

**Little Traverse Bay Bands of Odawa Indians
Tribal Council Chambers
7500 Odawa Circle, Harbor Springs, MI 49740
Tribal Council Regular Meeting
August 24, 2017**

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

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

Absent: Councilor David Harrington, Councilor Michael Naganashe

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

Executive Officials and Staff Present: Vice-Chairperson Stella Kay, Direct Services Administrator Phil Harmon, Chief Financial Officer Carrie Carlson, Human Resources Director Denise Petoskey, Health Director Jody Werner, Elder's Coordinator Arlene Naganashe, Masters Level Counselor Melissa Merchant, Elder's Administrative Assistant Andrea Gasco, Housing Administrative Assistant Yarrow Young

Judicial Officials and Staff: none
Public: none
Invited Guest: Renee Dillard

9:13 a.m. Councilor Harrington arrives

Agenda:

Motion made by Secretary Shananaquet and supported by Councilor Law to adopt the agenda of August 24, 2017, as amended.

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 August 10, 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

Melissa Merchant – Masters Level Behavioral Health Councilor

Andrea Gasco – Elder's Administrative Assistant
Yarrow Young – Housing Administrative Assistant

Executive Report:

Discussion: Vice-Chairperson Kay reported on the following: Citizen requested that Council look into manufacturing of Hemp. Revamping Pow-wow grounds w/additional parking, attended the Tribal Leader Conference in Washington, DC, wage study/job description revamp.

Direct Services Administrator: Questions status of snowmobile trail, health park pharmacy progressing nicely, Good CARF accreditation marks, Mackinaw City contacted Tribe to do artwork, CTAS grant – gathering information for statistical data and require a Tribal Council member to participate (Emily), Enrollment new swipe cards available and system at Biindigen is operational, Summer camps are coming to a close-Good job and much thanks to youth and volunteers.

Council questions:

Councilor McNamara-When will nomination come forward for Liquor Control Board?

Legislative Leader Otto-question's the term Tribal Administration: who and what does that refer to, should be referred to as Executive Administration.

Motion made by Councilor Law and supported by Secretary Shananaquet to acknowledge the August 24, 2017 verbal Executive updates and written Executive Report as presented by Vice-Chairperson Stella Kay and Direct Services Administrator Phil Harmon.

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

10:25 a.m. Break

10:40 a.m. Resume

Legislative Officer Reports:

Legislative Leader Report

Discussion: Handbook needs to be reviewed – suggest that new Council approve, limited time at next Council meeting for official action items, Traditional Pow-Wow budget modification, two-week delay for Odawa Economic Development Management, Inc. ribbon cutting, Declaration (Anti-Supremacy) does not require Tribal Council action.

Questions raised by Tribal Council

Councilor McNamara – would like to know the status of Legislative Office Manager Administrative Assistant vacancy.

Motion made by Councilor Law and supported by Secretary Shananaquet to accept Legislative Leader Otto's verbal report as presented on August 24, 2017.

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

Secretary Report

Documents Delivered to Executive

- Tribal Resolution: Ethics Committee delivered to the Executive Department on 07-28-17 status pending.
- Waganakising Odawak Statute Trust Fund Board was delivered to the Executive Department on 07-14-17 and signed on 08-14-17.

Vetoes: (Tribal Council has 90 days to override Executive veto)

- Constitutionally Mandated Qualifications of Tribal chair, Vice-Chair and TC Members Statute
063017 VETOED
- Resolution 060817-01 Banning the Use of Neonicotinoids and Glyphosate on Tribal Lands
063017 VETOED
- Resolution 062217-02 Ad-hoc Land Management Office Committee
072117 VETOED
- Housing Department and Housing Commission Statute
081417 VETOED

Phone Polls: None

Discussion:

I attended the Emergency Response Team meeting on August 16, 2017.

Attendees: Elder's Director-Arlene Naganashe, Human Resources Director-Denise Petoskey, TC Secretary-Julie Shananaquet

The following items were discussed:

Several scenarios of accidents and emergencies have been discussed in the first two meetings and there is a need to start developing policies and procedures.

Note the following items that need inclusion in policies include: Assist when person is choking, define what is "medical emergency" vs. "first aid". Shuttle drivers need to carry phone with medical alert system including locator, procedures to be used for "out of town" emergencies.

Polices needed:

- Medical emergency (including defining what constitutes a 911) Julie will put together a draft for review and input.
- Crowd control – Will this be a part of the Emergency responder responsibilities.
- Emergency Responders – Certifications and current list to include recertification requirements

Dr. Terry Samuels is needed to answer some questions regarding protocols regarding administering first aid and what requires a 911. - Denise

Denise will contact Chief Jeff Cobe to see if Community Service Officer Ray Fernholz will drop in for attendance at Elder picnics and social events.

This Committee believes that First Aid Training should be required as well as the CPR training? Direct Services Administrator Phil Harmon is needed to present any policies he currently has on record and what additional wording he would like to see covered in a policy.

Arlene – was approached by Elder who attends luncheon, who stated that he is a first responder and would like to volunteer to assist if a medical emergency arises at luncheon. Arlene questioned whether or not a non-employee could be included as a volunteer of the medical assist team. Questions raised regarding liability.

Denise will make contact with Dr. Samuels to see when he is available for meeting.

Next meeting Date: To be determined at a later date.

Working on wording to amend Budget Formulation Statute and Policies.

Motion made by Treasurer Reyes and supported by Councilor Law to accept Secretary Shananaquet's verbal and written report as presented on August 24, 2017.

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

Motion carried.

Treasurer Report

Discussion: Action Item – Motions will contain the corrected wording that was used during phone polls 8/16 and 8/21.

Appropriations and Finance Committee

- Last meeting: August 15, 2017

(Motions made at the Appropriations and Finance Committee Meeting)

-Motion made by Committee Secretary Shananaquet and supported by Committee Member Law to recommend Tribal Council approval of: Certified Motion #082417-01; Funding Renewal from the U.S. Department of Health and Human Services Indian Health Service Little Traverse Bay Bands of Odawa Indians FY 2018 Annual Funding Agreement.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried.

-Motion made by Committee Secretary Shananaquet and supported by Committee Member Law to recommend Tribal Council approval of: Certified Motion #082417-02;

Funding from the United States Department of the Interior Bureau of Indian Affairs P.L. 93-638 Annual Funding Agreement 2018 Consolidated Tribal Government Programs Annual Contract.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried.

-Motion made by and supported by Committee Member Law and supported by Committee Secretary Shananaquet to recommend Tribal Council approval of: Certified Motion #082417-03; Funding from the United States Department of the Interior Bureau of Indian Affairs P.L. 93-638 Annual Funding Agreement 2018 Law Enforcement Annual Contract.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried.

-Motion made by and supported by Committee Member Law and supported by Committee Secretary Shananaquet to recommend Tribal Council approval of: Certified Motion #082417-04; Funding from the United States Department of Agriculture (USDA), Food and Nutrition Services FY 2018 Food Distribution Program on Indian Reservations (FDPIR).

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried.

-Motion made by and supported by Committee Member Law and supported by Committee Secretary Shananaquet to recommend Tribal Council approval of: Certified Motion #082417-05; Request for Funding from the U.S. Department of Education, Native American Career and Technical Education Program Waganakising Odawa Career and Technical Education Project (WOCTEP) 12-Month Continuation (FY 2018).

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried.

-Motion made by and supported by Committee Member Law and supported by Committee Secretary Shananaquet to recommend Tribal Council approval of: Certified Motion #082417-06; Request for Funding from U.S. Environmental Protection Agency, Section 319 of the Clean Water Act, FY 2018 Tribal Nonpoint Source Pollution Program.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried.

-Motion made by Committee Secretary Shananaquet and supported by Committee Member Law to recommend Tribal Council approval of: Certified Motion #082417-07; Request for Funding from U.S. Fish and Wildlife Service Fisheries Program Native American Programs and Wildlife and Sport Fish Restoration Program Tribal Wildlife Grants Program FY 2018.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried.

-Motion made by Committee Secretary Shananaquet and supported by Committee Member Law to recommend to Tribal Council the **disapproval** of Tribal Resolution "Supplemental Funding for Burial Fund Assistance" in the amount of \$90,000.00 and request the Executive to reconsider amending the Tribal Resolution to request funding in the amount of \$45,000.00 for the remainder of FY2017 and include the correct fund balance to be used.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried.

Phone Poll:

08-16-17 Motion to recommend to Tribal Council to authorize Secretary Shananaquet and Treasurer Reyes to sign the Merrill Lynch check request to transfer funds from the Little Traverse Bay Bands of Odawa Indians investment account for the Great American Fidelity / Crime Insurance Policy Renewal for Tribal Council in the amount of \$13,152.00 and made payable to broker representative Cottingham and Butler, PO Box 449 Dubuque IA 52004-0449, and submit same to Merrill Lynch. Vote: 3-yes; 0-no; 0-abstained; 0-absent Motion carries.

08-21-17 Motion to recommend to Tribal Council to approve payment to K & J Septic, in the amount of \$160, for services at the LTBB Wilderness Property on September 1, 2017, to come from Special Event line item 5351. Vote: 3-yes; 0-no; 0-abstained; 0-absent Motion carries.

08/23/17 Phone poll conducted to recommend Tribal Council approval of Resolution Supplemental funding for Burial Fund Assistance in the amount of \$90,000 to come from General Fund, Fund Balance – Supplemental Funding.
Vote: 3-yes, 0-No, 0-Abstained, 0-Absent

- Next Meeting: September 19, 2017 at 1:00 p.m. in the Council Chambers

Motion made by Councilor Law and supported by Secretary Shananaquet to accept Treasurer Reyes' verbal and written agenda report as presented on August 24, 2017.

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

Motion carried

Tribal Council Committee Reports:

Land and Reservation Committee

Discussion:

- Last meeting: August 18, 2017
- Next meeting: September 8, 2017 at 9:00 a.m. in the Council Chambers

Motion made by Secretary Shananaquet and supported by Councilor Law to accept the August 24, 2017 Land and Reservation Committee Report as Vote: 8- Yes, 0 - No, 0 - Abstained, 1– Absent (Councilor Naganashe)

Motion carried

presented by Committee Chairperson Marcella Reyes.

Public Comment

11:46 a.m. Public Comment opens – no comments

11:47 a.m. Public Comment closes

Ethics Committee: FYI

Discussion: No response from Executive regarding Ethics Committee Resolution.

- Last meeting: July 19, 2017
- Next Tentative Meeting Date: September 12, 2017.

Motion made by Councilor McNamara and supported by Secretary Shananaquet to accept the August 24, 2017 Ethics Committee Report as presented by Committee Chairperson Law.

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

11:55 a.m. Lunch

1:36 p.m. Return

1:36 p.m. – 2:00 p.m. Anishinaabemowin – Renee Dillard

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to amend the agenda to include Dedication.

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

Motion made Secretary Shananaquet and supported by Treasurer Reyes to dedicate this meeting in honor of the following citizen who have walked on: Theresa Marie Shawanese (7/3/2017), Mark Vincent Reinhout (7/6/2017), Greg William Ettawageshik (7/10/2017), Benjamin Franklin DeMoines (8/8/2017).

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

Tribal Council Member Reports

Secretary Shananaquet – 2017 Great Lakes Native American Conference

Motion made by Councilor Law and supported by Councilor Proctor to accept Secretary Shananaquet's verbal and written travel report for attendance at the 2017 Great Lakes Native American Conference, held in Prior Lake, MN, August 9-11, 2017.

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

Councilor Proctor – Future Conference/Meetings Dates FYI

Legislative Staff Reports:

Tribal Historic Preservation Officer – No Report

Legislative Services Attorney Report - Written

Motion made by Treasurer Reyes and supported by Councilor Law to acknowledge receipt of Legislative Services Attorney Budnick written report for August 24, 2017.

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

Enjinaaknegeng – No report

Legislative Office Manager Report

Motion made by Treasurer Reyes and supported by Councilor Proctor to accept Legislative Office Manager, Michele Portman-LaCount's written and verbal report as presented on August 24, 2017.

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

Motion carried.

Public Comment

3:08 p.m. Opens

- Councilor Law thanked Tribal Council members for all the work they did together and says it was a pleasure to serve

3:09 p.m. Closes

Office of Finance and Revenue Report

Motion made by Secretary Shananaquet and supported by Councilor Law to accept Sr. Financial Analyst Rachel Cope's verbal and written report as presented on August 24, 2017.

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

Motion carried.

3:10 p.m. Break

3:28 p.m. Resume

Corporate Charters and/or Board Updates – No reports

Odawa Economic Development Management, Inc.

Traditional Tribal Burial Board, Inc.

Ziibimijwang, Inc.

Gaming Enterprise Board

Action Items: (Motions)

Motion made by Councilor Law and supported by Legislative Leader Otto to approve travel for up to three Tribal Council to attend the Northwest Development Conference in Tulalip Washington September 4-8, 2017.

Vote: 0- Yes, 8 – No (Legislative Leader Aaron Otto, Treasurer Marcella Reyes, Secretary Julie Shananaquet Councilor Frank Bernard, Councilor Beatrice Law, Councilor Dexter McNamara, Councilor Emily Proctor), 0 - Abstained, 1- Absent (Councilor Naganashe)

Motion fails.

Motion made by Councilor Law and supported by Secretary Shananaquet to authorize Legislative Leader Otto and Treasurer Reyes to sign the Merrill Lynch check request form to transfer funds from the LTBB investment account for the Great American Fidelity / Crime Insurance Policy Renewal for Tribal Council in the amount of \$13,152.00 and made payable to broker representative, Cottingham and Butler, P.O. Box 449, Dubuque, IA 52004-0449, and submit same to Merrill Lynch.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Harrington to approve payment to K & J Septic, in the amount of \$160.00 for services at the LTBB Wilderness Property on September 1, 2017, to come from Tribal Council General Fund Budget.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Secretary Shananaquet to approve Certified Motion #082417-01; Funding Renewal from the U.S. Department of Health and Human Services Indian Health Service Little Traverse Bay Bands of Odawa Indians FY 2018 Annual Funding Agreement.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Secretary Shananaquet to approve Certified Motion #082417-02; Funding from the United States Department of the Interior Bureau of Indian Affairs P.L. 93-638 Annual Funding Agreement 2018 Consolidated Tribal Government Programs Annual Contract.

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

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve Certified Motion #082417-03; Funding from the United States Department of the Interior Bureau of Indian Affairs P.L. 93-638 Annual Funding Agreement 2018 Law Enforcement Annual Contract.

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

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve Certified Motion #082417-04; Funding from the United States Department of Agriculture (USDA), Food and Nutrition Services FY 2018 Food Distribution Program on Indian Reservations (FDPIR).

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Proctor to approve Certified Motion #082417-05; Request for Funding from the U.S. Department of Education, Native American Career and Technical Education Program Waganakising Odawa Career and Technical Education Project (WOCTEP) 12-Month Continuation (FY 2018).

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to approve Certified Motion #082417-06; Request for Funding from U.S.

Environmental Protection Agency, Section 319 of the Clean Water Act, FY 2018 Tribal Non-point Source Pollution Program.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Proctor to approve Certified Motion #082417-07; Request for Funding from U.S. Fish and Wildlife Service Fisheries Program Native American Programs and Wildlife and Sport Fish Restoration Program Tribal Wildlife Grants Program FY 2018.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Proctor to approve Certified Motion #082417-08; Contract Request to the United States Department of the Interior, Bureau of Indian Affairs, Circle of Flight Project FY 2017 Contract Proposal.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Law to approve Certified Motion #082417-09; Request for Funds from the Bureau of Indian Affairs Conservation Law Enforcement Officer Funds.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor McNamara to approve Certified Motion #082417-10; Funding from the Michigan Department of Environmental Quality Stormwater, Asset Management Plan and Wastewater Program Little Traverse Bay Bands Environmental Services Non-Point Source Management Plan.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Proctor to pass Response to a Tribal Citizen's Inquiry Policy: Email or Written Correspondence sponsored by Councilor Proctor.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to approve Enrollment List A-Eligible for Citizenship dated August 22, 2017 for a total of 3.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Law to approve Enrollment List B-Ineligible for Citizenship dated August 22, 2017 for a total of 1.

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

Motion made by Councilor Law and supported by Treasurer Reyes to withdraw recommended motion of AFC regarding Tribal Resolution "Supplemental Funding for Burial Fund Assistance" in the amount of \$90,000.00, to come from prior period funds and request the Executive to reconsider amending the Tribal Resolution to request funding in the amount of \$45,000.00 for the remainder of FY2017 and include the correct fund balance to be used.

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

Action Items – (Roll Call Votes)

Motion made by Treasurer Reyes and supported by Councilor Law to adopt Tribal Resolution: To Authorize Funding in the Amount of \$475,000 for Purchase of Parcel #106 to come from Reserved General Fund Balance-Supplemental Funding.

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

Motion made by Councilor Law and supported by Secretary Shananaquet to adopt Tribal Resolution Supplemental funding for Burial Fund Assistance in the amount of \$90,000 to come from General Fund, Fund Balance – Supplemental Funding.

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

Adjournment:

4:06 p.m. Motion made by Councilor Harrington and supported by Treasurer Reyes to adjourn.

Vote: 7- Yes, 1 – No (Legislative Leader Otto), 0 - Abstained, 1- Absent (Councilor Naganashe)
Motion carried.

Next Tribal Council Meeting
Regular: September 14, 2017

These Minutes have been read and are approved as corrected.



Julie Shananaquet, Tribal Council Secretary

9.15.17

Date