

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
July 7, 2016  
Tribal Council Chambers  
7500 Odawa Circle Harbor Springs, MI 49740

Opening ceremony: Frank Bernard

Closed Session: yes

Call to Order: Meeting was called to order at: 9:02 a.m.

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

Absent: Legislative Leader position, Councilor David Harrington

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

Executive Officials and Staff Present: Tribal Chair Regina Gasco Bentley, Mobility Coordinator Amanda Swiss, Interim Tribal Administrator Alan Proctor

Judicial Officials and Staff: none

Public: Andrew Stich, Petchiese Carol King, Tammy Okuly Shananaquet

Invited Guests: none

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Motion made by Councilor Shananaquet and supported by Treasurer Reyes to adopt the agenda for July 7, 2016 as presented.

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

Motion carried.

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to approve the minutes of June 23, 2016 with correction.

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

Motion carried.

**9:42 a.m.** Councilor Harrington arrived.

Motion made by Councilor Law and supported Treasurer Reyes to acknowledge receipt of Tribal Historic Preservation Officer Wesley Andrew's 2nd Quarter verbal report for July 7, 2016.

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

Motion carried.

**10:19 a.m.** Break

**10:34 a.m.** Return

Motion made by Councilor Law and supported by Treasurer Reyes to acknowledge receipt of the Executive verbal update as provided by Chairperson Gasco-Bentley, Mobility Coordinator Amanda Swiss and Interim Tribal Administrator Alan Proctor for July 7, 2016.

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

Motion carried.

#### Secretary Report

i. Documents Delivered to Executive

- Waganakising Odawak Statute Financial Disclosure by Tribal Officials was submitted to the Executive on 06-10-16 and signed on 06-30-16.
- Tribal Resolution #062316-01- Supplemental Funding in the Amount of \$61,000 for Elders Shuttle was submitted to the Executive on 06-24-16 and signed on 06-27-16.
- Tribal Resolution #062316-02- Supplemental Funding in the Amount of \$44,000 for Behavioral health from Access to Recovery Fund balance was submitted to the Executive on 06-24-16 and signed on 06-27-16.

ii. Vetoes: none

iii. Phone Polls: none

Motion made by Councilor Law and supported by Councilor McNamara to accept Secretary Otto's verbal and written report as presented on the agenda for July 7, 2016.

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

Motion carried.

#### Treasurer Report-FYI

i. Appropriations and Finance Committee

- Last Meetings: June 14, 2016 at 1:00 pm
- Next Meeting: July 12, 2016 at 1:00 pm in the Council Chambers

Land and Reservation Committee - FYI

- Last Meetings: June 17, 2016
- Next Meeting: July 14, 2016 at 1:00 pm in the Council Chambers

Ethics Committee update regarding Complaint 040416-01

- Last Meetings: June 27, 2016
- Next Meeting: Special Meeting July 8, 2016 at 10:00 a.m. in Council Chambers

Motion made by Treasurer Reyes and supported by Secretary Otto to accept the Ethics Committee verbal and written report as presented by Councilor Law Committee Chairperson for July 7, 2016.

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

Motion carried.

**11:43 a.m.** Public comment opened:

- Andrew Stich asked about the Ethics Complaint, inquired about the Veto of the 2017 Budget Resolution.
- Tammy Okuly Shananaquet asked about the Ethics Committee process of review and what is the outcome of those reviews.
- Petchiese Carol King asked if she could move into the Cabins at Wilderness, who is living at the farm house and inquired how the new Mackinaw Casino is doing.

**12:04 p.m.** Public Comment Closed

**12:04 p.m.** Lunch Break

**1:34 p.m.** Resumed

Motion made by Treasurer Reyes and supported by Councilor Law to accept Sr. Financial Analyst Stella Kay's verbal and Written Report for July 7, 2016.

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 Donna Budnick's verbal report for July 7, 2016.

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

Motion carried.

**2:27 p.m.** Motion made by Treasurer Reyes and supported by Councilor Law to go into closed session for legal.

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

Motion carried.

**3:05 p.m.** Motion made by Councilor Harrington and supported by Councilor Law to return to open session.

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

Motion carried.

**3:05 p.m.** Motion made by Treasurer Reyes and supported by Councilor Law to accept General Counsel Bransky's verbal Enjiinakneng report for July 7, 2016.

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

Motion carried.

**3:06 p.m.** Public Comment opened: no comments

**3:07 p.m.** Public Comment closed

**3:07 p.m.** Break

**3:18 p.m.** Return

Motion made by Councilor Law and supported by Councilor McNamara to override the Executive Veto of Tribal Resolution #042116-03 Appropriation of /Funds for the 2017 Fiscal Year Operating Budgets for the following reasons: 1) the Executive is requesting an additional \$109,000 of General Fund Spending which will result in a planned deficit budget (more spending than revenue); 2) the General Funds are based on the Odawa Casino Resorts net revenues, and we do not want to over-estimate the amount of revenue; 3) the Executive Branch has consistently underspent the budget on average \$1,700,000 since 2012, and can absorb the requested additional \$109,000.

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

Motion carried.

**3:30 p.m.** Councilor McNamara left the meeting.

Motion made by Treasurer Reyes and supported by Councilor Shananaquet to acknowledge receipt of the Legislative Office Manager Portman-LaCount's verbal and written report for July 7, 2016.

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

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to acknowledge the receipt of BDO Little Traverse Bay Bands of Odawa Indians Trust Fund Financial Statements Year Ended December 31, 2015.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Harrington to post Waganakising Odawak Statute Housing Department to the Legislative Calendar in the Odawa Register as sponsored by Councilor Beatrice Law.

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

Motion made by Councilor Shananaquet and supported by Councilor Naganashe to approve Policy and Procedures for Appointment for Vacancy to Tribal Council.  
Motion withdrawn.

Motion made by Councilor Law and supported Secretary Otto to amend the agenda to include Public Schools of Petoskey's Board of Education request for use of the Tribal Emblem.

Vote: 6 - Yes, 1 – No (Councilor Shananaquet), 0 - Abstained, 1 – Absent (Councilor McNamara)  
Motion carried.

Motion made by Councilor Law and supported by Councilor Naganashe to authorize and approve the Public Schools of Petoskey's Board of Education use of the Little Traverse Bay Bands of Odawa Indians Tribal Emblem for a "sponsorship board", in recognition of the Tribe's involvement in the McDougal Road extension project, which will be on display at the new Petoskey High School (PHS) Stadium and this action shall not to be considered or intended to be an endorsement of the PHS mascot/logo.

Vote: 6 - Yes, 1 – No (Councilor Shananaquet), 0 - Abstained, 1 – Absent (Councilor McNamara)  
Motion carried.

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to pass Waganakising Odawak Statute the Tribal Emblem and Seal of the Waganakising Odawak Nation.

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

**4:14 p.m.** Motion made by Councilor Law and supported by Councilor Shananaquet to go into closed session for personnel.

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

**5:16 p.m.** Motion made by Councilor Harrington and supported by Councilor Bernard to return to open session.

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

5:17 p.m. Motion made by Councilor Law and supported by Councilor Harrington to adjourn.

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

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:



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Aaron Otto, Tribal Council Secretary

7-28-2016

Date