the Victim Support Services Program to address the specific needs of victims of sexual assault through direct client services, staff training, outreach activities, and development and distribution of culturally relevant materials;

WHEREAS the United States Department of Justice, Office on Violence Against Women, has announced funding availability under the Fiscal Year 2014 Tribal Sexual Assault Services Program.

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 U.S. Department of Justice, Office on Violence Against Women, for a 36-month Tribal Sexual Assault Services Program.

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 2/17/14 by RZ

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

Date: 2/18/14



Executive, Tribal Chair/Vice Chair

Received by the Legislative Office on 2.18.14 by [Signature]

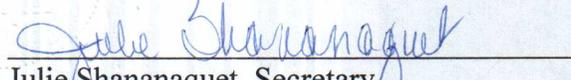
As Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Certified Motion was duly approved by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held March 2, 2014 at which a quorum was present, by a vote of 7 in favor, 0 opposed, 0 abstentions, 2 absent as recorded by this certification as an official action on behalf of Little Traverse Bay Bands of Odawa Indians.

Date: 3-2-14



Regina Gasco Bentley, Legislative Leader

Date: 3/2/14



Julie Shananaquet, Secretary

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

CERTIFIED MOTION # 030214-02

Request for Funding from the U.S. Department of Justice
Adult Drug Court Discretionary Grant Program FY 2014
Little Traverse Bay Bands of Odawa Indians
White Feather Adult Drug Court Enhancements

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 Tribal Government includes a justice system consisting of the Tribal Court as one of the three branches of Tribal Government; and

WHEREAS the mission of the Tribal Court is to implement the Little Traverse Bay Bands of Odawa Indians judicial system, consistent with self-determination and the sovereign powers of the Tribe, by building on the community values of respect, culture and spirituality, that allows for unity, fairness and due process in resolving issues, conflicts and disputes within the Little Traverse Bay Bands of Odawa Indians' jurisdiction; and

WHEREAS the U.S. Department of Justice has announced funding availability for the Adult Drug Court Discretionary Grant Program that support activities designed to develop and implement drug courts that effectively integrate evidence-based substance abuse treatment, mandatory drug testing, sanctions and incentives, and transitional services in a judicially supervised court setting with jurisdiction over substance-abusing offenders.

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 U.S. Department of Justice for the FY 2014 Adult Drug Court Discretionary Grant Program.

BE IT ALSO RESOLVED that the Little Traverse Bay Bands of Odawa Indians will provide the required 25% matching contribution through in-kind contributions from staff time and the drug court team's time.

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 2/17/14 by [Signature]

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

Date: 2/18/14 [Signature]

Executive, Tribal Chair/Vice Chair

Received by the Legislative Office on 2.18.14 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 March 02, 2014 at which a quorum was present, by a vote of 7 in favor, 0 opposed, 0 abstentions, 2 absent as recorded by this certification as an official action on behalf of Little Traverse Bay Bands of Odawa Indians.

Date: 3-2-14 Regina Gasco Bentley
Regina Gasco Bentley, Legislative Leader

Date: 3/2/14 Julie Shananaquet
Julie Shananaquet, Secretary

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

CERTIFIED MOTION # 030214-03

Request for Funding from the United States Department of Justice,
Coordinated Tribal Assistance Solicitation
Little Traverse Bay Bands of Odawa Indians
FY 2014 CTAS Grant

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 LTBB Law Enforcement Department, LTBB Natural Resources Department, LTBB Tribal Court and LTBB Prosecuting Attorney's Office provide justice services to the Tribal community, with collaboration from several other LTBB Departments and Programs, including, but not limited to: Human Services (Victim Services), Youth Services and Health Department (Substance Abuse, Mental Health and Prevention Services);

WHEREAS LTBB desires to develop a comprehensive project to address LTBB public safety, criminal and juvenile justice, and victimization issues;

WHEREAS the Little Traverse Bay Bands of Odawa Indians Law Enforcement Department has received its authority with the Bureau of Indian Affairs Special Law Enforcement Commissions to Tribal Police that allow the enforcement of applicable federal criminal status as defined in Title 18 of the United States Code, Section 1151 as federal criminal laws applicable to Indian Country, namely the General Crimes Act, and the Major Crimes Act along with Non-Indian Misdemeanor Violations Docket;

WHEREAS the Little Traverse Bay Bands of Odawa Indians Natural Resources Department Conservation Officers are career law enforcement officers that have been given authority to enforce and uphold the regulations under Waganakising Odawak Tribal Code Title IV, Natural Resource Protection;

WHEREAS the Tribe's Natural Resources Department Conservation Officers also have authority under the Commercial, Subsistence, and Recreational Fishing Regulations for the 1836 Treaty Ceded Waters of Lakes Superior, Huron and Michigan of the Chippewa Ottawa Resource Authority (CORA), the 2000 Consent Decree entered in *United State v. Michigan*, Western District of Michigan Case No. Case No. 2:73 CV 26, and Waganakising Odawak Statute 2003-009, to enforce the law with regard to Great Lakes commercial, subsistence and recreational fishing activities of members of all five CORA member tribes;

WHEREAS the United States Department of Justice is soliciting applications for the Coordinated Tribal Assistance Solicitation, Fiscal Year 2014 Competitive Grant that includes funding opportunities from several Justice Offices, including the Office of Community Oriented Policing, Bureau of Justice Assistance, Office for Victims of Crime, Office on Violence Against Women, and the Office of Juvenile Justice and Delinquency Prevention;

WHEREAS the Little Traverse Bay Bands of Odawa Indians is eligible for funding from the US Department of Justice, Coordinated Tribal Assistance Solicitation.

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 United States Department of Justice, Coordinated Tribal Assistance Solicitation (CTAS) FY 2014 Grant to implement a three-year comprehensive justice grant project.

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 2/17/14 by RS

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

Date: 2/18/14

[Signature]

Executive, Tribal Chair/Vice Chair

Received by the Legislative Office on 2.18.14 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 March 2, 2014 at which a quorum was present, by a vote of 7 in favor, 0 opposed, 0 abstentions, 2 absent as recorded by this certification as an official action on behalf of Little Traverse Bay Bands of Odawa Indians.

Date: 3-2-14

Regina Gasco Bentley
Regina Gasco Bentley, Legislative Leader

Date: 3/2/14

Julie Shananaquet
Julie Shananaquet, Secretary



Discussion: The Casino needs to recognize that all pictured Tribal ID's are forms of federal ID's regardless of what tribe has issued ID. Comments were made regarding the Casino comment boxes.

12:21 p.m. Motion made by Councilor Naganashe and supported by Councilor Law to go into closed session for personnel matter.

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

Motion carried.

12:58 p.m. Motion made by Secretary Shananaquet and supported by Treasurer Reyes to return to open session.

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

Motion carried.

Discussion: Councilor Keshick brought up the need for Tribal Council to fund Youth travel for the Agriculture Meeting in Wisconsin.

1:10 p.m. Motion made by Councilor Denemy and supported by Treasurer Reyes to adjourn meeting.

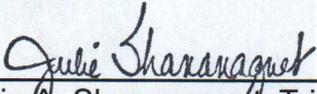
Vote: 7-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Next Scheduled Meeting
March 16, 2014

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 (or) corrected: (delete either the word "written" or "corrected" as pertains to how the minutes were approved.)



Julia A. Shananaquet, Tribal Council Secretary

03-16-14

Date

