

1 The Little Traverse Bay Bands of Odawa Indians
2 Tribal Council
3 March 2, 2003
4 Tribal Court Room 7500 Odawa Circle
5 Smudging 9:15 a.m.
6 9:30 a.m.
7

8 Executive Session: yes

9 Call to Order: Meeting was called to order at 9:35 a.m.

10 Council Present: Chairman Gerald V. Chingwa, Vice-Chairman George Anthony,
11 Secretary Beatrice A. Law, Treasurer Alice Yellowbank, Councilor Rita Shananaquet,
12 Councilor Fred Harrington, Jr.

13
14 Council Absent: Councilor Janet Shomin

15 Staff Present: See Attached list

16 Guests: See attached list
17

18
19 Motion made by Vice-Chairman George Anthony and supported by Councilor Fred
20 Harrington, Jr., to approve the agenda for March 2, 2003.

21 Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

22 Motion carried
23

24 9:40 a.m. Councilor Janet Shomin arrives.
25

26 Motion made by Treasurer Alice Yellowbank and supported by Councilor Fred
27 Harrington, Jr., to approve the minutes of February 16, 2003 as corrected.

28 Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

29 Motion carried
30

31 Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice
32 Yellowbank to approve the Tribal Administrator's report.

33 Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet) 0 Abstained

34 Motion carried
35

36 Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairman
37 George Anthony to direct the Chairman to write to the Gaylord Diocese of the Catholic
38 Church informing them of our opposition to any developer of St. Solanus Church
39 property near Magnus Park in Petoskey, Michigan, and inform them that if they wish to
40 sell that property, we want to purchase it to preserve the graves of our ancestors.

41 Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

42 Motion carried
43

44 Motion made by Secretary Beatrice A. Law and supported by Vice-Chairman George
45 Anthony to approve sending a letter to Island Hoppers Charter Co., located on Beaver
46 Island stating the Tribe's opposition with the proposed tours promoted on the website
47 <http://islandhopper.beaverisland.net/destinations.htm> and authorize the Tribal Chairman
48 to sign.

49 Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

50 Motion carried
51

1 Motion made by Councilor Janet Shomin and supported by Councilor Rita Shananaquet
2 to continue the search for a Senior Accountant and Tribal Council shall receive and
3 review all applications in preparation for interviews.

4 Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

5 Motion carried

6
7 Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Beatrice A.
8 Law to accept the Tribal Chairman's verbal report with copies of all attachments.

9 Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

10 Motion carried

11
12 Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairman
13 George Anthony to adopt the Federal Minimum Internal Control Standards 25 CFR 542
14 as the Tribal Internal Control Standards with no additions, and with omissions for items
15 that are not applicable to our Gaming Enterprise.

16 Vote: 5 Yes, 2 No, (Secretary Beatrice A. Law, Treasurer Alice Yellowbank) 0 Absent, 0
17 Abstained

18 Motion carried

19
20 Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Beatrice A.
21 Law to direct the Gaming Regulatory to cease writing violations for actions not covered
22 in the Minimum Internal Control Standards and to separate the activities of the
23 Compliance and Surveillance Departments and use Surveillance for loss control
24 exclusively, and further that the Surveillance Department while they shall reply to all
25 Compliance Department requests for tapes and other information shall not comply with
26 requests that interfere with loss control as their primary function.

27 Vote: 6 Yes, 1 No (Treasurer Alice Yellowbank), 0 Absent, 0 Abstained

28 Motion carried

29
30 Motion made by Councilor Janet Shomin and supported by Councilor Rita Shananaquet
31 to approve the revenue allocation for 2003 with Government Operations 43%, Economic
32 Development 10%, General Welfare 25%, Distributions 20%, Donations 2%.

33 Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

34 Motion carried

35
36 Motion made by Councilor Janet Shomin and supported by Councilor Rita Shananaquet
37 to approve sponsorship for the Midwest Alliance of Sovereign Tribes, MAST Impact
38 week in the amount of \$1800 to come from the Enterprise Budget line item 9950-00-
39 5560.

40 Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

41 Motion carried

42
43 Motion made by Councilor Rita Shananaquet and supported by Councilor Janet Shomin
44 to over ride the decision of Gaming Regulatory Commission to revoke the gaming
45 license of Mr. Barry Crowell. This motion is based on the Gaming Regulatory's denial of
46 Mr. Crowell's right to due process, re-instatement to be made effective immediately.

47 Vote: 4 Yes, 3 No (Treasurer Alice Yellowbank, Councilor Fred Harrington, Jr., Secretary
48 Beatrice A. Law), 0 Absent, 0 Abstained

49 Motion carried

50
51 12:12 p.m. public comment opened: Rosemary Knapp, Ken Harrington

52 12:15 p.m. lunch recess until 1:45 p.m.

1 1:52 p.m. meeting reconvened

2

3 Motion made by Secretary Beatrice A. Law and supported by Treasurer Alice
4 Yellowbank to have a special work session for Tribal Council only on April 25th at 10:00
5 a.m. and with Gaming Administration Commission at 1:30 p.m.

6 Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Absent, 0 Abstained

7 Motion carried

8

9 Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice
10 Yellowbank to re-hire with back pay and benefits all Tribal Members who have been
11 denied due process in their termination.

12 Vote: 2 Yes, 4 No (Councilor Janet Shomin, Council Rita Shananaquet, Vice-Chairman
13 George Anthony, Chairman Gerald V. Chingwa), 0 Absent, 1 Abstained (Councilor Fred
14 Harrington, Jr.)

15 Motion failed

16

17 Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George
18 Anthony to approve the 2003 Financial Budgets for Victories Casino and Hotel as
19 presented by Ron Olson, General Manager.

20 Vote: 6 Yes, 1 No (Councilor Fred Harrington, Jr.), 0 Absent, 0 Abstained

21 Motion carried

22

23 Motion made by Councilor Janet Shomin and supported by Treasurer Alice Yellowbank
24 to support the Small Grant request from Miss Odawa Wa'Sinade Raphael in the amount
25 of \$1300 for her participation at the Gathering of Nations Pow Wow held in Albuquerque
26 New Mexico to come from the Small Grants Enterprise Fund account 9950-00-5555.

27 Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

28 Motion carried

29

30 Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairman
31 George Anthony to approve Enrollment list "A" Eligible for Membership dated February
32 20, 2003.

33 Vote: 5 Yes, 2 No (Chairman Gerald V. Chingwa Councilor Rita Shananaquet, Absent, 0
34 Abstained

35 Motion carried

36

37 Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice
38 Yellowbank to approve enrollment list "B" Declination Ineligible dated February 20, 2003.

39 Vote: 5 Yes, 2 No (Chairman Gerald V. Chingwa Councilor Rita Shananaquet,) 0
40 Absent, 0 Abstained

41 Motion carried

42

43 Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairman
44 George Anthony to approve enrollment list "C" In-eligible Lack of Documentation dated
45 February 20, 2003

46 Vote: 3 Yes, 4 No (Councilor Fred Harrington, Jr., Councilor Janet Shomin, Councilor
47 Rita Shananaquet, Chairman Gerald V. Chingwa), 0 Absent, 0 Abstained

48 Motion failed

49

50 Motion made by Councilor Rita Shananaquet and supported by Secretary Beatrice A.
51 Law to place on the Legislative agenda, the Economic Development Commission
52 Statute change request.

1 Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
2 Motion carried
3
4 Motion made by Councilor Janet Shomin and supported by Secretary Beatrice A. Law to
5 postpone any action on the proposed policy change for Contract Health pending
6 Commission response to it and any other considerations that the Tribal Administrator
7 might have.
8 Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
9 Motion carried
10
11 Motion made by Councilor Janet Shomin and supported by Secretary Beatrice A. Law
12 to approve the Donations and Contributions Policy as corrected.
13 Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
14 Motion carried
15
16 Motion made by Councilor Janet Shomin and supported by Vice-Chairman George
17 Anthony to approve the Tribal Property Disposition Policy.
18 Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
19 Motion carried
20
21 Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Beatrice A.
22 Law to declare Article VIII of the Constitution guarantees the Rights of Tribal Members to
23 engage in political activity including signature gathering, on Tribally owned lands outside
24 of Tribal buildings.
25 Vote: 6 Yes, 1 No (Councilor Janet Shomin), 0 Absent, 0 Abstained
26 Motion carried
27
28 3:38 p.m. public comment opened: Ken Harrington, Bea Law, Rosemary Knapp
29 3:42 p.m. public comment closed
30 3:43 p.m. recess called
31 3:45 p.m. meeting reconvened
32
33 3:46 p.m. Motion made by Vice-Chairman George Anthony and supported by Councilor
34 Janet Shomin to go into closed session.
35 Vote: 6 Yes, 1 No (Councilor Fred Harrington, Jr.), 0 Absent, 0 Abstained
36 Motion carried
37
38 Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Janet
39 Shomin to go out of closed session.
40 Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
41 Motion carried
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43 4:00 p.m. Motion made by Vice-Chairman George Anthony and supported by Councilor
44 Fred Harrington, Jr., to adjourn.
45 Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
46 Motion carried
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1 These Minutes have been read and approved as written:
2 Approved:

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7

Beatrice A. Law, Tribal Secretary

Date