

**Little Traverse Bay Bands of Odawa Indians
Tribal Council Chambers
7500 Odawa Circle, Harbor Springs, MI 49740
Tribal Council Regular Meeting
January 13, 2018**

Call to Order: 9:07 a.m.

Opening ceremony: Shanna Wemigwase

Closed Session: none

Council Present: Councilor Proctor, Councilor David Harrington, Councilor Shananaquet, Treasurer Reyes, Councilor McNamara, Councilor Wemigwase, Legislative Leader Fred Harrington, Jr.

Absent: Secretary Tamara Kiogima, Councilor Frank Bernard

Legislative Office Staff Present: Legislative Office Manager Michele Portman-LaCount, Sr. Legislative Services Attorney Donna Budnick, General Counsel James Bransky, Tribal Historic Preservation Officer Wesley Andrews, Deputy Tribal Historic Preservation Office Melissa Wiatrolik

Executive Officials and Staff Present: Chairperson Regina Gasco-Bentley, Direct Service Administrator Phil Harmon, Medical Director Dr. Terry Samuels, Health Director Jody Werner, Education Director Jannan Cotto, Chief Financial Officer Carrie Carlson

Judicial Officials and Staff: none

Public: Virginia Lewis, Joseph Mier, Cynthia Reed, Virginia Lewis, Charles Moore, Fran Holdorph, Warren Petoskey, Barb Petoskey, Alice Honson, Charles Honson, Sr., Joyce Munson, Patricia A. Baker, Marty VanDeCar, Andrew Stich, Tamela Okuly Shananaquet, Ronald Smith, Michael Smith, Beverly Wemigwase, Bea Law, Cheryl Kishigo-Lesky

Invited Guest: Traditional Tribal Burial Board Inc., Chairperson-Kevin Willis, Patrick Wemigwase Netawn Kiogima, Lisa Flynn, Gwen Teuthorn

Motion made by Treasurer Reyes and supported by Councilor Wemigwase to adopt the agenda for January 13, 2018.

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

Motion carried.

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to approve the Regular Meeting Minutes of December 14, 2017 as corrected.

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



Motion carried.

9:30 a.m. Tribal Historic Preservation Officer-4th Quarterly Report

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to accept the Tribal Historic Preservation and Native American Graves Preservation and Repatriation Act Officer verbal and written 4th Quarter Report as presented by Wesley Andrews, and the Deputy Tribal Historic Preservation Officer Melissa Wiatrolik 4th Quarter Report for January 13, 2018.

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

Motion carried.

Executive Report:

Assistant U.S. Attorney Sean Lewis has taken Jeff Davis position. Have not received communication back from Governor Snyder regarding Line 5. LTBB will host veterans yearly meeting so need appropriation from Tribal Council to host. Received bids for Monroe St. property, and working with engineer regarding Indian Town property. Reaching out to Emmet County to see if they can assist with plowing Lears Road. Received call from Chambers to give a state of the Tribal Community so looking for suggestions to include. Requested all Directors to submit their yearly plan to forward to Tribal Council. Michigan Indian Elders Association membership was last paid by LTBB in 2013. It is believed the Elder's Association pays membership otherwise.

Direct Services Administrator Phil Harmon: Michigan Indian Elders Association Conference being held in April at Odawa Hotel. Little Traverse Bay Bands of Odawa Indians hosting. Was asked to participate in the process for hiring the new North Central Michigan College President. Natural Resources Department licensing criteria.

Executive Department staff update: Education Director Jannan Cotto: Tutoring is in the Department Budget for grades K-12 as a need based program first.

Chairperson Gasco-Bentley Pharmacy closures: Working with a team to determine when the facility should have closed. Did receive calls from 911 regarding road conditions, and from Emmet County regarding plows being pulled from the road.

Health Director Jody Werner Pharmacy update: Looking at \$100,000 in revenue so far. Spoke regarding weather related and holiday closures and being able to use the other pharmacies to receive a short supply.

Medical Director Dr. Samuels update: Spoke regarding emergency management training and planning, and planning ahead for filling prescriptions 4-5 days prior

to medication running out as they can be filled. Does not encourage unnecessary road travel on bad weather-related days.

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to acknowledge the verbal Executive Report as presented by Chairperson Gasco-Bentley and Direct Services Administrator Phil Harmon for January 13, 2018.

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

Motion carried.

11:39 a.m. Break

11:51 a.m. Return

11:51 a.m. Public Comment opened:

- Tammy Okuly Shananaquet spoke regarding Councilor Shananaquet's comment on Elders with good work ethics being able to stay until retirement; Road safety during bad weather and what is our Tribal Police able to do; Good experience with Pharmacy treatment; Wondered if Education Department could work with the Elders to share knowledge and possibly vouchers to work with other entities for tutoring. Tribal Council Quarterly meetings invite to brunch with Elders.
- Andrew Stich spoke regarding money spent on farm, fishery, land rather than building housing or emergency services.
- Warren Petoskey spoke regarding in home care need and the need for assisted living in the area perhaps on the Government Administration site.
- Nancy Wanshon spoke regarding Elder Assistance for laundry, moving and other such needs; Housing for Community; asked if Tribal Council members could be assigned to specific committees to address a variety of issues such as state and federal committees.
- Beverly Wemigwase agrees there needs to be more housing assistance over all and the difficulty of receiving assistance due to technical studies and other such avenues that need to be met first by the Tribe.
- Beatrice Law spoke regarding property purchases whereas those funds could have gone to a Youth Center.
- Marty VanDeCar spoke in support of the Pharmacy and the need to work through its opening issues; Casino advertising needs to go back to include owned and operated Little Traverse Bay Bands of Odawa Indians.
- Joseph K. Merrick (Thunder) spoke regarding the need for a career center for Youth, with Elders teachings.

- Joyce Munson spoke regarding the lack of Elder's being visited out at the housing complex in Harbor Springs in order to make sure they are doing okay.
- Mike Smith spoke regarding snow shoveling assistance particularly after the plows go by out at the housing complex in Harbor Springs; A snow blower at the Community Center that is never used and could be for such purpose.
- Shanna Wemigwase read a public comment letter from Marilyn Genia regarding a proposal for Marijuana growing on Tribal Land; And a letter from Kenneth Dewey inability of dual employment between the Tribal Government and the Casino as he believes if Tribal Council can be employed at Casino, so should Government employees be able to hold both employments.
- Tammy Okuly Shananaquet spoke regarding her request at last Tribal Council for assistance with payment for an attorney to represent her as the former Ethics Committee suggested such filing in Court.
- Nancy Wanshon asked if the Tribe could provide in home health by asking Citizens to volunteer.
- Alfred Sprague spoke regarding people who live alone and the pendant people can wear to use to be able to call 911 regarding falls. He would like to see the Tribe purchase and distribute such.

12:31 p.m. Public Comment closed.

12:31 p.m. Lunch break until 2:00 p.m.

2:04 p.m. Meeting resumed.

Secretary Tamara Kiogima & Councilor Frank Bernard arrived during lunch.

Legislative Officer Reports:

Legislative Leader Report

Discussion: Spoke regarding restricted funding sources. Spoke to the Gaming Enterprise Board Chairperson regarding Casino profits and how loans are applied toward profits.

Motion made by Councilor Shananaquet and supported by Councilor Proctor to accept Legislative Leader Fred Harrington, Jr.'s verbal report for January 13, 2018.

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

Motion carried.

Motion made by Councilor McNamara and supported by Councilor Wemigwase to approve the ACR 2017 Contract between Little Traverse Bay Bands of Odawa Indians and Wesley Andrews d.b.a. Andrews Cultural Resources in the amount of \$90,650.00 and authorize Legislative Leader Fred Harrington, Jr. to sign the Contract Requisition.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Shananaquet to post the Acquisition of Culturally Significant Items Statute to the Legislative Calendar in the Odawa Register as sponsored by Councilor Wemigwase.

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

Motion carried.

Traditional Tribal Burial Board Inc. – Equipment Grant

The Board will provide a written progress update for grant compliance.

Motion made by Councilor Wemigwase and supported by Secretary Kiogima to acknowledge receipt of the verbal update grant report as provided by the Traditional Tribal Burial Board Inc., members for January 13, 2018.

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

Motion carried.

3:00 p.m. Public comment opened:

- Andrew Stich spoke regarding giving funds to a farm board instead of helping Tribal Citizens with frozen pipes, housing, a youth center and gymnasium as they are important.

3:03 p.m. Public Comment closed.

Secretary Report

Documents Delivered to Executive:

- Tribal Resolution #121417-01 Budget Modification for Employee Appreciation. Delivered to the Executive for signature on 12/19/17- Executive signed 12/19/17.
- Tribal Resolution #121417-02 Supplemental Funding for Ziibimijwang, Inc., in the Amount of \$398,000.00. Delivered to the Executive for signature on 12/20/17- Executive signed on 12/28/17.

Vetoes: none

Phone Polls: none

Motion made by Treasurer Reyes and supported by Councilor Wemigwase to accept Secretary Kiogima verbal and written report as presented on the agenda for January 13, 2018.

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

Motion carried.

Treasurer Report

Appropriations and Finance Committee has not met since the last Tribal Council meeting.

Phone Polls: - *Motion to approve revised Tribal Resolution # 121417-02 Supplemental funding for Ziibimijwang, Inc. in the amount of \$398,000.00.*

Vote: 3 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

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

Motion made by Secretary Kiogima and supported by Councilor Shananaquet to accept Treasurer Reyes' verbal and written agenda report as presented on

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

Motion carried.

Tribal Council Committee Reports:

Land and Reservation Committee

-Last Meeting: December 15, 2017

(Motions made at Land and Reservation Committee Meeting)

-Motion made by Councilor Proctor and Supported by Councilor Harrington to table the contract update between Mike Lesinski and Little Traverse Bay Bands of Odawa Indians for Tree Removal on Waawaashkesh property.

Comments: none

Vote: 3 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

-Motion made by Councilor Harrington and Supported by Councilor Proctor to begin planning the Three Tribes Spring 2018 meeting hosted by Little Traverse Bay Bands of Odawa Indians.

Comments: none

Vote: 3 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

-Next Meeting: January 19, 2018 at 9:00 a.m. in the Council Chamber

Motion made by Councilor Shananaquet and supported by Councilor Proctor to accept the Land and Reservation Committee verbal and written Report from Treasurer Reyes Committee Chairperson as presented on the agenda for January 13, 2018.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Tribal Council Member Reports:

Secretary Kiogima and Councilor Proctor Travel Reports

Motion made by Treasurer Reyes and supported by Councilor Wemigwase to acknowledge receipt of Secretary Kiogima's and Councilor Proctor's UNITY Conference verbal and written Travel Reports for January 13, 2018.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor Proctor and supported by Councilor McNamara to accept Councilor Wemigwase verbal Tribal Council Member report for January 13, 2018.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Councilor Shananaquet Tribal Council Member Report: Clinic closures, Pharmacy hours, Office Closures, and the Gaming Enterprise Board Statute.

4:03 p.m. Break

4:41 p.m. Returned

Motion made by Councilor David Harrington and supported by Councilor Wemigwase to acknowledge receipt of Councilor Shananaquet's verbal report for January 13, 2018.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
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 written report for January 13, 2018.

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

Legislative Services Attorney Report

Motion made by Secretary Kiogima and supported by Treasurer Reyes to acknowledge receipt of Legislative Services Attorney Budnick's verbal and written report for January 13, 2018.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

General Counsel

Motion made by Secretary Kiogima and supported by Councilor Proctor to acknowledge receipt of General Counsel Bransky's verbal report for January 13, 2018.

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

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 January 13, 2018.

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

Motion carried.

Corporate Charters and/or Board Updates

Odawa Economic Development Management, Inc. - no report

Ziibimijwang, Inc. – no report

Gaming Enterprise Board – see motion below

Motion made by Treasurer Reyes and supported by Councilor David Harrington to approve Citizenship List A Eligible for Citizenship dated December 18, 2017 for a total of 4.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Proctor to approved Citizen List B Declination (Ineligible) dated December 14, 2017 for a total of 6.

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

Motion carried.

Motion made by Secretary Kiogima and supported by Treasurer Reyes to acknowledge receipt of the Letter of Interest submitted for the Ziibimijwang, Inc. Board from Andrew Ettawageshik and set up an interview.

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

Motion carried.

Motion made by Councilor McNamara and supported by Treasurer Reyes to acknowledge receipt of the Letter of Interest submitted for the Gaming Enterprise Board from Kenneth Harrington and set up an interview.

Vote: 7 - Yes, 0 - No, 2 – Abstained (Councilor David Harrington, Legislative Leader Fred Harrington, Jr.), 0 – Absent

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Proctor to acknowledge receipt of the Letter of Interest and Resume submitted for the

Odawa Economic Development Management, Inc. from Nicole Biber dated January 11, 2018 and set up an interview.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Proctor to acknowledge receipt of the Executive Nomination of Frank Ettawageshik for the Judicial Appellate Justice and set up an interview.

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

Motion carried.

Motion made by Secretary Kiogima and supported by Treasurer Reyes to repost Waganakising Odawak Statute Contempt to the Legislative Calendar in the Odawa Register as sponsored by Councilor Proctor.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Proctor to post Waganakising Odawak Statute Environmental Appeals Board to the Legislative Calendar in the Odawa Register as sponsored by Councilor Wemigwase.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Shananaquet to post the Gaming Authority Statute to the Legislative Calendar in the Odawa Register as sponsored by Councilor Wemigwase.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor David Harrington to pass Policy and Procedures for Appointment for a Vacant Seat on Tribal Council as sponsored by Secretary Kiogima and Councilor McNamara.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Proctor to acknowledge receipt of the Odawa Casino Resort November 2017 Monthly Reports as provided by the Gaming Enterprise Board.

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

Motion carried.

Motion made by Councilor Proctor and supported by Treasurer Reyes to approve Tribal Council attendance at the United Tribes of Michigan Meeting February 7-8, 2018 in Lansing MI.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor McNamara to authorize and approve the Legislative Senior Financial Analysis, on behalf of Tribal Council, to obtain any and all records (including financial, data, contracts or any other items) from either the Gaming Enterprise Board or directly from Odawa Casino Resort staff, including the General Manager and the Director of Finance, as necessary in order to carry out their duties and responsibilities.

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

Motion made by Councilor Shananaquet and supported by Councilor Wemigwase to add to the agenda appointments for Natural Resources Commission, Gaming Enterprise Board, Child Welfare Commission and Elder's Commission and to set a date for a Special Work Session.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Wemigwase to re-appoint Renee Dillard to the Natural Resources Commission for a 4-year term ending September 21, 2021.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor McNamara and supported by Councilor Wemigwase to re-appoint William A. Denemy to the Gaming Enterprise Board for a 2-year term ending January 13, 2020.

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

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to appoint Robin Lees to the Child Welfare Commission to fill the remainder of a 3-year term ending September 21, 2019.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Proctor to re-appoint Lisa Flynn to the Elder's Commission for a 4-year term ending September 30, 2021.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor David Harrington and supported by Councilor Proctor to re-appoint Debra Smithkey-Brown to the Elder's Commission for a 4-year term ending September 30, 2021.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor David Harrington and supported by Councilor Wemigwase to re-appoint Janice Shackelford to the Elder's Commission for a 4-year term ending September 30, 2021.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to approve a Special Work Session to be held on January 30, 2018 at 9:00 a.m. to review pending legislation.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor McNamara to adopt Waganakising Odawak Statute Qualified Expert Witness Designation as sponsored by Councilor Wemigwase.

Roll call vote: Councilor Proctor-no, Councilor David Harrington-no, Secretary Kiogima-no, Councilor Shananaquet-no, Treasurer Reyes-no, Councilor McNamara-yes, Councilor Wemigwase-yes, Councilor Bernard-yes, Legislative Leader Fred Harrington, Jr.-yes
Motion failed.

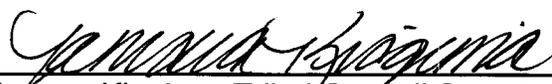
Adjournment:

5:42 p.m. Motion made by Councilor David Harrington and supported by Treasurer Reyes to adjourn.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Next Tribal Council Regular Meeting

These Minutes have been read and are approved as corrected:



Tamara Kiogima, Tribal Council Secretary

01-25-18

Date

