

The Little Traverse Bay Bands of Odawa Indians
7500 Odawa Circle, Harbor Springs, MI 49740
Tribal Council Chambers
Tribal Council Regular Meeting
May 18, 2017

Call to Order: 9:06 a.m.

Opening Ceremony: Beatrice Law

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 Dexter McNamara, Councilor Emily Proctor

Absent: Councilor Michael Naganashe

Legislative Office Staff Present: Legislative Office Manager Michele Portman-LaCount, Legislative Services Attorney Donna Budnick

Executive Officials and Staff Present: Vice Chairperson Stella Kay, Direct Services Administrator Phil Harmon, Chief Financial Officer Carrie Carlson, Planning Director Annie Doyle, Education Director Jannan Cotto, Education Employment and Training Specialist Belinda McLester, Health Director Jody Werner, Pharmacist Tom Sandison, Domestic Violence Court Docket Project Coordinator Alicia Hooper, Language Cheyenne Kiogima, Archives and Records Director Eric Hemenway, Archives Jordan Karlis, Natural Resources Great Lakes Biologist Kevin Donner, Natural Resources Seasonal Fisher Technician Stratton Zervoudakis, U of M Volunteers: Albany Jacobson Elkea and April Richards, Human Resources Director Denise Petoskey, Human Resource Generalist Mary Roberts

Tuesdays New Employee Introduction included: Law Enforcement Officer James Leedy

Judicial Officials and Staff: none

Public: Citizen Daugherty Johnson, Citizen Mark Wabanimkee

Invited: Renee' Dillard, Anishinaabemowin, Kevin Donner Ziibimijwang Board Member, Gaming Board Chairperson Denise Petoskey, Odawa Casino General Manager Eric McLester, Regulatory Director Vince Cook, Gaming Regulatory Commissioner David Dominick,

Agenda:

Motion made by Councilor Law and supported by Secretary Shananaquet to approve the agenda of May 18, 2017 as amended.

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

Motion carried.

Dedication:

Motion made by Secretary Shananaquet and supported by Councilor Law to dedicate this meeting in honor of the following Citizen who has walked on:

Dirkson Edward Parsons

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

Motion carried.

Minutes:

Motion made by Councilor Law and supported by Treasurer Reyes to approve the Regular Meeting Minutes of May 4, 2017, as corrected.

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

Motion carried.

Motion made by Councilor Law and supported by Secretary Shananaquet to approve the Special Meeting Minutes of May 15, 2017, as presented.

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

Motion carried.

- 9:30 a.m.** Introduction of new Tribal Government Employees
Belinda McLester, Education Employment and Training Specialist
Tom Sandison, Pharmacist
Alicia Hooper, Domestic Violence Court Docket Project Coordinator
Cheyenne Kiogima, Language Assistant
Jordan Karlis, Archival Technician
Stratton Zervoudakis, Natural Resources Seasonal Fisher Technician
Albany Jacobson Elkea and April Richards, U of M Volunteers
Mary Roberts, Human Resources Generalist

Tuesdays New Employee Introduction included: Law Enforcement Officer James Leedy

9:40 a.m. Ziibimijwang, Inc. 2017 1st Quarter Report, Kevin Donner, Board Member

Motion made by Secretary Shananaquet and supported by Councilor Law to acknowledge receipt of the Ziibimijwang, Inc., FY 2017 1st Quarter Report as presented by Kevin Donner, Board Member.

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

Motion carried.

10:16 a.m. Break



10:34 a.m. Resume

Executive Report:

Discussion:

Vice-Chairperson Stella Kay - United Tribes Meeting, Elder Luncheon Policies – No charge to an Elder and spouse. Looking into Elder spouse of deceased members with regard to lunches. Need for signage and verbal updates at Elder Luncheon. Tribal Council spending, General fund spending, run rate, and cash flow. Gearing up for Annual Meeting-short intermittent videos. July 26, 2017 Employee Summer Picnic.

Planning Director Annie Doyle – The Waste Water Treatment Plant update, McLaren Hospital expansion and their request for new stop light -discussion will take place with MDOT, working on comprehensive (strategic) plan for Tribe. Tribal Pharmacy construction – bids accepted and negation for finalization. Replacing deck on 915 Emmet Street Building. Archives and Records refurbish continues. Continue to look at Regulations. Looking into Planning grants in order to be ready for Tribal development. Continue researching Monroe St., Wilderness Cabins, Snow Mobile Trail (Non-profit status).

Direct Services Administrator Phil Harmon – Year End Celebration, 120 Youth attended from 8 different schools, MSU Spring presentation. Emmet County Department of Human Services situation. Presentation of slides to be used at the Annual Meeting.

11:08 a.m. Motion made by Councilor Law and supported by Treasurer Reyes to go into closed session for legal matters.

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

Motion carried.

11:34 a.m. Motion made by Councilor Law and supported by Councilor Proctor to return to open session.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to acknowledge receipt of May 2017 Executive Oversight Report (EOR) and Executive updates as presented by Direct Services Administrator Phil Harmon, and Planning Director Annie Doyle.

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

Motion carried.

Public Comment

11:56 a.m. Open

11:57 a.m. Closed - No comments

11:58 a.m. Lunch Break

1:35 p.m. Resume Meeting

Councilor Proctor exits meeting

1:35 p.m. – 1:48 p.m. Renee Dillard, Anishinaabemowin

1:45 p.m. Gaming Enterprise Board-Odawa Casino Resort 1st Quarter Report.

Motion made by Treasurer Reyes and supported by Councilor Law to acknowledge receipt of Gaming Enterprise Board – Odawa Casino Resort 1st Quarter Report as presented by Gaming Board Chairperson Denise Petoskey and Odawa Casino Resort General Manager Eric McLester.

Vote: 6- Yes, 0 - No, 1 – Abstained (Councilor Harrington), 2 Absent (Councilor Naganashe, Councilor Proctor)
Motion carried.

2:07 p.m. Motion made by Councilor McNamara and supported by Councilor Law to go into closed session for confidential business and legal matters.

Vote: 6- Yes, 0 - No, 1 – Abstained (Councilor Harrington), 2 Absent (Councilor Naganashe, Councilor Proctor)
Motion carried.

3:28 p.m. Motion made by Secretary Shananaquet and supported by Councilor McNamara to return to open session.

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

Public Comment

3:29 p.m. Open

- Citizen Daugherty Johnson made request for change to agenda of the Annual meeting.

3:36 p.m. Close

3:36 pm. Break

3:56 p.m. Resume Meeting

Tribal Council Officer Reports:

Legislative Leader Report

Discussion: Legislative Leader Otto spoke with Chairperson Gasco Bentley to request status of the Trust Fund Board. Tribal Chairperson is in agreement to suspend until needed. Two options regarding the Trust Fund Board Statute. Vulnerable Adult Statute Regulations (Chairperson request more time to draft and discuss)

Motion made by Councilor Law and supported by Secretary Shananaquet to accept Legislative Leader Otto's verbal report as presented on May 18, 2017.



Vote: 7- Yes, 0 - No, 0– Abstained, 2 Absent (Councilor Naganashe, Councilor Proctor)
Motion carried.

Secretary Report

The following documents were delivered to the Executive:

- Amendment to the Waganakising Odawak Statute 2015-009 Gaming Enterprise Board
Submitted to the Executive on 05-05-17
Signed on 05-12-17.
- Waganakising Odawak Statute General Welfare
Submitted to the Executive on 05-05-17
Status: Pending.

Vetoed:

- Waganakising Odawak Statute Housing Department
Vetoed on 03-06-17
- Tribal Resolution: Ad-hoc Land Management Office Committee
Vetoed on 04-20-17.
- Waganakising Odawak Statute Amendment to WOS #2015-019
Administrative Procedures Statute
Vetoed on 05-11-17.

Phone Polls: None

Citizen correspondence:

- E-mail's received from Citizen Warren Petoskey

Other: I attended the May 17, 2017 meeting with Acting United States Attorney Andrew B. Birge held at 911 Spring Street, Petoskey. I suggested that Janet Strahan possibly add discussion at the next Great Lakes Conference regarding mental health issues in Indian Country and what alternatives can we come up with other than incarceration.

Attendance at the United Tribes meeting to follow.

Motion made by Councilor McNamara and supported by Councilor Harrington to accept Secretary Shananaquet's verbal report as presented on May 18, 2017.

Vote: 7- Yes, 0 - No, 0– Abstained, 2 Absent (Councilor Naganashe, Councilor Proctor)

Motion carried.



Treasurer Report

- Last Meeting: May 9, 2017
- Next meeting: June 13, 2017 at 1:00 p.m. in the Council Chambers

Motion made by Councilor McNamara and supported by Secretary Shananaquet to accept Treasurer Reyes Appropriation and Finance Committee Report as presented on May 18, 2017.

Vote: 7- Yes, 0 - No, 0– Abstained, 2 Absent (Councilor Naganashe, Councilor Proctor)

Motion carried.

Tribal Council Committees:

Land and Reservation Committee

- Last meeting: May 5, 2017 at 9:00 a.m.
- Next meeting: June 16, 2017 at 9:00 a.m. in the Council Chambers

Discussion: Future use of Odawa Fishery. Will table report at this time until Executive returns with proposal of use.

Motion made by Councilor Law and supported by Councilor Harrington to accept Committee Chairperson Reyes Land and Reservation Committee Report as presented on May 18, 2017.

Vote: 7- Yes, 0 - No, 0– Abstained, 2 Absent (Councilor Naganashe, Councilor Proctor)

Motion carried.

Ethics Committee – Nothing to report

- Next meeting: TBD

Tribal Council Reports

United Tribes of Michigan Travel reports:

Motion made by Secretary Shananaquet and supported by Councilor McNamara to acknowledge the following travel reports for attendance at the United Tribes of Michigan Meeting held in Sault Ste. Marie, MI.

Councilor Naganashe's written report, Councilor Law's written and verbal report, Treasurer Reyes' verbal report, Secretary Shananaquet's written and verbal report and Councilor Harrington's verbal report, as presented on May 18, 2017.

Vote: 7- Yes, 0 - No, 0– Abstained, 2 Absent (Councilor Naganashe, Councilor Proctor)

Motion carried.

Councilor Dexter McNamara – Great Lakes Restoration Initiative



Discussion: Requesting Tribal Council to support his proposed Great Lakes Restoration Initiative Declaration. Would like to draft legislation regarding prohibiting use of poisonous chemicals on Tribal property.

Motion made by Councilor Law and supported by Treasurer Reyes to accept Council McNamara's verbal report regarding Great Lakes Restoration Initiative Declaration and drafting of new legislation prohibiting use of poisonous chemicals on Tribal property.

Vote: 7- Yes, 0 - No, 0- Abstained, 2 Absent (Councilor Naganashe, Councilor Proctor)

Motion carried.

Legislative Office Reports:

Tribal Historic Preservation Officer No report

Legislative Services Attorney Report (Contains Closed Session Material)

4:57 p.m. Motion made by Councilor Law and supported by Councilor McNamara to go into closed session for confidential business matters.

Vote: 7- Yes, 0 - No, 0- Abstained, 2 Absent (Councilor Naganashe, Councilor Proctor)

Motion carried.

5:24 p.m. Motion made by Secretary Shananaquet and supported by Councilor Harrington to return to open session

Vote: 7- Yes, 0 - No, 0- Abstained, 2 Absent (Councilor Naganashe, Councilor Proctor)

Motion carried.

5:25 p.m. Break

5:33 p.m. Resume

Motion made by Councilor Law and supported by Treasurer Reyes to approve the retainer of Antonio R. Franco of Piliero Mazza PLLC to meet with Tribal Council to provide a presentation on Tribal 8(a) contracting at a future date to be set after the hiring of the Senior Financial Analyst.

Vote: 7- Yes, 0 - No, 0- Abstained, 2 Absent (Councilor Naganashe, Councilor Proctor)

Motion carried.

Motion made by Councilor Law and supported by Secretary Shananaquet to accept the May 18, 2017 Legislative Services Attorney written and verbal report as presented by Legislative Services Attorney Donna Budnick.

Vote: 7- Yes, 0 - No, 0- Abstained, 2 Absent (Councilor Naganashe, Councilor Proctor)

Motion carried.



Enjinaaknegeng

Motion made by Secretary Shananaquet and supported by Councilor Law to authorize Enjinaaknegeng to retain Drummond Woodsum to assist with labor law issues.

Vote: 7- Yes, 0 - No, 0– Abstained, 2 Absent (Councilor Naganashe, Councilor Proctor)

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to accept the May 18, 2017 Enjinaaknegeng verbal report as presented by General Counsel James Bransky.

Vote: 7- Yes, 0 - No, 0– Abstained, 2 Absent (Councilor Naganashe, Councilor Proctor)

Motion carried.

Legislative Office Manager Report

Motion made by Councilor Harrington and supported by Councilor Law to accept the Legislative Office Manager's verbal and written report as presented by Legislative Office Manager, Michele Portman-LaCount on May 18, 2017.

Vote: 7- Yes, 0 - No, 0– Abstained, 2 Absent (Councilor Naganashe, Councilor Proctor)

Motion carried.

Office of Finance and Revenue Report - Position currently vacant.

Corporate Charters and/or Board Updates: - No report

Odawa Economic Development Management, Inc. – No report

Traditional Tribal Burial Board, Inc. No report

Ziibimijwang, Inc.-1st Quarter Report

Gaming Enterprise Board: Presentation made at 1:45 p.m.

Action Items - Motions

Motion made by Secretary Shananaquet and supported by Councilor Law to approve Tribal Council attendance at the Native American Task Force gathering, which will be held on June 16th at the Odawa Hotel, Petoskey, MI.

Vote: 7- Yes, 0 - No, 0– Abstained, 2 Absent (Councilor Naganashe, Councilor Proctor)

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor McNamara to approve Certified Motion #051817-01; Request for Funding from Michigan Department of Health and Human Services Public Health Preparedness and Emergency Response FY 2017 Award Increase, Mod #2.

Vote: 7- Yes, 0 - No, 0– Abstained, 2 Absent (Councilor Naganashe, Councilor Proctor)

Motion carried.



Motion made by Councilor McNamara and supported by Treasurer Reyes to approve Certified Motion #051817-02; Request for Funding from Michigan Department of Health and Human Services Public Health Preparedness and Emergency Response FY 2018.

Vote: 7- Yes, 0 - No, 0- Abstained, 2 Absent (Councilor Naganashe, Councilor Proctor)

Motion carried.

Motion made by Treasurer Reyes and supported by Secretary Shananaquet to approve Certified Motion #051817-03; Acceptance of Funds as sub-grantee from the Inter-Tribal Council of Michigan, Michigan Health Endowment Fund, *Michigan Tribal Food Access Collaborative Project*.

Vote: 7- Yes, 0 - No, 0- Abstained, 2 Absent (Councilor Naganashe, Councilor Proctor)

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to assign Shane Robertson to the Odawa Economic Development Management, Inc. to fill the remainder of a 5-year term ending August 20, 2020.

Vote: 7- Yes, 0 - No, 0-Abstained, 2-Absent (Councilor Naganashe, Councilor Proctor)

Motion carried.

Motion made by Councilor McNamara and supported by Treasurer Reyes to approve the Training Plan for the Deputy Tribal Historic Preservation Officer as presented to Tribal Council by Andrews Cultural Resources/Ellie Andrews on May 16, 2017.

Vote: 7- Yes, 0 - No, 0- Abstained, 2 Absent (Councilor Naganashe, Councilor Proctor)

Motion carried.

Action Items - Roll Call Votes

Motion made by Councilor Law and supported by Treasurer Reyes to adopt Tribal Resolution Funding Request for National Indian Child Welfare Association, in the Amount of \$2,500.00 for 2017, to come from General Fund Balance – Supplemental Funding.

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

Motion carried.

Other Items of Business

Adjourn

