

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Legislative Meeting
Tribal Court Room 1150 Bayview, Petoskey, MI 49770
June 28, 2001
9:30 a.m.

Executive Session: Yes

Called to Order: Meeting was called to order at 9:32 a.m.

Council Present: Vice-Chairman George Anthony, Secretary Susan Wysocki, Treasurer Alice Yellowbank, Councilor Janet Shomin, Regina Bentley

Council Absent: Chairman Gerald Chingwa (excused), Councilor Bea Law (excused)

Staff Present: See attached list

Guests: See attached list

Note: In the absence of the Chairman, the Vice Chairman presided over the meeting.

Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to approve the agenda of June 28, 2001 as amended.

Vote: 5 Yes 0 No 0 Abstained 2 Absent (**Chingwa, Law**)

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Bentley** to approve the June 3, 2001 Administrative meeting minutes as corrected.

Vote: 5 Yes 0 No 0 Abstained 2 Absent (**Chingwa, Law**)

Motion Carried

Recess: 11:11 a.m. **Reconvene:** 11:23 a.m.

Public Comment Opens: 11:45 a.m. Eleanor Barber, Carol McFall, Audrey Perry, Janet Shomin read a letter into the record.

Public Comment Closes: 11:59 a.m.

Motion made by **Councilor Wysocki** and **Supported** by **Councilor Yellowbank** to approve the Tribal Administrator's verbal report.

Vote: 5 Yes 0 No 0 Abstained 2 Absent (**Chingwa, Law**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to approve resolution #062801-01 "Support of pre-application of the Small Ambulatory Program Grant and authorizing signature".

Roll Call Vote: Anthony-yes, Bentley-yes, Yellowbank-yes, Shomin-yes, Wysocki-yes, Law-absent, Chingwa-absent

Vote: 5 Yes 0 No 0 Abstained 2 Absent (**Chingwa, Law**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to authorize a purchase order up to \$150.00 to come from the Enterprise Fund other line item, for the employee picnic.

Vote: 5 Yes 0 No 0 Abstained 2 Absent (**Chingwa, Law**)

Motion Carried

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Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Bentley** to accept into the record the phone poll dated June 27, 2001 to cancel the casino Work Session dated June 29, 2001 and to record the vote, which passed.

Vote: 5 Yes 0 No 0 Abstained 2 Absent (**Chingwa, Law**)

Motion Carried

Motion made by **Councilor Wysocki** and **Supported** by **Councilor Yellowbank** to accept into the record the phone poll dated June 27, 2001 to send a representative to the Unity Reception dated June 29, 2001, which passed.

Vote: 5 Yes 0 No 0 Abstained 2 Absent (**Chingwa, Law**)

Motion Carried

Recess: 12:28 p.m., **Reconvene:** 2:02 p.m.

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Bentley** to accept the 2000 Fiscal Year audit as presented by Annette Eustice from Rehman Robson.

Vote: 5 Yes 0 No 0 Abstained 2 Absent (**Chingwa, Law**)

Motion Carried

Motion made by **Councilor Bentley** and **Supported** by **Councilor Wysocki** to re-appoint Carol Quinones to the election board for a three- year term.

Vote: 4 Yes 0 No 1 Abstained (**Shomin**) 2 Absent (**Chingwa, Law**)

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to appoint Eleanor Barber to the Housing Commission to fill Julie Carver's vacancy.

Vote: 4 Yes 1 No (**Yellowbank**) 0 Abstained 2 Absent (**Chingwa, Law**)

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Wysocki** to accept the resignation of Wes Andrews from the Economic Development Commission effective today.

Vote: 3 Yes 2 No (**Shomin, Bentley**) 0 Abstained 2 Absent (**Chingwa, Law**)

Motion Carried

Motion made by **Councilor Shomin** to accept re-appointment of Dexter McNamara to Gaming Regulatory Commission.

Motion dies for lack of support.

Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to allow three visits for George Anthony to travel to St. Martins Island with prospective bidders for roofing repair job to include stipend, mileage and per diem during the month of July.

Vote: 4 Yes 0 No 1 Abstained (**Anthony**) 2 Absent (**Chingwa, Law**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to authorize the submission of the 106 Surface Water Quality Monitoring Proposal and Budget Justification for fiscal year 2002 with authorizing signature.

Vote: 5 Yes 0 No 0 Abstained 2 Absent (**Chingwa, Law**)

Motion Carried

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Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to approve budget increase in the amount of \$35,000.00 for the GAP Modification and Justification and an approval of an authorizing signature.

Vote: 5 Yes 0 No 0 Abstained 2 Absent (**Chingwa, Law**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to approve the budget increase of \$15,200.00 and Justification for GAP Modification and approve an authorizing signature.

Vote: 5 Yes 0 No 0 Abstained 2 Absent **(Chingwa, Law)**

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to approve list A-eligible for membership.

Vote: 5 Yes 0 No 0 Abstained 2 Absent **(Chingwa, Law)**

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Bentley** to accept list B-ineligible for membership.

Vote: 5 Yes 0 No 0 Abstained 2 Absent **(Chingwa, Law)**

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Bentley** to accept list C-voluntarily relinquishment of membership.

Vote: 5 Yes 0 No 0 Abstained 2 Absent **(Chingwa, Law)**

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to approve the Uniform Construction Procedures.

Vote: 5 Yes 0 No 0 Abstained 2 Absent **(Chingwa, Law)**

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to approve the Indian Preference in Construction Policy for a 60- day period, (then reviewed).

Vote: 5 Yes 0 No 0 Abstained 2 Absent **(Chingwa, Law)**

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to approve the Master Bid Specifications System documents for construction projects with the completion of the house keeping items.

Vote: 5 Yes 0 No 0 Abstained 2 Absent **(Chingwa, Law)**

Motion Carried

Motion made by **Councilor Wysocki** and **Supported** by **Councilor Yellowbank** to approve a work session on July 9, 2001 for government complex at 9:00 a.m. to include stipend, mileage and lodging for all council members.

Vote: 5 Yes 0 No 0 Abstained 2 Absent **(Chingwa, Law)**

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to approve a work session with Gaming Administration and Gaming Regulatory Commission on August 4, 2001 at 9:30 a.m. to include stipend, mileage and lodging for all council members.

Vote: 5 Yes 0 No 0 Abstained 2 Absent **(Chingwa, Law)**

Motion Carried

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Recess: 3:50 p.m., **Reconvene:** 3:55 p.m.

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Wysocki** to remove the Planning Commission Statute from the Legislative Calendar.

Vote: 5 Yes 0 No 0 Abstained 2 Absent **(Chingwa, Law)**

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to submit the proposed Zoning Statute to the Economic Development Commission, Law Enforcement, Judiciary, Housing and Natural Resource Commission with a letter explaining that Tribal Council wants written comments prior to August 19, 2001 Legislative Meeting.

Vote: 5Yes 0 No 0Abstained 2Absent (**Chingwa, Law**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to send the Election Statute amendment regarding primary elections and question regarding write in candidates to Marianna Shulstad for legal opinion based on the Interim Constitution.

Vote: 5Yes 0 No 0Abstained 2Absent (**Chingwa, Law**)

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Wysocki** to postpone the Removal of Commissioners and Nepotism Statute until we receive the second draft version.

Vote: 5Yes 0 No 0Abstained 2Absent (**Chingwa, Law**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Wysocki** to approve the Middle Village Park Budget in the amount of \$6,000.00 to come from the Enterprise Budget, donation line item.

Vote: 5Yes 0 No 0Abstained 2Absent (**Chingwa, Law**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to approve the vision and mission statements as worked on at the Strategic Planning Work Session.

Vote: 4Yes 0 No 1Abstained 2Absent (**Chingwa, Law**)

Motion Carried

Motion made by **Councilor Shomin** to support a resolution #062801-02 for the Waganaksing Odawak Unity group to include all Little Traverse Bay Bands youth

Motion Withdrawn

Motion made by **Councilor Bentley** and **Supported** by **Councilor Yellowbank** to approve stipend and mileage for Councilor Shomin to attend the Unity Reception on June 29, 2001.

Vote: 4Yes 0 No 1Abstained (**Shomin**) 2Absent (**Chingwa, Law**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to approve the proposed amendment for the childcare grant and authorize signature.

Vote: 3Yes 2 No (**Yellowbank, Anthony**) 0Abstained 2Absent (**Chingwa, Law**)

Motion Carried

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Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to authorize the Accounting Department to request payment for an unauthorized stay on February 18, 2001 from Dorothy Gasco at the Holiday Inn.

Vote: 5Yes 0 No 0Abstained 2Absent (**Chingwa, Law**)

Motion Carried

Secretary, Susan Wysocki leaves at 5:13 pm.

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to postpone the request to submit the grant application for Child Care and Development Fund until July 8, 2001.

Vote: 4Yes 0 No 0Abstained 3Absent (**Chingwa, Law, Wysocki**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to approve the purchase of the cultural object in the amount of \$350.00 to come from the Enterprise Budget cultural line item.

Vote: 4Yes 0 No 0Abstained 3Absent (**Chingwa, Law, Wysocki**)

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Bentley** to allow our Vice Chairman, George Anthony to sign the General Services Lease Agreement between the Little Traverse Bay Bands and the State of Michigan, Family Independence Agency for space at 911 Spring St.

Vote: 4Yes 0 No 0Abstained 3Absent (**Chingwa, Law, Wysocki**)

Motion Carried

Recess: 5:25 p.m., **Reconvene:** 5:32 p.m.

Public Comment opens at 5:32 p.m.-no public comment.

Public Comment closed at 5:33 p.m.

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to go into Executive Session at 5:34 p.m.

Vote: 4Yes 0 No 0Abstained 3Absent (**Chingwa, Law, Wysocki**)

Motion Carried

Motion made by **Councilor Bentley** and **Supported** by **Councilor Shomin** to go out of Executive Session at 6:14 p.m.

Vote: 4Yes 0 No 0Abstained 3Absent (**Chingwa, Law, Wysocki**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to approve stipend and mileage for Tribal Council to attend Enrollment Work Session on July 2, 2001.

Vote: 4Yes 0 No 0Abstained 3Absent (**Chingwa, Law, Wysocki**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to authorize Vice Chairman George Anthony to pursue civil charges for recovery of all Adult Vocational Training funds.

Vote: 4Yes 0 No 0Abstained 3Absent (**Chingwa, Law, Wysocki**)

Motion Carried

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Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to authorize Vice Chairman, George Anthony in the absence of chairman Chingwa, to set up a meeting with Gerald Parish and the Criminal Investigator of the Bureau of Indian Affairs.

Vote: 4Yes 0 No 0Abstained 3Absent (**Chingwa, Law, Wysocki**)

Motion Carried

Motion made by **Councilor Bentley** and **Supported** by **Councilor Yellowbank** to adjourn at 6:30 p.m.

Vote: 4Yes 0 No 0Abstained 3Absent (**Chingwa, Law, Wysocki**)

Motion Carried

These Minutes have been read and approved as written:

Approved:

Susan Wysocki, Tribal Council Secretary

Date

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