

**Little Traverse Bay Bands of Odawa Indians
Tribal Council Chambers
7500 Odawa Circle, Harbor Springs, MI 49740
Tribal Council Regular Meeting
November 9, 2017**

Call to Order: 9:04 a.m.
Opening ceremony: Tamara Kiogima
Closed Session: yes

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

Absent: Treasurer Marcella Reyes, Councilor David Harrington

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

Executive Officials and Staff Present: Chairperson Gasco-Bentley

Judicial Officials and Staff: none

Public: Andrew Stich, Beatrice Law

Invited Guest: Gaming Enterprise Board: Chairperson Denise Petoskey,
Secretary Billi Jo Head, Odawa Casino Resort: General Manager Eric McLester

Motion made by Councilor Proctor and supported by Councilor Shananaquet to adopt the agenda for November 7, 2017 in honor of Roxanne Wemigwase and William Sprague.

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

Motion carried.

Motion made by Secretary Kiogima and supported by Councilor Wemigwase to approve the minutes of October 26, 2017 as presented.

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

Motion carried.

Executive Update provided by Chairperson Gasco-Bentley:

- Governmental complex parking lot will be temporarily paved for winter use.
- Attended the Northern Michigan Republican Women's Committee regarding the reservation boundaries.

- Vice-Chair Stella Kay in Washington D.C. regarding the 2019-2020 Budgets.
- Chippewa Ottawa Resource Authority (CORA) Meeting regarding the Pros and Cons of CORA. Tribal Council would like to be notified of meetings as well as cancellations. Executive will get the date of the next meeting.
- Tribal Council asked about tutors for youth and funding; academic and mental health.
- Elders update regarding Elders Committee and Association.
- Tribal Council requested Electric Car Charge ports and possible grant.
- Legislative Leader Fred Harrington, Jr. requested additional information regarding overtime and hourly employees and would like management input on what their understanding is.
- Tribal Council requested updates on Hearing Aid Program-Executive has been working on resuming the process; assistance with Elder dental-funding; and fiber optic cable.

Motion made by Councilor Proctor and supported by Councilor Wemigwase to acknowledge the Executive verbal report as presented by Chairperson Gasco-Bentley for November 9, 2017.

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

Motion carried.

Gaming Enterprise Board Chair Denise Petoskey and Secretary Billi Jo Head regarding Board attendance at Tribal Council meetings and communication between Tribal Council and the Board. Additional requests of Tribal Council included:

- Communication flow via Legislative Office Manager.
- Sr. Financial Analyst Rachel Cope ability to receive financials.
- Future of a hotel and how Odawa Economic Development Management Inc. acquired one.
- Working with Ziibimijwang for supply of produce.
- The level of marketing promo's.
- Budgets
- Personnel morale

10:30 a.m. Break

10:49 a.m. Returned

Gaming Enterprise Board continued: provided narrative regarding Odawa Casino Resort 3rd Quarter Report.

11:27 a.m. Motion made by Councilor McNamara and supported by Councilor Wemigwase to go into closed session for confidential business matters-Casino.

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

Motion carried.

Motion made by Secretary Kiogima and supported by Councilor Shananaquet to acknowledge the Gaming Enterprise Board, Odawa Casino Resort September 2017 Monthly Report and 2017 3rd Quarter Report.

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

Motion carried.

11:49 a.m. Motion made by Councilor Shananaquet and supported by Councilor McNamara to return to open session.

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

Motion carried.

11:49 a.m. Public Comment:

- Andrew Stich asked for Tribal Council consideration of a monthly weekend meeting; Tribal Treasurer and communication.

11:53 a.m. Public Comment closed.

Gaming Enterprise Board discussion continues with Tribal Council requesting casino Directors to meet annually with Tribal Council.

Motion made by Secretary Kiogima and supported by Councilor Proctor to acknowledge receipt of the Gaming Enterprise Board, Odawa Casino Resort September 2017 Monthly Report and 2017 3rd Quarter Report.

12:03 p.m. Lunch

1:37 p.m. Returned

1:42 p.m. Secretary Kiogima returned

Anishinaabemowin with Wasson

Legislative Officer Reports:

Legislative Leader Report

Discussion: Regarding complaints received regarding overtime with regard to the Fair Employment Statute.

Motion made by Councilor Shananaquet and supported by Secretary Kiogima to accept Legislative Leader Fred Harrington, Jr.'s, verbal report for November 9, 2017.

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

Motion carried.

Secretary Report

Documents Delivered to the Executive:

- i. 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.
(Delivered to the Executive on 09-28-17 and Signed by the Executive on 10-27-17)
- ii. Certified Motion # 101217-01: National Congress of American Indians Representatives for Little Traverse Bay Bands of Odawa Indians.
(Signed by the Executive on 10-10-2017 and approved by Tribal Council on 10-12-17)
- iii. Certified Motion # 102617-01: to Request Funding from the University of North Dakota School of Medicine and Health Sciences Center for Rural Health Native Elder Abuse Innovation 2018.
(Signed on October 27, 2017 and delivered to the Executive on 11-02-17)

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

- i. On 09/28/17 Tribal Council Over-Rode the Executive Veto dated 07/21/17 regarding Tribal Resolution: 062217-02 Ad Hoc Land Management Committee.
(The signed document was delivered to the Executive on 10/13/17)

Phone Polls: none

Acknowledgement of an e-mail received from Warren Petoskey on October 11, 2017 regarding Ethics and November 14, 2017 Michigan Indian Elder Association Conference.

Motion made by Councilor Shananaquet and supported by Councilor Wemigwase to accept Secretary Kiogima's verbal and written report as provided on the agenda for November 9, 2017.

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

Motion carried.

Treasurer Report - FYI

Appropriations and Finance Committee

- Last meeting: September 19, 2017
- Next meeting: November 14, 2017 at 1:00 p.m. in the Council Chambers

Tribal Council Committee Reports:

Land and Reservation Committee

Discussion: Land assessment including wildlife. New Land parcel, Three Tribes Meeting possibly in late March. Land in Trust Parcels.

- Last meeting: November 3, 2017
- Next meeting: December 8, 2017 9:00 a.m. in the Council Chambers

1:59 p.m. Motion made by Secretary Kiogima and supported by Councilor Wemigwase to go into closed session for land.

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

Motion carried.

2:05 p.m. Motion made by Councilor Wemigwase and supported by Councilor McNamara to return to open session.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor McNamara to pursue land parcel #110 pending Phase I assessment as recommended by the Land and Reservation Committee for the amount contained in Confidential Memo # 110917-01.

Vote: 5 - Yes, 2 - No (Secretary Kiogima, Councilor Shananaquet, 0 - Abstained, 2 – Absent (Treasurer Reyes, Councilor David Harrington)

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Shananaquet to accept the Land and Reservation Committee Report as presented by Councilor Proctor.

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

Motion carried.

Tribal Council Member reports:

Councilor Proctor: LTBB Good Governance Training; Peacekeeping meeting with Tribal Court.

Motion made by Secretary Kiogima and supported by Councilor Shananaquet to acknowledge receipt of Councilor Proctor's verbal report for November 9, 2017.

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

Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Proctor to acknowledge receipt of Councilor McNamara's Tribal Council Member verbal report for November 9, 2017.

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

Motion carried.

Legislative Staff Reports:

Tribal Historic Preservation Officer -no report

Legislative Services Attorney Report

Motion made by Councilor Shananaquet and supported by Councilor Proctor to acknowledge receipt of Legislative Services Attorney Budnick's written report as presented on November 9, 2017.

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

Motion carried.

General Counsel-no report

Office of Finance and Revenue Report

Motion made by Secretary Kiogima and supported by Councilor Shananaquet to accept Sr. Financial Analyst Rachel Cope's verbal and written report as presented on November 9, 2017.

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

Motion carried.

Legislative Office Manager Report

Motion made by Secretary Kiogima and supported by Councilor Shananaquet to accept Legislative Office Manager Portman-LaCount's written and verbal report as presented on November 9, 2017.

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

Motion carried.

Corporate Charters and/or Board Updates

Odawa Economic Development Management, Inc. – no report

Traditional Tribal Burial Board, Inc. – no report

Ziibimijwang, Inc. – verbal report regarding strategic plan.

3:00 p.m. Public Comment opened:

- Andrew Stich spoke regarding Tribal Council travel reports not being published on the web; host hotel for travel, not personal preference.

3:06 p.m. Public Comment closed

Ziibimijwang, Inc – continued discussion.

Motion made by Secretary Kiogima and supported by Councilor Wemigwase to acknowledge the Ziibimijwang, Inc verbal report for November 9, 2017 as presented by Kevin Donner.

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

Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Wemigwase to drop consideration for land parcels #98, #99, #100, #101, #102, and #103.

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

Motion carried.

Motion made by Secretary Kiogima and supported by Councilor Wemigwase to approve Memorandum of Understanding Contract Agreement between Harbor Springs Public Schools and Little Traverse Bay Bands Odawa Education Department and authorize the Executive to sign.

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

Motion carried.

Motion made by Councilor McNamara and supported by Councilor Wemigwase to re-appoint Mary E. Kilmer to the Gaming Enterprise Board for a two (2) year term ending November 11, 2019.

Vote: 1 - Yes, 6 – No (Councilor Proctor, Secretary Kiogima, Councilor Shananaquet, Councilor McNamara Councilor Wemigwase Councilor Bernard, 0 - Abstained, 2 – Absent (Treasurer Reyes, Councilor David Harrington)

Motion fails.

Motion made by Councilor McNamara and supported by Councilor Proctor to post Policies & Procedures Appointment for a Vacant Seat on Tribal Council as sponsored by Councilor McNamara.

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

Motion carried.

Motion made by Councilor McNamara and supported by Secretary Kiogima to approve MSU Good Governance Training to be held on December 12, 2017 and cost to come from Legislative Budget.

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

Motion carried.

Motion made by Councilor Proctor and supported by Councilor Wemigwase to re-post the Contempt of Court Statute to the Legislative Calendar in the Odawa Register as sponsored by Councilor Proctor.

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

Motion carried.

Motion made by Secretary Kiogima and supported by Councilor Proctor to approve Tribal Council's Legislative Directive #110917-01 Legislative Branch Operations Governmental Employee Personnel Policies Handbook.

Vote: 5 - Yes, 2 – No (Councilor Shananaquet, Councilor Wemigwase), 0 - Abstained, 2 – Absent (Treasurer Reyes, Councilor David Harrington)

Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor McNamara to approve Tribal Council attendance to the National American Indian Housing Council 2017 Legal Symposium.

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

Motion carried.

Motion made by Secretary Kiogima and supported by Councilor Proctor to acknowledge receipt of Bill A. Denemy for the Gaming Enterprise Board and set up an interview.

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

Motion carried.

Motion made by Secretary Kiogima and supported by Councilor Proctor to acknowledge receipt of Executive Nomination of Robin Lees for the Child Welfare Commission and set up an interview.

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

Motion carried.

Motion made by Councilor Proctor and supported by Councilor Shananaquet to acknowledge receipt of Executive Nomination of Lisa Flynn for the Elders Commission and set up an interview.

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

Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Wemigwase to acknowledge receipt of Executive Nomination of Debra Smithkey-Brown for the Elders Commission and set up an interview.

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

Motion made by Councilor Shananaquet and supported by Secretary Kiogima to acknowledge receipt of Executive Nomination of Janice Shackelford for the Elders Commission and set up an interview
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Treasurer Reyes, Councilor David Harrington)
Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Wemigwase to adopt Tribal Resolution Repeal of Tribal Resolution #042907-02 Legislative Branch Operations Governmental Employee Personnel Policies Handbook.
Roll call vote: Councilor Proctor-yes, Secretary Kiogima-yes, Councilor Shananaquet-yes, Councilor McNamara-yes, Councilor Wemigwase-yes, Councilor Bernard-yes, Legislative Leader Fred Harrington, Jr.-yes
Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Proctor to adopt Tribal Resolution to Authorize Funding in the Amount of \$35,000 for Trust Application Process for Tax Escrows, Surveys and Surveyor consultation with the federal government, and title insurance, to come from Reserved General Fund Balance-Supplemental Funding.
Roll call vote: Councilor Proctor-yes, Secretary Kiogima-yes, Councilor Shananaquet-yes, Councilor McNamara-yes, Councilor Wemigwase-yes, Councilor Bernard-yes, Legislative Leader Fred Harrington, Jr.-yes
Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Wemigwase to adopt Tribal Resolution in Support of "We are All In" at the U.S. Climate Action Center and at the UN climate talks (COP23).
Roll call vote: Councilor Proctor-yes, Secretary Kiogima-yes, Councilor Shananaquet-yes, Councilor McNamara-yes, Councilor Wemigwase-yes, Councilor Bernard-yes, Legislative Leader Fred Harrington, Jr.-yes
Motion carried.

3:49 p.m. Motion made by Councilor Shananaquet and supported by Secretary Kiogima to adjourn.
Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Treasurer Reyes, Councilor David Harrington)
Motion carried.

Next Tribal Council Meeting
Regular: November 30, 2017

These Minutes have been read and are approved as corrected:



Tamara Kiogima, Tribal Council Secretary

11-30-17

Date