

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
June 6, 2010

Closed Session: yes

Call to Order: Meeting was called to order at: 9:03 a.m.

Opening Ceremony: Melvin L. Kiogima

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

Absent: Councilor Rita Shananaquet

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

Executive Officials and Staff Present: Tribal Chairman Ken Harrington, Communications Director Annette VanDeCar, Gaming Board of Directors: Secretary/Treasurer Sheran Patton, General Manager David Wolfe

Guests: Rose Smalley, Sara VanDeCar, Marcia Sutton, Bill Denemy, Marie (Tootsie) Keshick, Dolores Thomas

Motion made by Legislative Leader J. Shananaquet and supported by Secretary Gasco Bentley to adopt the agenda for June 6, 2010 with changes.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Legislative Leader J. Shananaquet to approve the minutes of May 16, 2010 with corrections.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Otto to approve the minutes of May 27, 2010 with corrections.

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

Motion carried.

Motion made by Legislative Leader J. Shananaquet and supported by Secretary Gasco Bentley to approve the minutes of June 5, 2010 with corrections.

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

Motion carried.

9:34 a.m. Elder Comment: Rose Smalley spoke regarding the tracking of the Gaming Board of Directors budget to the Tribal Government. Rose also spoke regarding the Gaming Board of Director investigation. Marie Keshick (Tootsie) spoke regarding the Elder's Dental Program Resolution Regulations. Tootsie also spoke regarding lack of transportation for Elders with regard to health care. Sarah VanDeCar spoke in support of Tootsie and the Dental Program.

Motion made by Secretary Gasco Bentley and supported by Treasurer Bott to accept the Legislative Leader J. Shananaquet's verbal and written report for June 6, 2010.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Mulholland to approve the term sheet and Counterproposal as reflected within the Term Sheet Proposal to LTBBOI Forbearing Note holders, dated June 5, 2010, as submitted by Oppenheimer and authorize Oppenheimer for submission of same to bondholders.

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

Motion carried.

Discussion: Odawa Trails Department Director spoke regarding the needs of the newspaper.

10:55 a.m. Recess called.

11:04 a.m. Meeting reconvened.

Motion made by Councilor Mulholland and supported by Councilor Kiogima to accept Tribal Treasurer Bott's written report regarding the Appropriations and Finance Committee meeting held on June 5, 2010.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell to adopt Tribal Resolution MCEA Supplemental Funding Appropriation of \$225,000 to Fund Current Scholarship Levels and Rates for FY 2010 from Prior Year Funds.

Roll call votes: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-absent, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader J. Shananaquet-yes.

Motion carried.

Motion made by Councilor Mulholland and supported by Councilor Kiogima to approve Tribal Resolution Approval of Lease with Berg Property for Natural Resources Hunting and Gathering and Appropriate \$8,000 from Prior Period Funds.

Roll call votes: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-absent, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader J. Shananaquet-yes.

Motion carried.

Motion made by Councilor Chingwa and supported by Treasurer Bott to accept Land and Reservation Committee Chairperson Kiogima's verbal and written report for June 6, 2010.

Vote: 8 - yes, 0 - no, 0 - abstained, 1 - absent (Councilor R. Shananaquet)

Motion carried.

Motion made by Legislative Leader J. Shananaquet and supported by Secretary Gasco Bentley to approve the letter to attorney Jack Turner of Turner Hilal regarding a request for an easement at the Second Street property and authorize the Land and Reservation Chair to send same.

Vote: 8 - yes, 0 - no, 0 - abstained, 1 - absent (Councilor R. Shananaquet)

Motion carried.

11:48 a.m. Public Comment opened: Bill Denemy spoke regarding the Elder's Dental Funding Resolution and the Odawa Newsletter ability to use first class mail.

11:50 a.m. Public Comment closed.

Motion made by Councilor Otto and supported by Treasurer Bott to accept Councilor Mulholland's verbal and written report regarding his meeting attendance at the Sex Offender Registration and Notification Act (SORNA) meeting.

Vote: 8 - yes, 0 - no, 0 - abstained, 1 - absent (Councilor R. Shananaquet)

Motion carried.

12:01 p.m. Lunch recess called.

1:30 p.m. Meeting resumed. Councilor R. Shananaquet arrived.

Motion made by Secretary Gasco Bentley and supported by Councilor Otto to accept Legislative Services Attorney Budnick's verbal and written report for June 6, 2010.

Vote: 9 - yes, 0 - no, 0 - abstained, 0 - absent

Motion carried.

1:38 p.m. Motion made by Councilor Otto and supported by Secretary Gasco Bentley to go into closed session for confidential business matters-casino.

Vote: 7 - yes, 0 - no, 1 - abstained (Treasurer Bott), 1 - absent (Councilor Bardwell)

Motion carried.

1:59 p.m. Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell to return to open session.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

2:01 p.m. Recess called.
2:07 p.m. Meeting reconvened.

Motion made by Councilor R. Shananaquet and supported by Secretary Gasco Bentley to acknowledge the receipt of Tribal Chairman Harrington's verbal and written report for June 6, 2010 with confidential items contained therein.

Vote: 9 - yes, 0 - no, 0 - abstained, 0 - absent
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Secretary Gasco Bentley to approve: Inter-Tribal Councilor of Michigan, Inc. Application for Funding: U.S. Department of Health and Human Services Office of Community Services Low Income Energy Assistance Program.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Secretary Gasco Bentley to approve: Request for Funding from U.S. Department of Health and Human Services Administration for Children and Families, Administration on Children, Youth and Families, Little Traverse Bay Bands of Odawa Indians Child Care and Development Fund Program.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Secretary Gasco Bentley to approve: Request for Funding from the Seventh Generation Fund for Indian Development, Environmental Health and Justice Programs, Little Traverse Bay Bands of Odawa Indians Pharmaceutical and Over-the-Counter Drug Drop Off Project.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell to approve: Inter-Tribal Council of Michigan, Inc. Application for Funding: U.S. Department of Health and Human Services Office of Community Services Block Grant Emergency Assistance Program.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to approve: U.S. Department of Health and Human Services, Administration for Children and Families, Funding for Tribes under Title IV-B of the Social Security Act, Little Traverse Bay Bands of Odawa Indians FY 2011 Title IV-B Child Welfare Services Allotment.

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

Motion carried.

The Tribal Chairman provided an FYI regarding letter to Assistant Secretary of Indian Affairs, Larry Echohawk request for Chippewa Ottawa Resource Authority (CORA) Funding.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to approve Enrollment List A – Eligible for membership dated May 18, 2010 for a total of 16.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to acknowledge the receipt of Enrollment List C – Voluntary Relinquishment dated June 4, 2010 for a total of 1.

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

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Kiogima to approve the Disclosure of Public Documents Regulations REG-WOS 2009-025 052510-001.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Chingwa to override the Vetoed Health Department Statue.

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

Motion carried.

3:10 p.m. Public Comment opened: Sarah VanDeCar spoke in support for Tribal graduates.

3:12 p.m. Public Comment closed.

Motion made by Councilor Mulholland and supported by Secretary Gasco Bentley to adopt Tribal Resolution Funding for the Michigan Indian Family Olympics in the Amount of \$4700 from Prior Year Funds.

Roll call votes: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-absent, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader J. Shananaquet-yes.

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell to adopt Tribal Resolution: Repeals Tribal Resolution #092709-01; Establishment and Authority of the "Legislative/Executive Team"

Roll call votes: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes,

Councilor Otto-no, Treasurer Bott-abstain, Secretary Gasco Bentley-yes,
Legislative Leader J. Shananaquet-yes.
Motion carried.

Motion made by Councilor Chingwa and supported by Councilor Otto to approve
Waganaking Odawak Development, Inc. Corporate Charter.
Vote: 7 - Yes, 1 - No (Councilor R. Shananaquet), 1 – Abstained (Councilor
Chingwa), 0 - Absent
Motion carried.

3:38 p.m. Recess called.
3:50 p.m. Meeting reconvened.

5:01 p.m. Motion made by Councilor R. Shananaquet and supported by
Treasurer Bott to adjourn.
Vote: 9 - Yes, 0 – No, 0- Abstained, 0 – Absent
Motion carried.

Discussion regarding: Odawa Gaming Enterprise Management Draft Statute and
Corporate Charter.

These Minutes have been read and approved as written.

Regina Gasco Bentley, Tribal Council Secretary

6-27-10
Date