

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Court Room  
7500 Odawa Circle  
Harbor Springs, MI 49740  
April 1, 2012

Closed Session: yes  
Call to Order: 9:00 a.m.  
Opening Ceremony: Melvin L. Kiogima

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

Absent: Treasurer John Bott, Councilor Belinda Bardwell, 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: Tribal Chairman Dexter McNamara, Vice-Chairperson Julie Shananaquet, Gaming Regulatory Director Vince Cook, Gaming Regulatory Commission Chairperson Beverly Wemigwase

Public: Rochelle Ettawageshik, Rose Smalley, Annette VanDeCar, Thomas Naganashe, Dianna Naganashe, Trisha James, Tammy Okuly, Mike Smith, Frank Bernard, Deleta Gasco Smith, Shawna Wemigwase, Cheryl Kishigo-Lesky, Matthew Lesky, Denise Petoskey, Tara Otto Brill, Orion Brill, Sidra Brill, Dane Brill, Matt Davis

Invited Guests: Simon Otto, Andrea Otto

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9:06 a.m. Councilor Wemigwase arrived.

Motion made by Councilor Bardwell and supported by Councilor Wemigwase to adopt the agenda for April 1, 2012 as amended.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Denemy to postpone approving the minutes of March 18, 2012.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Gasco to approve the Special Meeting minutes of March 31, 2012 as corrected.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Otto to ratify into the record the Phone Poll dated March 26, 2012 to approve the contract signed by Michael Garrow for the position of Treasury Director and approve and authorize the Legislative Leader to sign on behalf of LTBB.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

9:26 a.m. Elder Public Comment: Rochelle Ettawageshik spoke in support of the Amendment to the Marriage Statute. Rose Smalley asked what happened to the Health Clinic assessment. Simon Otto spoke with Tribal Council approval regarding child welfare.

Motion made by Councilor Denemy and supported by Councilor Wemigwase to acknowledge receipt of the Executive report.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

10:48 a.m. Recess called.

11:01 a.m. Meeting reconvened.

11:16 a.m. Public Comment opened: Matthew Lesky spoke regarding the Child Welfare Statute and the Tribe's jurisdictional responsibility. Shawna Wemigwase spoke in support of Matthew Lesky's comments and her personal issue regarding the Tribe's involvement and responsibility with Indian child welfare. Cheryl Kishigo-Lesky spoke regarding the Tribe's lack of involvement with child welfare. Patrick Naganashe spoke regarding the tribe's lack of standing up to our way of life and not assimilating. Patrick also spoke in support of the Marriage Statute Draft Amendment. Patrick also asked that individuals who want to lead the Tribe, know the beliefs and history before taking the responsibility by remembering where we came from. Tammy Okuly spoke as an adopted child of the system who was removed from her Tribal family and culture. Dianne Naganashe spoke in support of Tribe's responsibility to Indian Child Welfare. Tara Otto Brill Spoke regarding support of the Marriage Statute Amendment. Patrick Naganashe spoke again regarding the Marriage Draft and the decisions we are supposed to make with regard to what is best for the people. Annette VanDeCar spoke in support of the Marriage Draft Amendment and the rights of everyone for equal rights. Michele LaCount spoke in support of the Legal and Legislative Committee

strengthening the Child Welfare Statute to focus on traditional resolution to as alternative requirement to be created by the Tribe. Tammy Okuly spoke in support of the Marriage Draft Statute Amendment. Mike Smith spoke in support of Tammy Okuly's comments and the Tribe's inability to utilize federal funding for its intent. Rose Smalley added to Mike Smith's statement regarding things needing to get better and get back to our ways. Diane Naganashe spoke in support of Annette VanDeCar's statement regarding the Marriage Statute Amendment. Diane also spoke regarding the non-native way tearing up apart. Matt Davis and Deleta Smith supported all issues brought forward in Public Comment.

12:58 p.m. Public Comment closed.

Motion made by Secretary Gasco Bentley and supported by Councilor Wemigwase to approve Certified Motion: Request for Funding from the Petoskey-Harbor Springs Area Community Foundation Little Traverse Bay Protection and Restoration Fund Little Traverse Bay Bands of Odawa Indians Mercury Assessment Project.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Treasurer Bott, Councilor Keshick)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Gasco to approve Certified Motion: Request for Funding from the United States Department of Justice, Coordinated Tribal Assistance Solicitation Little Traverse Bay Bands of Odawa Indians FY 2012 CTAS Grant.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Treasurer Bott, Councilor Keshick)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Wemigwase to approve Enrollment List - A Eligible for Citizenship dated March 20, 2012 for a total of 4.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Treasurer Bott, Councilor Keshick)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Wemigwase to approve Enrollment List - B Declination Ineligible dated March 20, 2012 for a total of 3.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Treasurer Bott, Councilor Keshick)

Motion carried.

Motion made by Councilor Gasco and supported by Secretary Gasco Bentley to table the contract with the State of Michigan for the Department of State Commercial Services Contact.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Treasurer Bott, Councilor Keshick)

Motion carried.

2:18 p.m. Councilor Keshick arrived.

3:12 p.m. Public Comment opened: Denise Petoskey spoke in support of the Marriage Statute Amendment.

3:14 p.m. Public Comment closed.

3:14 p.m. Recess called.

3:31 p.m. Meeting reconvened.

Motion made by Councilor Keshick and supported by Councilor Wemigwase to accept Legislative Leader Kiogima's report for April 1, 2012.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Keshick and supported by Secretary Gasco Bentley to post the Phone Poll Policy to the Legislative Calendar.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

No Secretary report at this time.

Motion made by Councilor Wemigwase and supported by Councilor Keshick to accept Appropriation and Finance Committee Report for April 01, 2012.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Denemy and supported by Councilor Wemigwase to accept Gaming Authority Report as presented by Chairperson Gasco.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Denemy to accept Land and Reservation Committee Report.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Denemy to accept Legal and Legislative Committee Report.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to post Draft Contract Statute to the Legislative Calendar.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Denemy and supported by Councilor Gasco to post the Draft Amendments to the Natural Resource Commission Statute.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Denemy and supported by Councilor Gasco to accept Secretary Gasco Bentley and Councilor Wemigwase Tribal Council Reports.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to approve Certified Motion: Execution of Trust Deed for "Lears 2" Parcel.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Otto to approve Certified Motion: Execution of Trust Deed for "Lears 1" Parcel.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Gasco to accept Legislative Services Attorney Budnick's Report.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

5:00 p.m. Recess called.

5:15 p.m. Meeting reconvened.

Motion made by Councilor Keshick and supported by Councilor Gasco to not approve the Regulations of the Gaming Regulatory Commission Amendment REG-WOS 2005-06 020910-010.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to reschedule a Hearing Date for the Tribal Citizen as it appears on the Citizenship List D dated February 23, 2012, for Sunday, October 7, 2012 at 1:30 pm.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to approve Certified Motion: Belinda Bardwell as the National Indian Gaming Association Representative.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Otto to approve and authorize the Travel Expenses for Kip Ritchie's attendance to the Economic Development Session tentatively scheduled for May 2012, or such other date as confirmed.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Denemy and supported by Councilor Gasco to acknowledge receipt of the Executive Nomination for Special Prosecutor.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Denemy to approve and authorize Legislative Leader Kiogima to Negotiate Compensation for the Special Prosecutor for Tribal Council approval.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to approve and authorize the Training and Travel Expense for Legal Intern Tanya Gibbs to attend the 6<sup>th</sup> Annual National Native American Economic Development Conference, May 31-June 1, 2012, to come from Enjinaaknegeng Budget.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

5:33 p.m. Motion made by Councilor Keshick and supported by Councilor Denemy to go into closed session for personnel.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

7:02 p.m. Motion made by Councilor Gasco and supported by Councilor Otto to return to open session.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

7:02 p.m. Recess called.

7:15 p.m. Meeting reconvened.

7:16 p.m. Motion made by Councilor Gasco and supported by Councilor Wemigwase to go into closed session for personnel.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

8:30 p.m. Motion made by Councilor Gasco and supported by Councilor Wemigwase to return to open session.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

8:31 p.m. Motion made by Councilor Gasco and supported by Councilor Wemigwase to adjourn.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bardwell, Treasurer Bott)

Motion carried.

These Minutes have been read and approved as written:

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Regina Gasco Bentley, Tribal Council Secretary

4-22-12  
Date