

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

Tribal Council Regular Meeting  
September 28, 2017

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Call to Order: 9:06 a.m.

Opening ceremony: Frank Bernard

Closed Session: yes

Council Present: Councilor Frank Bernard, Councilor David Harrington, Councilor Dexter McNamara, Councilor Emily Proctor, Councilor Julie Shananaquet, Councilor Shanna Wemigwase, Secretary Tamara Kiogima, Legislative Leader Fred Harrington, Jr.

Absent: Treasurer Marcella Reyes

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, Human Resources Director Denise Petoskey, Billy Jo Head is the new Community Health Specialist, Chief Financial Officer Carrie Carlson, Language Director Carla Osawamick, Spring Grant Project Coordinator Angie Woodin

Judicial Officials and Staff: none

Public: Andrew Stich

Invited Guest: Renee Dillard

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Legislative Leader Fred Harrington mentioned it is important that we know each other, so he introduced himself and then requested Roll Call through Tribal Council introduction. All Tribal Council introduced themselves as well.

**Motion** made by Councilor Shananaquet and supported by Councilor McNamara to dedicate this meeting in honor of the following Citizen(s) who have walked on: Peter Delbert Nadeau and Theodore Sky-Eagle, Jr.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Reyes)

Motion carried.

**Motion** made by Secretary Kiogima and supported by Councilor David Harrington to adopt the agenda as amended for September 28, 2017.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Reyes)

Motion carried.

1 **9:30 a.m. Introduction of new Tribal Government Employees:** Cory  
2 Bennington Spring Grant previous Outreach worker and now a Tech for the  
3 Spring Grant; and Billy Jo Head is the new Community Health Specialist starting  
4 October 1, 2017.

5  
6 **Legislative Leader Fred Harrington:** Discussion regarding Certified Motions  
7 versus Resolutions and asked for each Tribal Council to provide opinion, which  
8 Tribal Council did.

9  
10 **11:51 a.m. Public Comment opened:**

- 11 - Andrew Stich asked Tribal Council if they have decided to have a  
12 meeting on a weekend yet; and asked if Tribal Council knows their  
13 Public Comment Policy and the limitation for comments.

14 **12:00 p.m. Public Comment closed.**

15  
16 **12:04 p.m. Lunch**

17 **1:39 p.m. Returned**

18  
19 **1:36 p.m. Anishinaabemowin – Wasson**

20  
21 **Motion** made by Councilor David Harrington and supported by Councilor  
22 Wemigwase to approve the morning and afternoon session Regular Meeting  
23 Minutes of September 14, 2017 as presented.

24 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Reyes)

25 Motion carried.

26  
27 **Executive Report: as presented in the written Executive Oversight Report:**

28  
29 **Discussion:**

- 30 - Meeting with Governor regarding our Treaty fishing rights.  
31 - Mackinaw City Tribal Art Work.  
32 - Did not receive the grant for the Wellness Center due to affordable  
33 housing grants taking precedence with funding source.

34  
35 **Motion** made by Councilor McNamara and supported by Councilor Wemigwase  
36 to acknowledge the written Executive Report as presented by Chairperson  
37 Regina Gasco Bentley and Direct Services Administrator Phil Harmon.

38 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Reyes)

39 Motion carried.

40  
41 **Legislative Officer Reports:**

42  
43 Legislative Leader Report

44 **Discussion:** Receipt of Executive Vetoes

1 **Motion** made by Councilor Wemigwase and supported by Councilor Bernard to  
2 acknowledge receipt of the Executive Veto for the Ethics Committee Resolution  
3 as a valid veto.

4 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Reyes)

5 Motion carried.

6  
7 Secretary Report

8 Documents Delivered to Executive: none

9 Phone Polls: none

10  
11 Discussion regarding Vetoes: *(Tribal Council has 90 days to override Executive veto)*  
12 Legislative Leader Fred Harrington Jr., asked if any Tribal Councilor would like to  
13 motion to override any of the vetoes as listed below:

- 14  
15 - 06/30/17 Vetoes Constitutionally Mandated Qualifications of Tribal Chair,  
16 Vice-Chair and Tribal Council Members Statute.  
17 - 06/30/17 Vetoes 060817-01 Resolution Banning the Use of  
18 Neonicotinoids and Glyphosate on Tribal Lands.  
19 - 07/21/17 Vetoes Resolution 062217-02 Ad-hoc Land Management Office  
20 Committee.  
21 - 08/14/17 Vetoes Housing Department and Housing Commission Statute.  
22

23 **Motion** made by Councilor Wemigwase and supported by Councilor Proctor to  
24 accept Secretary Kiogima's report for September 28, 2017.

25 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Reyes)

26 Motion carried.

27  
28 **Motion** made by Councilor Shananaquet and supported by Councilor David  
29 Harrington to override July 21, 2017 Executive Vetoes Resolution 062217-02 Ad-  
30 hoc Land Management Office Committee.

31 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Reyes)

32 Motion carried.

33  
34 Treasurer Report

35 Discussion: Councilor McNamara and Councilor Wemigwase Appropriations and  
36 Finance Committee members provided verbal report regarding action items.

37  
38 Appropriations and Finance Committee

- 39 - Last meeting: September 19, 2017  
40 - Next Meeting: October 5, 2017 1:00 p.m. in Tribal Council Chambers  
41

42 Public comment opened:

- 43 - Citizen Andrew Stich mentioned housing issues and need for land  
44 management; and asked if Tribal Council would let Tribal Citizens ask  
45 questions during appointed or elected official vacancy interviews for  
46 positions; and what can we do for youth since wellness center grant was  
47 denied.

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- Citizen Michele Portman-LaCount spoke regarding prescription type services with regard to clinic closures for holidays and what the overall notification process is for patients; support for a rental management division for housing maintenance, the housing policy for issuing notices to *quit* on our rental units; and the posting of jobs that require eligibility to work based on our Tribal government insurance carrier criteria.
- Citizen Aaron Otto spoke in support of the need for a land management company to avoid disrepair of our property including camping maintenance through a parks and recreation division of a land management company; would also like to see a change in compensation for Tribal Councilors to be able to receive Tribal insurance.

**3:17 p.m.** Public Comment closed.

Treasurer Report-Continued

Further discussion by Councilor McNamara and Councilor Wemigwase Appropriations and Finance Committee members provided verbal report regarding action items.

**Motion** made by Councilor David Harrington and supported by Councilor Proctor to accept the Treasurer report as presented by Committee Members Councilor McNamara and Councilor Wemigwase for September 28, 2017.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Reyes)  
Motion carried.

Land and Reservation Committee

- Last meeting: September 8, 2017
- Next meeting: October 6, 2017 9:00 a.m. in Tribal Council Chambers

Discussion: Obtained Land Parcel 106 which is on Cemetery Road adjacent to the north side of the Casino.

**Motion** made by Councilor Shananaquet and supported by Councilor Wemigwase to accept the Land and Reservation Committee Report as presented by Committee Member Councilor David Harrington.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Reyes)  
Motion carried.

Ethics Committee:

Discussion regarding dissolving the Ethics Committee and what is the next step.  
Last meeting: September 12, 2017

**Motion** made by Councilor Shananaquet and supported by Councilor David Harrington to accept the Ethic’s Committee report for September 28, 2017.  
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Reyes)

1 Motion carried.

2  
3 **3:10 p.m.** Break

4 **3:28 p.m.** Resume

5  
6 **Tribal Council Member Reports**

7  
8 Councilor Wemigwase: spoke regarding the Elder's travel; the 50/50 raffle at the  
9 Pow Wow; concern regarding the Gaming Enterprise Board on September 11,  
10 2017 and the Board's reportability to Tribal Council; Attendance at the Natural  
11 Resources Commission, September 25, 2017, meeting and the last Gaming  
12 Enterprise Board and Gaming Regulatory combined meeting.

13  
14 **Motion** made by Councilor Shananaquet and supported by Councilor Proctor to  
15 accept Councilor Wemigwase's Tribal Council Member Report for September 28,  
16 2017.

17 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Reyes)

18 Motion carried.

19  
20 Councilor McNamara: discussion regarding Tribal Council vacancy process and  
21 add the review of the Policy and Procedures for Appointment for Vacancy to  
22 Tribal Council to the next work session.

23  
24 **Motion** made by Councilor Proctor and supported by Councilor Shananaquet to  
25 accept Councilor McNamara's Tribal Council Member report.

26 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Reyes)

27 Motion carried.

28  
29 **Motion** made by Secretary Kiogima and supported by Councilor Shananaquet to  
30 amend the agenda to move Section 14. Roll Call, b. i. and iii. to Section 14. a.  
31 Motions, and to add Tribal Council Member Reports, Secretary Kiogima, and  
32 change other items of business on the agenda from closed session personnel to  
33 closed session for confidential business matters.

34 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Treasurer Reyes, Councilor  
35 McNamara)

36 Motion carried.

37  
38 Secretary Kiogima: report on Zibimijwang farm tour and asks Citizens to be  
39 patient as the farm is progressing as fast as it is able.

40  
41 **Motion** made by Councilor Shananaquet and supported by Councilor Proctor to  
42 accept Secretary Kiogima's Tribal Council member report for September 28,  
43 2017.

44 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Treasurer Reyes, Councilor  
45 McNamara)

46 Motion carried.

1 Tribal Historic Preservation Officer -no report

2  
3 Legislative Services Attorney Report

4 **Motion** made by Secretary Kiogima and supported by Councilor Shananaquet to  
5 acknowledge receipt of Legislative Services Attorney Budnick's report for  
6 September 28, 2017.

7 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Treasurer Reyes, Councilor  
8 McNamara)

9 Motion carried.

10  
11 Enjinaaknegeng – no report.

12  
13 Legislative Office Manager Report

14 **Motion** made by Secretary Kiogima and supported by Councilor Proctor to  
15 accept Legislative Office Manager Portman-LaCount's report as presented on  
16 September 28, 2017.

17 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Treasurer Reyes, Councilor  
18 McNamara)

19  
20 Office of Finance and Revenue Report

21 **Motion** made by Councilor Shananaquet and supported by Councilor David  
22 Harrington to accept Sr. Financial Analyst Rachel Cope's report as presented on  
23 September 28, 2017.

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

26 Motion carried.

27  
28 **Motion** made by Councilor David Harrington and supported by Councilor Proctor  
29 to accept Tamara Kiogima's resignation dated September 1, 2017 from Odawa  
30 Economic Development Management, Inc., and update the Charter to reflect the  
31 same.

32 Vote: 6 - Yes, 0 - No, 1 – Abstained (Secretary Kiogima), 2 – Absent (Treasurer  
33 Reyes, Councilor McNamara)

34 Motion carried.

35  
36 **Motion** made by Councilor Shananaquet and supported by Councilor  
37 Wemigwase to acknowledge receipt of the Gaming Enterprise Board July and  
38 August 2017 Monthly Budget and Expenditure Reports, and the Odawa Casino  
39 Resort July and August 2017 Monthly Reports.

40 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Treasurer Reyes, Councilor  
41 McNamara)

42 Motion carried.

43  
44 **Motion** made by Councilor David Harrington and supported by Councilor  
45 Shananaquet to approve Certified Motion 092817-01: Request for Funding from  
46 U. S. Department of Housing and Urban Development Native American Housing

1 Assistance and Self-Determination Act (NAHASDA) Indian Housing Block Grant  
2 Program FY 2018.

3 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Treasurer Reyes, Councilor  
4 McNamara)

5 Motion carried.

6  
7 **Motion** made by Councilor Shananaquet and supported by Councilor  
8 Wemigwase to approve Certified Motion 092817-02: Funding from the U.S.  
9 Department of Health and Human Services Indian Health Service Little Traverse  
10 Bay Bands of Odawa Indians 2017 Annual Funding Agreement, Award Increase  
11 Mod 17-1.

12 Vote: 6 - Yes, 0 - No, 1 – Abstained (Legislative Leader Fred Harrington, Jr.), 2 –  
13 Absent (Treasurer Reyes, Councilor McNamara)

14 Motion carried.

15  
16 **Corporate Charters and/or Board Updates**

17 Odawa Economic Development Management, Inc.-no report

18 Traditional Tribal Burial Board, Inc.-no report.

19 Ziibimijwang, Inc.-no report

20  
21 **Motion** made by Councilor David Harrington and supported by Councilor  
22 Shananaquet to adopt Tribal Resolution: Approval of the FY 2018 – FY Tribal  
23 Transportation Improvement Plan.

24 Roll Call: Councilor Bernard–yes, Councilor David Harrington–abstained,  
25 McNamara–absent, Councilor Proctor–yes, Councilor Shananaquet–yes,  
26 Councilor Wemigwase–yes, Treasurer Reyes–absent, Secretary Kiogima–yes,  
27 Legislative Leader Fred Harrington, Jr.–yes

28 Motion carried.

29  
30 **Motion** made by Councilor Wemigwase and supported by Councilor David  
31 Harrington to adopt Tribal Resolution: Use of 3rd Party Support Revenues for  
32 Tribal Pharmacy in the Amount of \$292,000.00.

33 Roll Call: Councilor Bernard–yes, Councilor David Harrington–yes, McNamara–  
34 absent, Councilor Proctor–yes, Councilor Shananaquet–yes, Councilor  
35 Wemigwase–yes, Treasurer Reyes–absent, Secretary Kiogima–yes, Legislative  
36 Leader Fred Harrington, Jr.–yes

37 Motion carried.

38  
39 **Motion** made by Councilor Wemigwase and supported by Councilor  
40 Shananaquet to adopt Tribal Resolution; Budget Modification for Detention  
41 Costs.

42 Roll Call: Councilor Bernard–yes, Councilor David Harrington–no, McNamara–  
43 absent, Councilor Proctor–yes, Councilor Shananaquet–yes, Councilor  
44 Wemigwase–yes, Treasurer Reyes–absent, Secretary Kiogima–yes, Legislative  
45 Leader Fred Harrington, Jr.–no

46 Motion carried.

1 **Motion** made by Councilor Shananaquet and supported by Councilor David  
2 Harrington to adopt Tribal Resolution: In Opposition to the Proposed Graham-  
3 Cassidy-Heller-Johnson Legislation.

4 Roll Call: Councilor Bernard–yes, Councilor David Harrington–yes, McNamara–  
5 absent, Councilor Proctor–yes, Councilor Shananaquet–yes, Councilor  
6 Wemigwase–yes, Treasurer Reyes–absent, Secretary Kiogima–yes, Legislative  
7 Leader Fred Harrington, Jr.–yes

8 Motion carried.

9  
10 **Motion** made by Councilor Shananaquet and supported by Secretary Kiogima to  
11 adopt Tribal Resolution: Supplemental funding for Tribal Historic Preservation  
12 Office in the amount of \$15,058.00 with funding to come from General Fund,  
13 Fund Balance Supplemental Funding.

14 Roll Call: Councilor Bernard–yes, Councilor David Harrington–yes, McNamara–  
15 absent, Councilor Proctor–yes, Councilor Shananaquet–yes, Councilor  
16 Wemigwase–yes, Treasurer Reyes–absent, Secretary Kiogima–yes, Legislative  
17 Leader Fred Harrington, Jr.–yes

18 Motion carried.

19  
20 **5:31 p.m. Motion** made by Councilor Shananaquet and supported by Councilor  
21 Wemigwase to go into closed session for confidential business matters.

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

24 Motion carried.

25  
26 **6:12 p.m. Motion** made by Councilor David Harrington and supported by  
27 Councilor Shananaquet to return to open session.

28 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Treasurer Reyes, Councilor  
29 McNamara)

30 Motion carried.

31  
32 **Motion** made by Councilor Wemigwase and supported by Councilor  
33 Shananaquet for the Gaming Enterprise Board to submit the following  
34 information for Odawa Casino Resort-Petoskey to Tribal Council within 10  
35 business days; monthly: revenue, door counts, machine counts, win per unit/per  
36 day, EBIDTA for Fiscal years 2011-present.

37 Vote: 6 - Yes, 0 - No, 1 – Abstained (Councilor David Harrington), 2 – Absent  
38 (Treasurer Reyes, Councilor McNamara)

39 Motion carried.

40  
41 Discussion on the September 25, 2017 Gaming Regulatory and Gaming  
42 Enterprise Board meeting topic of Surveillance.

43  
44 **Adjournment:**

45 **6:27 p.m.** Motion made by Councilor David Harrington and supported by  
46 Councilor Proctor to adjourn.

1 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Treasurer Reyes, Councilor  
2 McNamara)  
3 Motion carried.

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Next Tribal Council Meeting  
Regular: October 12, 2017

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These Minutes have been read and are approved as corrected/written.

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Tamara Kiogima, Tribal Council Secretary

Date

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