

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Council Chambers  
7500 Odawa Circle  
Harbor Springs, MI 49740  
January 8, 2015

Closed Session: Yes  
Call to Order: 9:07 a.m.  
Opening Ceremony: Beatrice Law

Council Present: Secretary Julia Shananaquet, Treasurer Marcella Reyes, Councilor Bill A. Denemy, Councilor John Keshick III, Councilor Beatrice A. Law, Councilor Aaron Otto

Absent: Councilor Michael Naganashe, Councilor Winnay Wemigwase

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Treasury Director Michael Garrow, Enjinaaknegeng General Counsel James Bransky, Legislative Office Manager Michele LaCount, Legislative Office Administrative Assistant Tamara Kiogima

Executive Officials and Staff Present: Chairperson Gasco Bentley, Executive Services Attorney Diane Vitols, and Chief Financial Officer Carrie Carlson: Natural Resources Department (NRD): Director Doug Craven, and Chief Conservation Officer Kevin Willis

Public: Citizen Doug Emery. John Kawegoma

Invited Guests: Michigan Lobbyist Noel LaPorte

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Motion made by Councilor Law and supported by Treasurer Reyes to adopt the agenda of January 8, 2015, amended.

Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve the minutes of December 18, 2014 as corrected.

Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

9:19 a.m.: Elder comments:

- Citizen Doug Emery commented on lack of food quality occurring at Elder's Luncheons, and would like to see the Human Resources Department Statute enacted as soon as possible. He further is not pleased with the Elder Department's current staffing issue.
- Citizen Michele LaCount discussed the need to revisit and revamp tribal hospitality issues.

### **Executive Updates**

**Discussion Items:** Working on restructuring Elder's Department, changes are being made in the Health Department, including new staff; Appleyard property update; Prices for next year's vegetables are too high so Tribe will not be participating with Berg Farm; and Gaming Regulatory Statute amendments will be forthcoming.

Motion made by Councilor Law and supported by Treasurer Reyes to acknowledge the verbal Executive report of Chairperson Gasco-Bentley as presented on January 8, 2015.

Vote: 6-Yes, 0-No, 0-Abstained, 2--Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

**Legislative Leader Report** - Position is currently vacant.

### **Secretary Report**

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

- Tribal Resolution: 121814-01 Supplemental Funding in the amount of \$9,000 for the Election Board. Signed by Executive on 12-29-14.
- Tribal Resolution: 121814-02 Supplemental Funding not to exceed \$733,000 payable to loan servicer, Community Reinvestment fund, in repayment of the principle balance remaining for the loan with Indian Land Capital Company which was initially utilized to purchase 312.5 acres of land known as the Ziibimijwang Farm. Signed by Executive on 12-19-14.
- Tribal Resolution: 121814-03 Reimbursement of Funds in the Amount of \$37,529 for Building Maintenance Upkeep Costs as Incurred by the Odawa Fishery, Inc. Signed by the Executive on 12-29-14.
- Tribal Resolution: 121814-05 Funding for FY 2015 \$135,000.00 Shortfall for Min-A-Mskiki Gumik. Signed by Executive on 12-29-14.

- Waganakising Odawak Statute Amendment to Waganakising Odawak Statute 2009-007 Land Use, Building Regulation, and Zoning. Submitted on 12-23-14 to the Executive.

Vetoes:

- Tribal Resolution: 121814-04 VETOED Approval of the Gaming Authority Committee FY 2015 Budget.  
Vetoed on 12-30-14.
- Tribal Resolution: 121814-06 VETOED Transfer of Funds in the amount of \$40,000 from Executive Budget to Legislative Budget to support Tribal Historic Preservation Officer (THPO).  
Vetoed on 12-30-14.

Phone Polls: None to report.

Motion made by Councilor Keshick and supported by Treasurer to accept Secretary Shananaquet's verbal report as presented on January 8, 2015.

Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

**Treasurer Report** - No meeting held since last Council meeting and there have been a few Appropriations and Finance Committee meeting date changes.

Motion made by Councilor Keshick and supported by Councilor Otto to accept Treasurer Reyes' verbal report as presented on January 8, 2015.

Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

**Tribal Council Member Reports**

FYI – Councilor Law brought requested discussion regarding the creation of Little Traverse Bay Bands Constitution Reform Committee.

FYI – Councilor Denemy requested discussion and revote of the Odawa Economic Development Management, Inc. (OEDMI) Site Plan for the former Victories property. He is requesting that Council revisit motion to approve site plan so that site plan can move forward. OEDMI has been requested to attend the January 2, 2015 Council meeting and promote ProForma study.

**10:33 a.m. Break.**

**10:47 a.m. Resume.**

FYI - Councilor Keshick requested discussion regarding 2020 Consent Decree and strategic formation of LTBB's Legal representation team. Councilor Keshick

requested General Counsel Bransky retrieve 2000 Consent Decree documents presented by Marianna Schulstad.

**11:06 a.m. - 11: 52 a.m.** Presentation by Michigan Lobbyist Noel LaPorte. Written report attached to minutes.

Motion made by Councilor Law and supported by Treasurer Reyes to acknowledge the verbal and written report of Michigan Lobbyist Noel LaPorte and to extend thanks for his information and time.

Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

**11:52 a.m. Public Comment opens:**

- Elder Citizen John Kawegoma stated that he does not agree that Tribal Council should tell him or other Citizens that the issues being brought forward to Council should be addressed as “Executive issues” and that those issues cannot be addressed by the legislative body: John also made reference to a recall petition of Council. Additionally John believes that Council should be able to step into all government branch practices Such as Elder Housing needs, Veteran Housing needs, the Healthy Heart Program and Elder department staffing issues.

**12:25 p.m. Public Comment closes.**

**12:25 p.m. Break.**

**12:35 p.m. Resume.**

**Action Items**

Motion made by Treasurer Reyes and supported by Councilor Law to approve Tribal Council attendance at the United Tribes of Michigan Legislative Reception and Meeting to be held February 10 and 11, 2015 in Lansing Michigan.

Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

Motion made by Councilor Law and supported by Councilor Denemy to acknowledge receipt of the Tribal Traditional Burial Board, Inc., 2014 4th Quarter report.

Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

Motion made by Councilor Keshick and supported by Treasurer Reyes to approve the Ziibimijwang Corporate Charter, Inc.

Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

Motion made by Councilor Law and supported by Councilor Keshick to approve the letter to Waganakising Odawa Development Chartered Corporation, Inc. (WOD), regarding remaining assets of the dissolved corporation, and to authorize Treasurer Reyes to sign and submit the letter.

Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Otto to post Recall of Official and Leave of Absence Statute to the Legislative Calendar in the Odawa Register as sponsored by Councilor Keshick.

Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Otto to approve Certified Motion Ad Hoc Agricultural Work Group.

Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

Motion made by Councilor Law and supported by Secretary Shananaquet to appoint Councilor Keshick, Treasurer Reyes and Councilor Otto to the Ad Hoc Agricultural Work Group.

Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

Motion made by Councilor Law and supported by Councilor Denemy to approve the USDA Local Food Promotion Program Grant, Invitation to Bid, and to have it posted to LTBB's website.

Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

Motion made by Councilor Otto and supported by Councilor Keshick to adopt Tribal Resolution: Funding in the amount totaling \$60,000.00 for Waganakising Odawak Statute 2014-013 Tribal Historic Preservation Office Protection and Management of Archaeological, Historical and Cultural Properties and Cultural Resources.

Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-absent, Councilor Otto-yes, Councilor Wemigwase-absent, Treasurer Reyes-yes, Secretary Shananaquet-yes

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to amend the agenda to include Tribal Resolution: Supplemental Funding for the Ad Hoc Agricultural Work Group, in the Amount of \$57,114.29, to come from Prior Period Funds: Tribal Resolution: Transfer of Funds from the Legislative Branch to Ziibimijwang, Inc., a Tribally Chartered Corporation, in the Amount of \$67,722.08: Tribal Resolution: Appropriation of Supplemental Funding not to exceed \$40,000.00 for a Feasibility Study for a potential Odawa Casino Resort Hotel Project.

Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

Motion made by Councilor Keshick and supported by Secretary Shananaquet to adopt Tribal Resolution: Supplemental Funding for the Ad Hoc Agricultural Work Group, in the Amount of \$57,114.29, to come from Prior Period Funds.

Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-absent, Councilor Otto-yes, Councilor Wemigwase-absent, Treasurer Reyes-yes, Secretary Shananaquet-yes

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Keshick to adopt Tribal Resolution: Transfer of Funds from the Legislative Branch to Ziibimijwang, Inc., a Tribally Chartered Corporation, in the Amount of \$67,722.08.

Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-absent, Councilor Otto-yes, Councilor Wemigwase-absent, Treasurer Reyes-yes, Secretary Shananaquet-yes

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Denemy to adopt Tribal Resolution: Appropriation of Supplemental Funding not to exceed \$40,000.00 for a Feasibility Study for a potential Odawa Casino Resort Hotel Project to come from prior period funds.

Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-absent, Councilor Otto-yes, Councilor Wemigwase-absent, Treasurer Reyes-yes, Secretary Shananaquet-yes

Motion carried.

Motion made by Councilor Denemy and supported by Secretary Shananaquet to approve the Pro Forma Proposal and authorize Treasurer Reyes to sign a contract with Pro Forma which is not to exceed \$40,000.00.

Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Keshick to recommend to Tribal Council to send two people from the Agricultural

Assessment Work Group Committee to travel to Lacrosse, WI for the Moses Organic Farm Conference on February 26, 27 and 28, 2015.

Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to approve stipend for Counselor John Keshick on 12/19/14 for meeting with the electricians at the Ziibimijwang Farm.

Vote: 5-Yes, 1-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Law to post the Health Department Statute to the Legislative Calendar in the Odawa Register as sponsored by Councilor Keshick.

Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

#### **Tribal Council Committee Reports:**

**Gaming Authority Committee** – No meeting was held since last Tribal Council meeting. However discussion occurred regarding submitting amended Supplemental Funding Request for GAC budget.

#### **Agriculture Assessment Work Group**

Motion made by Councilor Law and supported by Secretary Shananaquet to accept the verbal report of the Agriculture Assessment Work Group as presented by Councilor Keshick, Committee Chairman.

Vote: 7-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

**Land and Reservation Committee** - No meeting was held since last Tribal Council meeting.

#### **Legal Legislative Committee**

Motion made by Councilor Keshick and supported by Secretary Shananaquet to accept the verbal report of the Legal Legislative Committee as presented by Councilor Law, Committee Chairperson.

Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

#### **Ethics Committee**

Motion made by Secretary Shananaquet and supported by Councilor Law to accept the verbal report of the Ethics Committee as presented by Councilor Otto, Committee Chairman.

Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

### **Legislative Office Reports:**

#### **Treasury Director Report**

Motion made by Councilor Law and supported by Councilor Keshick to accept Treasury Director Garrow's verbal and written report as presented on January 8, 2015.

Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

#### **Legislative Services Attorney Report**

Motion made by Councilor Keshick and supported by Councilor Reyes to accept Legislative Services Attorney Budnick's verbal report as presented on January 8, 2015.

Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

2:51 p.m. Break.

2:59 p.m. Resume.

#### **Enjinaaknegeng**

Motion made by Councilor Denemy and supported by Councilor Otto to accept General Counsel Bransky's verbal report as presented on January 8, 2015.

Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

#### **Legislative Office Manager**

Motion made by Councilor Law and supported by Councilor Keshick to accept Legislative Office Manager LaCount's verbal and written report as presented on January 8, 2015.

Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

#### **Other Items of Business (Prior to Adjournment):**

FYI – Councilor brought up the 2 contracts that need to be reviewed and discussed at next Tribal Council meeting.

Motion made by Secretary Shananaquet and supported by Councilor Otto to amend agenda to include Tribal Resolution: Approval of the Gaming Authority Committee FY 2015 Budget.

Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried

Motion made by Councilor Otto and supported by Councilor Keshick to adopt Tribal Resolution: Approval of the Gaming Authority Committee FY 2015 Budget.

Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-absent, Councilor Otto-yes, Councilor Wemigwase-absent, Treasurer Reyes-yes, Secretary Shananaquet-yes

Motion carried.

### **Adjournment**

3:24 p.m. Motion made by Councilor Denemy and supported by Treasurer Reyes to adjourn meeting.

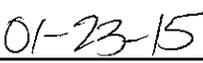
Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Naganashe, Winnay Wemigwase)

Motion carried.

Next Scheduled Meeting  
January 22, 2015

Please contact the Legislative Office at 231-242-1403 or 231-242-1404 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