

**Little Traverse Bay Bands of Odawa Indians
Tribal Council Chambers
7500 Odawa Circle, Harbor Springs, MI 49740**

Tribal Council Regular Meeting
October 20, 2016

Call to Order: 9:13 a.m.
Opening ceremony: Frank Bernard
Closed Session: yes

Council Present: Legislative Leader Aaron Otto, Secretary Julie Shananaquet, Treasurer Marcella Reyes, Councilor Frank Bernard, Councilor David Harrington, Councilor Beatrice Law, Councilor Michael Naganashe

Absent: Councilor Dexter McNamara

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele Portman-LaCount, General Counsel James Bransky, Tribal Historic Preservation Officer Wesley Andrews

Executive Officials and Staff Present: Chairperson Gasco Bentley, Vice-Chair Stella Kay, Interim Tribal Administrator Doug Craven, Chief Financial Officer Carrie Carlson, Communications Director Annette VanDeCar

Judicial Officials and Staff: none

Public: Citizen Renee Dillard, Citizen Sarah Proctor, Citizen John Kawegoma, Citizen Andrew Stich

Invited Guest: Eric Hemenway, Odawa Economic Development Management, Inc.: President Tanya Gibbs, Treasurer Alan Proctor, Secretary Tamara Kiogima and Consultant Steve Hayward

Dedication:

Motion made by Secretary Shananaquet and supported by Councilor Law to dedicate this meeting in honor of those Tribal Citizens as noted that have walked on since October 6, 2016: Florence Marie Lovegrove, Gary Abraham Miron, Patricia Ann McCarty, George Edward Anziano Jr., Tonia Elaine Schwanke, Gary Lee Gilbault

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

Motion carried.

Agenda:

Motion made by Secretary Shananaquet and supported by Councilor Harrington to approve the agenda of October 20, 2016, as amended.

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

Motion carried.

9:33 a.m. Break for Oath of Office-Emily Proctor Tribal Council

10:26 a.m. Resume

Minutes:

Motion made by Treasurer Reyes and supported by Councilor Law to approve the minutes of October 6, 2016, as corrected.

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

Motion carried.

Executive Report:

Discussion: Decrease in 3-year rate for insurance and increased match for 401k match. Line 5 discussion. Corporate sponsorship boycott of companies backing the North Dakota Pipeline. Direct Services Administrator position filled. Odawa Fishery, Inc., recommendation.

Motion made by Secretary Shananaquet and supported by Councilor Harrington to acknowledge receipt of the October 2016 Executive Oversight Report and the verbal report as presented by Chairperson Gasco Bentley, Vice-Chairperson Stella Kay and Interim Tribal Administrator Doug Craven, on October 20, 2016.

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

Motion carried.

10:54 a.m. Public Comment opens

- Citizen John Kawegoma questions definition of Tribal Citizen, possible ethics violations, use of Elder program funds, review of Waganakising Odawak Statute 2012-006 Office of Citizens Legal Assistance. Elder direct client service.
- Citizen Andrew Stich mentioned travel issues

11:34 p.m. Public Comment closes

Legislative Officer Reports:

Legislative Leader Report – No Report

Secretary Report

- i. Documents Delivered to Executive: none
- ii. Vetoes: none
- iii. Phone Polls: none

Treasurer Report

- i. Appropriations and Finance Committee (AFC) Meeting Dates
 - Last meeting: October 7, 2016
 - Next meeting: November 8, 2016
- ii. Phone Poll(s): none

Motion made by Councilor Law and supported by Councilor Harrington to accept the Treasurer Report and AFC Update as presented by Treasurer Reyes on October 20, 2016.

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

Tribal Council Travel Reports:

Outstanding Travel Reports: Councilor Naganashe 5 reports

- i. Treasurer Reyes - National Congress of American Indians
Motion made by Councilor Law and supported by Councilor Proctor to acknowledge receipt of Treasurer Reyes' **verbal** travel report for attendance at the National Congress of American Indians-Phoenix, AZ, as presented on October 20, 2016.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor McNamara)
Motion carried.
- ii. Councilor Law- National Congress of American Indians
Motion made by Treasurer Reyes and supported by Councilor Naganashe to acknowledge receipt of Councilor Law's verbal and written travel report for attendance at the National Congress of American Indians-Phoenix, AZ, as presented on October 20, 2016.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor McNamara, Councilor Harrington)
Motion carried.

12:03 p.m. Lunch. Councilor McNamara arrives.

1:32 p.m. Resume. Councilor Harrington absent

1:35 p.m. Councilor Harrington arrives

- iii. Legislative Leader Aaron Otto - National Congress of American Indians
Motion made by Councilor Law and supported by Councilor McNamara to acknowledge receipt of Legislative Leader Otto's verbal and written travel report for attendance at the National Congress of American Indians-Phoenix, AZ, as presented on October 20, 2016.
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Tribal Council Member Reports

No reports presented

Tribal Council Committee Reports:

Land and Reservation Committee

Meeting dates:

- Last meeting September 6, 2016 at 1:00 p.m.
- Next meeting: October 7, 2016 at 1:00 p.m. **Cancelled**

Ethics Committee

Meeting dates:

- Last meeting September 26, 2016 at 1:00 p.m.
- Next meeting: October 25, 2016 at 1:00 p.m.

Legislative Staff Reports:

1:30 p.m. Tribal Historic Preservation Officer-Deputy Tribal Historic Preservation Officer draft Job Description (motion to approve posting)

Discussion: Forward to AFC for discussion.

Corporate Charters and/or Board Updates

2:37 p.m. – 3:44 p.m. Odawa Economic Development Management, Inc. (OEDMI) – 3rd Quarter Report

Discussion: Proposed plan for old Victories site includes a Hotel w/a projected opening date of April 2018. Other businesses include Sports Bar and a Coffee Bistro/Shop.

Motion made by Councilor Law and supported by Councilor Harrington to acknowledge OEDMI's 3rd Quarter Report and verbal update of Victories property.

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

Motion carried

Public Comment

3:45 p.m. Comment period opens: no comments.

3:45 p.m. Comment period closes

3:46 p.m. Break

3:59 p.m. Resume

Legislative Staff Reports cont'd:

Legislative Services Attorney Report

Note: Legislative Services Attorney Budnick will not be present at next Tribal Council meeting.

Motion made by Councilor Law and supported by Treasurer Reyes to accept Legislative Services Attorney Donna Budnick's verbal and written report as presented on October 20, 2016.

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

Motion carried

Enjinaaknegeng Report – Tentative Closed Session

4:29 p.m. Motion made by Councilor Law and supported by Treasurer Reyes to go into closed session for legal.

4:59 p.m. Motion made by Councilor Law and supported by Councilor Harrington to return to open session.

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to accept Enjinaaknegeng verbal report as presented by General Counsel Bransky on October 20, 2016

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

Motion carried

Legislative Office Manager Report

Motion made by Councilor Law and supported by Treasurer Reyes to accept the verbal and written report of Legislative Office Manager, Michele Portman-LaCount as presented on October 20, 2016.

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

Motion carried

Sr. Financial Analyst Report: Position currently vacant

Corporate Charters and/or Board Updates cont...

Traditional Tribal Burial Board - Invited for 3rd Quarter Reporting (No Show)

Ziibimijwang, Inc. - Invited for 3rd Quarter Reporting (No Show)

Motion made by Councilor Law and supported by Councilor McNamara to approve the Gaming Enterprise Board Budget in the amount of \$107,380.00 for FY 2017, in accordance with the Gaming Enterprise Statute.

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

Motion carried

Action Items: (Motions)

Motion made by Councilor Law and supported by Councilor Proctor to approve Enrollment List A Eligible for Citizenship dated October 11, 2016 for a total of 12.

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

Motion carried.

Motion made by Legislative Leader Otto and supported by Councilor Proctor to approve Enrollment List B Declination (Ineligible) dated October 11, 2016 for a total of 5.

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

Motion carried.

Motion made by Councilor McNamara and supported by Councilor Harrington to approve Enrollment List C Voluntary Relinquishment dated October 20, 2016 for a total of 1.

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

Motion carried.

Motion made by Councilor McNamara and supported by Councilor Law to approve Tribal Council travel to the United Tribes of Michigan meeting in Manistee, MI October 26, 2016.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Proctor to accept Bryan Gillett's resignation from Odawa Economic Development Management, Inc. (OEDMI) dated October 14, 2016.

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

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve the Sr. Financial Analyst Job Description and to forward to Human Resources Department to post.

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

Motion carried

Motion made by Councilor Harrington and supported by Councilor Law to authorize and approve Vice Chair Stella Kay to continue to have access to Abila and other accounting information to provide Tribal Council financial information as part of the Executive Oversight Report and as otherwise needed or requested.
Motion withdrawn.

Motion made by Secretary Shananaquet and supported by Councilor Harrington to cancel the Special Tribal Council work session scheduled for October 25, 2016 with the Trust Fund Board due to Trust Fund Board member's inability to attend.

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

Motion carried

Discussion: Trust Fund Board is scheduled to attend the November 1, 2016 Regular Tribal Council Work Session.

Motion made by Councilor Law and supported by Secretary Shananaquet to acknowledge the receipt of the Gaming Enterprise Board's (GEB) August 2016 written monthly report that contained the GEB expenditures, but did not included the additional required reporting of the actual, projected and forecasted revenues, expenses and earnings before Interest Taxes, Depreciation and Amortization (EBITA) for the preceding month (actuals), current month (projection) and not less than two (2) months in advance (forecast) based on the Annual Enterprise Business Plan. This report shall also include; the number of employees, number of Tribal Citizens, other Natives and non-Natives employed, and turn-over-rate, number of Tribal Citizens in management positions, Native or non-Native employed in management positions and requests new development and/or capital projects and all other relevant information.

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

Motion carried

Motion made by Secretary Shananaquet and supported by Councilor Law to authorize the Legislative Leader to send a letter to the Gaming Enterprise Board requesting the August and September 2016 monthly reporting of the actual, projected and forecasted revenues, expenses and earnings before Interest Taxes, Depreciation and Amortization (EBITA) for the preceding month (actuals), current month (projection) and not less than two (2) months in advance (forecast) based on the Annual Enterprise Business Plan. This report shall include: the number of employees, number of Tribal Citizens, other Natives and non-Natives employed, and turn-over-rate, number of Tribal Citizens in management positions, Native or non-Native employed in management positions and requests new development and/or capital projects and all other relevant information and the September 2016 GEB expenditures.

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

Adjournment:

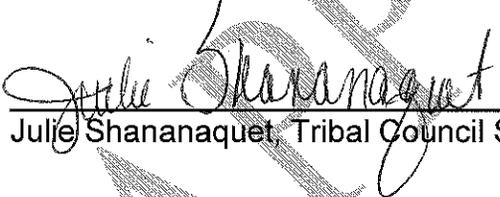
6:02 p.m. Motion made by Treasurer Reyes and supported by Councilor Proctor to adjourn.

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

Next Tribal Council Meeting
Regular: November 3, 2016

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 written.


Julie Shananaquet, Tribal Council Secretary

11/3/16
Date