

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
April 25, 2010

Closed Session: yes

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

Opening Ceremony: Melvin L. Kiogima

Council Present: Legislative Leader Julie Shananaquet, Secretary Regina Gasco Bentley, Treasurer John Bott, Councilor Belinda Bardwell, Councilor Aaron Otto, Councilor Marvin Mulholland, Councilor Melvin L. Kiogima, Councilor Rita Shananaquet

Absent: Councilor Gerald Chingwa

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

Executive Officials and Staff Present: General Counsel James Bransky, Interim Chief Financial Officer Cheryl Kishigo-Lesky, Vice-Chairman Dexter McNamara, Gaming Board of Directors: Carol McFall, Sheran Patton, Judy Pierzynowski, Casino: Barry Laughlin, Mike Bodjiak, Tribal Chairman Ken Harrington

Guests: Sarah VanDeCar, Rose Smalley, John Liebgott, Christine Shomin, Bill Denemy, Sr., Cynthia Brouckaert, Kim Knoppe, Cathi Rotan, Bea Law

Motion made by Councilor Bardwell and supported by Treasurer Bott to adopt the agenda for April 25, 2010 with additions.

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

Motion carried.

9:15 a.m. Councilor Chingwa arrived.

Motion made by Councilor Bardwell and supported by Treasurer Bott to approve the minutes of April 11, 2010 as presented.

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

Motion carried.

Motion made by Councilor Kiogima and supported by Treasurer Bott to approve the minutes of April 24, 2010 with corrections.

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

Motion carried.

Motion made by Councilor Otto and supported by Councilor Bardwell to ratify into the record the phone poll dated April 19, 2010 "To approve the "Action Item"

contained within the Confidential Memo 041910-01 for confidential business matters-Casino as presented to Tribal Council from Legislative Services Attorney Budnick, to meet an immediate deadline." The phone poll passed 8 - yes, 0 - no, 1 – abstained (Treasurer Bott), 0 - absent.

Vote: 8 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 0 - Absent

Motion carried.

Elder Comments: Rose Smalley spoke regarding the removal of an Election Board member and request of Tribal Council to investigate. Rose also spoke regarding the Election Board not having correct address changes.

Motion made by Treasurer Bott and supported by Councilor Kiogima to accept Legislative Leader Julie Shananaquet's verbal and written report with confidential items contained therein.

Vote: 8 - Yes, 0 - No, - Abstained, 1 - Absent (Councilor R. Shananaquet)

Motion carried.

9:50 a.m. Recess called.

10:00 a.m. Meeting reconvened.

10:01 a.m. Motion made by Councilor Bardwell and supported by Councilor Kiogima to go into closed session for confidential business matters-casino.

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

Motion carried.

11:24 a.m. Motion made by Councilor Mulholland and supported by Councilor Bardwell to return to open session.

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

Motion carried.

11:24 a.m. Recess called.

11:35 a.m. Meeting reconvened.

Motion made by Councilor Bardwell and supported by Councilor Mulholland to accept Treasurer Bott's verbal and written Tribal Treasurer and Appropriations and Finance Committee report for April 25, 2010.

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

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Chingwa to amend the Gaming Board of Directors FY 2009 Budget to include an additional amount of \$20,000 for incurred expenses.

Vote: 8 - Yes, 1 – No (Councilor R. Shananaquet), 0 - Abstained, 0 - Absent

Motion carried.

11:50 a.m. Public Comment opened: no comments.

11:51 a.m. Public Comment closed.

Motion made by Councilor Bardwell and supported by Councilor Mulholland to accept the Land and Reservation Committee report as presented by Committee Chairperson Melvin L. Kiogima.

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

Motion carried.

12:15 p.m. Lunch recess called.

1:46 p.m. Meeting reconvened.

Motion made by Treasurer Bott and supported by Councilor Kiogima to accept Councilor Belinda Bardwell's travel reports regarding National Indian Gaming Association and Anishinaabemowin Teg Conferences.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Kiogima to accept Legislative Services Attorney Budnick's verbal and written report for April 25, 2010.

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

Motion carried.

2:01 p.m. Motion made by Councilor Kiogima and supported by Councilor Otto to go into closed session for confidential business matters-casino.

Vote: 8 - Yes, 0 - No, 1 - Abstained (Treasurer Bott), 0 - Absent

Motion carried.

3:07 p.m. Motion made by Treasurer Bott and supported by Councilor Otto to return to open session.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Mulholland, Councilor Bardwell, Councilor Otto)

Motion carried.

3:08 p.m. Public Comment opened: Bea Law spoke regarding the Petoskey News Review release of recall petitions placed in the Petoskey News Review. Sarah VanDeCar also spoke regarding the Petoskey News Review release of recall petitions and the Tribal News Letter's ability to not be political so other avenues are being sought by Tribal Citizens. Cathy Rotan cautioned inviting the Petoskey News Review into Tribal business.

3:18 p.m. Public Comment closed.

3:19 p.m. Recess called.

3:29 p.m. Meeting reconvened.

3:30 p.m. Motion made by Councilor Bardwell and supported by Councilor R. Shananaquet to go into closed session for confidential business matters casino.

Vote: 8 - Yes, 0 - No, 1 - Abstained (Treasurer Bott), 0 - Absent

Motion carried.

4:01 p.m. Motion made by Councilor Mulholland and supported by Councilor Chingwa to return to open session.

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

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Mulholland to accept Tribal Chairman Ken Harrington's verbal and written report for April 25, 2010 with confidential items contained therein.

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

Motion carried.

Motion made by Councilor Chingwa and supported by Treasurer Bott to Request for Funding from the United States Department of Justice, Coordinated Tribal Assistance Solicitation Little Traverse Bay Bands of Odawa Indians FY 2010 CTAS Grant, with certification on file in the Legislative Office.

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

Motion carried.

Motion made by Councilor Chingwa and supported by Treasurer Bott to Request for Funding from the United States Environmental Protection Agency, Little Traverse Bay Bands of Odawa Indians, Performance Partnership Grant with certification on file in the Legislative Office.

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

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Bardwell to Request for Funding from the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration Little Traverse Bay Bands of Odawa Indians Targeted Capacity Expansion – Technology Assisted Care (TCE-TAC) Grant, with certification on file in the Legislative Office.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to approve Enrollment List A - Eligible for Citizenship dated March 25, 2010 for a total of 11.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to acknowledge enrollment List C - Voluntary Relinquishment dated April 14, 2010 for a total of 1.

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

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Mulholland to adopt Tribal Resolution: Authorization for Standard Construction and Design Contracts.

Roll call vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-no, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes

Motion carried.

Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to reimburse travel expenses at standard governmental rate incurred by financial consultants Frank King and David Tuvlin of Stuyvesant Square Advisors, Inc. for their attendance at Tribal Council's Special meeting, April 24, 2010 to come from the Legislative Budget consultant line-item.

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

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Chingwa to approve the filing of lawsuits in the name of the Tribe on behalf of the Odawa Casino Resort against Gold Shield Shuttle Service.

Vote: 8 - Yes, 0 - No, 1 - Abstained (Treasurer Bott), 0 - Absent

Motion carried.

Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to approve the "Action Item" as outlined in Confidential Memo 042510-01 as submitted by Legislative Services Attorney Budnick concerning confidential business matters-casino.

Vote: 8 - Yes, 0 - No, 1 - Abstained (Treasurer Bott), 0 - Absent

Motion carried.

Motion made by Councilor Kiogima and supported by Councilor R. Shananaquet to table Vetoed Statute Waganakising Odawak Statute #2010-002 Health Department & #2010-003 Tribal Treasurer Responsibilities to the next agenda.

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

Motion carried.

5:32 p.m. Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to adjourn.

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

All Draft Work Products were tabled.

These Minutes have been read and approved as corrected:

Regina Gasco Bentley, Tribal Council Secretary

5-2-10

Date