

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
January 6, 2013

Closed Session: yes

Call to Order: Meeting was called to order at: 9:02 a.m.

Opening Ceremony: Melvin L. Kiogima

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

Absent: Treasurer Bott, Councilor Kevin Gasco, Councilor Wemigwase

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

Executive Officials and Staff Present: none

Public: Annette VanDeCar

Invited Guests: none

9:06 a.m. Councilor Gasco arrived.

9:14 a.m. Councilor Wemigwase and Treasurer Bott arrived.

Motion made by Secretary Gasco Bentley and supported by Councilor Gasco to adopt agenda for January 6, 2013 in Honor of Joseph Gasco Tribal Elder who walked on December 29, 2012.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Gasco to approve the minutes of December 16, 2012 as corrected.

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

Motion carried.

Elder Comments: no comments at this time.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept Legislative Leader Kiogima's verbal report for January 6, 2013.

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

Secretary Gasco Bentley read into the minutes the December 18, 2012 Phone Poll: To authorize Legislative Leader Kiogima to terminate the contract with Attorney Jodi Doak which authorized her to represent Tribal Council in LTBB Court case #C-120-0411; and, to sign the contract with John F. Petoskey of Fredericks Peebles & Morgan, LLP, to represent Tribal Council in the appeal of LTBB Court case #C-120-0411. The result of the phone poll was: 6 Yes, 0 No, 1 Abstained (Councilor Wemigwase), 2 Absent (Councilor Otto, Secretary Bentley)

Motion made by Councilor Bardwell and supported by Councilor Wemigwase to accept Secretary Gasco Bentley's verbal report for January 6, 2013.
Vote: 9- Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Treasurer Bott and supported by Secretary Gasco Bentley to accept Councilor Bardwell's Tribal Council member report for January 6, 2013.
Vote: 9- Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor Keshick and supported by Councilor Wemigwase to accept the Gaming Authority Committee report as presented by Councilor Gasco Committee Chairperson for January 6, 2013.
Vote: 9- Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Treasurer Bott and supported by Councilor Wemigwase to accept the Agricultural Work Group report as presented by Councilor Keshick for January 6, 2013.
Vote: 9- Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

10:08 a.m. Recess called.
10:26 a.m. Meeting reconvened.

Motion made by Councilor Gasco and supported by Treasurer Bott to accept Treasury Director Garrow's verbal report for January 6, 2013.
Vote: 9- Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor Bardwell and supported by Treasurer Bott to accept Legislative Services Attorney Budnick's verbal and written report for January 6, 2013.
Vote: 9 - Yes, 0 – No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Gasco to approve Gaming Regulations Commission Regulations REG-WOS 2011-005 121412-013.

Above motion is on hold.

11:10 a.m. Recess called.

11:19 a.m. Meeting reconvened.

Above motion resumes:

Vote: 6 - Yes, 2 – No (Councilor Otto, Secretary Gasco Bentley) 1 – Abstained (Treasurer Bott), 0 – Absent

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Keshick to approve Legislative Services Attorney Budnick Memo 010613-01 from Tribal Council to Tribal Chair regarding the Gaming Regulatory Regulations, REG-WOS 2011-005 121412-013.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept the Executive Nomination of Marvin Mulholland for Waganakising Odawa Development, Inc. Corporate Charter Board.

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

Motion carried.

11:45 a.m. Public Comment opened: no comments.

11:45 a.m. Public Comment closed.

Motion made by Councilor Gasco and supported by Councilor Otto to approve Certified Motion: Request for funds as a sub-grantee from the Inter-Tribal Council of Michigan, Michigan Department of Community Health Cardiovascular Health, Nutrition and Physical Activity Section Contract # 475 Little Traverse Bay Bands of Odawa Indians FY 2014 4 x 4 Project.

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

Motion carried.

No Elder comments at this time.

12:12 p.m. Lunch recess called.

1:30 p.m. Meeting reconvened.

Motion made by Treasurer Bott and supported by Councilor Keshick to approve Certified Motion: Request for Funding from the United States Department of Health and Human Services Administration for Children and Families Administration for Native Americans Native American Language Preservation and Maintenance.

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

Motion made by Secretary Gasco Bentley and supported by Councilor Gasco to approve Enrollment List A – Eligible for Citizenship date December 19, 2012 for a total of 2.

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

Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell to approve Enrollment List B – Declination Ineligible date December 19, 2012 for a total of 5.

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

Motion made by Secretary Gasco Bentley and supported by Councilor Gasco to approve Enrollment list C - Voluntary Relinquishment dated December 19, 2012 for a total of 1.

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

1:35 p.m. Councilor Otto arrived.

1:45 p.m. Councilor Wemigwase arrived.

Motion made by Councilor Bardwell and supported by Treasurer Bott to table the appointment process of Trent Crable to Appellate Justice pending a completed background investigation.

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

Motion made by Secretary Gasco Bentley and supported by Treasurer Bott to appoint Susie Swadling to the Waganakising Odawa Development, Inc. Corporate Charter Board to fill the remainder of a 3-year term ending April 1, 2014.

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

Motion made by Treasurer Bott and supported by Councilor Wemigwase to table the appointment of Marvin Mulholland to the Waganakising Odawa Development, Inc. Corporate Charter Board pending a completed background investigation.

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

Motion made by Councilor Bardwell and supported by Councilor Keshick to adopt Tribal Resolution: Authorization of Government Banking Accounts and Treasury Management Documents, Limited Waiver of Sovereign Immunity and Related Matters.

Roll call vote: Councilor Bardwell-no, Councilor Denemy-no, Councilor Gasco-no, Councilor Keshick-no, Councilor Otto-no, Councilor Wemigwase-abstain, Treasurer Bott-no, Secretary Gasco Bentley-no, Legislative Leader Kiogima-no. Motion failed.

Motion made by Councilor Gasco and supported by Councilor Keshick to adopt Tribal Resolution: Funding for Odawa Fishery, Inc. in the Amount of \$150,000.00 to come from Prior Period Funds.

Roll call vote: Councilor Bardwell-yes, Councilor Denemy-yes, Councilor Gasco-yes, Councilor Keshick-yes, Councilor Otto-yes, Councilor Wemigwase-no, Treasurer Bott-yes, Secretary Gasco Bentley-no, Legislative Leader Kiogima-yes.

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Otto to approve the FY 2013 annual budget of the Gaming Authority Committee, for all projected expenses with the addition of National Indian Gaming Association dues for the amount of \$57,228.

Vote: 7 - Yes, 1- No (Secretary Gasco Bentley), 1 – Abstained (Treasurer Bott), 0 – Absent

Motion Carried.

3:00 p.m. Public Comment opened: no comments.

3:01 p.m. Public comment closed.

Motion made by Councilor Gasco and supported by Councilor Bardwell to adopt Tribal Resolution: Confirmation of the Establishment of the Capital Project Fund, Remaining Balance, and Payment to Consults and Vendors.

Roll call vote: Councilor Bardwell-yes, Councilor Denemy-yes, Councilor Gasco-yes, Councilor Keshick-yes, Councilor Otto-no, Councilor Wemigwase-no, Treasurer Bott-yes, Secretary Gasco Bentley-no, Legislative Leader Kiogima-yes.

Motion Carried.

3:10 p.m. Recess called. Councilor Wemigwase left the meeting.

3:20 p.m. Meeting reconvened.

3:32 p.m. Motion made by Councilor Gasco and supported by Councilor Otto to go into closed session for Legal purposes.

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

Motion Carried.

4:31 p.m. Motion made by Councilor Gasco and supported by Treasurer Bott to return to open session.

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

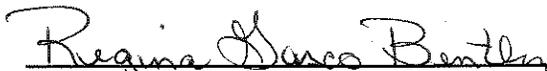
Motion Carried.

4:34 p.m. Motion made by Councilor Gasco and supported by Councilor Bardwell to adjourn.

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

Motion Carried.

These Minutes have been read and approved as corrected:



Regina Gasco Bentley, Tribal Council Secretary

1-20-13

Date