Little Traverse Bay Bands of Odawa Indians
Tribal Council Chambers
7500 Odawa Circle, Harbor Springs, MI 49740
Tribal Council Regular Meeting
July 27, 2017

Call to Order: 9:04 a.m.
Opening ceremony: Beatrice A. Law
Closed Session: none

Council Present: Legislative Leader Aaron Otto, Treasurer Marcella Reyes, Councilor Frank Bernard, Councilor David Harrington, Councilor Beatrice Law, Councilor Dexter McNamara, Councilor Emily Proctor

Absent: Secretary Julie Shananaquet, Councilor Michael Naganashe

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele Portman-LaCount, Sr. Financial Analyst Rachel Cope

Executive Officials and Staff Present: Direct Services Administrator Phil Harmon, Chief Financial Officer Carrie Carlson, Vice-Chair Stella Kay, Planning Director Annie Doyle

Judicial Officials and Staff: none

Public: Andrew Stich

Invited Guest: Odawa Economic Development Management, Inc., Alan Proctor Vice-Chair and Tamara Kiogima Secretary

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Agenda:
Motion made by Councilor Law and supported by Treasurer Reyes to adopt the agenda of July 27, 2017 as amended.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Secretary Shananaquet, Councilor Michael Naganashe)
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Law to dedicate this meeting in honor of the following Citizen(s) who have walked on: Daugherty Andrew Johnson Jr., Arlene Marie Boggs, and Alvin Lionel DeGraff.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Secretary Shananaquet, Councilor Michael Naganashe)
Motion carried.

2017-2019 Audit Interview: RSM US

10:30 a.m. Break
10:36 a.m. Return

2017-2019 Audit Interview: Rehmann

2017-2019 Audit Interview: BDO

11:45 a.m. Public Comment Opened:
Citizen Daugherty Johnson III thanked Tribal Council for his father Citizen Daugherty Andrew Johnson Jr's dedication at today's meeting and in the minutes, and thanked the Tribe for all of its support during this time.
11:46 a.m. Public Comment closed.

BDO 2016 Audit Presentation

12:14 p.m. Lunch Break
1:40 p.m. Return, Secretary Shananaquet arrived.

Minutes:
Motion made by Councilor Law and supported by Treasurer Reyes to approve the Regular Meeting minutes of July 13, 2017, as corrected.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Legislative Officer Reports:
Legislative Leader Report

Discussion: Received a call from Roy Tallbrook regarding a marijuana grow facility on tribal lands. Mentioned it may be unattainable at this time as there are laws and other items that would need to be put in at this time. Mr. Tallbrook mentioned he may reach out to the Executive and other Tribal Council members as well; Review of emails and other such mandates to make sure his position as Legislative Leader is ending on a current note.

Motion made by Councilor Law and supported by Councilor McNamara to accept Legislative Leader Otto's verbal report as presented on July 27, 2017.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Executive Report:

Discussion: Chairperson Regina Gasco Bentley at Chippewa Ottawa Resource Authority (CORA) meeting today. Denneen Smith Human Services Director resigned; Pulling together info for State Representative Jack Bergman who may be visiting next month as he would like to visit the farm and fishery; Michigan Indian Family Olympics Citizen participant with

4th place over all; Receipt of information regard the 5 Civilized Tribes passing resolution in support of USDA Programs 2018 Farm Bill and funding for programs from Joe VanAlstine Vice President National Association of Food Distribution Programs on Indian Reservations; Tribal Planner Annie Doyle poster in commons area showing new construction of front parking lot at government complex; Home grown project will start next Monday at Berg Farm. Secretary Shananaquet-Discussion regarding Elder travel arrangements to Michigan Indian Elders Association; Pharmacy change order; Secretary Shananaquet-Development of policy for Workforce Innovation and Opportunity Act (WIOA); Legislative Leader Aaron Otto-Newsletter unacceptable quality of graphics. Treasurer Reyes prescription food program for diabetics at farmer markets. Councilor Harrington-Electrical system at garage across from Health Clinic.

Motion made by Councilor Law and supported by Secretary Shananaquet to acknowledge the July 27, 2017 verbal and written Executive Oversight Report as presented by Vice-Chairperson Stella Kay, Planning Director Annie Doyle. Joe VanAlstine Vice President National Association of Food Distribution Programs on Indian Reservations.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Secretary Report

i. Documents Delivered to Executive:
-Waganakising Odawak Statute Housing Department and Housing Commission submitted to the Executive on 07-14-17 and still pending.

-Waganakising Odawak Statute Trust Fund Board submitted to the Executive on 07-14-17 and still pending.

ii. Vetoes:
-Tribal Resolution #062217-01; Ad-hoc Land Management Office Committee vetoed on 07-21-17.

-The Constitutionally Mandated Qualifications of Tribal Chair, Vice-Chair and Tribal Council Members Statute vetoed on 07-05-17.

-Tribal Resolution: Banning the Use of Neonicotinoids and Glyphosate on Tribal Lands vetoed on 07-05-17.

-Waganakising Odawak Statute Amendment to WOS #2015-019 Administrative Procedures Statute vetoed on 05-11-17.

iii. Phone Polls: 06-29-17

Motion to approve General Counsel Bransky Confidential Memo dated 072117-01. The Phone Poll passed. Vote: 9-yes, 0-no, 0-abstained, 0-absent.

Discussion: Letter from Citizen Biber and would like to know the Human Resources involvement regarding the status of employment letters.

Motion made by Treasurer Reyes and supported by Councilor Law to accept Secretary Shananaquet's verbal and written report as presented on the agenda for July 27, 2017.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Treasurer Report

-Last Appropriations and Finance Committee meeting: June 13, 2017

(Motions made at Appropriations and Finance Committee Meeting for recommendation to Tribal Council):

- Motion made by Committee Secretary Shananaquet and supported by Committee Member Law to acknowledge report submitted by OCR and request for supplemental funding in the amount of $895,559. as submitted by OEDMI.
Vote: 3-yes, 0-no, 0-abstain, 0-absent Motion carried.

-Motion made by Committee Member Law and supported by Committee Secretary Shananaquet to recommend Tribal Council approval of Certified Motion #072717-01; Request for Funding from the United States Department of Health and Human Services Office of Minority Health Empowered Communities for a Healthier Nation Initiative.
Vote: 3-yes, 0-no, 0-abstain, 0-absent Motion carried.

-Motion made by Committee Member Law and supported by Committee Secretary Shananaquet to recommend Tribal Council approval of Certified Motion #072717-02; Inter-Tribal Council of Michigan, Inc. application for funding: U.S. Department of Health and Human Services Office of Community Services Low Income Housing Energy Assistance Program.
Vote: 3-yes, 0-no, 0-abstain, 0-absent Motion carried.

-Motion made by Committee Member Law and supported by Committee Secretary Shananaquet to recommend Tribal Council approval of Certified Motion #072717-03; Inter-Tribal Council of Michigan, Inc. application for funding: U.S. Department of Health and Human Services Office of Community Services Community Services Block Grant Emergency Assistance Program
Vote: 3-yes, 0-no, 0-abstain, 0-absent Motion carried.

-Motion made by Committee Member Law and supported by Committee Secretary Shananaquet to recommend Tribal Council approval of Certified Motion #072717-04; Request for Funding from the State of Michigan, Department of Health & Human Services, Bureau of Juvenile Justice Community Programming and Support Services, Child Care Fund Unit Child Care Fund Intensive Probation FY 2018.
Vote: 3-yes, 0-no, 0-abstain, 0-absent Motion carried.

-Motion made by Committee Member Law and supported by Committee Secretary Shananaquet to recommend Tribal Council approval of Certified Motion #072717-05; Request for Funding from the State of Michigan, Department of Health & Human Services, Bureau of Juvenile Justice Community Programming and Support Services, Child Care Fund Unit Child Care Fund In-Home Care FY 2018.
Vote: 3-yes, 0-no, 0-abstain, 0-absent Motion carried.

-Motion made by Committee Member Law and supported by Committee Secretary Shananaquet to recommend Tribal Council approval of Certified Motion #072717-06; Request for funds as a sub-grantee from the Inter-Tribal Council of Michigan Funding from U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Tribal Opioid Treatment and Recovery Initiative (TOTR).
Vote: 3-yes, 0-no, 0-abstain, 0-absent Motion carried.

-Motion made by Committee Member Law and supported by Committee Chairperson Reyes to recommend Tribal Council approval of Certified Motion #072717-07; Request for Funding from Quality of Life (QOL) Agencies [Collaborative between Michigan Department of Natural Resources (MDNR), Departments of Environmental Quality (DEQ), and Agriculture and Rural Development (DARD)] Michigan Invasive Species Grant Program.
Vote: 2-yes, 1-no (Committee Secretary Shananaquet), 0-abstain, 0-absent Motion carried.

-Motion made by Committee Member Law and supported by Committee Secretary Shananaquet to recommend Tribal Council approval of Certified Motion #072717-08; Request for funding from the Michigan Department of Health and Human Services, Crime Victim Services Commission, Victims of Crime Act (VOCA) Resources for Victim Assistance Programs FY 2018.
Vote: 3-yes, 0-no, 0-abstain, 0-absent Motion carried.

-Motion made by Committee Member Law and supported by Committee Secretary Shananaquet to recommend Tribal Council approval of Tribal Resolution: Supplemental funding for Ziibimijwang, Inc. in the amount of $42,800.00 for purchase of a tractor.
Vote: 3-yes, 0-no, 0-abstain, 0-absent Motion carried.

Discussion: Motion made on June 13, 2017 clearly states usage of supplemental funds to be used to purchase culturally significant items. This discussion did not mention specific lots of art or artisans. Further recommendations made during AFC was a formation of committee who will assess and acquire artifacts. Requested Vice Chairperson Stella Kay to consider change wording in Resolution to state "culturally significant items".

-Motion made by Committee Chairperson Reyes and supported by Committee Member Law to recommend to Tribal Council the following candidates for consideration of fulfilling the 2017, 2018 and 2019 auditing schedule: BDO, Rehmann, and RSM, with interviews to occur before July 31, 2017. Vote: 3-yes, 0-no, 0-abstain, 0-absent Motion carried.

-Next Meeting: August 15, 2017 at 1:00 p.m. in the Council Chambers

Discussion: Secretary Shananaquet-Purchase of Culturally Significant items.

Motion made by Councilor Law and supported by Secretary Shananaquet to accept Treasurer Reyes' verbal and written report as presented on the agenda for July 27, 2017.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Corporate Charter update:
Odawa Economic Development Management, Inc.: 2017 2nd Quarter Report.
Discussion: Maps; 2016 Audit; Shops and Victories vendors; Investors still solid; MEDC Grant application, and BIA loan package development; Setting up a Ribbon Cutting date, and Liquor license application.

Motion made by Councilor Law and supported by Councilor Harrington to acknowledge receipt of the Odawa Economic Development Management, Inc. verbal and written 2017 2nd Quarter Report as presented by Odawa Economic Development Management, Inc. Vice-President Alan Proctor, Secretary Tamara Kiogima.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Michael Naganashe, Councilor McNamara)
Motion carried.

Tribal Council Committee Reports:

Land and Reservation Committee

-Last meeting: July 21, 2017

(Motions made at Land and Reservation Committee Meeting for recommendation to Tribal Council):

-Motion to recommend to Tribal Council to approve 3533 Wah Be Noong be reclassified from property held for sale to rental property.

-Next meeting: August 18, 2017 at 1:00 p.m. in the Council Chambers

Discussion: Councilor McNamara question to Tribal Planner Annie Doyle regarding snowmobile trail.

Motion made by Councilor Law and supported by Councilor Proctor to accept the Land and Reservation Committee verbal and written report as presented on the agenda for July 27, 2017 by Committee Chairperson Treasurer Reyes.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

2:58 p.m. Public Comment:

- Citizen Andrew Stich hoping for change in Monday's election in the legislative area regarding spending funds on farm opposed to housing;

3:00 p.m. Public Comment closes.

3:01 p.m. Break
3:21 p.m. Return

Ethics Committee:
- Last meeting: July 19, 2017 and July 24, 2017
- Next meeting: To be determined

Motion made by Treasurer Reyes and supported by Councilor McNamara to accept the Ethics Committee verbal report as provided by Committee Chairperson Beatrice A. Law for July 27, 2017.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Tribal Council Member Reports
FYI: Councilor Proctor provided copies of the Michigan Natural Features Inventory Annual Report 2016 as report provides information regarding Little Traverse Bay Bands of Odawa Indians.

Legislative Staff Reports:

Tribal Historic Preservation Officer – no report.

Legislative Services Attorney Report
Motion made by Treasurer Reyes and supported by Councilor McNamara to accept the July 27, 2017 Legislative Services Attorney Budnick's verbal and written report.

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

Enjinaaknegeng – no report.

Legislative Office Manager Report
Motion made by Treasurer Reyes and supported by Councilor Proctor to accept the July 27, 2017 Legislative Office Manager's verbal and written report as presented by Legislative Office Manager, Michele Portman-LaCount.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Office of Finance and Revenue Report
Motion made by Councilor Law and supported by Treasurer Reyes to accept the July 27, 2017, verbal and written Office of Finance and Revenue Report as presented by Sr. Financial Analyst Rachel Cope.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Corporate Charters and/or Board Updates
Traditional Tribal Burial Board, Inc. - no report

Ziibimijwang, Inc. Update. First harvest at farm of spring lettuce mix, brought to Elders today at governmental center.

Gaming Enterprise Board - no report

4:20 p.m. Break
4:36 p.m. Return

Action Items: (Motions)

Motion made by Councilor Law and supported by Treasurer Reyes to approve Certified Motion #072717-01; Request for Funding from the United States Department of Health and Human Services Office of Minority Health Empowered Communities for a Healthier Nation Initiative.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Michael Naganashe, Councilor McNamara)
Motion carried.

Motion made by Councilor Law and supported by Councilor Proctor to approve Certified Motion #072717-02; Inter-Tribal Council of Michigan, Inc. application for funding: U.S. Department of Health and Human Services Office of Community Services Low Income Housing Energy Assistance Program.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Motion made by Councilor Law and supported by Councilor McNamara to approve Certified Motion #072717-03; Inter-Tribal Council of Michigan, Inc. application for funding: U.S. Department of Health and Human Services Office of Community Services Community Services Block Grant Emergency Assistance Program.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Motion made by Councilor Proctor and supported by Councilor Law to approve Certified Motion #072717-04; Request for Funding from the State of Michigan, Department of Health & Human Services, Bureau of Juvenile Justice Community Programming and Support Services, Child Care Fund Unit Child Care Fund Intensive Probation FY 2018.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Harrington to approve Certified Motion #072717-05; Request for Funding from the State of Michigan, Department of Health & Human Services, Bureau of Juvenile Justice Community Programming and Support Services, Child Care Fund Unit Child Care Fund In-Home Care FY 2018.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Proctor to approve Certified Motion #072717-06; Request for funds as a sub-grantee from the Inter-Tribal Council of Michigan Funding from U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Tribal Opioid Treatment and Recovery Initiative (TOTR).
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Motion made by Councilor Law and supported by Councilor Harrington to approve Certified Motion #072717-07; Request for Funding from Quality of Life (QOL) Agencies [Collaborative between Michigan Department of Natural Resources (MDNR), Departments of Environmental Quality (DEQ), and Agriculture and Rural Development (DARD)] Michigan Invasive Species Grant Program.
Vote: 7 - Yes, 1 – No (Secretary Shananaquet), 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve Certified Motion #072717-08; Request for funding from the Michigan Department of Health and Human Services, Crime Victim Services Commission, Victims of Crime Act (VOCA) Resources for Victim Assistance Programs FY 2018.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor McNamara to approve Certified Motion #072717-09; Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, Invasive Species Project FY 2017.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Motion made by Councilor Law and supported by Councilor Harrington to approve Enrollment List A-Eligible for Citizenship dated July 24, 2017 (as amended on July 25, 2017) for a total of 3.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Motion made by Councilor Harrington and supported by Councilor Law to approve 3533 Wah Be Noong be reclassified from property "held for sale" to "rental property".
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Motion made by Councilor McNamara and supported by Councilor Law to post the Constitutionally Mandated Qualifications of Tribal Chair, Vice-Chair and Tribal Council Members Statutes to the Legislative Calendar in the Odawa Register.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Action Items – (Roll Call Votes)

Motion made by Treasurer Reyes and supported by Councilor Law to adopt Tribal Resolution; To appropriate to Odawa Economic Development Management, Inc. (OEDMI) $895,559.00 to come from the restricted General Fund Balance Funds- Economic Development Reserve for the septic equalization tank at Odawa Casino Resort Waste Water Treatment Facility.
Roll Call: Councilor Bernard–yes, Councilor Harrington–abstained, Councilor Law-yes, Councilor McNamara–yes, Councilor Naganashe–absent, Councilor Proctor–yes, Treasurer Reyes – yes Secretary Shananaquet–yes, Legislative Leader Otto–yes
Motion carried.

Motion made by Councilor Harrington and supported by Councilor Proctor to adopt Tribal Resolution; Supplemental funding for Ziibimijwang, Inc, in the amount of $42,800.00 for the Purchase of a Tractor to come from General Fund, Fund Balance-Economic Development Fund.
Roll Call: Councilor Bernard–yes, Councilor Harrington–yes, Councilor Law-yes, Councilor McNamara–yes, Councilor Naganashe–absent, Councilor Proctor–yes,

Treasurer Reyes – yes Secretary Shananaquet–yes, Legislative Leader Otto–abstained
Motion carried.

Motion made by Councilor McNamara and supported by Councilor Harrington to adopt Tribal Resolution: Supplemental funding to purchase a collection for Cultural Preservation in the amount of $25,000.00 for the purpose of purchasing the Dillard Collection.
Roll Call: Councilor Bernard–no, Councilor Harrington–yes, Councilor Law-no, Councilor McNamara–yes, Councilor Naganashe–absent, Councilor Proctor–no, Treasurer Reyes – no, Secretary Shananaquet–no, Legislative Leader Otto–yes
Motion failed.

Motion made by Councilor Law and supported by Councilor McNamara to adopt Tribal Resolution: Ethics Committee.
Roll Call: Councilor Bernard–yes, Councilor Harrington–yes, Councilor Law-yes, Councilor McNamara–yes, Councilor Naganashe–absent, Councilor Proctor–yes, Treasurer Reyes – yes Secretary Shananaquet–no, Legislative Leader Otto–yes
Motion carried.

Other Items of Business

Adjournment:
6:11 p.m. Motion made by Councilor Harrington and supported by Councilor Law to adjourn.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Michael Naganashe)
Motion carried.

Next Tribal Council Meeting
Regular: August 24, 2017

These Minutes have been read and are approved as corrected

Julie Shananaquet 8-11-17
Julie Shananaquet, Tribal Council Secretary Date