

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Council Chambers  
7500 Odawa Circle  
Harbor Springs, MI 49740  
September 25, 2014

Closed Session: none  
Call to Order: 9:01 a.m.  
Opening Ceremony: Beatrice Law

Council Present: Secretary Julia Shananaquet, Treasurer Marcella Reyes, Councilor Bill A. Denemy, Councilor John Keshick III, Councilor Beatrice A. Law, Councilor Aaron Otto, Councilor Winnay Wemigwase

Absent: Legislative Leader Regina Gasco Bentley, Councilor Michael Naganashe

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Enjinaaknegeng General Counsel James Bransky, Legislative Office Manager Michele LaCount, Legislative Office Administrative Assistant Tamara Kiogima

Executive Officials and Staff Present: Chairman Fred Kiogima, Vice Chairman Deb DeLeon, Executive Services Attorney Dianne Vitols, Tribal Law Enforcement Chief Jeff Cobe, Chief Financial Officer Carrie Carson, Elders Coordinator Tamela Okuly-Shananaquet, Elders Assistant Joan Jacobs, Interim Tribal Administrator/Human Resource Director Denise Petoskey

Prosecutor's Office: Prosecuting Attorney Matthew Lesky, Prosecutor Office Manager Celestine Petoskey

Tribal Court Administrator Sara Brubaker

Public: John Kawegoma, Judy Fields, William I. Denemy, Michael Smith, Linda Gokee

Invited Guests: U.S. Assistant District Attorney Office Jeff Davis and Janet Strand

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Motion made by Councilor Keshick and supported by Councilor Otto to adopt the agenda of September 25, 2014, as amended.

Vote: 7-Yes, 0-No, 0-Abstained, 2-Absent (Legislative Leader Gasco Bentley, Councilor Naganashe)

Motion carried.

9:09 a.m. Councilor Naganashe arrives.

Motion made by Councilor Law and supported by Councilor Keshick to approve the minutes of September 11, 2014 as presented.

Vote: 8-Yes, 0-No, 0-Abstained, 1-Absent (Legislative Leader Gasco-Bentley)  
Motion carried.

9:11 a.m.: Elder comments – No comments at this time.

### **Executive Updates**

**Discussion Items:** Biindigen doing well and Tribal Council requested recognition to store Manager Don Portman for a job well done; An unknown source of electric bill (mystery meter), FEMA, Work with Human Resource Director Denise Petoskey to send out invitation to supporters of reaffirmation celebration, planning; Road repairs, National Congress of American Indians donation; and Training for Safety Officer.

Motion made by Councilor Keshick and supported by Councilor Wemigwase to acknowledge receipt of the August Executive Office Report (EOR) and the verbal report of Chairman Kiogima and Vice-Chairperson as presented on September 25, 2014.

Vote: 8-Yes, 0-No, 0-Abstained, 1-Absent (Legislative Leader Gasco-Bentley)  
Motion carried.

9:34 a.m. Elder comment opens:

- John Kawegoma discussed loss of electricity and water pressure at Harbor Springs Housing site, concern expressed with unanswered calls to Tribal Police, brought up issues with an elder.

9:51 a.m. Elder comment closes.

**Legislative Leader Report** - No report given.

### **Secretary Report**

The following Tribal Council approved/adopted documents were delivered to the Executive:

- Certified Motion 091114-01 Funding from the US Dept. of the Interior BIA FY 2014 One-Time Only Year End Funds,
- Certified Motion 091114-02 Funding from the US Dept. of the Interior BIA IRR Tribal Transportation Program,
- Certified Motion 091114-03 Limited Sovereign Immunity Waivers in Odawa Casino Resort Contracts,
- Naawchigedaa Tort Claims Statute,
- Tribal Historic Preservation Office Protection and Management of Archaeological Historical and Cultural Properties and Culture Resource Statute,
- Contracts Statute has been signed by Executive

The following Tribal Council Approved Documents delivered to the Executive as an FYI:

- Legislative Branch Travel Policy
- Legislative Office Utilization of Community Service Workers Policy

Veto: None to Report.

Phone Polls: None to Report.

Motion made by Councilor Law and supported by Treasurer Reyes to accept Secretary Shananaquet's verbal report as presented on September 25, 2014.

Vote: 8-Yes, 0-No, 0-Abstained, 1-Absent (Legislative Leader Gasco-Bentley)

Motion carried.

#### **Treasurer Report**

Motion made by Councilor Law and supported by Councilor Wemigwase to accept Treasurer Reyes' verbal report as presented on September 25, 2014.

Vote: 8-Yes, 0-No, 0-Abstained, 1-Absent (Legislative Leader Gasco-Bentley)

Motion carried.

10:04 a.m. Break.

10:18 a.m. Resume.

#### **Tribal Council Reports**

**10:19 a.m.** Motion made by Councilor Keshick and supported by Councilor Otto to go into closed session for personnel issues.

Vote: 8-Yes, 0-No, 0-Abstained, 1-Absent (Legislative Leader Gasco-Bentley)

Motion carried.

**10:49 a.m.** Motion made by Councilor Law and supported by Councilor Wemigwase to return to open session.

Vote: 8-Yes, 0-No, 0-Abstained, 1-Absent (Legislative Leader Gasco-Bentley)

Motion carried.

10:49 a.m. Break.

10:55 a.m. Resume.

**Tribal Council Travel Reports** – None to report.

#### **Tribal Council Committee Reports:**

##### **Gaming Authority Committee**

Motion made by Councilor Wemigwase and supported by Councilor Naganashe to accept the verbal report of the Gaming Authority Committee as presented by Councilor Otto, Committee Chairman.

Vote: 8-Yes, 0-No, 0-Abstained, 1-Absent (Legislative Leader Gasco-Bentley)

Motion carried.

### **Agriculture Assessment Work Group**

Motion made by Councilor Law and supported by Councilor Wemigwase to accept the verbal report of the Agriculture Assessment Work Group as presented by Councilor Keshick, Committee Chairman.

Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Legislative Leader Gasco-Bentley)  
Motion carried.

### **Land and Reservation Committee**

Motion made by Treasurer Reyes and supported by Councilor Law to accept the verbal report of the Land and Reservation Committee as presented by Councilor Keshick, Committee Member.

Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Legislative Leader Gasco-Bentley)  
Motion carried.

**Legal Legislative Committee – No meeting to report.**

**Ethics Committee – No meeting to report.**

### **Legislative Office Reports:**

**Treasury Director Report – No Report.**

**Legislative Services Attorney & Enjinaaknegeng Report.**

**11:30 a.m.** Motion made by Councilor Law and supported by Councilor Keshick to go into closed session for legal issues.

Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Legislative Leader Gasco-Bentley)  
Motion carried.

**11:54 a.m.** Motion made by Councilor Law and supported by Councilor Wemigwase to return to open session.

Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Legislative Leader Gasco-Bentley)  
Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to accept Legislative Services Attorney Budnick's and General Counsel Bransky's verbal and written report as presented on September 25, 2014.

Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Legislative Leader Gasco-Bentley)  
Motion carried.

**11:56 a.m.** Public Comment. opened

- Donna Budnick congratulated Agricultural Assessment Work Group for securing grant.

**11:57 a.m.** Public comment closes.

Motion made by Secretary Shananaquet and supported by Councilor Wemigwase to amend the agenda to include a closed session for legal as requested by a Tribal Citizen.

Vote: 0-Yes, 8-No (Councilor Wemigwase, Councilor Naganashe, Councilor Otto, Councilor Keshick, Treasurer Reyes, Councilor Denemy, Councilor Law, Secretary Shananaquet), 0-Abstained, 1-Absent (Legislative Leader Gasco-Bentley)

Motion fails.

12:02 p.m. Lunch Break.

1:01 p.m. Meeting Resumes.

Councilor Naganashe absent.

**1:00 p.m. – 2:11 p.m.** U.S. Assistant District Attorney Office Jeff Davis and Janet Strand.

Discussion regarding Little Traverse Bay Bands of Odawa Indians multi-disciplinary team for child abuse cases.

2:11 p.m. Break.

2:33 p.m. Resume.

#### **Legislative Office Manager**

Motion made by Councilor Law and supported by Councilor Wemigwase to accept Legislative Office Manager LaCount's verbal and written report as presented on September 25, 2014.

Vote: 7-Yes, 0-No, 0-Abstained, 2-Absent (Legislative Leader Gasco Bentley, Councilor Naganashe)

Motion carried.

#### **3:06 p.m. Public Comment opened:**

- Linda Gokee commented in support of weekly pay. She also expressed her desire to see Affordable Housing for citizens.

#### **3:18 p.m. Public Comment closes.**

#### **Action Items - Motions**

Motion made by Secretary and supported by Councilor Keshick to approve travel to the National Center-Rez Conference to be held in Milwaukee, Wisconsin, October 6-9, 2014.

Vote: 4-Yes, 3-No, 0-Abstained, 2-Absent (Legislative Leader Gasco Bentley, Councilor Naganashe)

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to approve BDO as the Auditor for the Tribal Government for the annual audits for FY 2014, 2015 and 2016, and to authorize and approve the Tribal Council

Treasurer to sign all engagement agreements to retain BDO and funding to come from the Accounting budget.

Vote: 4-Yes, 3-No, 0-Abstained, 2-Absent (Legislative Leader Gasco-Bentley, Councilor Naganashe)

Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to approve Certified Motion #092514-01; Authorization of Inter-Tribal Council of Michigan, Inc. to Administer the BIA Child Welfare Assistance Program under PL 93-638.

Vote: 7-Yes, 0-No, 0-Abstained, 2-Absent (Legislative Leader Gasco Bentley, Councilor Naganashe)

Motion carried.

Motion made by Councilor Law and supported by Councilor Otto to not pursue land parcel #85.

Vote: 7-Yes, 0-No, 0-Abstained, 2-Absent (Legislative Leader Gasco Bentley, Councilor Naganashe)

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to adopt Tribal Resolution: Supplemental funding in the Amount of \$12,000 and Authorization for Legal Services Engagement of Drummond Woodsum for the Development of a Draft Tribal Governmental Personnel Policy Handbook with funding to come from prior period funds to be appropriated to the Tribal Council General Fund budget.

Roll call: Councilor Denemy-yes, Councilor Keshick-no, Councilor Law-yes, Councilor Naganashe-absent, Councilor Otto-no, Councilor Wemigwase-no, Treasurer Reyes-yes, Secretary Shananaquet-yes, Legislative Leader Gasco Bentley-absent

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Otto to pass Amendment to Waganakising Odawak Statute 2010-021 Gaming Delegation and Authority Statute.

Roll call: Councilor Denemy-yes, Councilor Keshick-no, Councilor Law-yes, Councilor Naganashe-absent, Councilor Otto-yes, Councilor Wemigwase-yes, Treasurer Reyes-yes, Secretary Shananaquet-yes, Legislative Leader Gasco Bentley-absent

Motion carried.

#### **Other Items:**

#### **Adjournment**

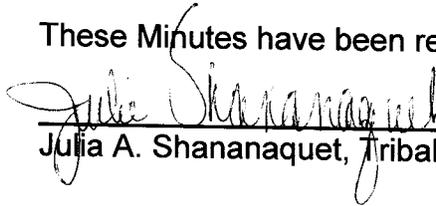
3:41 p.m. Motion made by Councilor Denemy and supported by Councilor Wemigwase to adjourn meeting.

Vote: 7-Yes, 0-No, 0-Abstained, 2-Absent (Legislative Leader Gasco-Bentley,  
Councilor Naganashe)  
Motion carried.

Next Scheduled Meeting  
October 9, 2014

Please contact the Legislative Office at 231-242-1403, 231-242-1404 or 231-242-1406 for additional updates and clarifications of these minutes as presented.

These Minutes have been read and approved as written.

  
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Julia A. Shananaquet, Tribal Council Secretary

  
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Date

APPROVED