

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

Tribal Council Regular Meeting
March 23, 2017

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Call to Order: 9:10 a.m.

Opening ceremony: Frank Bernard

Closed Session: Yes

Council Present: Legislative Leader Aaron Otto, Secretary Julie Shananaquet,
Councilor Frank Bernard, Councilor Beatrice Law, Councilor Emily Proctor

Absent: Treasurer Marcella Reyes, Councilor David Harrington, Councilor Dexter
McNamara, Councilor Michael Naganashe

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

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

Judicial Officials and Staff: none

Public: Renee' Dillard

Invited: none

Agenda:

Motion made by Councilor Law and supported by Councilor Proctor to approve
the agenda of March 23, 2017 as amended.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 – Absent (Treasurer Marcella Reyes,
Councilor David Harrington, Councilor Dexter McNamara, Councilor Michael
Naganashe)

Motion carried.

Dedication: Motion made by Secretary Shananaquet and supported by
Councilor Law to dedicate this meeting in honor of the following citizens who
have walked on: Mary Jane Brewer, Gloria J Miles, Audrey Leona Atkinson,
Treg Thor John Garrow

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 – Absent (Treasurer Marcella Reyes,
Councilor David Harrington, Councilor Dexter McNamara, Councilor Michael
Naganashe,)

Motion carried.

Minutes:

9:17 a.m. Councilor David Harrington arrives

1
2 Motion made by Councilor Law and supported by Secretary Shananaquet to
3 approve the Minutes of March 9, 2017, as presented.

4 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Marcella Reyes,
5 Councilor Dexter McNamara, Councilor Michael Naganashe)

6 Motion carried.

7
8 **9:48 a.m.** Councilor Michael Naganashe arrives

9
10 **Executive Report:**

11 Discussion: April 3rd Prayer ceremony in Mackinaw w/Fred Harrington, Jr.,
12 Chippewa Ottawa Resource Authority (CORA) update, tentative plans for new
13 facilities for gym and exercise facilities. Bring back new employee introduction.
14 Mackinaw City would like to discuss partnership for a Fishery Museum (Bell's)

15
16 Motion made by Secretary Shananaquet and supported by Councilor Law to
17 acknowledge receipt of the March 2017 Executive Oversight Report and
18 Executive updates as presented by Chairperson Regina Gasco Bentley, and
19 Direct Services Administrator Phil Harmon.

20 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2– Absent (Treasurer Marcella Reyes,
21 Councilor Dexter McNamara)

22 Motion carried.

23
24 **Tribal Council Officer Reports:**

25 Legislative Leader Report

26 Discussion: Working on job descriptions for Sr. Financial Analyst and Deputy
27 Tribal Historic Preservation Officer. The following are on-going pursuits and wish
28 lists for Council: Legislative Employee Handbook revamp, interview process for
29 charters, accumulating information for laws needed when jurisdiction is
30 established, list of businesses that the Tribe could purchase for diversification
31 (work group needed), Tribal housing availability, generator for government
32 building, land management work group, land purchase policy.

33
34 Motion made by Secretary Shananaquet and supported by Councilor Harrington
35 to accept Legislative Leader Otto's verbal report as presented on March 23,
36 2017.

37 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2– Absent (Treasurer Marcella Reyes,
38 Councilor Dexter McNamara)

39 Motion carried.

40
41 **10:21 a.m.** Break

42 **10:42 a.m.** Resume

43
44 Secretary Report

45 The following documents were delivered to the Executive:

- 46 • Waganakising Odawak Statute Ethics for Governmental Officials was
47 delivered to the Executive on 03-14-17

1 Action: Still pending.

2

3 **Veto**es: Housing Department Statute

4

5 **Phone Polls:**

6 The following polls were conducted:

7 03/21/17 Phone poll to authorize and approve for the Human Resources
8 Department to set up interviews for the following candidates on Tuesday, March
9 28, 2017, for the Deputy Tribal Historic Preservation Officer position: Candidates
10 1, 2, 3, 4, 5, 6 and 7.

11 Vote: 9-yes Phone Poll passed.

12

13 Discussion: I have forwarded e-mails from Kim Dunn regarding LTBB's General
14 Welfare Exclusion.

15

16 Correspondence: E-mail from Citizen Michael Lyons

17

18 Motion made by Councilor Law and supported by Councilor Naganashe to accept
19 Secretary Shananaquet's verbal report as presented on March 23, 2017.

20 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3- Absent (Treasurer Marcella Reyes,
21 Councilor Harrington, Councilor Dexter McNamara)

22 Motion carried.

23

24 **Treasurer Report**

25

26 Appropriations and Finance Committee

27 Last Meeting: March 14, 2017

28 (Motions made at Committee Meeting)

29 • Motion made by Committee Chairperson Reyes and supported by Committee Secretary
30 Shananaquet to recommend Tribal Council approval of Certified Motion #032317-01; Funding from
31 the U.S. Department of Health and Human Services Indian Health Service Little Traverse Bay
32 Bands of Odawa Indians FY 2016 Annual Funding Agreement, Award Increase Mod 16-7.
33 Vote: 3-yes, 0-no, 0-abstained, 0-absent

34

35 • Motion made by Committee Member Law and supported by Committee Secretary Shananaquet to
36 recommend Tribal Council approval of Certified Motion #032317-02; Request for Funding from U.S.
37 Fish and Wildlife Services Coastal Program—Great Lakes Restoration Initiative High Island Coastal
38 Habitat Restoration Project.
39 Vote: 3-yes, 0-no, 0-abstained, 0-absent

40

41 • Motion made by Committee Member Law and supported by Committee Chairperson Reyes to
42 recommend Tribal Council approval of Certified Motion #032317-03; Request for Funding from the
43 Institute of Museum and Library Services, Little Traverse Bay Bands of Odawa Indians FY 2017
44 Basic Library Services Grant.
45 Vote: 3-yes, 0-no, 0-abstained, 0-absent

46

47 • Motion made by Committee Secretary Shananaquet and supported by Committee Member Law to
48 recommend Tribal Council approval of Certified Motion #032317-04; Request for Funding from the
49 United States Department of the Interior, Bureau of Indian Affairs, Great Lakes Restoration
50 Initiative Piping Plover Project.
51 Vote: 3-yes, 0-no, 0-abstained, 0-absent

52

- 1 • *Motion made by Committee Member Law and supported by Committee Chairperson Reyes to*
2 *recommend that Tribal Council adopt Tribal Resolution-Supplemental Funding in the amount of*
3 *\$25,000.00 for Judiciary Attorney's Fees from General Fund Balance – Supplemental Funding.*
4 *Vote: 3-yes, 0-no, 0-abstained, 0-absent*
5
- 6 • *Motion made by Committee Secretary Shananaquet and supported by Committee Member Law to*
7 *approve the date of March 29, 2017, for a Special meeting to review the governmental Tribal wide*
8 *FY 2018 Budgets.*
9 *Vote: 3-yes, 0-no, 0-abstained, 0-absent*
10

11 **Next meetings in the Council Chambers:**

- 12 • March 29, 2017 9:00 a.m. Special Budget Review Meeting
- 13 • April 3, 2017 9:00 a.m. Budget Hearing
- 14 • April 5, 2017 9:00 a.m. Budget Hearing
- 15 • April 7, 2017 1:30 p.m. Budget Hearing
- 16 • April 11, 2017 1:00 p.m. Regular Meeting
- 17 • April 13, 2017 1:00 p.m.- 4:00 p.m. Public Budget Hearing

18
19
20 Motion made by Councilor Law and supported by Councilor Naganashe to accept
21 the Appropriation and Finance Committee report as presented on March 23,
22 2017 by Committee Secretary Shananaquet.

23 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2– Absent (Treasurer Marcella Reyes,
24 Councilor Dexter McNamara)

25 Motion carried.

26
27 **Tribal Council Travel Reports -**

28 Councilor Naganashe United Tribes report moved to a later time on Agenda

29
30 **Tribal Council Member Reports/Updates**

31
32 **Tribal Council Committees**

33
34 Land and Reservation Committee

35
36 Last meeting: March 9, 2017

37 (Motions made at Committee Meeting)

- 38 • *Motion made by Councilor Harrington and supported by Councilor Bernard to approve the*
39 *Land and Reservation Committee Special Meeting to be held for the purposes of the*
40 *Annual Three Tribes Land and Reservation Meeting March 31, 2017 at the Odawa Hotel.*
41 *Vote: 3-yes; 0-no; 0-abstain; 0-absent*

42 *Motion Carries*

43 *Discussion regarding above motion: Opening prayer, and welcoming and travel drum.*

- 44
45 • *Motion made by Councilor Bernard and supported by Councilor Harrington to recommend*
46 *to Tribal Council approval of Certified Motion: Assignment of Wilderness Land Parcel, 27*
47 *East Wilderness Park Drive, Carp Lake Michigan.*

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

49 *Motion Carries*
50

- 1 • *Motion made by Councilor Harrington and supported by Councilor Bernard to recommend*
2 *to Tribal Council approval of Tribal Resolution: Ad-Hoc Land Management Office*
3 *Committee.*
4 *Vote: 3-yes; 0-no; 0-abstain; 0-absent*
5 *Motion Carries*
6
7

8 Next meeting(s): Special Meeting – Odawa Hotel, March 31, 2017 @ 9:00 a.m.
9 Regular Meeting – Council Chambers, April 3, 2017 @ 9:00
10 a.m.

11
12 Motion made by Councilor Naganashe and supported by Councilor Law to accept
13 the Land and Reservation Committee report as presented on March 23, 2017 by
14 Committee Secretary Harrington.

15 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2– Absent (Treasurer Marcella Reyes,
16 Councilor Dexter McNamara)

17 Motion carried.

18
19 Ethics Committee

- 20 • Next meeting: TBD
21

22 **Legislative Office Reports**

23
24 Tribal Historic Preservation Officer – No report

25
26 Legislative Services Attorney Report

27 Motion made by Councilor Law and supported by Councilor Naganashe to accept
28 the March 23, 2017 Legislative Services Attorney Budnick’s verbal and written
29 report.

30 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2– Absent (Treasurer Marcella Reyes,
31 Councilor Dexter McNamara)

32 Motion carried.

33
34 Enjinaaknegeng

35 Motion made by Secretary Shananaquet and supported by Councilor Harrington
36 to accept the March 23, 2017 Enjinaaknegeng verbal report as presented by
37 General Counsel Bransky.

38 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2– Absent (Treasurer Marcella Reyes,
39 Councilor Dexter McNamara)

40 Motion carried.

41
42 **Public Comment:**

43 12:07 p.m. Public Comment opens and closes – No comments made.
44

45 **12:08 p.m.** Lunch Break

46 **1:38 p.m.** Meeting Resume

47
48 1:38 p.m. - 2:10 p.m. Anishinaabemowin as presented by Renee Dillard

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Legislative Office Manager Report

Motion made by Secretary Shananaquet and supported by Councilor Law to accept the March 23, 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 (Treasurer Marcella Reyes, Councilor Dexter McNamara)

Motion carried.

Office of Finance and Revenue Report - Position currently vacant.

Discussion: Need to find ways to find a qualified candidate.

2:45 p.m. Break

3:02 p.m. Resume

Motion made by Councilor Law and supported by Secretary Shananaquet to amend the agenda to include revised Senior Financial Analyst job description.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Marcella Reyes, Councilor Dexter McNamara, Councilor David Harrington)

Motion carried.

2:45 p.m. Break

3:02 p.m. Resume

3:15 p.m. Councilor Harrington exits the meeting.

Public Comment

3:17 p.m. Public Comment opens and closes with no comments made.

Tribal Council Travel Reports No report given

Councilor Naganashe postponed

Action Items - Motions

Motion made by Councilor Law and supported by Legislative Leader Otto to acknowledge receipt of the Gaming Enterprise Board February 2017 Budget and Expenditures Report, and the Odawa Casino Resort February 2017 Report.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Marcella Reyes, Councilor Dexter McNamara, Councilor David Harrington)

Motion carried.

1 Motion made by Councilor Proctor and supported by Councilor Naganashe to
2 acknowledge receipt of the 2018 Tribal Government proposed budgets as
3 received by the Legislative Office from the Executive on March 15, 2017.

4 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Marcella Reyes,
5 Councilor Dexter McNamara, Councilor David Harrington)

6 Motion carried.

7
8 Motion made by Councilor Law and supported by Councilor Proctor to
9 acknowledge receipt of the Personal Protection Orders Regulations REG-WOS
10 2015-008 031617-001.

11 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Marcella Reyes,
12 Councilor Dexter McNamara, Councilor David Harrington)

13 Motion carried.

14
15 Motion made by Councilor Proctor and supported by Councilor Law to approve
16 the Sex Offender Registration Policy POL ADM-WOS 2012-008 022317-006 as
17 presented by the Executive.

18 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Marcella Reyes,
19 Councilor Dexter McNamara, Councilor David Harrington)

20 Motion carried.

21
22 Motion made by Secretary Shananaquet and supported by Councilor Proctor to
23 cancel the Marcia VanDerPleog Enrollment Hearing set for today March 23, 2017
24 due to active disenrollment with the Sault Ste Marie Tribe.

25 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Marcella Reyes,
26 Councilor Dexter McNamara, Councilor David Harrington)

27 Motion carried.

28
29 Motion made by Councilor Law and supported by Councilor Proctor to post
30 Waganakising Odawak Statute Amendment to Waganakising Odawak Statute
31 2015-009 Gaming Enterprise Board as sponsored by Councilor Law.

32 Vote: 5 - Yes, 1 - No, 0 - Abstained, 3– Absent (Treasurer Marcella Reyes,
33 Councilor Dexter McNamara, Councilor David Harrington)

34 Motion carried.

35
36 Motion made by Secretary Shananaquet and supported by Councilor Naganashe
37 to post the Workers Compensation Statute to the Legislative Calendar in the
38 Odawa Register as sponsored by Legislative Leader Otto.

39 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Marcella Reyes,
40 Councilor Dexter McNamara, Councilor David Harrington)

41 Motion carried.

42
43 Motion made by Councilor Law and supported by Secretary Shananaquet to post
44 the Amendment to Waganakising Odawak Statute 2012-020 Election Board as
45 sponsored by Councilor McNamara.

46 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Marcella Reyes,
47 Councilor Dexter McNamara, Councilor David Harrington)

1 Motion carried.

2

3 Motion made by Secretary Shananaquet and supported by Councilor Proctor to
4 approve Certified Motion #032317-01; Funding from the U.S. Department of
5 Health and Human Services Indian Health Service Little Traverse Bay Bands of
6 Odawa Indians FY 2016 Annual Funding Agreement, Award Increase Mod 16-7.
7 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Marcella Reyes,
8 Councilor Dexter McNamara, Councilor David Harrington)
9 Motion carried.

10

11 Motion made by Councilor Law and supported by Councilor Naganashe to
12 approve Certified Motion #032317-02; Request for Funding from U.S. Fish and
13 Wildlife Services Coastal Program—Great Lakes Restoration Initiative High
14 Island Coastal Habitat Restoration Project.
15 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Marcella Reyes,
16 Councilor Dexter McNamara, Councilor David Harrington)
17 Motion carried.

18

19 Motion made by Councilor Law and supported by Councilor Proctor to approve
20 Certified Motion #032317-03; Request for Funding from the Institute of Museum
21 and Library Services, Little Traverse Bay Bands of Odawa Indians FY 2017 Basic
22 Library Services Grant.
23 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Marcella Reyes,
24 Councilor Dexter McNamara, Councilor David Harrington)
25 Motion carried.

26

27 Motion made by Secretary Shananaquet and supported by Councilor Naganashe
28 to approve Certified Motion #032317-04; Request for Funding from the United
29 States Department of the Interior, Bureau of Indian Affairs, Great Lakes
30 Restoration Initiative Piping Plover Project.
31 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Marcella Reyes,
32 Councilor Dexter McNamara, Councilor David Harrington)
33 Motion carried.

34

35 Motion made by Councilor Law and supported by Councilor Proctor to approve
36 Certified Motion #032317-05: Assignment of the Wilderness Land Parcel, 27 East
37 Wilderness Park Drive, Carp Lake Michigan to the Executive for economic
38 development purposes as recommended by the Land and Reservation
39 Committee.
40 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Marcella Reyes,
41 Councilor Dexter McNamara, Councilor David Harrington)
42 Motion carried.

43

44 Motion made by Secretary Shananaquet and supported by Councilor Law to
45 acknowledge receipt of the Executive Nomination of Jennifer Keller for the
46 Citizenship Commission and set up an interview.

1 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Marcella Reyes,
2 Councilor Dexter McNamara, Councilor David Harrington)
3 Motion carried.

4
5 Motion made by Councilor Proctor and supported by Councilor Naganashe to
6 acknowledge receipt of the Executive Nomination of Alice Hughes for the
7 Citizenship Commission and set up an interview.

8 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Marcella Reyes,
9 Councilor Dexter McNamara, Councilor David Harrington)
10 Motion carried.

11
12 Motion made by Councilor Bernard and supported by Secretary Shananaquet to
13 appoint Christina Kellogg to the Child Welfare Commission for a 3-year term
14 ending September 21, 2019.

15 Vote: 4 - Yes, 1 - No (Councilor Naganashe) 1 – Abstained (Councilor Proctor),
16 3– Absent (Treasurer Marcella Reyes, Councilor Dexter McNamara, Councilor
17 David Harrington)

18 Motion carried.

19
20 Motion made by Councilor Naganashe and supported by Secretary Shananaquet
21 to authorize and approve the Legislative Leader to submit the revised Senior
22 Financial Analyst job description (level 8) to Human Resource Department for
23 posting.

24 Vote: 4 - Yes, 2 – No (Councilor Law, Councilor Proctor), 0 - Abstained, 3–
25 Absent (Treasurer Marcella Reyes, Councilor Dexter McNamara, Councilor
26 David Harrington)

27 Motion carried.

28 29 **Action Items - Roll Call Votes**

30
31 Motion made by Councilor Law and supported by Legislative Leader Otto to
32 adopt Tribal Resolution 032317-01: Authorizing Refinancing Loan from Wells
33 Fargo Bank, National Association and related Documents, Authorizing Tribal
34 Appropriations for Payments of the Loan, Reaffirming and Re-adopting Law
35 Governing the Arbitration of Disputes related to the Loan, Reaffirming and Re-
36 adopting Law Regarding Security Interests and Addressing Related Matters.

37 Roll Call: Councilor Bernard–yes, Councilor Harrington–absent, Councilor Law-
38 yes, Councilor McNamara–absent, Councilor Naganashe–yes, Councilor
39 Proctor–yes, Legislative Leader Otto–yes, Secretary Shananaquet–yes,
40 Treasurer Reyes–absent.

41 Motion carries

42
43 Motion made by Councilor Law and supported by Councilor Proctor to adopt
44 Tribal Resolution 032317-02: Ad-hoc Land Management Office Committee as
45 recommended by the Land and Reservation Committee.

46 Roll Call: Councilor Bernard–yes, Councilor Harrington–absent, Councilor Law-
47 yes, Councilor McNamara–absent, Councilor Naganashe–yes, Councilor

1 Proctor–yes, Legislative Leader Otto–yes, Secretary Shananaquet–yes,
2 Treasurer Reyes–absent.

3 Motion carried

4
5 Motion made by Councilor Law and supported by Councilor Proctor to adopt
6 Tribal Resolution 032317-03: Supplemental Funding in the amount of \$25,000.00
7 for Judiciary Attorney’s Fees from General Fund Balance – Supplemental
8 Funding.

9 Roll Call: Councilor Bernard–yes, Councilor Harrington–absent, Councilor Law-
10 yes, Councilor McNamara–absent, Councilor Naganashe–yes, Councilor
11 Proctor–yes, Legislative Leader Otto–yes, Secretary Shananaquet–yes,
12 Treasurer Reyes–absent.

13 Motion carried

14
15 **3:54 p.m.** Break

16 **4:05 p.m.** Resume

17
18 **Other Items of Business** – Closed Session Personnel

19
20 **4:05 p.m.** Motion made by Councilor Law and supported by Councilor
21 Naganashe to go into closed session for personnel issue.

22 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3– Absent (Treasurer Marcella Reyes,
23 Councilor Dexter McNamara, Councilor David Harrington)

24 Motion carried.

25
26 **5:10 p.m.** Councilor Naganashe exits the meeting.

27
28 **Adjourn**

29 5:10 p.m. Meeting adjourned due to lack of quorum.

30
31 **”These Minutes have been read and are approved as corrected/written.**

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33
34
35 _____
Julie Shananaquet, Tribal Council Secretary

_____ Date