

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
October 23, 2014

Closed Session: No
Call to Order: 9:07 a.m.
Opening Ceremony: Councilor Beatrice A. Law

Council Present: Legislative Leader Regina Gasco Bentley, Secretary Julia Shananaquet, Treasurer Marcella Reyes, Councilor Bill A. Denemy, Councilor John Keshick III, Councilor Beatrice A. Law, Councilor Michael Naganashe, Councilor Aaron Otto, Councilor Winnay Wemigwase

Absent: None

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele LaCount, Legislative Office Administrative Assistant Tamara Kiogima, Legal Department Executive Legal Assistant Su Lantz

Executive Officials and Staff Present: Tribal Administrator Albert Colby, Tribal Human Resources Director Denise Petoskey, Tribal Chief Financial Officer Carrie Carlson, Tribal Planner Bryan Gillett, Regulatory Director Vince Cook, Gaming Regulatory Chairperson Beverly Wemigwase, Gaming Regulatory Member David Dominic

Judicial Staff: None

Public: Andrew Stich

Invited Guests: LTBB Burial Board Members, Wes Andrews and Alice Yellowbank

Motion made by Councilor Wemigwase and supported by Councilor Law to adopt the agenda of October 23, 2014, as amended.

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

Motion carried.

Motion made by Councilor Otto and supported by Treasurer Reyes to approve the minutes of October 9, 2014 as corrected.

Vote: 9-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

9:21 a.m.: Elder comments - None at this time.

Executive Updates

Discussion Items: Health Insurance: Contract Health Costs, the Tribe is currently under last year's costs. Councilor Wemigwase brought up Employee questions regarding Prescription Step Therapy program (generic vs Non-generic). Councilor Keshick raised questions regarding Michelle Chingwa Education Grant (no need for supplemental funding) and the importance of our Tribe participating in Climate Change events. Regulatory Director Vince Cook presented need to test and possibly improve IT system for our Casino. Enjinaaknegeng Legal Assistant, Su Lantz briefly described some of the changes necessary needed (forms) for Sexual Offenders Registration and Notification Statute (SORNS).

Motion made by Councilor Wemigwase and supported by Councilor Law to acknowledge receipt of the September 2014 Oversight Report as presented by Tribal Administrator Albert Colby, and Human Resource Director Denise Petoskey, on October 23, 2014.

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

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to approve POL-ADM WOS 2012-008 100214-004, Sexual Offenders Registration and Notification Statute (SORNS) Policy POL-ADM WOS 2012-008 100214-004 as presented by Enjinaaknegeng Legal Assistant Su Lantz on October 23, 2014.

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

Motion carried.

10:00 a.m. Burial Board Presentation by Wes Andrews and Alice Yellowbank – Traditional/Green Burial Grounds Locations include 6 acres on the Osborne Road Property (more work is necessary to make access easier i.e. roads and tree clearance) and 2 acres on the Murray Road Property. Board is working consistently on Infrastructure and Management Master Plan which includes becoming a self-sustaining Tribal entity.

Motion made by Councilor Law and supported by Councilor Wemigwase to approve the 6.5 acres as set out in the Osborn Site Plan, dated October 21, 2014, version 3 and the 2 acres as set out in the Murray Road Site Plan dated October 21, 2014, version 2 for Traditional Burial Grounds and managed by the Tribal Burial, Inc.

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

Motion carried.

10:45 a.m. Break

11:09 a.m. Resume

11:09 a.m. Elder Comment

- Wes Andrews commented on the Tribal Historic Preservation Office (Tribal Historic Preservation Officer) Statute and the Tribal Chairman's Veto Statement. Citizen Andrews recommended cross training in the area of "field training" utilizing current staff when necessary, i.e. Tribal Police, Natural Resource Department, etc. and he continues to look into ways to implement cost saving measures. Citizen Andrews reiterated his commitment to the Tribe and will assist in mentoring the new employee.

Legislative Leader Report

Discussion Items: Legislative Leader Gasco Bentley sent a letter to the Appellate Judges requesting Tribal Court Back Log and to date has not received a response. Meeting with Executive regarding Ethics Point and an additional meeting is planned to discuss clarification of policy and procedure. Council Otto stated the need to develop LTBB Tribal protocol on how our Tribe will publish our stance on issues in Indian country. Legislative Leader notified Council of Invitation to Judicial function. As an FYI: Circulate examples of hard calendars for Tribal Council use.

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to accept Legislative Leader Gasco Bentley's verbal report as presented on October 23, 2014.

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

Motion carried.

11:41 a.m. – 12:03 p.m. Public Comment:

- Citizen Andrew Stich questioned several issues involving Tribal Council decisions, this included protocol for Ethics Committee meetings; how long will the "on-going investigation" continue; what is the intended use for Parcel 86; what is Tribal Councils stance on Mackinaw City property; intended use of "Farm House"; and Clarification of Tribal Historic Preservation Officer issue.
- Citizen Denise Petoskey agreed with Councilor Otto's suggestion to develop protocol for Tribal declarations.

12:03 p.m. Lunch

1:30 p.m. Resume

Secretary Report

Discussion Items: Secretary Shananaquet will be attending the Annual National Congress of American Indians (NCAI) meeting to be held in Atlanta, Georgia next week and would like to thank Tribal Council for their support and approval to attend this event. Other events attended: "Abuse in Later Life Service Provider Cross Training" held on October 17, 2014, at the LTBB Tribal Health Clinic.

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

- Little Traverse Bay Bands of Odawa Indians Grant, Donation and Other Funding Policy
- Certified Motion #100914-01; Request for Funding from the US Department of Health and Human Services Health Resources Administration (HRSA), Office of Rural Health Policy Rural Health Care Services Outreach Program "New and Enhanced Substance Abuse-Mental Health Services and Outreach"
- Tribal Resolution #100914-01; Supplemental Appropriation to Increase 2014 Per Capita Distribution Payments
- Tribal Resolution #100914-02; Supplemental Funding for Accounting Department to reinstitute the Tribal Employee Weekly Payroll in the amount of \$64,000.00 to come from Prior Period Funds
- Tribal Resolution #100914-03; Tribal Government Priority Funding Percentage Allocation for FY 2016

Vetoes: None

Phone Polls: None

Motion made by Treasurer Reyes and supported by Councilor Naganashe to accept Secretary Shananaquet's verbal report as presented on October 23, 2014.

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

Motion carried.

Treasurer Report

Discussion Items: Treasurer Reyes presented the recommendations of the Appropriations and Finance Committee listed under Action Items for Tribal Council approval. Additional phone poll reported regarding Supplemental Funding for Gaming Regulatory.

Motion made by Councilor Naganashe and supported by Councilor Wemigwase to accept Treasurer Reyes' verbal report as presented on October 23, 2014.

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

Motion carried.

Tribal Council Travel Reports

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to acknowledge the verbal and written report from Councilor Wemigwase for her attendance at the Reservation Economic Summit (RES) Conference held in

Milwaukee, Wisconsin on October 6-9, 2014, and the verbal and written report from Councilor Keshick for his attendance at the Climate Change Adaption Summit held in Keshena, Wisconsin on Oct 14-17, 2014 and the Farm Tour in Oneida, WI on August 22, 2014.

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

Motion carried.

Tribal Council Reports

Discussion item: Councilor Denemy contributed to Councilor Law's report on the Abuse in Later Life training as an FYI, and was commended by Councilor Law for his outstanding closing statement.

Motion by Secretary Shananaquet and supported by Treasurer Reyes to acknowledge receipt of Councilor Law's report on her attendance at the Abuse in Later Life training held October 17, 2014 and gave her update on upcoming travel to the National Congress of American Indians Conference in Atlanta, GA.

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

Motion carried.

2:30 p.m. Break

2:42 p.m. Resume

Tribal Council Gaming Authority Committee Report:

Gaming Authority Committee

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

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

Motion carried.

3:25 p.m. Public Comment opens: no comments.

3:25 p.m. Public Comment closes.

Action Items – Motions:

Motion made by Councilor Law and supported by Treasurer Reyes to amend agenda to include approval for attendance for Tribal Council members for the following events: Judicial Award Event, Government to Government Meeting and Intertribal Agriculture Council's Annual Membership Meeting and to include Motion for Supplemental Funding for Gaming Regulatory.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Naganashe to approve Enrollment List A Eligible for Citizenship dated October 21, 2014 for a total of 5.

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

Motion made by Councilor Wemigwase and supported by Councilor Law to approve Enrollment List B In-Eligible for Citizenship dated October 21, 2014 for a total of 5.

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

Motion made by Councilor Wemigwase and supported by Councilor Keshick to approve Certified Motion 102314-01; Funding from the U.S. Department of Health and Human Services, Indian Health Service; Annual Funding Agreement, Award Increase.

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

Motion made by Councilor Law and supported by Councilor Keshick to approve Certified Motion 102314-02; Request for funding from the Office of Vocational and Adult Education, Native American Career and Technical Education Program Waganakising Odawa Career and Technical Education Project (WOCTEP) Supplemental Funding

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

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to approve Certified Motion 102314-03; Request for funding from the U.S. Department of Interior, Bureau of Indian Affairs; FY2014 GRLI Wetland and Waterfowl Monitoring and Enhancement

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

Motion made by Councilor Naganashe and supported by Councilor Keshick to approve Certified Motion 102314-04; Request for funds from Inter-Tribal Council of Michigan; Reach (Racial and Ethnic Approaches to Community Health) Program

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

Motion made by Councilor Naganashe and supported by Councilor Law to approve Certified Motion 102314-05; Approval of FY 2015 – FY 2018 Tribal Transportation Improvement Plan.

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

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to approve Certified Motion 102314-06; Funding from the U.S. Department of

Health and Human Services Indian Health Service 2015 Annual Funding Agreement, Award Increase.

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

Motion made by Councilor Law and supported by Councilor Wemigwase to not pursue Land Parcel #86.

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

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to approve Tribal Council attendance at the Michigan State University Extension Cultural Connection Community Exchange November 2-3, 2014.

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

Motion made by Councilor Keshick and supported by Councilor Law to add to the Legislative Calendar: Amendment to Waganakising Odawak Statute 2009-007 Land Use, Building Regulation, and Zoning Statute sponsored by Councilor Keshick.

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

Motion made by Councilor Keshick and supported by Councilor Wemigwase to post to the Legislative Calendar: Gaming Enterprise Council Statute sponsored by Councilor Law.

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

Motion made by Councilor Keshick and supported by Councilor Law to post to the Legislative Calendar: Domestic Violence Statute sponsored by Councilor Wemigwase.

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

Motion made by Councilor Keshick and supported by Councilor Naganashe to approve Tribal Council attendance for the following events: Intertribal Agriculture Council's Annual Membership Meeting will be held December 8-11, 2014 at the Flamingo Hotel in Las Vegas, Judicial Award event October 27 and 28, 2014, to be held at Odawa Casino Resort, Government to Government Meeting to be held on October 29, 2014, at 911 Spring Street, Petoskey.

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

Motion made by Councilor Keshick and supported by Councilor Wemigwase to override Executive Veto and approve the submission of the Veto Override

Statement to the Executive Office for Waganakising Odawak Statute Tribal Historic Preservation Office.

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

Action Items - Roll Call Votes

Discussion:

Motion made by Councilor Law and supported by Councilor Keshick to pass Repeal of Waganakising Odawak Statute 2009-023 Economic Development Commission.

Discussion: Councilor Otto asked if the Executive Department still wanted an Economic Development Commission.

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

Motion carries.

Motion made by Councilor Law and supported by Councilor Keshick to pass Repeal of Waganakising Odawak Statute 2010-006 Waganakising Odawa Development, Inc. Corporate Charter.

Discussion: Legislative Leader Bentley brought forth a comment by a tribal member that Corporate Charter doesn't cost the tribe to be in existence.

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

Motion carries.

Motion made by Treasurer Reyes and supported by Councilor Naganashe to adopt Tribal Resolution 102314-01 Supplemental Funding in the Amount of \$31,000.00 for Network Security Assessment to come from prior period funds.

Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-yes, Treasurer Reyes-yes, Secretary Shananaquet-yes, Legislative Leader Gasco Bentley-yes

Motion carries.

4:12 p.m. Secretary Shananaquet exits meeting.

4:12 Break

4:23 Resume with Tribal Council Committee Reports.

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 (Secretary Shananaquet)
Motion carried.

Land and Reservation Committee

Motion made by Treasurer Reyes and supported by Councilor Otto to accept the verbal report of the Land and Reservation Committee as presented by Legislative Leader Gasco Bentley, Committee Chairperson.

Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Secretary Shananaquet)
Motion carried.

Legal Legislative Committee

Next Meeting November 4th, 2014, No meeting since last Tribal Council Meeting on October 09th, 2014

Ethics Committee

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

Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Secretary Shananaquet)
Motion carried.

Legislative Office Reports:

Treasury Director Report

Motion made by Councilor Keshick and supported by Councilor Naganashe to accept Treasury Director Garrow's written Travel report as presented on October 23, 2014.

Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Secretary Shananaquet)
Motion carried

Legislative Services Attorney Report

Motion made by Councilor Keshick and supported by Treasurer Reyes to accept Legislative Services Attorney Budnick's verbal report as presented on October 23, 2014.

Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Secretary Shananaquet)
Motion carried

Enjinaaknegeng – No report.

Legislative Office Manager

Motion made by Treasurer Reyes and supported by Councilor Law to accept Legislative Office Manager LaCount and Legislative Office Assistant Tamara Kiogima's verbal and written report as presented on October 23, 2014.

Vote: 8-Yes, 0-No, 0-Abstained, 1–Absent (Secretary Shananaquet)
Motion carried.

Adjournment

4:50 p.m. Motion made by Councilor Keshick and supported by Councilor Denemy to adjourn meeting.

Vote: 8-Yes, 0-No, 0-Abstained, 1-Absent (Secretary Shananaquet)

Motion carried

Next Scheduled Meeting
November 6, 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 corrected.


Julia A. Shananaquet, Tribal Council Secretary

11-6-14
Date

APPROVED