

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
December 21, 2008

Closed Session: none

Call to Order: Meeting was called to order at: 9:45 a.m.

Opening Ceremony: Dexter McNamara

Council Present: Legislative Leader Beatrice A. Law, Secretary Regina Gasco Bentley, Treasurer Gerald Chingwa, Councilor Dexter McNamara, Councilor Alice Yellowbank, Councilor Melvin L. Kiogima, Councilor Fred Harrington, Jr., Councilor Marvin Mulholland

Absent: Councilor Shirley Oldman

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chairman Frank Ettawageshik

Guests: Sheran Patton, Fred Kiogima, Roger Emery, Judy Pierzynowski

Motion made by Councilor McNamara and supported by Councilor Yellowbank to adopt the agenda for December 21, 2008 with additions.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Councilor Yellowbank and supported by Councilor Kiogima to approve the minutes of December 7, 2008 with one addition.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Elder Comments: Alice Yellowbank spoke in support of the Winter Solstice Party.

Motion made by Councilor Mulholland and supported by Councilor Yellowbank to appoint Matt Lesky to the position of Little Traverse Bay Bands of Odawa Indians Tribal Prosecutor for a 3-year term beginning on or about January 8, 2009 after being sworn in.

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

Motion carried.

10:44 a.m. Recess called.

10:56 a.m. Meeting Reconvened.

Elder Housing Issues were discussed with regard to mechanical safety issues.

Motion made by Councilor Yellowbank and supported by Secretary Gasco Bentley to acknowledge the receipt of the draft budgets for 2010 from the Executive Branch, the Tribal Court, the Prosecutor Office, the Election Board, and the Legislative Office for Tribal Council and the 2009 Gaming Board of Directors budget.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Councilor McNamara and supported by Councilor Mulholland to accept the Legislative Leader's verbal and written report as presented with confidential items contained therein.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Discussion only, regarding interim suspension of Tribal Citizens distribution of Per Cap for FY 2009. No action was taken at this time.

11:45 a.m. Public Comment opened: Roger Emery spoke with regard to Tribal Council suspending additional meeting and travel stipends for 2009. Andrew Stich spoke with regard to the Prosecutor vote.

11:57 a.m. Public Comment closed.

12:05 p.m. Councilor Oldman arrived.

Motion made by Treasurer Chingwa and supported by Secretary Gasco Bentley to pass the Gaming Board of Directors FY 2009 Budget at \$101,305.00 including the suspension on the National Indian Gaming Association Annual Membership dues in the amount of \$15,000 from the Gaming Board of Directors budget.

Vote: 5 - Yes, 1 - No (Councilor Mulholland), 3 – Abstained (Councilor Kiogima, Councilor Yellowbank, Councilor Oldman), 0 - Absent

Motion carried.

12:59 p.m. Lunch recess called.

2:30 p.m. Meeting Reconvened.

Motion made by Councilor McNamara and supported by Councilor Oldman to accept the Treasurer's verbal report for December 21, 2008.

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

Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Oldman to accept the Land and Reservation Chairperson Kiogima verbal report for December 21, 2008.

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

Motion carried.

Motion made by Councilor McNamara and supported by Councilor Kiogima to accept the Legislative Services Attorney Budnick verbal and written report for December 21, 2008.

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

Motion carried.

3:29 p.m. Public Comment opened: no comments.

3:29 p.m. Public Comment closed.

Motion made by Secretary Gasco Bentley to approve the Commissions, Boards and Committees Stipend and Compensation Policy.

Motion Withdrawn.

Motion made by Councilor Harrington, Jr., and supported by Councilor Mulholland to declare that the Odawa Casino Resort has an outstanding balance owed to the Tribe as of September 30, 2008 in the amount of at least \$6,550,718.50; and is required to retire these debts to the Tribal Government in full.

Above, motion on hold in consideration of recess.

4:10 p.m. Recess called.

4:20 p.m. Meeting reconvened.

Above motion continues.

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

Motion carried.

Motion made by Treasurer Chingwa and supported by Secretary Gasco Bentley to post the Sex Offender Registry draft Statute on the Legislative Calendar under Draft Work Products.

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

Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Mulholland to post the Sex Offense draft Statute on the Legislative Calendar under Draft Work Products.

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

Motion carried.

Motion made by Councilor McNamara and supported by Treasurer Chingwa to post the Amendment to the Health Commission draft Statute to the Legislative Calendar under Draft Work Products.

Vote: 8 - Yes, 1 – No (Councilor Kiogima), 0 - Abstained, 0- Absent

Motion carried.

Motion made by Councilor McNamara and supported by Treasurer Chingwa to post the Gaming Management draft Statute on the Legislative Calendar under Draft Work Products.

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

Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor McNamara to post the Gaming Management Chartered Corporation to Draft Work Products.

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

Motion carried.

Motion made by Treasurer Chingwa and supported by Secretary Gasco Bentley to post the Economic Development Management draft Statute on the Legislative Calendar under Draft Work Products.

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

Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor McNamara to post the Economic Development Management Chartered Corporation to Draft Work Products.

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

Motion carried.

4:40 p.m. Motion made by Councilor Harrington, Jr., and supported by Treasurer Chingwa to adjourn.

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

Motion carried.

These Minutes have been read and approved as corrected.

Regina Gasco Bentley, Tribal Council Secretary

Date