

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

Call to Order: 9:00 a.m.  
Opening ceremony: Frank Bernard  
Closed Session: none

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

Absent: Councilor David Harrington, Councilor Julie Shananaquet

Legislative Office Staff Present: Legislative Office Manager Michele Portman-LaCount, Sr. Financial Analyst Rachel Cope, Legislative Services Attorney Donna Budnick, General Counsel James Bransky

Executive Officials and Staff Present: Chairperson Gasco-Bentley, Direct Services Administrator Phil Harmon

Judicial Officials and Staff: Chief Judge Allie Maldonado

Public: Jannan Cornstalk, Beatrice A. Law

Invited Guest: Ziibimijwang: Members Blayne Bott and Kevin Donner

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**Motion** made by Councilor Wemigwase and supported by Treasurer Reyes to adopt the agenda for December 14, 2017 as presented.

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

Motion carried.

**Motion** made Treasurer Reyes and supported by Councilor Proctor to dedicate this meeting in honor of the following Citizen who has walked on: William Walker.

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

Motion carried.

**Executive Report:**

Discussion: McLaren Hospital requested assistance for traffic light for Charlevoix Ave due to hospital Expansion. McLaren considering room for Tribal ceremonies. Fiber Optic update. Interviews for Tribal Planner resulted in re-writing job description and reposting. Vice-Chair Stella Kay in Las Vegas for budgets. All Chippewa Ottawa Resource Authority meetings will be held at Odawa Hotel. Wage grid analysis under review. Jeff Davis leaving Attorney General 's office to work elsewhere.

**Motion** made by Secretary Kiogima and supported by Councilor Proctor to acknowledge the verbal Executive Report as presented by Chairperson Gasco-Bentley and Direct Services Administrator Phil Harmon.

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

Motion carried.

Legislative Leader Report

Discussion: Living Wage, Appellate Justice position.

**Motion** made by Councilor McNamara and supported by Treasurer Reyes to accept Legislative Leader Fred Harrington's verbal report for December 14, 2017.

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

Motion carried.

**Motion** made by Councilor Wemigwase and supported by Councilor McNamara to approve Legislative Services Attorney Memo 121317-01 regarding the disapproval of the Wetland Regulations.

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

Motion carried.

**Motion** made by Councilor Proctor and supported by Councilor Wemigwase to approve the Regular Meeting Minutes of November 30, 2017 as corrected.

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

Motion carried.

9:57 a.m. Break

10:15 a.m. Return

Secretary Report

Documents Delivered to Executive:

- *Tribal Resolution #113017-01 Removal of Enbridge Line 5 from under the Straits of Mackinac. Delivered to the Executive for signature on 12/01/17-Executive signed 12/01/17.*
- *Tribal Resolution #113017-02 Supplemental Funding in the Amount of \$80,000 for MCEA and Merit. Delivered to the Executive for signature on 12/01/17-Executive signed on 12/01/17.*

Veto: none

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

Phone Polls passed by Tribal Council: none

**Motion** made by Treasurer Reyes and supported by Councilor Proctor to acknowledge receipt of Secretary Kiogima's verbal and written report as provided on the agenda for November 30, 2017.

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

### Treasurer Report

#### Appropriations and Finance Committee

-Last Meeting: December 5, 2017

(Motions made at the Committee meeting):

- *Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve the Executives Tribal Resolution: Budget Modification for Employee Appreciation.  
Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent Motion carried.*
- *Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Tribal Resolution: Supplemental funding for Ziibimijwang, Inc. in the amount of \$389,000 to come from the General Fund-Economic Development.  
Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent Motion carried.*
- *Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 121417-01 Request for Funding from the Bureau of Indian Affairs FY 2018 Tribal Youth Initiative Little Traverse Bay Bands of Odawa Indians Youth Conservation Corps.  
Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent Motion carried.*
- *Motion made by Councilor Wemigwase and supported by Councilor McNamara to recommend to Tribal Council to approve Certified Motion # 121417-02 Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, Fish Hatchery Maintenance Project FY 2018.  
Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent Motion carried.*
- *Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 121417-03 Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, Endangered Species Project FY 2018.  
Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent Motion carried.*
- *Motion made by Councilor Wemigwase and supported by Councilor McNamara to recommend to Tribal Council to approve Certified Motion # 121417-04 Funding from the United States Department of the Interior, Bureau of Indian Affairs FY 2018 Non-Recurring Funds.  
Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent Motion carried.*
- *Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 121417-05 Request for Funding from the W.K. Kellogg Foundation Racial Equity Grants Strategic Planning for Re-Imagining Child Welfare System.  
Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent Motion carried.*

- *Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 121417-06 Funding from the United States Department of Agriculture (USDA), Food and Nutrition Services Food Distribution Program on Indian Reservations (FDPIR) Supplemental Funding.*

*Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent Motion carried.*

- *Motion made by Councilor Wemigwase and supported by Councilor McNamara to recommend to Tribal Council to approve the 2018 Gaming Enterprise Board Budget as presented.*

*Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent Motion carried.*

- *Motion made by Councilor Wemigwase and supported by Councilor McNamara to approve the 2018 Budget Calendar.*

*Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent Motion carried.*

-Next Meeting: January 16, 2018 at 1:00 p.m. in the Council Chambers

Phone Polls passed by Appropriations and Finance Committee:

- *Motion to approve revised Tribal Resolution: Supplemental Funding for Ziibimijwang, Inc. in the amount of \$398,000.00.*

*Vote: 3 -Yes, 0 -No, 0 -Abstained, 0 -Absent Motion carried.*

**Motion** made by Councilor McNamara and supported by Councilor Wemigwase to accept Treasurer Reyes' verbal and written agenda report as presented on December 14, 2017.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor David Harrington, Councilor Shananaquet, Legislative Leader Fred Harrington, Jr.)

Motion carried.

#### Land and Reservation Committee

-Last Meeting: November 3, 2017

-Next Meeting: December 15, 2017 at 9:00 a.m. in the Council Chamber

**Motion** made by Councilor Proctor and supported by Councilor Wemigwase to accept the Land and Reservation Committee Report as presented by Treasurer Reyes for December 14, 2017.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Legislative Leader Fred Harrington, Jr., Councilor David Harrington, Councilor Shananaquet)

Motion carried.

#### **Tribal Council Member Reports**

##### Councilor McNamara:

- Financial donation to FLOW (For Love of Our Water) acceptance from Executive Director Liz Kirkwood.
- Email communication in regards to a Generator at the Health Department
- Breakfast of Champions
- Village of Mackinaw City Committee Meeting regarding the casino

**Motion** made by Treasurer Reyes and supported by Councilor Proctor to accept Councilor McNamara Tribal Council Member Report for December 14, 2017.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Legislative Leader Fred Harrington, Jr., Councilor David Harrington, Councilor Shananaquet)

Motion carried.

Secretary Kiogima

- Travel Report regarding National American Indian Housing 2017 Legal Symposium attendance regarding Tax Credits and Mortgage Lenders Forum and how it works for the Tribe. (*Land and Reservation Committee will take the lead with working on where the Executive is at with affordable Housing beginning with discussion at the December 15, 2017 Land and Reservation Committee meeting.*)

**Motion** made by Treasurer Reyes and supported by Councilor Proctor to accept Secretary Kiogima verbal and written Travel Report for December 14, 2017.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 - Absent (Councilor David Harrington, Councilor Shananaquet, Legislative Leader Fred Harrington, Jr., Councilor McNamara)

Motion carried.

Councilor Proctor

- Good Governance Training on December 12, 2017. Thanked all who attended and organized.
- Working with Judicial Branch regarding Contempt of Court Statute that is posted.

**Motion** made by Councilor Wemigwase and supported by Treasurer Reyes to accept Councilor Proctor's verbal report regarding the November 12, 2017 Good Governance Training.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor David Harrington, Councilor Shananaquet, Legislative Leader Fred Harrington, Jr.)

Motion carried.

Councilor McNamara

- Email communication in regards to a generator at the Health Department.
- Breakfast of Champions attendance.
- Village of Mackinaw City Committee Meeting regarding the casino.
- Presentation of \$500 donation from the Tribe to Financial donation to FLOW (For Love of Our Water) and introduction of Flow Director Liz Kirkwood.

**11:14 a.m.** Break

**11:20 a.m.** Returned

Legislative Services Attorney - update

RB Construction update. Working with Tribal Historic Preservation Office regarding processes if remains are found. Hogan Adams meeting.

**Motion** made by Treasurer Reyes supported by Councilor Wemigwase to accept Legislative Services Attorney Donna Budnick's verbal and written report of December 14, 2017.

Vote: 6 - Yes, 0 - No, 0 – Abstained, 3 - Absent (Councilor David Harrington, Councilor Shananaquet, Legislative Leader Fred Harrington, Jr.)  
Motion carried.

**11:35 a.m.** Public Comment opened:

- Janice Shackelford mentioned she may be out of town on January 11 which is the day she is supposed to interview for the Elder's Commission.
- Jannan Cornstalk asked if she could ask questions during the Ziibimijwang presentation.

**11:37 a.m.** Public Comment closed.

**11:58 a.m.** Public Comment opened;

- Beatrice Law spoke for the need for a new Youth Services building that is a healthy environment with regard to size.

**12:05 p.m.** Public Comment closed.

**12:18 p.m.** Lunch

**Councilor David Harrington arrived during lunch.**

**1:38 p.m.** Return

**Ziibimijwang** Kevin Donner continued the report to Tribal Council.

**Motion** made by Councilor McNamara and supported by Councilor Wemigwase to acknowledge receipt of the Ziibimijwang 2018 Operations Budget Request Presentation, copy of Draft Budget Request, draft Ziibimijwang 2018 Business Plan, and the 2017 2<sup>nd</sup> and 3<sup>rd</sup> Quarterly Reports for December 14, 2017.

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

Motion carried.

### **Legislative Staff Reports**

#### Office of Finance and Revenue Report

**Motion** made by Secretary Kiogima and supported by Treasurer Reyes to accept Sr. Financial Analyst Rachel Cope's verbal and written report for December 14, 2017.

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

Motion carried.

Tribal Historic Preservation Officer – no report

#### General Counsel

**Motion** made by Treasurer Reyes and supported by Councilor Proctor to accept General Counsel Bransky verbal report for November 30, 2017.

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

Motion carried.

#### Legislative Office Manager Report

**Motion** made by Treasurer Reyes and supported by Councilor Proctor to accept Legislative Office Manager Portman-LaCount's written and verbal report as presented on December 14, 2017.

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

**Motion** made by Councilor Wemigwase and supported by Councilor Bernard to approve the 2018 Reservation Natural Resources Rules-Reservation-Regulations REG-WOS-2013-002-113017-002A and the 2018 Natural Resources Rules-1836 Ceded Territory-Regulations REG-WOS-2013-004-112917-002B as received from the Executive on November 30, 2017.

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

**Motion** made by Treasurer Reyes and supported by Councilor Wemigwase to approve Certified Motion # 121417-01 Request for Funding from the Bureau of Indian Affairs FY 2018 Tribal Youth Initiative LTBB Youth Conservation Corps.

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

**Motion** made by Treasurer Reyes and supported by Councilor Wemigwase to approve Certified Motion # 121417-02 Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, Fish Hatchery Maintenance Project FY 2018.

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

**Motion** made by Councilor McNamara and supported by Treasurer Reyes to approve Certified Motion # 121417-03 Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, Endangered Species Project FY 2018.

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

**Motion** made by Treasurer Reyes and supported by Councilor Wemigwase to approve Certified Motion # 121417-04 Funding from the United States Department of the Interior, Bureau of Indian Affairs, FY 2018 Non-Recurring Funds.

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

**Motion** made by Councilor Proctor and supported by Treasurer Reyes to approve Certified Motion # 121417-05 Request for Funding from the W.K. Kellogg Foundation Racial Equity Grants Strategic Planning for Re-Imagining Child Welfare System.

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

**Motion** made by Treasurer Reyes and supported by Councilor Proctor to approve Certified Motion # 121417-06 Funding from the United States Department of Agriculture (USDA), Food and Nutrition Services Food Distribution Program on Indian Reservations (FDPIR) Supplemental Funding.

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

**Motion** made by Councilor McNamara and supported by Secretary Kiogima to acknowledge receipt of and approve the 2019 Budget Calendar as approved by the Appropriations and Finance Committee.

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

Motion carried.

**Motion** made by Treasurer Reyes and supported by Councilor Bernard to acknowledge receipt of the Gaming Enterprise Board's monthly budget reports for October and November 2017 and the Odawa Casino Monthly Report for October 2017, and the 2018 Gaming Enterprise Board 2018 Budget in the amount of \$99,300.00.

Vote: 7- yes, 0 - No, 1 - abstained, 1 – absent (Councilor Shananaquet)

Motion carried.

**2:56 p.m. Public Comment opened:**

- Andrew Stich spoke regarding the Appropriations and Finance Committee recommendation for funding the Ziibimijwang compared to the need for housing, and better vehicles for our Youth Services. Would like current land developed before future land purchases.

**3:09 p.m. Public Comment closed**

**Motion** made by Treasurer Reyes and supported by Councilor Wemigwase to adopt Tribal Resolution Budget Modification for Employee Appreciation.

Roll call vote: Councilor Proctor-yes, Councilor David Harrington-yes, Secretary Kiogima-yes, Councilor Shananaquet – absent, Treasurer Reyes-yes, Councilor McNamara-yes, Councilor Wemigwase-yes, Councilor Bernard-yes, Legislative Leader Fred Harrington, Jr.-yes

Motion carried.

**3:00 p.m. Public Comment opened:**

- Danielle Becenti spoke regarding her housing issue and nowhere to go as she would like some kind of home to go to.

**3:06 p.m. Public Comment closed.**

**Motion** made by Treasurer Reyes and supported by Councilor Wemigwase to adopt Tribal Resolution: Supplemental funding for Ziibimijwang, Inc. in the amount of \$389,000.00.

Roll call vote: Councilor Proctor-yes, Councilor David Harrington-yes, Secretary Kiogima-yes, Councilor Shananaquet-absent, Treasurer Reyes-yes, Councilor McNamara-yes, Councilor Wemigwase-yes, Councilor Bernard-yes, Legislative Leader Fred Harrington, Jr.-yes

Motion carried.

**Motion** made by Councilor McNamara and supported by Councilor Wemigwase to approve memo from Legislative Services Attorney to Tribal Council regarding the Appellate Court to be delivered to the Tribal Chairperson.

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

Motion carried.

**3:18 p.m. Public Comment opened:**

- Tammy Okuly Shananaquet spoke regarding the Tribal Council opportunity to override the veto from the Chair regarding the Ethics Committee.

**3:23 p.m. Motion** made by Councilor David Harrington and supported by Treasurer Reyes to adjourn.  
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Shananaquet)  
Motion carried.

**Next Tribal Council Meeting**  
**Regular: Saturday January 13, 2018 at 9:00 a.m.**

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

*Tamara Kiogima*                      01-13-18  
Tamara Kiogima, Tribal Council Secretary                      Date

