

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
November 6, 2005
Tribal Court Room 7500 Odawa Circle
Smudging 8:45 a.m.

Executive Session: no

Call to Order: Meeting was called to order at 9:04 a.m.

Council Present: Legislative Leader Beatrice A. Law, Secretary Melvin L. Kiogima, Treasurer Shirley Oldman, Councilor Dexter McNamara, Councilor Alice Yellowbank, Councilor Rita Shananaquet, Councilor Mary Roberts, Councilor Regina Gasco Bentley, Councilor Fred Harrington, Jr.

Absent: none

Executive Office Present: Tribal Chairman Frank Ettawageshik, Vice-Chairman William Denemy

Legal Staff Present: Matthew Lesky - Legal Department

Staff Present: Michele LaCount - Legislative Office Manager, Valerie Tweedie-Chief Financial Officer, Heidi Yaple - Grant Writer, Albert Colby, Jr - Tribal Administrator

Commission, Boards and Committees: Denise Petoskey-Election Board Chairperson, Catherine Laba - Education Commission Chairperson, Cheryl Kishigo - Economic Development Commission Chairperson

Guests: Eleanor Barber, Joe Medicine, John Keshick

Opening Ceremony: Alice Yellowbank

Motion made by Councilor McNamara and supported by Councilor Gasco Bentley to adopt the agenda for November 6, 2005.

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

Motion Carried

Motion made by Councilor Yellowbank and supported by Councilor McNamara to approve the minutes of October 23, 2005 as presented.

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

Motion Carried

Motion made by Councilor McNamara and supported by Councilor Yellowbank to ratify the Phone Poll of October 31, 2005, the reason for the Phone Poll was to adopt Resolution # 103105-01 "Authorizing Sale of Notes and Related Action," replacing Resolution # 102005-01 "Authorizing Sale of Notes and Related

Actions” in order to increase the approval of the issuance. The Phone Poll passed.

Vote: 6 Yes, 1 No (Councilor Harrington), 2 Abstained (Treasurer Oldman, Councilor Roberts) 0 Absent

Motion Carried

Motion made by Councilor Shananaquet and supported by Secretary Kiogima to accept the Legal Department’s report for November 6, 2005.

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

Motion Carried

Motion made by Councilor Shananaquet and supported by Councilor Yellowbank to approve Tribal Council attending the special work session November 18, 2005 for the Enrollment Statute with the Enrollment Department Director and Enrollment Commission, also in the afternoon to meet with the Gaming Board of Directors, and to approve a work session with Higher Education Director and Education Commission on Dec 2, 2005.

Vote: 8 Yes, 1 No (Secretary Kiogima), 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Gasco Bentley and supported by Councilor Roberts to approve Enrollment List A - Eligible for Membership dated October 19, 2005.

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

Motion made by Councilor Gasco Bentley and supported by Councilor Shananaquet to approve Enrollment List B - Declination In-Eligible for Membership dated October 19, 2005.

Vote: 7 Yes, 2 No (Councilor Harrington, Councilor McNamara), 0 Abstained, 0 Absent

Motion Carried

Motion made by Treasurer Oldman and supported by Secretary Kiogima to approve the Tribal Council 2007 Draft Budget # 2000-01 in the amount of \$292,100, and # 1101-00 in the amount of \$305,100.

Vote: 8 Yes, 1 No (Councilor Harrington), 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Yellowbank and supported by Councilor Gasco Bentley to accept the report from Valerie Tweedie, Chief Financial Officer, regarding financing the new casino hotel project.

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

Motion Carried

10.10 a.m. recess called

10:15 a.m. meeting reconvened

Motion made by Treasurer Oldman and supported by Councilor Gasco Bentley to accept the report from the Tribal Court as presented today, November 6, 2005 from Dawn Shenoskey, Court Administrator.

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

Motion Carried

11:45 a.m. Public Comment opened: no comments

11:46 a.m. Public Comment closed

11:57 a.m. Lunch recess called

1:34 p.m. meeting reconvened

Motion made by Councilor Shananaquet and supported by Councilor Yellowbank to accept the Election Board's Quarterly report for November 6, 2005 presented by Denise Petoskey, Chairperson.

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

Motion Carried

2:52 p.m. Recess called

3:00 p.m. Meeting reconvened

Motion made by Councilor Yellowbank and supported by Councilor Harrington to accept the Executive's report presented by the Tribal Chairman, Frank Ettawageshik this date November 6, 2005.

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

Motion Carried

4:02 p.m. Public Comment opened: Catherine Laba

4:03 p.m. Public Comment closed

Motion made by Councilor McNamara and supported by Councilor Shananaquet to adopt Resolution # 110605-01 Approval of Tribal Environmental Agreement with the United States Environmental Protection Agency for Fiscal Year 2006-2008.

Roll Call Vote: Councilor Harrington-yes Councilor Gasco Bentley-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Councilor McNamara-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes

Motion Carried

4:36 p.m. Recess called

4:51 p.m. Meeting reconvened

Motion made by Councilor Harrington and supported by Councilor Shananaquet to adopt Resolution # 110605-021 Recognition of the Bay Mills Community College NISHNAABEMWIN LANGUAGE INSTITUTE.

Roll Call Vote: Councilor McNamara -yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor Roberts-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes
Motion Carried

Motion made by Councilor McNamara and supported by Councilor Yellowbank to adopt Resolution # 110605-03 Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, Little Traverse Bay Bands of Odawa Indians, FY2006 Fish Hatchery Maintenance Project.
Roll Call Vote: Councilor Harrington-yes, Councilor Gasco Bentley-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Councilor McNamara-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes
Motion Carried

Motion made by Councilor McNamara and supported by Councilor Roberts to adopt resolution # 110605-04 Funding Renewal from the U.S. Department of Health and Human Services Indian Health Service Little Traverse Bay Bands of Odawa Indians 2006 Annual Funding Agreement.
Roll Call Vote: Councilor Harrington-yes, Councilor Gasco Bentley-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Councilor McNamara-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes
Motion Carried

Motion made by Councilor Yellowbank and supported by Councilor McNamara to adopt Resolution # 110605-05 Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, Little Traverse Bay Bands of Odawa Indians, FY2006 Circle of Flight Project.
Roll Call Vote: Councilor Harrington-yes, Councilor Gasco Bentley-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Councilor McNamara-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes
Motion Carried

Motion made by Councilor Shananaquet and supported Councilor Gasco Bentley to adopt Resolution # 110605-06 Request for Funding from the U.S. Environmental Protection Agency, Under Section 105 and Section 103 Authority of the Clean Air Act, Tribal Air Grant Initiative, FY 2006 Region 5 Tribal Air Grants, Little Traverse Bay Bands of Odawa Indians, Clean Air Act Program.
Roll Call Vote: Councilor Harrington-yes, Councilor Gasco Bentley-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Councilor McNamara-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes
Motion Carried

Motion made by Councilor Shananaquet and supported by Councilor Gasco Bentley to accept the resignation of James Pontiac from the Natural Resource Commission, and to declare the seat vacant, effective immediately.

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

Motion Carried

Motion made by Councilor McNamara and supported by Councilor Gasco Bentley to rescind the previous motion on October 23rd made by Secretary Kiogima and supported by Councilor Shananaquet to establish the work hours of the Tribal Council work sessions and Tribal Council meetings to commence no later than 9:00 a.m., and adjourn no later than 5:00 p.m. unless scheduled matters have been addressed. The time frame would include 1 ½ hours for lunch.

Vote: 6 Yes, 3 No (Secretary Kiogima, Treasurer Oldman, Councilor Shananaquet) 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Harrington and supported by Councilor Gasco Bentley to accept the Legislative Leader's verbal report for November 6, 2005.

Vote: 8 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Yellowbank)

Motion Carried

5:38 p.m. Motion made by Councilor Shananaquet and supported by Treasurer Oldman to adjourn.

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

Motion Carried

These Minutes have been read and approved as written:

Approved:

Melvin L. Kiogima, Tribal Secretary

Date