

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting December 10, 2015
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740

Closed Session: yes

Call to Order: Meeting was called to order at: 9:12 a.m.

Opening Ceremony: Councilor Beatrice Law

Council Present: Secretary Aaron Otto, Treasurer Marcella Reyes, Councilor Frank Bernard, Councilor David Harrington, Councilor Beatrice Law, Councilor Michael Naganashe, Councilor Julie Shananaquet

Absent: Councilor McNamara

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele Portman-LaCount, Sr. Financial Analyst Stella Kay, Administrative Assistant Tamara Kiogima

Executive Officials and Staff Present: Tribal Chair Regina Gasco Bentley, Tribal Administrator Albert Colby Jr., Human Resource Director Denise Petoskey

Judicial Officials and Staff: Chief Judge Allie Maldonado

Invited Guests: Odawa Casino Resort: General Manager Eric McLester, Chief Financial Officer Roger Borton, Gaming Enterprise Board Chair Denise Petoskey

Public: Josephine Laughlin, Colton Reese, Renee Dillard, Linda Gokee, Jannan Cotto, Carla Osawamick

Motion made by Councilor Law and supported by Councilor Naganashe to adopt the agenda for December 10, 2015 as presented.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor McNamara)

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to amend the agenda to include a closed session for legal regarding Harbor Springs Language class.

Vote: 5 - Yes, 2 - No (Councilor Shananaquet, Councilor Harrington), 0 - Abstained, 1 - Absent (Councilor McNamara)

Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Harrington to approve the minutes of November 19, 2015 with corrections.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor McNamara)
Motion carried.

9:41a.m. Motion made by Councilor Law and supported by Councilor Naganashe to into closed session for confidential business matters.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor McNamara)
Motion carried.

10:17a.m. Motion made by Councilor Law and supported by Councilor Shananaquet to return to open session.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor McNamara)
Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Law to acknowledge the verbal and written report from Odawa Casino Resort as presented by General Manager Eric McLester.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor McNamara)
Motion carried.

Motion made by Councilor Law and supported by Councilor Shananaquet to acknowledge receipt of the LTBB 401K 457(b) Updates as presented by Human Resources Director Denise Petoskey and Benefits Specialist Stephanie Carver as presented on December 10, 2015.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor McNamara)
Motion carried.

Executive Updates: Government to government update from the state, United Tribes of Michigan meeting February 8 & 9, 2016. December 16, State Reps will come to work on Lake Trout Fisheries Issues. Employee Christmas Party will be December 11, 2015.

Motion made by Councilor Shananaquet and supported by Councilor Harrington to acknowledge receipt of the verbal Executive report as presented on December 10, 2015.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor McNamara)
Motion carried.

Tribal Council Officer Reports:

Legislative Leader Report: position is dormant at this time.

Secretary Otto Report:

Motion made by Councilor Law and supported by Treasurer Reyes to acknowledge receipt of the Secretary Otto's verbal Report as presented on the agenda for December 10, 2015.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor McNamara)

Motion carried.

- Documents Delivered to the Executive-
Tribal Resolution #111915-01 - Supplemental Funding for
Traditional Burial Grounds Board in the Amount of \$30,000.00 for
Fiscal Year 2016 to come from General Fund Balance –
Supplemental Funding delivered to the Executive Department on
11-23-15 and signed on 11-24-15.
- Tribal Resolution #111915-02 - Approval of budget modifications for
budget deficiency of the Burial Fund delivered to the Executive
Department on 11-23-15 and signed on 11-24-15.
- Tribal Resolution # 111915-03 - Supplemental Funding in the
Amount of \$35,350.00 for the Election Board delivered to the
Executive Department on 11-23-15 and signed on 11-24-15.
- Waganakising Odawak Statute #2015-022 – Eshkiniigijik Youth
Department Services delivered to the Executive Department on 11-
23-15 and signed on 12-02-15.
- Vetoes-None.
- Phone Poll conducted on 11-24-15: Motion to approve Notice of
Declaration of FY2016 Budget Emergency Letter and to authorize
Treasurer Reyes to sign letter.
VOTE: 8-Yes, 0-No, 0-Abstained, 0-Absent

Discussion with Harbor Springs Language Class Josephine Laughlin and Colton Reese regarding letters of concern submitted to the Tribal Council.

11:00 a.m. - Councilor McNamara Arrives.

Motion made by Councilor Shananaquet and supported by Councilor Law to acknowledge the Language presentation as presented by Harbor Springs Students.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

11:12 a.m. Motion made by Councilor Law and supported by Treasurer Reyes to go into closed session for Legal regarding Harbor Springs Language class.

Vote: 6 - Yes, 2 - (Councilor Shananaquet, Councilor Harrington) No, 0 - Abstained, 0 - Absent

Motion carried.

11:26 a.m. Motion made by Councilor Harrington and supported by Councilor Naganashe to return to Open Session.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Treasurer Reyes Report:

Appropriations and Finance Committee Meeting met on December 2, 2015. Next meeting: Monday December 21, 2015 in the Tribal Council Chambers.

Motion made by Councilor Naganashe and supported by Councilor Shananaquet to acknowledge the receipt of Treasurer Reyes' verbal report as presented on December 10, 2015.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Tribal Council Member Reports:

Land and Reservation:

Last Meeting was on December 4, 2015, next meeting January 15, 2016 at 9:00 a.m. to go over the Zoning Regulations.

Motion made by Councilor Shananaquet and supported by Councilor Law to acknowledge the receipt of the Land and Reservation Committee report as presented by Committee Chairperson Treasurer Reyes on December 10, 2015.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Ethics Committee: No Meeting. No Report.

11:43 a.m. Public Comment Opens:

- Citizen Andrew Stich-Would like to thank Chairperson Regina Gasco-Bentley for attending a court case earlier this year. Travel Reports. Budget Shortfall.
- Citizen Linda Gokee-Direction of the Tribe, Tribal Government mirrors United States Government and State Laws. Short coming of the Budget, need to be proactive. Voiced opinion on Chief Judge Candidate.

11:55 a.m. Public Comment Closes

11:57 a.m. Lunch Break

1:34 p.m. Resumes

Legislative Office Reports:

Motion made by Councilor Law and supported by Councilor Shananaquet to accept Sr. Financial Analyst Stella Kay verbal and written report for December 10, 2015.

Vote: 8 - 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 December 10, 2015.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Enjiinakneng Report: No report.

Motion made by Treasurer Reyes and supported by Councilor Harrington to accept Legislative Office Manager Portman-LaCount's verbal and written report for December 10, 2015.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Corporate Charters and/or Boards: No reports

- i. Ziibimijwang, Inc.
- ii. Odawa Economic Development Management, Inc.
- iii. Traditional Tribal Burial Board
- iv. Gaming Enterprise Board

2:34 p.m. Break

2:50 p.m. Resume

Motion made by Treasurer Reyes and supported by Councilor Shananaquet to authorize and approve the submission of Councilor Law's written testimony to the Department of Justice regarding funding for the Violence Against Women Reauthorization Act as presented to Tribal Council.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor McNamara and supported by Councilor Law to approve the Executive to sign the letter to Jerin Falcon, Special Agent in Charge regarding the re-issuance of Bureau of Indian Affairs Special Law Enforcement Commissions (SLECS) to Little Traverse Bay Bands of Odawa Indians Natural Resources Conservation Officers.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor McNamara to acknowledge receipt of Executive nomination of David Dominic to the Natural Resources Commission and set up an interview.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor Law and supported by Councilor Naganashe to acknowledge receipt of the Executive's nomination and to appoint Albert Colby Jr. to the Liquor and Tobacco Licensing Board for a 1-year term ending December 31, 2016.

Vote: 3 - Yes, 5 - No Treasurer Reyes, Councilor Harrington, Councilor Shananaquet Councilor McNamara, Councilor Bernard, 0 - Abstained, 0 - Absent

Motion failed.

Motion made by Councilor Law and supported by Treasurer Reyes to acknowledge receipt of Letter of Interest from Lisa Flynn for the Traditional Tribal Burial Board and set up an interview.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

3:15 p.m. Public comment opened:

- Linda Gokee thanked Tribal Council for their contributions to the meetings.

3:16 p.m. Public Comment closed.

Motion made by Treasurer Reyes and supported by Councilor Law to pass REG-WOS 2013-004-120715-001 A 2016 Reservation Natural Resources Rules and Regulations as received from the Executive Department.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor McNamara)

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Harrington to pass REG-WOS 2013-004-120715-001 B 1836 Ceded Territory 2016 Natural Resources Rules and Regulations as received from the Executive Department.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor McNamara)

Motion carried.

Motion made by Councilor Harrington and supported by Councilor Law to reappoint Frederick Holdorph to the Natural Resource Commission to serve the remainder of a 4-year term expiring September 30, 2019.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor McNamara)

Motion carried.

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to appoint John W. Keshick III to the Natural Resources Commission to serve the remainder of a 4-year term expiring September 30, 2017.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor McNamara)

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to appoint William A. Denemy to the Liquor and Tobacco Licensing Board to serve a 3-year term expiring September 30, 2018.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Shananaquet to approve Certified Motion #121015-01; Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, FY 2016 Circle of Flight Project.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor McNamara and supported by Councilor Shananaquet to approve Certified Motion #121015-02; Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, FY 2016 BIA Great Lakes Restoration Initiative Cisco Restoration Project, Phase 3.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Law and supported by Councilor Shananaquet to approve Certified Motion #121015-03; Request for Funding from the U.S. Department of the Interior Bureau of Indian Affairs, Great Lakes Restoration Initiative Capacity Funding, Lakewide Management Plan (LaMP) Program Capacity Grant.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Law and supported by Councilor Shananaquet to set the disenrollment hearing for Tribal Citizen Lizabeth Snow Keway at the regularly scheduled Tribal Council meeting of March 3, 2016; and authorize and approve the Secretary to send out the notice of the hearing.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Law to post to the Legislative Calendar, Compensation for Tribal Council Statute as sponsored by Councilor Beatrice Law.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Harrington to approve Enrollment List C Voluntary Relinquishment dated December 2, 2015 for a total of 1.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Shananaquet to approve Certified Motion #121015-04; Request for Funding from U.S. Department of Agriculture Natural Resources Conservation Service FY 2016 Environmental Quality Incentives Program (EQIP) Murray Rd Green Cemetery Project.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Law and supported by Councilor Shananaquet to authorize Treasury Office Senior Financial Analyst to apply for a Legal Entity Identifier (LEI), also known as a CFTC Interim Compliant Identifier (CICI) or Global Markets Entity Identifier (GMEI).

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to acknowledge receipt of Mary (Gasco) Donner's Resignation from the Ziibimijwang, Inc. Board.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to table the Contract with Wesley Andrews (Tabled until Revised 2016 Budget is approved).

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Law to approve the amendment to the Traditional Burial Board Corporate Charter for clarification of its non-profit status.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Law and supported by Councilor Harrington to authorize and direct the Enjinaaknegeng General Counsel to file a foreclosure action, on behalf of the Tribe through its Housing Department, in Tribal Court with regard to the Home Purchase Contract dated September 27, 2011 for a house on Lot 5, Wah-Wahs Noo Da Ke Development.

Vote: 7 - Yes, 0 - No, 1 - Abstained (Councilor McNamara), 0 - Absent

Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Law to amend the agenda to include the following items: Odawa Casino Resort Revised 5-year plan, Bell's Fishery Supplemental Funding Request, Blue Cross Blue Shield settlement and Tribal Minimum Internal Control Standards Regulations.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Law and supported by Councilor Naganashe to approve and authorize the Little Traverse Bay Bands of Odawa Indians Amended Five Year Strategic Economic Development Plan for Odawa Casino Resort that includes the building of a 120 unit casino property in Mackinaw to open in 2016, dated December 10, 2015, as presented by the Odawa Casino Resort General Manager McLester.

Motion withdrawn.

Motion made by Councilor Shananaquet and supported by Councilor Law to approve and authorize the Blue Cross Blue Shield (BCBS) Funds Flow, as presented by the Odawa Casino Resort General Manager Eric McLester, for the confidential settlement funds received by OCR under the release and settlement agreement between OCR and Blue Cross Blue Shield of Michigan.

Vote: 7 - Yes, 0 - No, 1 – Abstained (Councilor Harrington), 0 – Absent

Motion carried.

Motion made by Councilor Law and supported by Councilor Naganashe to approve and authorize the Little Traverse Bay Bands of Odawa Indians Amended Five Year Strategic Economic Development Plan for Odawa Casino Resort that includes the building of a 120 unit casino property in Mackinaw to open in 2016, dated December 10, 2015, as presented by the Odawa Casino Resort General Manager Eric McLester.

Vote: 5 - Yes, 1 – No (Councilor Shananaquet), 2 – Abstained (Councilor Harrington, Councilor Bernard), 0 – Absent

Motion carried.

5:10 p.m. Break

5:20 p.m. Resume

Motion made by Councilor Law and supported by Secretary Otto to adopt Tribal Resolution Supplemental Funding Request to Operate Bell's Fisheries for FY 2016 in the amount of \$65,641.00.

Roll call vote: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor Shananaquet-no, Treasurer Reyes-yes, Secretary Otto-no

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Law to acknowledge receipt of the Tribal Minimum Internal Control Standards REG - WOS 2005-06-121015-015.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Law and supported by Councilor Harrington to appoint Allie Maldonado to Chief Judge for a 4-year term.

Roll call vote: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor Shananaquet-yes, Treasurer Reyes-yes, Secretary Otto-yes
Motion carried.

Motion made by Councilor Law and supported by Secretary Otto to appoint Sean Cahill to Appellate Justice for a 6-year term.

Roll call vote: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor Shananaquet-yes, Treasurer Reyes-yes, Secretary Otto-yes
Motion carried.

Motion made by Councilor McNamara and supported by Treasurer Reyes to adopt Tribal Resolution: Supplemental Funding in the Amount of \$40,000.00 for Department of Kikaajik.

Roll call vote: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-yes, Councilor McNamara-yes, Councilor Naganashe-abstained, Councilor Shananaquet-yes, Treasurer Reyes-yes, Secretary Otto-yes
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Naganashe to adopt Tribal Resolution: Authorizing Gijigowi Anishinaabemowin Language Department to carryover Department raised Revenue.

Roll call vote: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor Shananaquet-yes, Treasurer Reyes-yes, Secretary Otto-yes
Motion carried.

Motion made by Councilor Naganashe and supported by Councilor Harrington to adopt Tribal Resolution: Budget Modification for Employee Appreciation.

Roll call vote: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor Shananaquet-yes, Treasurer Reyes-yes, Secretary Otto-yes
Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to adopt Tribal Resolution: Budget Modification for Communication Department.

Roll call vote: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor Shananaquet-yes, Treasurer Reyes-yes, Secretary Otto-yes
Motion carried.

Motion made by Councilor Harrington and supported by Councilor Law to adopt Tribal Resolution: Use of 3rd Party Billing Funds, in the amount of \$7,438.00 for Dental Clinic Construction.

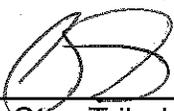
Roll call vote: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor Shananaquet-yes, Treasurer Reyes-yes, Secretary Otto-yes
Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Law to adopt Tribal Resolution: Authorizing Swap Documents to Modify Loan Agreement and Related Documents Dated February 7, 2014 from Wells Fargo Bank, National Association, Authorizing Tribal Appropriations for Payments of the Loan, Affirming Adoption of Law Governing the Arbitration of Disputes related to the Loan, and Law Regarding Security Interests and Addressing Related Matters.
Roll call vote: Councilor Bernard-yes, Councilor Harrington-abstained, Councilor Law-yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor Shananaquet-yes, Treasurer Reyes-yes, Secretary Otto-yes
Motion carried.

6:05 p.m. Motion made by Councilor Law and supported by Councilor Harrington to adjourn.
Vote: 8 - Yes, 0- No, 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 corrected:



Aaron Otto, Tribal Council Secretary

 1-7-2016

Date