

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
July 23, 2015

Closed Session: Yes
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, Councilor Beatrice A. Law, Councilor Naganashe, Councilor Aaron Otto,

Absent: Councilor Wemigwase

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Sr. Financial Analyst Stella Kay, Legislative Office Manager Michele LaCount

Executive Officials and Staff Present: Interim Chairperson Regina Gasco Bentley, Tribal Administrator Albert Colby, Elder Director Arlene Naganashe, Chief Financial Officer Carrie Carlson,

Public: Jannan Cornstalk, James Fisher, David Dominic, Emily Proctor, Sara Proctor, Alan Proctor

Invited Guests: Odawa Casino Resort General Manager Eric McLester, Tribal Historic Preservation Officer Wesley Andrews, BDO Doug Havera, BDO Kristy VanderMolen

Motion made by Councilor Law and supported by Treasurer Reyes to adopt the agenda of July 23, 2015 as amended.

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

Motion carried.

9:12 a.m. Councilor Wemigwase arrives

Motion made by Councilor Denemy and supported by Treasurer Reyes to approve the minutes of the Regular Meeting held on July 9, 2015, as corrected.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried.

9:34 a.m. Motion made by Councilor Law and supported by Councilor Wemigwase to go into closed session for confidential business matters
Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent
Motion carried.

9:59 a.m. Motion made by Councilor Otto and supported by Councilor Law to return to open session.
Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent
Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to acknowledge the Gaming Enterprise Board (GEB) 2nd Quarter Report of the Odawa Casino Resort Business Update as presented General Manager Eric McLester.
Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent
Motion carried.

10:05 a.m. Break
10:16 a.m. Resume

Executive Updates

Discussion Items: Successful Youth Trip to D.C., VA Medical Insurance, Snow Plowing Reimbursement, Petoskey High School Mascot/Logo, Housing Issues regarding policy, Received Letter from EPA regarding water quality standards and would like to meet with Tribal Council (September 29, 2015). Odawa Fishery Inc. (OFI) update, Health Park tree removal, Health Park maintenance staff, Pow wow ground upgrade, Elder Luncheon group to discuss per cap increase, Broadband expansion interest for service to the LTBB government complex.

Motion made by Councilor Wemigwase and supported by Councilor Naganashe to acknowledge the verbal report as presented by Chairperson Regina Gasco Bentley, Tribal Administrator Albert Colby and Elder's Director Arlene Naganashe on July 23, 2015.
Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent
Motion carried.

11:00 am – Tribal Historic Preservation Office (THPO) 2-year Plan – Tribal Historic Preservation Officer, Wes Andrews

Motion made by Councilor Denemy and supported by Councilor Law to acknowledge the verbal and written report regarding a Two Year Plan for THPO and Native American Graves Protection Repatriation Act and corresponding Fee Schedule for Services as presented by Citizen Wes Andrews, Tribal Historic Preservation Officer and to approve implementation of plan and Fee Schedule for Services.
Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried.

Legislative Leader Report - Position is currently vacant.

Secretary Report:

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

- Tribal Resolution: Grant of Perpetual Right-of-Way to the BIA for Road Improvements On Shops at Victories Trust Parcel
Submitted to the Executive Department on 07-13-15
Signed on 07-15-15.
- Tribal Resolution: Grant of Perpetual Utility Right-of-Way to Tribe for Parking Lots On Shops at Victories Trust Parcel
Submitted to the Executive Department on 07-13-15
Signed on 07-15-15.
- Tribal Resolution: Grant of Perpetual Utility Right-of-Way to Tribe for Improvements On Shops at Victories Trust Parcel
Submitted to the Executive Department on 07-13-15
Signed on 07-15-15.
- Waganakising Odawak Statute Amendment to Dissolution of Marriage.
Submitted to the Executive Department on 07-13-15
Status: pending.
- Waganakising Odawak Statute Adult Welfare Protection Statute.
Submitted to the Executive Department on 07-13-15
Signed on 07-21-15.

Vetoes: None

Phone Polls: None

Motion made by Treasurer Reyes and supported by Councilor Wemigwase to accept Secretary Shananaquet's verbal and written report as presented on July 23, 2015.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Keshick)

Motion carried.

Treasurer Report:

Motion made by Councilor Wemigwase and supported by Councilor Law to accept Treasurer Reyes' verbal report as presented on July 23, 2015.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried.

Tribal Council Travel Reports: - None
Tribal Council Reports: - None

Tribal Council Committee Reports:

Agriculture Assessment Work Group

Motion made by Councilor Wemigwase and supported by Councilor Naganashe to accept the verbal report of the Agriculture Ad-hoc Work Group as presented by Councilor Keshick, Committee Chairman.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried.

11:45 a.m. Public Comment No citizens present for comments

Land and Reservation Committee

11:47 a.m. Motion made by Councilor Law and supported by Councilor Wemigwase to go into closed session for Legal matters.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried.

12:03 p.m. Motion made by Treasurer Reyes and supported by Councilor Wemigwase to return to open session.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried.

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

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried.

Legal Legislative Committee – No report

Ethics Committee – No report

12:04 p.m. Lunch

1:36 p.m. Meeting Resumes

1:45 pm - BDO Performance Review

Motion made by Councilor Law and supported by Councilor Wemigwase to acknowledge BDO 2014 Audit Performance Review as presented on July 23, 2015.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried.

Legislative Office Reports:

Legislative Services Attorney Report

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to accept Legislative Services Attorney Budnick's verbal report as presented on July 23, 2015.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried.

Sr. Financial Analyst Report

Sr. Financial Analyst Report is interrupted to allow for public comment.

3:07 p.m. Public Comment Opens

- Citizen David Dominic commented on Per capita issues
- Citizen Emily Proctor commented on need to present citizens with budget explanations.
- Citizen Sally Proctor commented on per capita and income eligibility requirements for programs.

3:34 p.m. Public Comment Closes

Sr. Financial Analyst Report continues...

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to accept Sr. Financial Analyst Stella Kay's verbal and written report as presented on July 23, 2015.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried.

4:03 p.m. Break

4:18 p.m. Resume

Enjinaaknegeng – No Report

Legislative Office Manager

Motion made by Councilor Law and supported by Councilor Wemigwase to accept Legislative Office Manager Poprtman-LaCount's verbal and written report as presented on July 23, 2015.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Treasurer Reyes)

Motion carried.

LTBB Charter and/or Enterprise Committee/Board Reports

Alan Proctor, Odawa Economic Development Management, Inc., gave a short announcement regarding asset disposal at old Victories site.

Gaming Enterprise Board

See 9:00 a.m presentation by General Manager Eric McLester.

Action Items – Motions

Motion made by Councilor Naganashe and supported by Councilor Wemigwase to approve Certified Motion #072315-01; Acceptance of Funds as Sub-Grantee of Inter-Tribal Council of Michigan, Inc. community Services Block Grant Emergency Assistance Program Funding Increase.

Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to approve Certified Motion #072315-02; Funding from the National Endowment for the Humanities Museums, Libraries, and Cultural Organizations Planning Grants Repatriation, Archives and Records Department “A Reflection of Ourselves” Exhibit Planning Grant.

Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Naganashe to approve Certified Motion # 072315-03; Request for Funding from the U.S. Department of the Interior Bureau of Indian Affairs, Great Lakes Restoration Initiative Capacity Funding, Lakewide Management Plan (LaMP) Program Capacity Grant.

Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Law to approve Certified Motion # 072315-04; Request for Funding from the Administration for Children and Families Title IV-B of the Social Security Act FY 2016 Title IV-B Continuation Funding.

Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to approve Certified Motion # 072315-05; Request for funding from the Administration for Children and Families, FY 2016 Child Care and Development Fund Program Child Count Declaration.

Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

Motion carried.

Motion made by Councilor Naganashe and supported by Councilor Otto to approve Certified Motion # 072315-06; Inter-Tribal Council of Michigan, Inc. application for funding: U.S. Department of Health and Human Services Office of Community Services Low Income Housing Energy Assistance Program.

Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to approve Certified Motion # 072315-07; Inter-Tribal Council of Michigan, Inc.

application for funding: U.S. Department of Health and Human Services Office of Community Services, Community Services Block Grant Emergency Assistance Program.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Wemigwase to approve Certified Motion # 072315-08; Funding Renewal from the U.S. Department of Health and Human Services Indian Health Service Little Traverse Bay Bands of Odawa Indians FY 2016 Annual Funding Agreement.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent
Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Law to approve Certified Motion # 072315-09; Request for Funding from the State of Michigan, Department of Human Services, Bureau of Juvenile Justice Community Programming and Support Services, Child Care Fund Unit Child Care Fund Intensive Probation FY 2016.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Naganashe to approve Certified Motion # 072315-10; Request for Funding from the State of Michigan, Department of Human Services, Bureau of Juvenile Justice Community Programming and Support Services, Child Care Fund Unit Child Care Fund In-Home Care FY 2016.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent
Motion carried.

Motion made by Councilor Otto and supported by Councilor Law to approve Certified Motion #072315-11; Request for Funding from the U.S. Department of Education, Native American Career and Technical Education Program Waganakising Odawa Career and Technical Education Project (WOCTEP) 12-Month Continuation (FY 2016).

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent
Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to approve Certified Motion #072315-12; Acceptance of Funds from the Bureau of Indian Affairs FY 2014 Conservation Law Enforcement Officers.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Wemigwase to approve Certified Motion #072315-13; Funding from the United States Department of Agriculture (USDA), Food and Nutrition Services Little Traverse

Bay Bands of Odawa Indians Food Distribution Program on Indian Reservations (FDPIR) Supplemental Funding.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to acknowledge receipt and set up an interview for the position of Gaming Enterprise Board member from the following individuals: Linda Gasco, Fred Harrington, Billi Jo Head, Scott McMillan, Denise Petoskey.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Law to not pursue Land Parcel #92 as recommended by the Land and Reservation Committee.

Vote: 7-Yes, 1-No Councilor Naganashe), 0-Abstained, 0-Absent

Motion carried.

Action Items: Roll Call Votes

Motion made by Councilor Wemigwase and supported by Councilor Law to adopt Tribal Resolution: Funding for Indian Community Development Block Grant Tribal Support Match.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Law to adopt Tribal Resolution: Waganakising Odawak Statute, Open Meetings of Tribal Council.

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

Motion carried.

Other Items of Business

Review: Robert Ellerman Letter of Interest and Resume for the "Gaming Enterprise Board" position.

Discussion: Request explanation of how degree relates to GEB qualification

Adjournment

5:10 p.m. Motion made by Councilor Denemy and supported by Councilor Wemigwase to adjourn meeting.

Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

Motion carried.

**Next Scheduled Meeting
August 6, 2015**

Please contact the Legislative Office at 231-242-1403 or 231-242-1404 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

8-6-15

Date

APPROVED