

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
June 23, 2016
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740

Opening ceremony: Councilor Beatrice Law

Closed Session: Yes

Call to Order: Meeting was called to order at: 9:07 am

Council Present: Secretary Aaron Otto, Treasurer Marcella Reyes, Councilor Frank Bernard, Councilor Beatrice Law, Councilor Dexter McNamara, Councilor Julia Shananaquet, Councilor Michael Naganashe

Absent: Legislative Leader position, Councilor David Harrington

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Sr. Financial Analyst Stella Kay, Legislative Administrative Assistant Tamara Kiogima, General Counsel James Bransky

Executive Officials and Staff Present: Tribal Chair Regina Gasco Bentley, Interim Tribal Administrator Alan Proctor, Program Specialist Joe Van Alstine, Chief of Police Jeff Cobe, Chief Conservation Officer Kevin Willis

Judicial Officials and Staff: none

Public: Glen Joy, Renee Dillard, Jannan Cornstalk, Arlene Naganashe

Invited Guests: none

Motion made by Councilor Law and supported by Treasurer Reyes to dedicate this meeting in honor of those Tribal Citizens as noted that have walked on since May 16, 2016, Owen James Smith Sr., Joy Marie Eberly, Eleanor Laverne Barber, and Glen Howard Rawls.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Law to adopt the agenda for June 23, 2016 with additions.

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

Motion carried.

9:24 a.m. Councilor Harrington arrives

Motion made by Councilor Harrington and supported by Treasurer Reyes to approve the minutes of June 9, 2016 as corrected.

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

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to accept the Executive Oversight verbal and written report as presented by Chairperson Gasco Bentley which included an update from NAFDPIR President Joe Van Alstine on the Food Distribution Program on Indian Reservations, updates from Interim Tribal Administrator Alan Proctor on Department and Programs, and updates from Chief Conservation Officer Kevin Willis as presented on June 23, 2016.

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

Motion carried.

10:36 a.m. Break

10:57 a.m. Resume

Secretary Report:

- *Documents Delivered to Executive: -Waganakising Odawak Statute Financial Disclosure by Tribal Officers. Delivered to the Executive on 06-10-16, still pending.*
- *Vetoes- None*
- *Phone Poll- None*

Motion made by Treasurer Reyes and supported by Councilor Law to accept Secretary Otto's verbal and written Report as provided on the agenda for June 23, 2016.

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

Motion carried.

Treasurer Report:

Appropriations and Finance Committee update:

Last Meeting: June 14, 2016 at 1:00 p.m.
(Recommendations made by committee)

-Motion made by Councilor Law and supported by Councilor Shananaquet to recommend Tribal Council approval of Certified Motion #062316-01; Request for Funding from the U.S. Department of Health and Human Services Indian health Service - Division of Sanitation Facilities Construction Open Dump Cleanup/Prevention & ISWMP Update.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried

-Motion made by Councilor Law and supported by Councilor Shananaquet to recommend Tribal Council approval of Certified Motion #062316-02; Funding from the U.S. Department of Health and Human Services Indian Health Service 2015 Annual Funding Agreement, Award Increase MOD #07.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried

-Motion made by Councilor Shananaquet and supported by Treasurer Reyes to recommend Tribal Council approval of Certified Motion #062316-03; Inter-Tribal Council of Michigan, Inc. application for funding: U.S. Department of Health and Human Services Office of Community Services Low Income Housing Energy Assistance Program.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried

-Motion made by Councilor Law and supported by Councilor Shananaquet to recommend Tribal Council approval of Certified Motion #062316-04; Inter-Tribal Council of Michigan, Inc. application for funding: U.S. Department of Health and Human Services Office of Community Services Block Grant Emergency Assistance Program.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried

-Motion made by Councilor Law and supported by Councilor Shananaquet to recommend Tribal Council approval of Certified Motion #062316-05; Request for Funding from the Administration for Children and Families Title IV-B of the Social Security Act FY 2017 Title IV-B Continuation Funding.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried

-Motion made by Councilor Law and supported by Councilor Shananaquet to recommend Tribal Council approval of Certified Motion #062316-06; Request for funding from the Administration for Children and Families, FY 2017 Child Care and Development Fund Program Child Count Declaration.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried

-Motion made by Councilor Law and supported by Councilor Shananaquet to recommend Tribal Council adopt Tribal Resolution – Supplemental Funding in the Amount of \$61,000 for Elders Shuttle.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried

-Motion made by Councilor Shananaquet and supported by Councilor Law to recommend Tribal Council adopt Tribal Resolution – Supplemental Funding in the Amount of \$44,000 for Behavioral health from Access to Recovery Fund balance.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried

- Motion made by Councilor Shananaquet and supported by Councilor Shananaquet to recommend Tribal Council override Vetoed Tribal Resolution 042116-03, Appropriation of Funds for the 2017 Fiscal Year Operating Budgets.
Vote: 3-yes, 0-no, 0-abstain, 0-absent
Motion carried

Next meeting: July 12, 2016 at 1:00 p.m.

Motion made by Councilor Shananaquet and supported by Councilor Naganashe to accept the Treasurer's Appropriations and Finance Committee verbal and written report as provided on the Agenda by Treasurer Reyes for June 23, 2016.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Tribal Council Travel Reports: None

Tribal Council Member Reports:

Councilor McNamara reported on his attendance at the Enbridge Meeting at the Knights of Columbus Hall in Petoskey, Michigan.

Land and Reservation Committee:

Last Meetings: June 17, 2016

(Recommendations made by committee)

- Motion made by Councilor Harrington and supported by Treasurer Reyes to recommend Tribal Council to not pursue Land Parcel #92.
Vote: 2-yes; 0-no; 0-abstain; 1-absent (Councilor Bernard)
No Comments
Motion Carries

Next Meeting: July 14, 2016 at 1:00 pm in the Council Chambers

Motion made by Councilor Law and supported by Councilor Shananaquet to accept the Land and Reservation Committee's verbal report as presented by Committee Chairperson Treasurer Reyes as presented on June 23, 2016.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Ethics Committee:

Last Meetings: June 10, 2016; Special Meeting June 20, 2016

Next Meeting: June 27, 2016

Motion made by Treasurer Reyes and supported by Councilor Naganashe to accept the Ethics Committee's verbal report as presented by Committee Chairperson Councilor Law as presented on June 23, 2016.

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

Motion carried.

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to accept the Sr. Financial Analyst Stella Kay's verbal and written report for June 23, 2016.

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

Motion carried.

Motion made by Councilor Harrington and supported by Councilor Shananaquet to accept the Legislative Services Attorney Donna Budnick's verbal and written report for June 23, 2016.

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

Motion carried.

11:49 a.m. Public Comment opened:

- Arlene Naganashe the 2017 General Fund Budget is based on Elders being 60 years old. Next week is Odawa Trails deadline. 1/3 of my population is dependent on what Tribal Council decides.
- Jannan Cornstalk was approached to do another event for Enbridge Line 5. Asking for Tribal Council to help support the event.

12:06 p.m. Public comment closed.

12:06 p.m. Lunch recess

1:33 p.m. Resume

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to accept General Counsel Jim Bransky's Enjinaaknegeng verbal and written report for June 23, 2016.

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

Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Law to accept Legislative Office Manager Michele Portman-LaCount's written report for June 23, 2016.

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

Motion carried.

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to amend the agenda to include the following topics, Police Agreement with Mackinaw City and Enrollment List C.

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

Motion carried.

2:26 p.m. Break

2:38 p.m. Resume

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to approve Certified Motion #062316-01; Request for Funding from the U.S. Department of Health and Human Services Indian health Service – Division of Sanitation Facilities Construction Open Dump Cleanup/Prevention & ISWMP Update.

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

Motion carried.

Motion made by Councilor Harrington and supported by Treasurer Reyes to approve Certified Motion #062316-02; Funding from the U.S. Department of Health and Human Services Indian Health Service 2015 Annual Funding Agreement, Award Increase MOD #07.

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

Motion carried.

Motion made by Councilor Harrington and supported by Treasurer Reyes to approve Certified Motion #062316-03; Inter-Tribal Council of Michigan, Inc. application for funding: U.S. Department of Health and Human Services Office of Community Services Low Income Housing Energy Assistance Program.

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

Motion carried.

Motion made by Councilor Law and supported by Councilor Harrington to approve Certified Motion #062316-04; Inter-Tribal Council of Michigan, Inc. application for funding: U.S. Department of Health and Human Services Office of Community Services Block Grant Emergency Assistance Program.

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

Motion carried.

Motion made by Councilor Harrington and supported by Treasurer Reyes to approve Certified Motion #062316-05; Request for Funding from the Administration for Children and Families Title IV-B of the Social Security Act FY 2017 Title IV-B Continuation Funding.

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

Motion carried.

Motion made by Councilor Harrington and supported by Treasurer Reyes to approve Certified Motion #062316-06; Request for funding from the Administration for Children and Families, FY 2017 Child Care and Development Fund Program Child Count Declaration.

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

Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor McNamara to approve Tribal Council attendance to the Gaming Enterprise Board meetings and any Tribally Chartered Corporation meetings, limited to one paid meeting stipend per month; and amends the Annual Salary Compensation, and Stipend Policy for Tribal Council to reflect the same.

Vote: 6 - Yes, 1 - No (Councilor McNamara), 1 - Abstained (Councilor Harrington), 0 - Absent

Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Law to not pursue Land Parcel #92 as recommended by the Land and Reservation Committee.

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

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve The Fire Protection Services Agreement between the Little Traverse Bay Bands of Odawa Indians and Village of Mackinaw City and Authorize the Chairperson to sign on Behalf of the Tribe.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Shananaquet to re-post to the Legislative Calendar Waganakising Odawak Statute Compensation for Tribal Council as sponsored by Councilor Law.

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

Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Law to post to the Legislative Calendar Waganakising Odawak Statute Amendment to the 2013-010 Fair Employment Statute as sponsored by Councilor Otto.

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

Motion carried.

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to table the veto of Tribal Resolution 042116-03, Appropriation of Funds for the 2017 Fiscal Year Operating Budgets as recommended by Appropriations and Finance Committee.

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

Motion carried.

3:13 p.m. Public Comment opened: No Comments

3:13 p.m. Public comment closed.

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to authorize and approve Tribal Council Secretary Otto's travel to the USDA-National Association for Distribution of Food Programs on Indian Reservation (NAFDPIR) In Norman, OK, July 12-13, 2016.

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

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to authorize and approve the hiring of Fredericks, Peebles and Morgan-John Petoskey as Executive Services Attorney in accordance with WOS 2012-007, Office of the Executive Services Attorney; and authorizes Tribal Council Secretary Otto to sign the Notification of Conflict of Interest and Request for Written Consent.

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

Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Law to approve the Inter-local Agreement for Mutual Law Enforcement Assistance between the Little Traverse Bay Bands of Odawa Indians and The Village of Mackinaw City and authorize the Chairperson, Police Chief and Prosecutor to sign on behalf of the Tribe.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Law to approve Enrollment List C-Voluntary Relinquishment dated June 21, 2016 for a total of 1.

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

Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Harrington to adopt Tribal Resolution – Supplemental Funding in the Amount of \$61,000 for Elders Shuttle.

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 Councilor Naganashe to adopt Tribal Resolution – Supplemental Funding in the Amount of \$44,000 for Behavioral Health from Access to Recovery Fund balance.

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.

3:35 p.m. Break

3:48 p.m. Resume

3:49 p.m. Motion made by Councilor Shananaquet and supported by Councilor Law to go into closed session for Personnel.

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

Motion carried.

4:35 p.m. Motion made by Treasurer Reyes and supported by Councilor David Harrington to return to open session.

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

Motion carried.

4:36 p.m. Motion made by Councilor Harrington and supported by Treasurer Reyes to adjourn.

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

Motion carried.

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 corrected:



07-13-16

Aaron Otto, Tribal Council Secretary

Date