

**Little Traverse Bay Bands of Odawa Indians  
Tribal Council Chambers  
7500 Odawa Circle, Harbor Springs, MI 49740  
Tribal Council Regular Meeting  
October 26, 2017**

Call to Order: **9:03 a.m.**

Opening ceremony: Tamara Kiogima

Closed Session: yes

Council Present: Legislative Leader Fred Harrington, Secretary Tamara Kiogima, Treasurer Marcella Reyes, Councilor Frank Bernard, Councilor Dexter McNamara, Councilor Emily Proctor, Councilor Julia Shananaquet, Councilor Shanna Wemigwase

Absent: Councilor David Harrington

Legislative Office Staff Present: Legislative Office Manager Michele Portman-LaCount, Sr. Financial Analyst Rachel Cope, General Counsel James Bransky, Deputy Tribal Historic Preservation Officer Melissa Wiatrolik, Tribal Historic Preservation Officer Wesley Andrews

Executive Officials and Staff Present: Chairperson Gasco-Bentley, Vice-Chair Stella Kay, Human Resources Director Denise Petoskey, Chief Financial Officer Carrie Carlson, Heather Boening-Human Services Director, Kenny Dewey-Spring Grant, Jeremy Steel-Education Department Project Assistant, Paul Ford, Health Department Maintenance worker

Judicial Officials and Staff: none

Public: Andrew Stich

Invited Guest: Gaming Enterprise Board Denise Petoskey Chairperson

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**Motion** made by Councilor Proctor and supported by Councilor Wemigwase to adopt the agenda for October 26, 2017 as amended.

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

Motion carried.

**Motion** made by Councilor Wemigwase and supported by Councilor Proctor to approve the Regular Meeting minutes of September 28, 2017 and October 12, 2017.

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

Motion carried.

**Motion** made by Councilor Shananaquet and supported by Treasurer Reyes to dedicate this meeting in honor of the following citizen who have walked on:

Robert Eugene Carson, Joseph Francis Naganashe, Veronica Madeline Henderson.

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

Motion carried.

**9:17 a.m.** Councilor David Harrington arrives.

**9:30 a.m.** Introduction of new Tribal Government Employees, Heather Boening-Human Services Director, Kenny Dewey-Spring Grant, Jeremy Steel-Education Department Project Assistant

**Executive Report:**

Tribal Chairperson Regina Gasco-Bentley spoke regarding travel to National Congress of American Indians in Milwaukee, Testified on Native Vote, the Resolution not supporting regarding hunting and clans, Chippewa Ottawa Resource Authority update, the development of Second Street property in Harbor Springs, the Elders Association and the affiliation with the Tribe regarding delegates for Michigan Indian Education Association.

**Tribal Historic Preservation Office:**

Wesley Andrews asked Tribal Council for office support regarding Squaw Island in Lake Michigan and the need for an application to the federal government to have the island name changed.

**Motion** made by Councilor Wemigwase and supported by Councilor Shananaquet to acknowledge the verbal or written Executive Report as presented by Chairperson Gasco-Bentley.

Vote: 9- Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

**Motion** made by Councilor Wemigwase and supported by Councilor David Harrington to allow the Tribal Historic Preservation Office to pursue the application to the federal government regarding the name change of Squaw Island.

Vote: 9- Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

**Legislative Leader Harrington Report:** Discussed the importance to communicate with the Executive in person and not always in writing. Legislative Leader Harrington will provide his conversations to Tribal Council prior to meetings.

(Introduction of new employee Paul Ford, Health Department Maintenance worker)

**Legislative Leader Harrington:** Employee Handbook-Tribal Council needs to email their concerns/comments to Legislative Services Attorney. Discussion

regarding Legislative Procedures Statute and the Odawa Register; Legislative Office Manager and Legislative Services Attorney to work on separating the two topics and bring back two separate drafts. Discussion with Donna Budnick Gaming Enterprise Board Chair regarding monthly report and meeting minutes, to be received by Tribal Council in a timely manner, and Tribal Council to be able to come to meetings regarding to casino financials and Sr Financial Analyst Rachel Cope access to the information on behalf of Tribal Council. Councilor Wemigwase requested timely release of casino monthly and quarterly reports to Tribal Council, would also like to see other Board members present when reporting to Tribal Council. Councilor Shananaquet requested at a minimum the Gaming Enterprise Board as a whole attend the Tribal Council Meeting Quarterly, the Sr Financial Analyst statute that allows for obtaining information. Legislative Leader Harrington would like the Board to develop a policy that enables the Sr Financial Analyst to ask for casino numbers directly on behalf of Tribal Council. General Counsel Bransky provided clarity on the Gaming Enterprise Board Statute regarding communication and the development of a policy to be approved by Tribal Council.

**Motion** made by Councilor Shananaquet and supported by Councilor Wemigwase to accept Legislative Leader Fred Harrington's verbal report.  
Vote: 9- Yes, 0 - No, 0 - Abstained, 0 – Absent  
Motion carried.

**10:38 a.m.** Break  
**10:53 a.m.** Return

#### **Treasurer Report:**

Treasurer Reyes Discussion regarding the Appropriations and Finance Committee:

- Last meeting: September 19, 2017 (October 5, 2017 Meeting was cancelled)
- Next Meeting: November 14, 2017 1:00 p.m. in Tribal Council Chambers

10/19/17 Phone Poll recommendation to Tribal Council: To approve Certified Motion # 102617-01 request funding from the University of North Dakota School of medicine and Health Sciences Center for Rural Health Native Elder Abuse Innovation 2018 has passed (VOTE: 3 Yes 0 No 0 Abstained 0 Absent).

**Motion** made by Councilor David Harrington and supported by Councilor Proctor to acknowledge Treasurer Reyes' verbal and written report as presented on the agenda.  
Vote: 8- Yes, 0 - No, 0 - Abstained, 1– Absent (Secretary Kiogima)  
Motion carried.

#### **Land and Reservation Committee Report**

Treasurer Reyes Committee Chairperson discussion regarding moving the next Land and Reservation Committee meeting to November 3, 2017.

-Last meeting: October 6, 2017

-Next meeting: November 17, 2017 9:00 a.m. in Tribal Council Chambers.

**Motion** made by Councilor Shananaquet and supported by Councilor Wemigwase to change the Land and Reservation Committee meeting time to November 3, 2017 at 9:00 a.m. and to accept the Land and Reservation Committee Report as presented by Treasurer Reyes Committee Chairperson.  
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Secretary Kiogima)  
Motion carried.

**Treasurer Reyes Tribal Council Member report**

Treasurer Reyes reported on her National Congress of American Indians travel and attendance during their election process. Will submit a written report.

**Motion** made by Councilor McNamara and supported by Councilor Proctor to acknowledge receipt of Treasurer Reyes verbal Travel Report.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

**Secretary Kiogima Report:**

Documents Delivered to Executive:

- Tribal Resolution To re-appropriate to Odawa Casino Resort the Amount of \$820,000 to come from the Restricted General Fund – Economic Development Reserve and allow for Odawa Casino Resort to Reserve Profits to implement the updated five Year Strategic Plan.  
(due back to Tribal Council by October 28, 2017)

- Certified Motion #101217-01 National Congress of American Indians Representatives for Little Traverse Bay Bands of Odawa Indians. (Signed by Executive 10/10/17. Tribal Council approved/signed and delivered back to Executive 10/12/17)

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

- 08/14/17 Vetoed Housing Department and Housing Commission Statute

Phone Polls: none

**Motion** made by Councilor Shananaquet and supported by Councilor Wemigwase to acknowledge receipt of Secretary Kiogima's verbal and written report as presented on the agenda.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

**Councilor Proctor Tribal Council Member Report:**

Councilor Proctor spoke regarding her attendance at the Building Strong Sovereign Nations in which she was a presenter, and attendance at the United Tribes of Michigan which included the topic of hunting Cranes, and the Grand River region and its affiliation with Tribes, and shared access with regard to social services. Legislative Leader Harrington provided Discussion regarding the Contempt Statute as sponsored by Councilor Proctor and consideration for adding a provision incarceration without a hearing.

**Motion** made by Councilor Shananaquet and a supported by Councilor David Harrington to acknowledge receipt of Councilor Proctor's verbal report.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

**Councilor Wemigwase Tribal Council Member Report:**

Attendance at Gaming Enterprise Board meeting with information primarily being in a closed session of the Board; attended the well-organized Fall Encampment; met with Chaz Cabella, and invited Eric Hemenway and Secretary Kiogima for the acquirement of a large collection of artifacts on behalf of the Tribe.

**Motion** made by Councilor Shananaquet and supported by Secretary Kiogima to acknowledge receipt of Councilor Wemigwase's Tribal Council member report.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

**Motion** made by Councilor Shananaquet and supported by Councilor Wemigwase to acknowledge receipt of Legislative Services Attorney written report.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

**General Counsel Bransky** provided an update on Legal Administrative Assistant Su Lantz travel regarding tax credits for housing development, and peace keeping; Tribal jurisdiction with regard to Treaties and upcoming attendance at the Republican Women's Club luncheon; Senate Bill 616 regarding a central registry for social services access; Indian Town parcels (5) in Trust; Law Enforcement issue for firearm possession with regard to Tribal Resolution 010806-02 Firearms Possession; Easements and right away BIA rules for facility developments.

**Public Comment:**

11:45 a.m. Public Comment opened: no comments.

11:49 a.m. Public Comment closed

**Motion** Councilor Shananaquet and Councilor Wemigwase to acknowledge General Counsel Bransky verbal report.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

**Legislative Leader Fred Harrington** provided discussion regarding making water a commodity.

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

**1:00 p.m.** Ribbon Cutting Ceremony for Victories Site.

**3:00 p.m.** Reconvened. Councilor Proctor, Councilor David Harrington, Treasurer Reyes, Councilor Wemigwase absent.

**3:01 p.m.** Public Comment opened:

- Andrew Stich wants Tribal Council meetings held one Saturday per month; Tribal Council still not doing their travel reports in writing; hopes new land purchase is for Housing.

**3:05 p.m.** Public Comment closed.

**3:05 p.m.** Councilor Proctor and Councilor Wemigwase and Councilor David Harrington arrived.

**Motion** made by Councilor Wemigwase and supported by Councilor McNamara to approve to work with Gaming Enterprise Board, Odawa Economic Development Management, Inc., Land and Reservation Committee and the Snow Mobile Club and the Planning Department. to facilitate an easement contract to be brought back to Tribal Council.

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

Motion carried.

**Legislative Office Manager Report:**

**Motion** made by Councilor McNamara and supported by Secretary Kiogima to accept Legislative Office Manager Portman-LaCount's verbal and written report.

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

Motion carried.

**Office of Finance and Revenue Report:**

**Motion** made by Councilor McNamara and supported by Councilor Wemigwase to accept Sr. Financial Analyst Rachel Cope's verbal and written report.

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

Motion carried.

**Corporate Charters and/or Board Updates:**

Odawa Economic Development Management, Inc.-no report

Traditional Tribal Burial Board, Inc. -no report

Ziibimijwang, Inc.- no report but submitted all 2017 Minutes.

Gaming Enterprise Board – no report

**Motion** made by Councilor Wemigwase and supported by Councilor Shananaquet to acknowledge receipt of the Ziibimijwang Minutes for 2017, to date.

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

**Motion** made by Councilor Wemigwase and supported by Secretary Kiogima to approve Citizenship List A Eligible for Citizenship dated October 24, 2017 for a total of 5.

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

**Motion** made by Councilor Wemigwase and supported by Councilor McNamara to approve Citizenship List B Ineligible for Citizenship dated October 24, 2017 for a total of 1.

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

**Motion** made by Secretary Kiogima and supported by Councilor Wemigwase to approve Citizenship List C Adopted-Substantial Community Ties dated October 24, 2017 for a total of 1.

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

**Motion** made by Councilor Shananaquet and Councilor Wemigwase to acknowledge receipt of the Executive Nomination of Gerald Chingwa for the Natural Resources Commission and set up an interview.

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

**Motion** made by Councilor Shananaquet and supported by Councilor Wemigwase to acknowledge receipt of the Executive Nomination of Renee Dillard for the Natural Resources Commission and set up an interview.

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

**Motion** made by Councilor Harrington supported by Councilor Shananaquet to acknowledge receipt of the Executive Nomination of William Ortiz for the Natural Resources Commission and set up an interview.

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

**Motion** made by Councilor McNamara and supported by Councilor Shananaquet to acknowledge receipt of the Executive Nomination of John Keshick III for the Natural Resources Commission and set up an interview.

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

**Motion** made by Councilor McNamara and supported by Councilor Shananaquet to acknowledge receipt of Executive Nomination of Rochelle Ettawageshik for the Child Welfare Commission and set up an interview.

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

Motion carried.

**Motion** made by Councilor McNamara and supported by Councilor Shananaquet to post Qualified Expert Witness Statute to the Legislative Calendar in the Odawa Register.

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

Motion carried.

**Motion** made by Secretary Kiogima and supported by Councilor Shananaquet to acknowledge receipt of Beatrice Law's letter of interest for the Odawa Economic Development Management, Inc. and set up an interview.

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

Motion carried.

**Motion** made by Councilor McNamara and supported by Councilor Proctor to acknowledge receipt of Kevin Willis' letter of interest for the Traditional Tribal Burial Board and set up an interview.

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

Motion carried.

**Motion** made by Councilor Proctor and supported by Councilor Bernard to approve Certified Motion #102617-01 request funding from the University of North Dakota School of medicine and Health Sciences Center for Rural Health Native Elder Abuse Innovation 2018.

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

Motion carried.

**Motion** made by Councilor David Harrington and supported by Councilor Proctor to accept the Executive nomination of Joycelyn Fabre for Appellate Justice and set up an interview.

Vote: 7 - Yes, 1 – No (Legislative Leader Harrington), 0 - Abstained, 1 – Absent (Treasurer Reyes)

Motion carried.

**3:50 p.m. Motion** made by Councilor Shananaquet and supported by Secretary Kiogima to go into closed session for Tribal Council Member Report-Confidential Business.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor McNamara, Treasurer Reyes)

Motion carried.

**3:58 p.m.** Motion made by Councilor David Harrington and supported by Councilor Proctor to return to open session.

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

Motion carried.

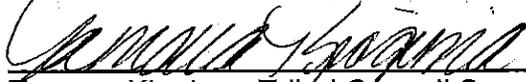
**3:58 p.m. Motion** made by Councilor David Harrington and supported by Councilor Proctor to adjourn.

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

Motion carried.

Next Tribal Council Meeting  
Regular November 9, 2017

These Minutes have been read and are approved as written.



Tamara Kiogima, Tribal Council Secretary

11-09-17

Date