

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle
Harbor Springs, MI 49740
December 18, 2011

Closed Session: none

Call to Order: Meeting was called to order at: 9:00 a.m.

Opening Ceremony: Melvin L. Kiogima

Council Present: Legislative Leader Melvin L. Kiogima, Secretary Regina Gasco Bentley, Treasurer John Bott, Bill A. Denemy Councilor Belinda Bardwell, Councilor John Keshick, Councilor Aaron Otto, Councilor Kevin Gasco, Councilor

Absent: Councilor Wemigwase

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

Executive Officials and Staff Present: Tribal Chairman Dexter McNamara, Vice-Chair Julie Shananaquet

Public: Rose Smalley, Annette VanDeCar, Renee Dillard, Peggy Hemenway, Eric Hemenway, Emily Proctor, Holly Shomin, Toni Gasco, Jannan Cornstalk, Carol McFall, Gary Young, Tammy J. Gasco, Margaret Gasco, Rochelle Ettawageshick, Brandon Smith

Invited Guests: none

9:17 a.m. Councilor Wemigwase arrived.

Motion made by Councilor Bardwell and supported by Councilor Gasco to adopt the agenda as amended for December 18, 2011.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Bardwell to approve the minutes of December 4, 2011 as presented.

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

Motion carried.

Elder Comments: Rose Smalley requested information regarding the Education Department regulations and travel expenses; Alice Yellowbank spoke in support of the separation of the Gijigowi Bibskaabiimi Department.

Motion made by Councilor Bardwell and supported by Councilor Denemy to accept the Executive Report for December 18, 2011.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell to approve CERTIFIED MOTION # 121811-01 Request for Funding from the U.S. Department of Housing and Urban Development FY 2012 Indian Community Development Block Grant Program Little Traverse Bay Bands of Odawa Indians Public Facilities and Improvement Project.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Wemigwase to approve CERTIFIED MOTION # 121811-02 Request for Funding from the U.S. Environmental Protection Agency, Great Lakes National Program Office (GLNPO) Lakewide Management Plan (LaMP) Program Capacity Funding Little Traverse Bay Bands of Odawa Indians LaMP Capacity Grant.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Gasco to approve CERTIFIED MOTION # 121811-03 Request for funding from: U.S. Department of Health and Human Services Indian Health Service Little Traverse Bay Bands of Odawa Indians Fiscal Year 2012 Special Diabetes Program for Indians.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell to amend the agenda to include Human Services Emergency Assistance Policy.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Denemy to approve the Human Service Emergency Assistance Policy as presented from the Executive.

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

Motion carried.

11:39 a.m. Public Comment opened: Carla McFall spoke in support of a Language Department apart from the Gijigowi Bibsikaabiimi Department. Jannan Cornstalk spoke in support of the Language Department. Annette VanDeCar spoke regarding Tribal Citizens terminated from the Education Department. Margaret Gasco spoke in support of leaving the Gijigowi Bibsikaabiimi

Department as is, with the acceptance of separating the archives and records department. Rose Smalley spoke regarding the Gijigowi Bibskaabiimi Department personnel. Jannan Cornstalk asked Council to make the best decisions regarding the Citizens of the Tribe. Renee Dillard spoke regarding her educational history with regard to the language. Michele LaCount spoke regarding the original development of the Gijigowi Bibskaabiimi Department in tent as was introduced by her as the Department of Education and Cultural Learning Center.

12:20 p.m. Public Comment closed.

12:20 p.m. Lunch recess.

1:30 p.m. Meeting reconvened.

Motion made by Secretary Gasco Bentley and supported by Councilor Denemy to accept Legislative Leader Kiogima's report for December 18, 2011.

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

Motion carried.

1:35 pm Councilor Wemigwase arrives

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept Secretary Gasco Bentley's report for December 18, 2011.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Otto to accept Treasurer Bott's Treasurer and Appropriations and Finance Committee report for December 18, 2011.

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

Motion carried.

Motion made by Councilor Denemy and supported by Councilor Bardwell to accept the Legal and Legislative Committee report as presented by Committee Chairperson Gasco Bentley for December 18, 2011.

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

Motion carried.

Code of Ethics Committee: No meeting, no report.

Motion made by Councilor Wemigwase and supported by Councilor Keshick to accept the Gaming Authority Committee report as presented by Committee Chairperson Otto for December 18, 2011.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Gasco to accept Tribal Council member reports from Councilor Bardwell and Councilor Otto for December 18, 2011.

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

Motion made by Councilor Keshick and supported by Treasurer Bott to accept Legislative Services Attorney Budnick's verbal report for December 18, 2011.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Gasco to appoint Billy McNamara to the Natural Resource Commission for a 4 year term.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Bardwell to appointment Catherine M. Castagne to the position of Tribal Prosecutor for a term of three (3) years, pending approval of a contract by Tribal Council.
Roll call vote: Councilor Bardwell-yes, Councilor Denemy-yes, Councilor Gasco-no, Councilor Keshick-no, Councilor Otto-no, Councilor Wemigwase-yes, Treasurer Bott-no, Secretary Gasco Bentley-abstain, Legislative Leader Kiogima-yes
Motion Failed.

3:00 p.m. Public Comment opened: Peggy Hemenway spoke regarding her son. Eric Hemenway spoke regarding Tribal Identification and the Gijigowi Bibskaabiimi Department.

3:15 p.m. Public Comment closed.

Motion made by Secretary Gasco Bentley and supported by Councilor Denemy to post Waganakising Odawak Statute Medical Marijuana Patient Protection to Rescind and Repeal Waganakising Odawak Statute 2011-002.
Vote: 3 - Yes, 5 – No (Councilor Bardwell, Councilor Otto, Councilor Keshick, Treasurer Bott, Councilor Gasco), 0 - Abstained, 1 – Absent (Councilor Wemigwase)
Motion failed.

Motion made by Councilor Denemy and supported by Legislative Leader Kiogima to approve LTBB 2012 1836 Ceded Territory Natural Resources Rules and Regulations REG-WOS 2008-012 102710-002
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor Keshick and supported by Councilor Gasco to approve LTBB 2012 Reservation Natural Resources Rules and Regulations REG-WOS 2008-012 102010-002.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Keshick to approve Judicial and Prosecutorial Appointments Policy POL-WOS 2006-003 121511-001.

Vote: 7 - Yes, 2 – No (Secretary Gasco Bentley, Legislative Leader Kiogima), 0- Abstained, 0 – Absent

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Wemigwase to approve contract with Rehmann for 3 years to audit the financial statements of the Tribal government, LTBB Trust Fund and LTBB 401 (k) Plan as of and for the years ending December 31, 2011 through 2013.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Bardwell to approve the supplemental funding request from the Executive to pay taxes on Odawa Fishery Inc., property for \$6,000 to come from Prior Period Funds.

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

Motion carried.

Motion made by Councilor Keshick and supported by Secretary Gasco Bentley to acknowledge receipt of the FY 2013 Tribal Governmental budgets.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Bott to approve the FY 2012 Gaming Authority Committee budget in the amount of \$62,583.

Vote: 5 - Yes, 2 – No (Secretary Gasco Bentley, Councilor Keshick), 2 – abstain (Councilor Otto, Treasurer Bott) 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Denemy to approve the Gaming Regulatory Commissions' request for legal fees up to the amount of \$15,000 regarding current litigation to come from the Gaming Regulatory Commission budget.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Wemigwase to post Gijigowi Anishinaabemowin Language and Cultural Department Draft Statute as sponsored by Councilor Gasco to the Legislative Calendar.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Gasco to post Gijigowi Anishinaabemowin Language Department Draft Statute, the Education Department Draft Statute and the Department of the Repatriation and

Archival Records Draft Statute as sponsored by Secretary Gasco Bentley and Councilor Keshick to the Legislative Calendar.

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

Motion carried.

4:39 p.m. Motion made by Treasurer Bott and supported by Councilor Wemigwase to adjourn.

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

Motion carried.

These Minutes have been read and approved as written:

Regina Gasco Bentley, Tribal Council Secretary

1-8-2012

Date