

**Little Traverse Bay Bands of Odawa Indians  
Tribal Council Chambers  
7500 Odawa Circle, Harbor Springs, MI 49740  
Tribal Council Regular Meeting  
September 15, 2016**

Call to Order: 9:00 a.m.

Opening ceremony: Beatrice A. Law

Closed Session:

Council Present: Secretary Aaron Otto, Treasurer Marcella Reyes, Councilor Frank Bernard, Councilor Beatrice Law, Councilor Dexter McNamara, Councilor Julie Shananaquet, Councilor Michael Naganashe

Absent: Legislative Leader position, Councilor David Harrington

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele Portman-LaCount, Sr. Financial Analyst Stella Kay (prior to Oath of Office), Legislative Administrative Assistant Tamara Kiogima, General Counsel James Bransky

Executive Officials and Staff Present: Chairperson Gasco Bentley, Vice-Chair Stella Kay, Interim Tribal Administrator and Natural Resource Department Director Doug Craven, Food Distribution Program Specialist Joseph VanAlstine

Judicial Officials and Staff: Court Administrator Michael Wolf

Public: Doug Emery, David Kay, John Kawegoma, Carol Quinones, Allie Hughes, Jody Werner, Cathy Bradley, Chris Peariso, Andrew Stich, Douglas Sprague

Invited Guest: Lon Johnson candidate for Congress

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**Adoption of Agenda:**

Motion made by Councilor McNamara and supported by Councilor Law to adopt the agenda for September 15, 2016 as amended.

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

Motion carried.

**Minutes:**

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to approve the minutes of September 1, 2016 as corrected.

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

Motion carried.

9:21 a.m. Councilor David Harrington arrived

**Action Items: (Motions)**

Motion made by Councilor Law and supported by Treasurer Reyes to approve Certified Motion #091516-01; Funding from the United States Department of Agriculture (USDA), Food and Nutrition Services FY 2016 Food Distribution Program on Indian Reservations (FDPIR).

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

Motion made by Treasurer Reyes and supported by Councilor Law to approve Certified Motion #091516-02; Request for Funding from U.S. Department of Housing and Urban Development Native American Housing Assistance and Self-Determination Act (NAHASDA) Indian Housing Block Grant Program.

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

Motion made by Treasurer Reyes and supported by Councilor Law to approve Certified Motion #091516-03; Funding from the United States Department of the Interior Bureau of Indian Affairs P.L. 93-638 Annual Funding Agreement 2017 Annual Contract.

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

Motion made by Treasurer Reyes and supported by Councilor Harrington to approve Certified Motion #091516-04; 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 2017.

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

Motion made by Councilor Law and supported by Treasurer Reyes to approve Certified Motion #091516-05; 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 2017.

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

Motion made by Councilor McNamara and supported by Councilor Harrington to approve Certified Motion #091516-06; Approval of FY 2017 - FY 2020 Tribal Transportation Improvement Plan.

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

Motion made by Treasurer Reyes and supported by Councilor Law to approve Enrollment List C-Voluntary Relinquishment dated September 12, 2016 for a total of 1.

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

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to cancel Michelle Hillman's Disenrollment Hearing on February 2, 2016 due to her relinquishment from the Sault Ste. Marie Tribe.

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

Motion carried.

Motion made by Councilor McNamara and supported by Councilor Harrington to modify Legislative Budget to incorporate appropriation for the supplemental funding request in the amount of \$2,557 for the Tribal Historic Preservation Office's Tribal Historic Preservation Fund Operations Grant.

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

Motion carried.

Motion made by Councilor Law and supported by Councilor McNamara to approve Certified Motion #091516-07 Funding from the U.S. Department of Health and Human Services Indian Health Service - Sanitation Program Well & Septic Systems Contract BE-15-J53 Modification #03.

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

Motion carried.

Motion made by Councilor Harrington and supported by Treasurer Reyes to assign Gwen Gasco to the Traditional Tribal Burial Board, Inc. to serve the remainder of a four (4) year term ending September 21, 2018 and to amend the Corporate Charter to reflect the assignment.

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

Motion carried.

Motion made by Councilor Law and supported by Councilor McNamara to assign Patrick Wemigwase to the Traditional Tribal Burial Board, Inc. to serve the remainder of a four (4) year term ending September 21, 2018 and to amend the Corporate Charter to reflect the assignment.

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

Motion carried.

**Action Items: (Roll Call)**

Motion made by Councilor Harrington and supported by Councilor Law to adopt Tribal Resolution: To Authorize Funding in the Amount of \$35,000.00 for Purchase of Parcel #97 to come from Reserved General Fund Balance-Supplemental Funding.

Roll call vote: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor Shananaquet-yes, Treasurer Reyes-yes, Secretary Otto-yes

Motion carried.

Motion made by Councilor Harrington and supported by Councilor Shananaquet to adopt Tribal Resolution: To authorize Supplemental Funding in the amount of \$90,000.00 for 2016 Funeral Assistance Fund to come from Reserved General Fund Balance-Supplemental Funding.

Roll call vote: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor Shananaquet-yes, Treasurer Reyes-yes, Secretary Otto-yes

Motion carried.

Motion made by Councilor Law and supported by Councilor Harrington to adopt Tribal Resolution: To authorize Supplemental Funding in the Amount of \$52,000.00, for the Little Traverse Bay Bands of Odawa Indians Salt Shed to come from Reserved General Fund Balance-Supplemental Funding.

Roll call vote: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor Shananaquet-yes, Treasurer Reyes-yes, Secretary Otto-yes

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to adopt Tribal Resolution: To Appropriate Funding in the Amount of \$671,650.00 to the Min-A-Mskiki Gumik for a Tribal Pharmacy to come from IHS Fund Balance and 3rd Party Revenue Fund Balance.

Roll call vote: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor Shananaquet-yes, Treasurer Reyes-yes, Secretary Otto-yes

Motion carried.

10:05 a.m. Break

10:19 a.m. Resume meeting

### **Legislative Officer Reports:**

#### Secretary Report:

i. Documents Delivered to Executive

*-Waganakising Odawak Statute Compensation for Tribal Council delivered to the Executive on 08-02-16 enacted without signature on 09-01-16.*

*-Waganakising Odawak Statute Amendment to Waganakising Odawak Statute 2013-010 Fair Employment delivered to the Executive on 08-02-16 enacted without signature on 09-01-16.*

*-Waganakising Odawak Statute Office of Finance and Revenue was delivered to the Executive on 08-23-16 and signed on 08-26-16.*

*-Waganakising Odawak Statute Little Traverse Bay Bands of Odawa Indians Nibiish Waagdown "The Care of the Water" Clean Water Act was submitted to the Executive on 09-07-16 still pending.*

ii. Vetoes: none

iii. Phone Polls

*08-19-16 Motion to approve The Special Prosecutor Contract Amendment between Little Traverse Bay Bands and Kevin Hesselink, dated July 22, 2014, as renewed on August 18, 2016 for a period of ninety (90) days.*

*Vote: 8-yes, 0-no, 0-abstained, 0-absent*

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to accept Secretary Otto's verbal and written as provided on agenda for September 15, 2016.

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

Motion carried.

Motion made by Secretary Otto and supported by Councilor Law to amend the agenda to include the Executive Oversight Report.

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

Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Harrington to acknowledge receipt of the Executive Oversight Report (EOR) as presented by Chairperson Gasco Bentley on September 15, 2016.

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

Motion carried.

#### Treasurer Report

i. Appropriations and Finance Committee

*-Last meeting September 6, 2016 at 1:00 p.m.*

*-Next meeting: October 7, 2016 at 1:00 p.m.*

ii. Phone Poll(s)

*09-12-16: Motion to recommend Tribal Council approve Certified Motion #091516-04; State of Michigan, Department of Human Services, Bureau of Juvenile Justice, Child Care Fund – Intensive Probation, FY 2017.*

*09-12-16: Motion to recommend Tribal Council approve Certified Motion #091516-05; State of Michigan, Department of Human Services, Bureau of Juvenile Justice, Child Care Fund – In-Home Care, FY 2017.*

*09-13-16: Motion to recommend Tribal Council approve Certified Motion 091516-07 Funding from the U.S. Department of Health and Human Services Indian Health Service- Sanitation Program Well & Septic Systems Contract BE-15-J53 Modification #03*

iii. (Committee meeting recommendations)

Motion made by Committee Secretary Shananaquet and supported by Councilor Law to recommend Tribal Council approval of: Certified Motion #091516-01; Funding from the United States Department of Agriculture (USDA), Food and Nutrition Services FY 2016 Food Distribution Program on Indian Reservations (FDPIR).

Vote: 3-yes, 0-no, 0-abstain, 0-absent Motion carried

Motion made by Councilor Law and supported by Committee Secretary Shananaquet to recommend Tribal Council approval of: Certified Motion #091516-02; Request for Funding from U.S. Department of Housing and Urban Development Native American Housing Assistance and Self-Determination Act (NAHASDA) Indian Housing Block Grant Program.

Vote: 3-yes, 0-no, 0-abstain, 0-absent Motion carried

Motion made by Councilor Law and supported by Committee Secretary Shananaquet to recommend Tribal Council approval of: Certified Motion #091516-03; Funding from the United States Department of the Interior Bureau of Indian Affairs P.L. 93-638 Annual Funding Agreement 2017 Annual Contract.

Vote: 3-yes, 0-no, 0-abstain, 0-absent Motion carried

Motion made by Committee Secretary Shananaquet and supported by Councilor Law to recommend Tribal Council approval of: Tribal Resolution xxx To Authorize Funding in the Amount of \$35,000 for Purchase of Parcel # 97 to come from Reserved General Fund Balance-Supplemental Funding.

Vote: 3-yes, 0-no, 0-abstain, 0-absent Motion carried

Motion made by Councilor Law and supported by Committee Secretary Shananaquet to recommend Tribal Council approval of Tribal Resolution xxx- To authorize Supplemental Funding in amount of \$90,000.00 for 2016 Funeral Assistance Fund to come from Reserved General Fund Balance-Supplemental Funding.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried

Motion made by Committee Secretary Shananaquet and supported by Councilor Law to recommend Tribal Council approval of Tribal Resolution xxx- To authorize Supplemental Funding in the Amount of \$52,000, for the Little Traverse Bay Bands of Odawa Indians Salt Shed to come from Reserved General Fund Balance-Supplemental Funding.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried

Motion made by Committee Secretary Shananaquet and supported by Councilor Law to recommend Tribal Council approval of: Tribal Resolution :xxx To Appropriate Funding in the Amount of \$671,650.00 to the Min-A-Miskiki Gumik for a Tribal Pharmacy to come from IHS Fund Balance and 3rd Party Revenue Fund Balance.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried

Motion made by Committee Secretary Shananaquet and supported by Treasurer Reyes to modify Legislative Budget to incorporate appropriation for the supplemental funding request in the amount of \$2,557 for the Tribal Historic Preservation Office's Tribal Historic Preservation Fund Operations Grant.

Vote: 2-yes, 0-no, 0-abstain, 1-absent

*Motion carried*

Motion made by Councilor Shananaquet and supported by Councilor Law to accept Treasurer Reyes verbal and written Appropriations and Finance Committee as provided on the agenda for September 15, 2016.

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

Motion carried.

### **Tribal Council Member Reports**

Motion made by Councilor Law and supported by Councilor Harrington to accept Councilor Shananaquet's verbal and written Tribal Council member report regarding Michigan Intergovernmental Transportation Meeting, Odawa Hotel.

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

Motion carried.

### **Public Comment**

10:53 a.m. Public comment opened:

- Doug Emery spoke asked about Berg Farm contracting with regard to hunting leases.
- John Kawegoma asked for a definition of Tribal Citizen for service purposes; housing assistance for Elders with regards to family member live-ins and need for a standardized guideline; and Tribal Council travel reports; the need for a standard of quality for hosting events; Housing assistance need and the committee he is establishing to travel to investigate different programs.
- Andrew Stich spoke regarding missing Tribal Council travel reports.
- Donna Budnick acknowledged and thanked Chairperson Gasco Bentley and Stella Kay for their previous and current service to the Tribe.
- Petchiese Carol King asked if Tribal Council will be buying land and if there is hope for homeless after existing services runs out.

11:12 a.m. Public comment closed

**11:12 a.m. Recess** called for Chairperson and Vice Chairperson's Oath of Office and Feast

**1:37 p.m. Resume meeting**

1:38 p.m. Invited Guest, Lon Johnson candidate for Congress

Tribal Court update: Court Administrator Michael Wolf and Jocindee Sawaquat

**Motions:**

Motion made by Treasurer Reyes and supported by Councilor Law to declare a vacancy on Tribal Council, and the Legislative Office will post the vacancy for letters of interest due by close of business on October 3, and the date for interviews will be October 4, 2016.

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

Motion made by Treasurer Reyes and supported by Councilor Law to declare the Legislative Leader position vacant.

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

Motion made by Councilor Law and supported by Councilor Harrington to appoint Aaron Otto as the Legislative Leader of Tribal Council.

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

Motion made by Treasurer Reyes supported by Councilor Law to declare the Tribal Secretary position vacant.

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

Motion made by Councilor Law and supported by Councilor McNamara to appoint Julie Shananaquet as Tribal Secretary.

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

### **Public Comment**

3:00 p.m. Public comment opened:

- Beatrice A. Law wished Stella Kay the best and congratulations, and congratulated Aaron Otto as the new Legislative Leader and Julie Shananaquet as Tribal Secretary.

3:03 p.m. Public Comment closed.

3:04 p.m. Break.

3:04 p.m. Councilor McNamara leaves meeting.

3:18 p.m. Resume

### **Tribal Council Committee Reports**

#### Land and Reservation Committee

- Last meeting: September 9, 2016 at 9:00 a.m.
- Next meeting: October 7, 2016 at 9:00 a.m.

(Committee recommendations for Tribal Council)

*Motion made by Councilor Harrington and supported by Councilor Bernard to reaffirm this committee's recommendation to purchase land parcel #97; with remaining balance of \$35,000 to come from the Reserved General Fund Balance-Supplemental Funding.*

*Vote: 3-yes; 0-no; 0-abstain*

*Motion Carries*

Motion made by Secretary Shananaquet and supported by Councilor Law to accept the Land and Reservation Committee verbal and written report as provided on the agenda for September 15, 2016.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent

Motion carried.

#### Ethics Committee

- Last Meeting: August 15, 2016

- Next Meeting: September 26, 2016

#### **Legislative Staff Reports**

##### Sr. Financial Analyst Report

Motion made by Councilor Law and supported by Councilor Harrington to accept Sr. Financial Analyst Stella Kay's written report for September 15, 2016.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent

Motion carried.

##### Legislative Services Attorney Report

Motion made by Secretary Shananaquet and supported by Councilor Law to accept Legislative Services Attorney Budnick's verbal and written report for September 15, 2016.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent

Motion carried.

##### Enjiinakneng Report

Motion made by Councilor Law and supported by Secretary Shananaquet to accept Enjiinakneng's verbal report as provided by General Counsel Bransky for September 15, 2016.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent

Motion carried.

##### Legislative Office Manager Report

Motion made by Councilor Law and supported by Treasurer Reyes to accept Legislative Office Manager verbal report as provided by Michele Portman-LaCount's for September 15, 2016.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent

Motion carried.

Discussion resumes regarding missing Travel Reports and Travel Policy, regarding TRAVEL CLOSEOUTS, which states, "Travel Closeouts must be completed by all individuals and submitted to the Legislative Office within 10

business days of returning from travel.... 1. Additional travel advances will be withheld until outstanding close outs are received.”

Legislative Office Manager was instructed to follow travel policy and withhold travel advances until all travel reports are completed. Per Diem includes costs of lodging, meals, airfare, etc.

Motion made by Councilor Harrington and supported by Councilor Law to amend the agenda to include a new motion regarding Enrollment list C and a Certified Motion #091516-08 for WOCTEP.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to amend the motion that approved Enrollment List C-Voluntary Relinquishment dated September 12, 2016 for a total of 1 and revises the motion as follows: to approve Enrollment List C-Voluntary Relinquishment dated September 12, 2016 for approval of a total of 2.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent

Motion carried.

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to approve Certified Motion #091516-08; 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 Grant Funding.

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

Motion carried.

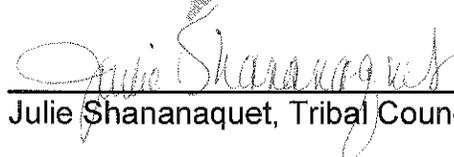
4:35 p.m. Motion made by Secretary Shananaquet and supported by Councilor Harrington to adjourn.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent

Motion carried.

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.

  
Julie Shananaquet, Tribal Council Secretary

  
Date