

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
April 3, 2011

Closed Session: yes

Opening Ceremony: Moment of Silence

Call to Order: Meeting was called to order at: 9:08 a.m.

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

Absent: Treasurer John Bott, Councilor Belinda Bardwell, Councilor Gerald V. Chingwa

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

Executive Officials and Staff Present: Vice-Chairman Dexter McNamara, Tribal Chairman Ken Harrington

Public: Yvonne McShane, Cathy Portman Bradley and Granddaughter Danika, Bill Denemy Sr., Bill Denemy Jr., Bea Law, Andrew Stich

Motion made by Councilor R. Shananaquet and supported by Councilor Kiogima to adopt the agenda for April 3, 2011 with changes.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)

Motion carried.

Motion made by Councilor Otto and supported by Councilor R. Shananaquet to approve the minutes of March 20, 2011.

Vote: 5 - Yes, 0 - No, 1 – Abstained (Councilor Kiogima), 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)

Motion carried.

Elder Comments: Cathy Portman Bradley thanked Tribal Council for posting to the Legislative Calendar the Amendment to Waganakising Odawak Statute 2011-001 Political Solicitation Prohibition Statute.

Motion made by Councilor Mulholland and supported by Secretary Gasco Bentley to accept Legislative Leader J. Shananaquet's verbal and written report for April 3, 2011.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Mulholland to accept Secretary Gasco Bentley's verbal update for April 3, 2011.
Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

Treasurer Report/Appropriations and Finance Committee update from Councilor Kiogima regarding forwarding the request for Natural Resource Department carry over funds to the Appropriations and Finance Committee meeting on April 8, 2011.

Motion made by Councilor R. Shananaquet and supported by Secretary Gasco Bentley to accept Council Kiogima's verbal Tribal Council member report for April 3, 2011.
Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to accept the Land and Reservation Committee update as presented by Committee Chairperson Kiogima.
Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Secretary Gasco Bentley to accept the Legal and Legislative Committee update as presented by Legislative Leader J. Shananaquet for April 3, 2011.
Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Secretary Gasco Bentley to approve the memo to the Tribal Chairman regarding enrollment files.
Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

Rules of Conduct Ethics Committee update: no report.

Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to accept Councilor R. Shananaquet verbal report with recommendation to forward insurance benefits request for update to the Appropriations and Finance Committee.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Secretary Gasco Bentley to accept Councilor Kiogima's Midwest Alliance of Sovereign Tribes meeting verbal travel report.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

10:27 a.m. Recess called.

10:38 a.m. Meeting reconvened.

10:40 a.m. Public Comment opened: Yvonne McShane spoke in opposition of the Election Board only having the "Meet the Candidates" Forum before the primary in Grand Rapids, Michigan.

10:41 a.m. Public Comment closed.

10:43 a.m. Motion made by Councilor Mulholland and supported by Councilor R. Shananaquet to go into closed session for personnel.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

11:07 a.m. Motion made by Councilor R. Shananaquet and supported by Councilor Mulholland to return to open session.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

11:07 a.m. Motion made by Councilor R. Shananaquet and supported by Councilor Mulholland to go into closed session for personnel.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

11:17 a.m. Motion made by Councilor Mulholland and supported by Councilor R. Shananaquet to return to open session.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Otto to accept the Gaming Authority Committee verbal report for April 3, 2011.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

Elder comment: Bea Law asked for an update regarding complaint letters sent to the Tribal Chairman. Bea also asked if the Chief Financial Officer, job posting is advertised in the Indian Country Today publication. Bea further inquired as to what the Gaming Authority Committee closed session.

Motion made by Councilor R. Shananaquet and supported by Councilor Mulholland to accept the Legislative Services Attorney Donna Budnick's verbal report for April 3, 2011.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)

Motion carried.

11:40 a.m. Public Comment opened: Andrew Stich asked why Tribal Council was not represented at the Murray Road Housing Complex open house.

11:42 a.m. Public Comment closed.

Motion made by Councilor R. Shananaquet and supported by Councilor Otto to acknowledge receipt of the Tribal Chairman verbal and written report for April 3, 2011 with confidential items contained therein.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Legislative Leader J. Shananaquet to approve Enrollment List A - Eligible for Citizenship dated March 23, 2011 for a total of 7.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor J. Shananaquet to approve Enrollment for Citizenship List B - Declination Ineligible dated March 23, 2011 for a total of 5.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)

Motion carried.

11:51 a.m. Lunch recess called.

1:30 p.m. Meeting reconvened.

Motion made by Legislative Leader J. Shananaquet and supported by Secretary Gasco Bentley to pass the Waganakising Odawak Statute Office of the Treasury. Roll Call Vote: Councilor Bardwell-absent, Councilor Chingwa-absent, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes, Councilor Otto-yes, Treasurer Bott-absent, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes

Motion carried.

Motion made by Legislative Leader J. Shananaquet and supported by Secretary Gasco Bentley to pass Waganakising Odawak Statute Accounting Department.
Roll Call Vote: Councilor Bardwell-absent, Councilor Chingwa-absent, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-no, Councilor Otto-yes, Treasurer Bott-absent, Secretary Gasco Bentley-yes, Legislative Leader J. Shananaquet-yes
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Secretary Gasco Bentley to pass Waganakising Odawak Statute Enjinaaknegeng.
Roll Call Vote: Councilor Bardwell-absent, Councilor Chingwa-absent, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes, Councilor Otto-no, Treasurer Bott-absent, Secretary Gasco Bentley-yes, Legislative Leader J. Shananaquet-yes
Motion carried.

Motion made by Legislative Leader J. Shananaquet and supported by Councilor R. Shananaquet to pass Waganakising Odawak Statute Sex Offender Registration and Notification.
Roll Call Vote: Councilor Bardwell-absent, Councilor Chingwa-absent, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes, Councilor Otto-yes, Treasurer Bott-absent, Secretary Gasco Bentley-yes, Legislative Leader J. Shananaquet-yes
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Secretary Gasco Bentley to amend the agenda and add the Citizenship Commission Statute.
Vote: 4 - Yes, 2 – No (Councilor Mulholland, Councilor Otto), 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Secretary Gasco Bentley to pass Waganakising Odawak Statute Citizenship Commission Statute.
Vote: 4 - Yes, 2 – No (Councilor Mulholland, Councilor Otto), 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Otto to post the Odawa Fishery, Inc., draft Statute to the Legislative Calendar.
Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Legislative Leader J. Shananaquet to post to the Legislative Calendar the Odawa Fishery, Inc. draft Corporate Charter to the web for comment.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

Motion made by Legislative Leader J. Shananaquet and supported by Councilor R. Shananaquet to approve the Letter of Support for the Administration for Native Americans (ANA) Grant for technology.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

2:52 p.m. Recess called.

3:00 p.m. Meeting reconvened.

3:00 p.m. Public Comment opened: Doug Emery spoke regarding the Michelle Chingwa Education Assistance grant distribution process.

3:23 p.m. Public Comment closed.

3:34 p.m. Motion made by Councilor R. Shananaquet and supported by Secretary Bentley to go into closed session for legal.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

3:45 p.m. Motion made by Councilor R. Shananaquet and supported by Secretary Bentley to return to open session.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Secretary Gasco Bentley to approve the memo to the Tribal Chairman dated April 3, 2011 regarding waiver of sovereign immunity.

Motion withdrawn.

4:02 p.m. Motion made by Councilor J. Shananaquet and supported by Secretary Bentley to adjourn.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bardwell, Councilor Chingwa, Treasurer Bott)
Motion carried.

These Minutes have been read and approved as corrected:

Regina Gasco Bentley, Tribal Council Secretary

4-17-11
Date