

Little Traverse Bay Bands of Odawa Indians  
Tribal Council Chambers  
7500 Odawa Circle, Harbor Springs, MI 49740  
Tribal Council Regular Meeting  
February 16, 2017

Call to Order: 9:10 a.m.  
Opening ceremony: Beatrice Law  
Closed Session: yes

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

Absent: Councilor Frank Bernard, Councilor Dexter McNamara

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele Portman-LaCount, General Counsel James Bransky

Executive Officials and Staff Present: Chairperson Regina Gasco Bentley, Direct Services Administrator Phil Harmon, Chief Financial Officer Carrie Carlson

Judicial Officials and Staff: none

Public: Renee' Dillard

Invited Guest: none

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**Agenda:**

Motion made by Councilor Law and supported by Secretary Shananaquet to approve the agenda of February 16, 2017 as amended.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor McNamara)

Motion carried.

**Dedication:**

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to dedicate this meeting in honor of those Tribal Citizens as noted that have recently walked on: Irene Marie Howard, Virginia Rose Adams, and Marshall Andrew Pierce

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor McNamara)

Motion carried.

**Minutes:**

Motion made by Secretary Shananaquet and supported by Councilor Law to approve the minutes of February 2, 2017, as corrected.  
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bernard, Councilor McNamara)  
Motion carried.

**Executive Report:**

**Discussion:** LaCrosse rumor and clarification, Recycling, Vice-Chair Stella Kay in Washington, DC, Federal Bill to do away with EPA, which will result in no more funding. Budget process well under way, Health construction is progressing well, pharmacy is targeted to be complete in May. Huge increase in level of degrees in Education, Snow Snake will occur this coming weekend, Natural Resources Department will be sponsoring ice fishing.

Motion made by Councilor Law and supported by Councilor Proctor to acknowledge receipt of the February 2017 Executive Oversight Report and Executive updates as presented by Chairperson Regina Gasco Bentley, and Direct Services Administrator Phil Harmon.  
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bernard, Councilor McNamara)  
Motion carried.

**Legislative Officer Reports:**

Legislative Leader Report

Discussion: Tribal practices that may affect Reservation litigation (i.e.: Indian Child Welfare, and Native American Graves Protection and Repatriation Act)

Motion made by Councilor Law and supported by Treasurer Reyes to accept the February 16, 2017 verbal Legislative Leader Report as presented by Legislative Leader Otto.  
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bernard, Councilor McNamara)  
Motion carried.

9:59 a.m. Break  
10:13 a.m. Resume

Secretary Report -

**Documents Delivered to Executive:**

- Tribal Resolution #020217-01; Support for Chippewa Ottawa Resource Authority Litigation Support Request for FY 2018 delivered to the Executive on 02-06-17 and signed on 02-07-017.
- Tribal Resolution #020217-02; Rescission and Repeal of Resolution #041804-03 Request for Trust Acquisition delivered to the Executive on 02-06-17 and signed on 02-07-017.

- Waganakising Odawak Statute Housing Department delivered to the Executive on 02-06-17 and still pending.

**Vetoes:** none

**Phone Polls:**

- 02/14/17 Motion to approve and authorize the Legislative Leader to sign and submit the letter to Prosecutor Castagne regarding the Tribe's Indian Child Welfare Jurisdiction.  
Phone Poll passed: 9-yes
- 02/15/17 Motion to schedule a Special Meeting for Tuesday February 21, 2017 at 1:30 p.m. in the Council Chambers, for the purpose of Indian Child Welfare jurisdiction discussion with Prosecutor Castagne.  
Phone Poll passed: 9-yes

**Correspondence acknowledgement:**

- 02/15/17 Citizen Warren Petoskey, e-mail titled, Part III, Applied Suicide Intervention Skills Training (ASIST)
- 02/15/17 Citizen Warren Petoskey, e-mail titled, *he "Damned" Boarding Schools*
- 02/15/17 Citizen Warren Petoskey, e-mail titled, *I, a runner*
- 02/10/17 Citizen Andrea Pierce, e-mail titled, *Refinance of Loan (attached Letter)*

Discussion: Travois. Invite for on-site training. Legislative Office Manager will check into cost.

Motion made by Councilor Law and supported by Treasurer Reyes accept the verbal report of Secretary Shananaquet as presented on February 16, 2017.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor McNamara)  
Motion carried.

**Treasurer Report**

Discussion:

**Appropriations and Finance Committee**

- Last meeting: February 5, at 9:00 a.m.
- Next meeting: March 14, 2017 at 1:00 p.m.



Motion made by Secretary Shananaquet and supported by Councilor Law to accept the verbal report of the Appropriation and Finance Committee (AFC) as presented by Treasurer Reyes on February 16, 2017.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bernard, Councilor McNamara)

Motion carried.

**Tribal Council Travel Reports: None**

**Tribal Council Member Reports**

Councilor Harrington - North American Wetlands – Warren Petoskey

Motion made by Councilor Law and supported by Treasurer Reyes to authorize Councilor Harrington to draft correspondence to David Graber declining partnership for the Schell Osage Wetland Renovation located in Missouri.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bernard, Councilor McNamara)

Motion carried.

**Tribal Council Committee Reports:**

Land and Reservation Committee

Meeting dates:

- Last meeting: February 10, 2017 at 9:00 a.m. in the Council Chambers
- Next meeting: March 17, 2017 at 9:00 a.m. in the Council Chambers

Motion made by Secretary Shananaquet and supported by Councilor Naganashe to accept the Land and Reservation Committee Report as presented by Committee Chairperson - Treasurer Reyes on February 16, 2017.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bernard, Councilor McNamara)

Motion carried.

Ethics Committee – No Report

Meeting dates:

- Last meeting: December 20, 2016 at 9:00 a.m. – Cancelled due to lack of quorum
- Next meeting: To be determined

**Legislative Staff Reports:**

Legislative Services Attorney Report

Motion made by Treasurer Reyes and supported by Councilor Proctor to accept the Legislative Services Attorney Budnick's verbal and written report for February 16, 2017.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bernard, Councilor McNamara)

Motion carried.

Legislative Office Manager Report

Motion made by Treasurer Reyes and supported by Councilor Law to accept the February 16, 2017 Legislative Office Manager's verbal and written report as presented by Legislative Office Manager, Michele Portman-LaCount.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor McNamara)

Motion carried.

Office of Finance and Revenue Report - Position currently vacant.

Traditional Tribal Burial Board, Inc. - No Report

Ziibimijwang, Inc. - No Report

Odawa Economic - Development Management, Inc.

**Action Items: (Motions)**

Motion made by Treasurer Reyes and supported by Secretary Shananaquet to approve two Tribal Councilors to attend the Midwest Alliance of Sovereign Tribes Impact Week in Washington D.C March 21-24, 2017.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor McNamara)

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to acknowledge the receipt of the Prosecutor's 2018 Budget as submitted to Tribal Council on February 13, 2017.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor McNamara)

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Naganashe to approve Certified Motion #021617-01; Request for Funding from the U.S. Fish and Wildlife Service Fisheries Program Fiscal Year 2017 Great Lakes Restoration Initiative Aquatic Invasive Species Grants to Great Lakes Tribes.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor McNamara)

Motion carried.

Motion made by Councilor Harrington and supported by Councilor Proctor to approve Certified Motion #021617-02; Request for Funding from Enbridge Energy Partners, Safe Community Grant Protecting Tribal Properties: Oil Spill Response Supplies.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor McNamara)

Motion carried.



**Public Comment:**

**11:49 a.m.** Public Comment Opens: No comments

**11:50 a.m.** Public Comment Closes

Motion made by Councilor Law and supported by Councilor Naganashe to approve Certified Motion #021317-03; Request for Funding from First Nation Development Institute Native Youth & Culture Fund FY 2017 Land-Based Education Program.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bernard, Councilor McNamara)

Motion carried.

Motion made by Councilor Harrington and supported by Councilor Law to pursue Land Parcel #106 as recommended by the Land and Reservation Committee.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bernard, Councilor McNamara)

Motion carried.

Motion made by Councilor Harrington and supported by Councilor Naganashe to repost the Tribal Historic Preservation Deputy Officer Job Description.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bernard, Councilor McNamara)

Motion carried.

Motion made by Councilor Harrington and supported by Councilor Law to pass the Constitutionally Mandated Rules of Conduct for Officials of Tribal Government.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bernard, Councilor McNamara)

Motion carried.

Motion made by Councilor Harrington and supported by Councilor Naganashe to post the Amendment to Waganakising Odawak Statute 2015-019 Amendment to Administrative Procedures on the Legislative Calendar the Odawa Register as sponsored by Legislative Leader Otto.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Bernard, Councilor McNamara)

Motion carried.

**12:03 p.m.** Lunch Break

**1:34 p.m.** Meeting Resumes

**Action Items: (Roll Call)**

Motion made by Councilor Law and supported by Councilor Naganashe to adopt Tribal Resolution: Ziibimijwang request for funding in the amount of

\$63,632.00 to come from General Fund, Fund Balance-Economic Development Fund.

Roll Call: Councilor Bernard-absent, Councilor Harrington-yes, Councilor Law-yes, Councilor McNamara-absent, Councilor Naganashe-yes, Councilor Proctor-yes, Legislative Leader Otto-yes, Secretary Shananaquet-yes, Treasurer Reyes-yes

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to pass Waganakising Odawak Statute Ethics Committee Statute.

Roll Call: Councilor Bernard-absent, Councilor Harrington-yes, Councilor Law-yes, Councilor McNamara-absent, Councilor Naganashe-yes, Councilor Proctor-yes, Legislative Leader Otto-no, Secretary Shananaquet-yes, Treasurer Reyes-yes

Motion carried.

**2:02 p.m.** Break for Odawa Casino Resort Check presentation to Emmet County Treasurer.

**2:09 p.m.** Resume

**2:11 p.m.** Motion made by Councilor Law and supported by Councilor Proctor to go into closed session for confidential business matters.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Councilor Bernard, Councilor McNamara, Councilor David Harrington, councilor Michael Naganashe)

Motion carried.

**2:12 p.m.** Councilor Naganashe and Councilor Harrington returned.

**3:02 p.m.** Motion made by Councilor Law and supported by Treasurer Reyes to return to open session.

Vote: 6 - Yes, 0 - No, 1 - Abstained (Councilor David Harrington), 2 - Absent (Councilor Bernard, Councilor McNamara)

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Law to acknowledge the written and verbal 2016 4th Quarter Gaming Enterprise Report as presented by Gaming Enterprise Board Chairperson Denise Petoskey and General Manager Eric McLester on February 16, 2017.

Vote: 6 - Yes, 0 - No, 1 - Abstained (Councilor David Harrington), 2 - Absent (Councilor Bernard, Councilor McNamara)

Motion carried.

Motion made by Councilor Law and supported by Councilor Proctor to acknowledge receipt of the Gaming Enterprise Board December 2016 Budget and Expenditures report.



Vote: 6 - Yes, 0 - No, 1 - Abstained (Councilor David Harrington), 2 - Absent (Councilor Bernard, Councilor McNamara)

Motion carried.

#### Public Comment

**3:05 p.m.** Public comment opens

- Renee Dillard presented Weather teachings in Anishinaabemowin.

**3:17 p.m.** Public comment closes

**3:17 p.m.** Councilor Naganashe exits

**3:18 p.m.** Break

**3:30 p.m.** Resume

#### Enjinaaknegeng Report

Motion made by Councilor Harrington and supported by Councilor Law to approve Certified Motion 021617-04 Authorization of Perpetual Right-of-Way for Odawa Circle Extension Parking Lot to the Little Traverse Bay Bands of Odawa Indians Tribal Transportation Program.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Bernard, Councilor McNamara, Councilor Naganashe)

Motion carried.

Motion made by Councilor Harrington and supported by Secretary Shananaquet to approved Certified Motion 021617-05 Authorization of Perpetual Right-of-Way for Odawa Circle Extension to the Bureau of Indian Affairs.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Bernard, Councilor McNamara, Councilor Naganashe)

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to accept the February 16, 2017 Enjinaaknegeng verbal report as presented by General Counsel Bransky.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Bernard, Councilor McNamara, Councilor Naganashe)

Motion carried.

**4:00 p.m.** Other Items of Business - Closed Session Employment Interview.

**4:16 p.m.** Motion made by Councilor Law and supported by Treasurer Reyes to go into closed session for personnel matters.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Councilor Bernard, Councilor McNamara, Councilor Naganashe, Councilor David Harrington)

Motion carried.

**5:56 p.m.** Motion made by Councilor Law and supported by Treasurer Reyes to return to open session.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bernard, Councilor McNamara, Councilor Naganashe)  
Motion carried.

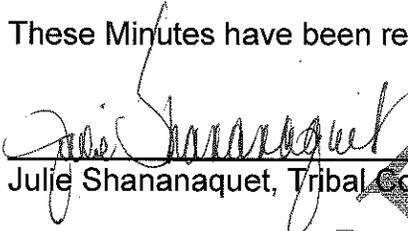
Motion made by Secretary Shananaquet and supported by Councilor Harrington to table the Tribal Resolution Ad-hoc Land Management Office Committee.  
Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bernard, Councilor McNamara, Councilor Naganashe)  
Motion carried.

**Adjournment:**

**6:06 p.m.** Motion made by Councilor Law and supported by Councilor Proctor to adjourn.  
Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Bernard, Councilor McNamara, Councilor Naganashe)  
Motion carried.

Next Tribal Council Meeting  
Regular: March 9, 2017

These Minutes have been read and are approved as corrected.

  
Julie Shananaquet, Tribal Council Secretary

3-9-17  
Date