

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Court Room  
7500 Odawa Circle Harbor Springs, MI 49740  
May 16, 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, Councilor Belinda Bardwell, Councilor Aaron Otto, Councilor Marvin Mulholland, Councilor Melvin L. Kiogima  
Absent: Councilor Gerald Chingwa, 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, Vice-Chairman Dexter McNamara, General Counsel James Bransky, Assistant General Counsel Allie Greenleaf Maldonado, Interim Chief Financial Officer Cheryl Kishigo-Lesky , Gaming Board of Directors: Chairperson Carol McFall, Secretary/Treasurer Sheran Patton, Member Judy Pierzynowski, Office Manager Cathy Portman, Casino: Facility Operations Manager Director Barry Laughlin, Hospitality Director Mike Bodjiak, Marketing Director Phil Gonzales, Table Games Director Susan Foster, Slot Director Frank Kirsch

Guests: Rose Smalley, Sara VanDeCar, John Liebgott, Frank Bernard, Marcia Sutton, Collin Sutton, Angel Bernard, Andrew Stich, Dolores Thomas

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9:22 a.m. Councilor R. Shananaquet arrived.

9:24 a.m. Councilor Chingwa arrived.

Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to adopt the agenda with additions in honor of Paul Eames for May 16, 2010.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Kiogima to approve the minutes of May 2, 2010 as presented.

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 May 07, 2010 "To approve the confidential letter of engagement with Stuyvesant Square Advisors, Inc. as submitted by Legislative Services Attorney Budnick on May 7, 2010, with the expressed limited sovereign immunity waiver clause to meet an immediate deadline." The phone poll failed 4-yes, 4-no, 1-abstained, 0-absent.

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

Motion carried.

Motion made by Legislative Leader Julie Shananaquet and supported by Councilor Otto to ratify into the record the phone poll dated May 07, 2010 "To approve the Veto-Statement as submitted by Tribal Chairman Harrington on May 5, 2010 regarding Tribal Resolution 050210-03 be marked and classified as "confidential" for Attorney/Client purposes for immediate action." The phone poll passed 8-yes, 1-no, 0-abstained, 0-absent.

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

Motion carried.

Elder Comment: Rose Smalley spoke regarding changes to Governmental job postings and the Prosecutor hours and salary. Rose also read a letter regarding the judicial hours and salary as well as the Prosecutor hours and salary. Sarah VanDeCar spoke regarding the \$15,000 appropriated for the Elders dental program not paying out receipts. Sarah also spoke regarding the Elders program not having money to travel.

10:03 a.m. Motion made by Councilor R. Shananaquet and supported by Councilor Kiogima to go into closed session for Confidential Business Matters-Casino.

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

Motion carried.

On conference call: Oppenheimer: Eben Pierson, Johnson Bao, Tim Kincaid, Doug McDonald.

11:42 a.m. Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to return to open session.

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

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to accept the Legislative Leader's verbal and written report for May 16, 2010.

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

Motion carried.

11:44 a.m. Public Comment opened: no comments.

11:45 a.m. Public Comment closed.

11:58 a.m. Lunch recess called.  
1:30 p.m. Meeting resumed.

1:55 p.m. Motion made by Councilor Bardwell and supported by Councilor Mulholland to go into closed session for confidential business matters-casino.  
Vote: 8 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 0 - Absent  
Motion carried.

2:31 p.m. Motion made by Councilor R. Shananaquet and supported by Councilor Mulholland to return to open session.  
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent  
Motion carried.

2:34 p.m. Recess called.  
2:38 p.m. Meeting reconvened.

Motion made by Councilor Bardwell and supported by Councilor Chingwa to accept the Land and Reservation Committee update as presented by Councilor Kiogima Committee Chairperson.  
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor R. Shananaquet)  
Motion carried.

Motion made by Councilor Kiogima and supported by Secretary Gasco Bentley to maintain the current status quo regarding the legal status of the road through LTBB's Cross Village parcel and request the Executive through his administrative oversight to relay this position.  
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent  
Motion carried.

Motion made by Councilor Kiogima and supported by Secretary Gasco Bentley to post to the Legislative Calendar the Legal and Legislative Committee draft statute.  
Vote: 8 - Yes, 1 – No (Councilor R. Shananaquet), 0 - Abstained, 0 - Absent  
Motion carried.

3:00 p.m. Public Comment opened: Andrew Stich spoke regarding having the next Tribal Chief Judge a Tribal Member.  
3:02 p.m. Public Comment closed.

Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell to accept Tribal Chairman Harrington's verbal and written report for May 16, 2010 with confidential items contained therein.  
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent  
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to approve Enrollment List - A Eligible for Citizenship dated April 19, 2010 for a total 15.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to approve Enrollment List - B Declination Ineligible dated April 19, 2010 for a total of 1.

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 Enrollment List - C Voluntary Relinquishment dated May 7, 2010 for a total of 1.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to adopt Tribal Resolution Supplemental Funding Request in the Amount of \$20,000 to the Executive's Consultant line item.

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

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to accept Legislative Services Attorney Budnick's verbal and written report for May 16, 2010.

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

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Mulholland to post the Public Documents draft Statute to the Legislative Calendar.

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

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to approve the Michelle Chingwa Education Assistance Act Scholarship Regulations Amendment REG-WOS 2007-05 050710-008.

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

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell to adopt Tribal Resolution Authorization for Payoff of Loan on 7500 Odawa Circle and Rescinds and Replaces Tribal Resolution #050210-01.

Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes

Motion carried.

4:33 p.m. Recess called.

4:46 p.m. Meeting reconvened. Councilor Mulholland left the meeting.

4:47 p.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 Mulholland)

Motion carried.

6:05 p.m. Motion made by Treasurer Bott and supported by Councilor Bardwell to return to open session.

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

Motion carried.

6:06 p.m. Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to go into closed session for personnel.

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

Motion carried.

6:28 p.m. Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to return to open session.

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

Motion carried.

6:28 p.m. Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to adjourn.

Vote: 7 - Yes, 1 - No (Councilor Otto), 0 - Abstained, 1 - Absent (Councilor Mulholland)

Motion carried.

These Minutes have been read and approved as corrected:

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Regina Gasco Bentley, Tribal Council Secretary

6-6-10  
Date