

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Court Room  
7500 Odawa Circle  
Harbor Springs, MI 49740  
April 22, 2012

Closed Session: yes

Call to Order: Meeting was called to order at: 9:01 a.m.

Opening Ceremony: Melvin L. Kiogima

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

Absent: Councilor Aaron Otto, Councilor Winnay Wemigwase

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele LaCount, Treasury Director Michael Garrow, General Counsel James Bransky

Executive Officials and Staff Present: Tribal Chairman Dexter McNamara

Corporate Charter Members: Odawa Economic Development Management, Inc.- Bryan Gillette, Waganakising Odawa Development, Inc.,- Alan Proctor, Odawa Fishery, Inc.-Billy McNamara

Public: Carla McFall, Renee Dillard

Invited Guests: Draper Group: Levi Rickert, John Irving

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Motion made by Councilor Keshick and supported by Councilor Bardwell to adopt the agenda for April 22, 2012 as amended.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Wemigwase, Councilor Otto)

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Gasco to approve the minutes of March 18, 2012 as corrected.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Wemigwase, Councilor Otto)

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Denemy to approve the minutes of April 1, 2012 as presented.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Wemigwase, Councilor Otto)  
Motion carried.

Motion made by Councilor Gasco and supported by Councilor Keshick to ratify into the record the Phone Poll dated April 05, 2012 to approve the action item contained within the confidential memo submitted from Legislative Services Attorney Budnick, #040512-01. The Phone Poll Passed.  
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Wemigwase, Councilor Otto)  
Motion carried.

9:38 a.m. Councilor Wemigwase arrived.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to amend the agenda for April 22, 2012 to include Tribal Resolution: Request to the Legislative Branch to Establish the Implementation Date for an Updated LTBB Tribal Government Wage Grid, Including All Staff Positions and All Contract for Employment Positions within the Legislative, Executive and Judicial Branches.  
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Otto)  
Motion carried.

Motion made by Councilor Wemigwase and supported by Secretary Gasco Bentley to acknowledge receipt of the Executive Report which includes the Draft Employee Handbook April 22, 2012.  
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Otto)  
Motion carried.

Elder Comments: none.

Motion made by Councilor Gasco and supported by Councilor Bardwell to assign the Draft Employee Handbook Policy to the Legal and Legislative Committee.  
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Otto)  
Motion carried.

10:02 a.m. Recess called.  
10:17a.m. Meeting reconvened.

Motion made by Councilor Wemigwase and supported by Councilor Bardwell to accept Legislative Leader Kiogima's verbal report for April 22, 2012.  
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Otto)  
Motion carried.

Motion made by Treasurer Bott and supported by Councilor Wemigwase to accept Secretary Gasco Bentley Secretary report for April 22, 2012.  
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Otto)  
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell to approve the McClurken "Afterwords" and authorize the submission of the "Afterwords" to Hobbs, Straus for legal review.

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

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Gasco to accept Treasurer Bott verbal report for April 22, 2012.

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

Motion carried.

11:18 a.m. Recess called.

11:31 a.m. Meeting reconvened.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept the verbal and written report from Treasury Director Garrow for April 22, 2012.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Denemy to accept the Gaming Authority Committee report from Chairperson Gasco for April 22 2012.

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

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Keshick to accept the Land and Reservation Committee report as presented by Chairperson Kiogima for April 22, 2012.

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

Motion carried.

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

11:45 a.m. Public Comment closed.

Motion made by Treasurer Bott and supported by Councilor Gasco to accept the Legal and Legislative Committee report as presented by Chairperson Gasco Bentley for April 22, 2012.

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

Motion carried.

12:06 p.m. Lunch recess called.

1:32 p.m. Closed Session.

Motion made by Secretary Gasco Bentley and supported by Councilor Gasco to go into closed session for Confidential Business Matters.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Wemigwase, Councilor Otto)

Motion carried.

1:36 p.m. Councilor Wemigwase arrived.

3:01 p.m. Motion made by Councilor Wemigwase and supported by Councilor Bardwell to return to open session.

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

Motion carried.

3:01 p.m. Recess called.

3:14 p.m. Meeting reconvened.

3:15 p.m. Public Comment opened: Renee Dillard spoke in opposition to the Natural Resource Amendment and support of Tribal Council overriding the vetoed statutes.

3:20 p.m. Public Comment closed.

Motion made by Councilor Wemigwase and supported by Councilor Gasco to override Executive Veto for Waganakising Odawa Statute Department of the Repatriation, Archives and Records.

Vote: 7 - Yes, 1 – No (Legislative Leader Kiogima), 0 - Abstained, 1 – Absent (Councilor Otto)

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Gasco to override Executive Veto for Waganakising Odawa Statute Education Department.

Vote: 7 - Yes, 1 – No (Legislative Leader Kiogima), 0 - Abstained, 1 – Absent (Councilor Otto)

Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott to override Executive Veto for Waganakising Odawa Statute Gijigowi Anishinaabemowin Language Department.

Vote: 7 - Yes, 1 – No (Legislative Leader Kiogima), 0 - Abstained, 1 – Absent (Councilor Otto)

Motion carried.

3:41 p.m. Motion made by Councilor Gasco and supported by Councilor Bardwell to go into closed session for Confidential Business Matters.

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

Motion carried.

4:28 p.m. Motion made by Councilor Gasco and supported by Councilor Wemigwase to return to open session.

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

Motion carried.

4:29 p.m. Recess called.

4:42 p.m. Meeting reconvened.

Motion made by Councilor Bardwell and supported by Treasurer Bott to acknowledge receipt of the Odawa Fishery, Inc., Quarterly Report as presented by Billy McNamara for April 22, 2012.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Wemigwase to acknowledge receipt of the Waganakising Odawa Development, Inc. Corporate Charter quarterly report as presented by Alan Proctor for April 22, 2012.

Vote: 7 - Yes, 1 – No (Legislative Leader Kiogima), 0 - Abstained, 1 – Absent (Councilor Otto)

Motion carried.

Motion made by Councilor Bardwell and supported by Treasurer Bott to acknowledge receipt of the Odawa Economic Development, Inc. Corporate Charter Quarterly Report as presented by Bryan Gillette for April 22, 2012.

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

Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott to acknowledge receipt of Wes Andrews: Michigan Anishnaabeg Cultural Preservation and Repatriation Alliance (MACPRA) and Native American Graves Protection and Repatriation Act (NAGPRA) Representative – 1st Quarter Report for April 22, 2012.

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

Motion carried.

5:21 p.m. made by Councilor Bardwell and supported by Councilor Denemy to go into closed session for Legal matters.

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

Motion carried.

5:41 p.m. Motion made by Councilor Gasco and supported by Councilor Denemy to return to open session.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Keshick to accept the Ethics Committee verbal report as presented by Committee Secretary Wemigwase for April 22, 2012.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Wemigwase to post to the Legislative Calendar Amendment Waganakising Odawa Statute 2010-011 Civil Traffic.

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

Motion carried.

Motion made by Councilor Gasco and supported by Treasurer Bott Councilor Gasco to acknowledge receipt of the Enjiinakneng report as presented by General Counsel Bransky for April 22, 2012.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to accept Tribal Council Member reports from Treasurer Bott, Councilor Bardwell, and Councilor Denemy.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Denemy to accept the Legislative Service Attorney Budnick's report for April 22, 2012.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Wemigwase to approve Confidential Memo #042212-01 from Legislative Services Attorney Budnick and the confidential item contained therein.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Keshick to table Tribal Resolution: Request to the Legislative Branch to Establish the Implementation Date for an Updated LTBB Tribal Government Wage Grid, Including All Staff Positions and All Contract for Employment Positions within the Legislative, Executive and Judicial Branches.

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

Motion carried.

Motion made by Treasurer Bott and supported by Secretary Gasco Bentley to table the Public Documents Draft Regulations REG-WOS 2010-009 033012-001.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Bott to table the motion to rescind the March 18, 2012 Motion to acknowledge receipt of Executive Nominations for Waganakising Odawa Development, Inc.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Wemigwase to appoint Jodi Doak for a two (2) year term to the position of Special Prosecutor to assist the Tribal Prosecutor's Office in the event of a

conflict of interest in accordance with Waganakising Odawa Statute 2011-006, or as amended.

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

Motion carried.

Motion made by Treasurer Bott and supported by Secretary Gasco Bentley to approve the contract between LTBB and Special Prosecutor Jodi Doak and authorize Legislative Leader Kiogima to sign such contract.

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

Motion carried.

6:49 p.m. Motion made by Treasurer Bott and supported by Councilor Denemy to adjourn.

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

Motion carried.

These Minutes have been read and approved as written:

  
Regina Gasco Bentley, Tribal Council Secretary

5-6-12

Date