

**Little Traverse Bay Bands of Odawa Indians
Tribal Council Chambers
7500 Odawa Circle, Harbor Springs, MI 49740
Tribal Council Regular Meeting
September 14, 2017**

Call to Order: 9:07 a.m.
Opening ceremony: Beatrice Law
Closed Session: No.

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

Absent: Councilor Frank Bernard, Councilor David Harrington
Legislative Office Staff Present: Legislative Services Attorney Donna Budnick,
Legislative Office Manager Michele Portman-LaCount, General Counsel James
Bransky, Sr. Financial Analyst Rachel Cope, Citizens Legal Assistance Attorney
Cherie Dominic

Executive Officials and Staff Present: Vice-Chairperson Stella Kay, Planning
Director Annie Doyle Law Enforcement Chief Jeff Cobe

Judicial Officials and Staff: Cynthia Brouckaert

Public: Carol Quinones, Charles Shananaquet, Alice Hughes, Carol McFall,
Mark Shall, Jane Martell, Ken Martell, Jim Naganashe, Merle Carson,

Invited Guest: Odawa Casino Resort General Manager Eric McLester

Agenda:

Motion made by Councilor Law and supported by Treasurer Reyes to approve
the agenda of September 14, 2017 Morning Session as presented.

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

Motion carried.

Minutes:

Motion made by Councilor Law and supported by Councilor Proctor to approve
the Regular Meeting minutes of August 24, 2017, as corrected.

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

Motion carried.

Executive Report:

Discussion: Interview for Director of Human Services in process, Phil Harmon
in Washington, Meeting held with Mackinaw City representatives, Chippewa

Ottawa Resource Authority issues – close to “limit” in fishing areas MM 1,2&3, - negotiations in process, possibility that fishing will be halted. Traditional pow-wow experienced food issues due to faulty oven. Vice-Chair will be on the road.

Motion made by Councilor Law and supported by Secretary Shananaquet to acknowledge the September 14, 2017 verbal Executive updates as presented by Vice-Chairperson Stella Kay.

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

Motion carried.

Legislative Officer Reports:

Legislative Leader Report - FYI.

Discussion: Gave thanks for opportunity to work with Council members.

Secretary Report:

Documents Delivered to Executive: None

Vetoes: (a vote of Tribal Council to override a veto shall occur within 90-days of the veto)

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

Phone Polls:

- 08/31/17 Motion to adopt Tribal Resolution Budget Modification for Traditional Pow Wow.
- 09/01/17 Motion to approve Rehmann as the Auditor for the Tribal Government for the annual audits for FY 2017, 2018 and 2019, and to authorize and approve the Tribal Council Treasurer to sign all engagement agreements to retain Rehmann with funding to come from the Accounting budget.
- 09/12/17 Motion to approve Solar Panel Site plan as attached and recommended by the Land and Reservation Committee
Vote: 8-yes, 0-no, 0-abstained, 1-absent

Motion made by Treasurer Reyes and supported by Councilor Law to accept Secretary Shananaquet's verbal report as presented on September 14, 2017.

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

Motion carried.

Treasurer Report:

Appropriations and Finance Committee

Last meeting: September 13, 2017 Special Meeting

(Recommendations)

- *Motion made by Committee Member Law and supported by Committee Secretary Shananaquet to recommend Tribal Council approval of Tribal Resolution: Re-Appropriate to Odawa Casino Resort the Amount of \$820,000 to come from the Restricted General Fund Balance Funds- Economic Development Reserve and allow for OCR to retain Reserve Profits to implement the updated Five Year Strategic Plan.
Vote: 3-yes, 0-no, 0-abstain, 0-absent
Motion carried*

Next Meeting: September 19, 2017 1:00 p.m. Tribal Council Chambers

Motion made by Secretary Shananaquet and supported by Councilor Proctor to accept Treasurer Reyes' verbal report as presented on September 14, 2017.

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

Motion carried.

Tribal Council Committee Reports:

Land and Reservation Committee

Last meeting: September 8, 2017 *(Recommendations as follows)*

- *Motion made by Councilor Harrington and supported by Councilor Bernard to recommend to Tribal Council approve Solar Panel Site plan.
Vote: 3-yes; 0-no; 0-abstain; 0-absent
No Comments
Motion Carries*
- *Motion Councilor Harrington and supported Councilor Bernard to recommend to Tribal Council to approve Certified Motion to request Trust application for land parcel 106 Cemetery Rd Parcel.
Vote: 3-yes; 0-no; 0-abstain; 0-absent
No Comments
Motion Carries*
- *Motion made by Councilor Bernard Councilor and supported by Councilor Harrington to recommend to Tribal Council to submit a letter to Executive regarding the Building Code Regulations.
Vote: 3-yes; 0-no; 0-abstain; 0-absent
No Comments
Motion Carries*

Next Meeting: October 6, 2017 9:00 a.m. in Tribal Council Chambers with Land Tour at 10:00 a.m.

Motion made by Councilor McNamara and supported by Councilor Naganashe to accept the September 14, 2017 Land and Reservation Committee Report as presented by Committee Chairperson Marcella Reyes.

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

Ethics Committee:

Last Meeting: September 12, 2017

- *Phone Poll: 09/13/17 Motion to recommend Tribal Council send confidential letter dated September 14, 2017 regarding case #061317-01 and 02 to the Complainant. Vote: 3-yes; 0-no; 0-abstain; 0-absent*

Next Meeting: To be determined

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to accept the September 14, 2017 verbal report as presented by Councilor Law, Committee Chairperson.

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

Tribal Council Member Reports

Councilor Naganashe –2017 Great Lakes Native American Conference. (August 9-11, 2017)

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

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

Action Items: (Motions)

Motion made by Councilor Law and supported by Treasurer Reyes to acknowledge receipt of Tamara Kiogima's September 1, 2017 resignation from Odawa Economic Development Management, Inc.

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

Motion made by Councilor McNamara and supported by Councilor Law to approve Treasurer Reyes to attend Native American Finance Officer Association Fall Conference to be held October 2-3, 2017 in Tulsa Ok.

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

Motion made by Treasurer Reyes and supported by Councilor McNamara to authorize Legislative Leader Aaron Otto to submit a letter to Executive regarding the Building Code Regulations as recommended by the Land and Reservation Committee.

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

Motion carried.

Motion made by Councilor Law and supported by Councilor Proctor to approve Certified Motion Request for Trust Acquisition of Vacant Land (V/L) Cemetery Rd, Petoskey Parcel in Emmet County, Michigan as recommended by the Land and Reservation Committee.

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

Motion carried.

9:45 a.m. Councilor Harrington arrives

Motion made by Councilor McNamara and supported by Secretary Shananaquet to send the Confidential letter dated September 14, 2017 regarding case #061317-01 and 02 to the Complainant and authorize Legislative Leader Otto and Ethics Committee Chairperson to sign the letter, as recommended by the Ethics Committee.

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

Motion carried.

Motion made by Councilor Law and supported by Councilor Naganashe to authorize the Executive and Odawa Casino General Manager, and their designees, to submit Letter to the Village of Mackinaw City to operate Class III gaming at Odawa Casino Mackinaw under Section 2(F) of the Compact.

Vote: 6 - Yes, 1 – No (Secretary Shananaquet), 1 – Abstained (Councilor Harrington), 1 – Absent (Councilor Bernard)

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Law to approve the Odawa Casino Resort's Little Traverse Bay Bands of Odawa Indians Five-year Strategic Economic Development Plan as presented by the Odawa Casino Resort on August 10, 2017, with supplemental information dated September 13, 2017.

Vote: 6 - Yes, 1 – No (Secretary Shananaquet), 1 – Abstained (Councilor Harrington), 1 – Absent (Councilor Bernard)

Motion carried.

Action Items – (Roll Call Votes)

Motion made by Councilor Law and supported by Councilor McNamara to pass the Constitutionally Mandated Qualifications of Tribal Chair, Vice-Chair and Tribal Council Members Statute.

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

Motion made by Treasurer Reyes and supported by Councilor Law to adopt TRIBAL RESOLUTION # To Re-Appropriate to Odawa Casino Resort the Amount of \$820,000 to come from the Restricted General Fund Balance Funds- Economic Development Reserve and allow for Odawa Casino Resort to retain Reserve Profits to implement the updated Five Year Strategic Plan, Phase II.
Roll Call: Councilor Bernard-absent, Councilor Harrington-abstain, Councilor Law-yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor Proctor-yes, Legislative Leader Otto-yes, Secretary Shananaquet-no, Treasurer Reyes-yes.
Motion carried

10:08 a.m. Break
10:43 a.m. Resume

10:45 a.m. Public Comment Opens:

- Citizen/Councilor Shananaquet farewell comments
- Citizen/Councilor Proctor farewell comments
- Citizen/Chairperson Gasco Bentley thanked the outgoing Council and wished them the best on wherever their path takes them.

10:47 a.m. Public Comment closed

Adjournment:

10:48 a.m. Motion made by Councilor Law and supported by Legislative Leader Otto to adjourn the September 14, 2017 Morning Session.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Bernard)
Motion carried.

Special Tribute to outgoing Tribal Councilors, Aaron Otto, Beatrice Law and Michael Naganashe

Oath of Office:

- Tribal Chairperson - Regina Gasco Bentley
- Vice-Chairperson - Stella Kay

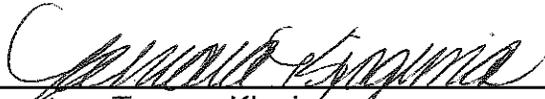
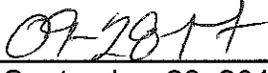
Tribal Council:

- Fred Harrington, Jr.
- Tamara Kiogima
- Shanna Wemigwase

- Marcella Reyes
- Julia Shananaquet

12:00 p.m. Lunch

These Minutes have been read and are approved as written.

 
Secretary Tamara Kiogima September 28, 2017