

**Little Traverse Bay Bands of Odawa Indians
Tribal Council Chambers
7500 Odawa Circle, Harbor Springs, MI 49740
Tribal Council Regular Meeting
January 26, 2019**

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

Opening ceremony: Tamara Kiogima

Closed Session: yes

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

Absent: Councilor Julie Shananaquet, Councilor Frank Bernard, Councilor David Harrington

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

Corporate Charters: Traditional Tribal Burial Board Inc. Chairperson Kevin Willis, Patrick Wemigwase, Gwen Teuthorn, Lisa Flynn

Executive Officials and Staff Present: none

Judicial Officials and Staff: none

Public: Andrew Stich, Joanne Carey, Mckenzie Compo, Jannan Cornstalk

Invited Guest: Odawa Economic Development Management, Inc.: Alan Proctor, Shiloh Slomsky and Consultant Steve Hayward. Gaming Authority: Beverly Wemigwase, Bernadece Boda, Donald Lasley, Sunnese Granados. Odawa Casino Resort: Hank Rowland, Barry Laughlin, Roger Borton, Angie Davis, Cassie Rikkozi, Stacy Willis

9:04 a.m. Councilor David Harrington arrived

Motion made by Secretary Kiogima and supported by Councilor McNamara to adopt the agenda for January 26, 2019 as presented.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant

Motion carried.

Motion made Treasurer Reyes and supported by Councilor David Harrington to dedicate this meeting in honor of all Citizens who have walked on.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent Councilor (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant

Motion carried.

Motion made by Secretary Kiogima and supported by Councilor Proctor to approve the Regular Meeting minutes of January 10, 2019 as presented.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

Executive Report:

Discussion: none

Motion made by Councilor McNamara and supported by Councilor David Harrington to acknowledge the written Executive Report for January 26, 2019.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

Motion made by Councilor David Harrington and supported by Councilor McNamara to post Waganakising Odawak Statute Hemp Authorization and Regulatory Commission Statute to the Legislative Calendar in the Odawa Register as sponsored by Legislative Leader Fred Harrington Jr.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent Councilor (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

Legislative Officer Report:

Secretary Report

Documents Delivered to Executive:

-Tribal Resolution To appropriate the Legislative Branch-Office of Finance and Revenue in the amount of \$220,000 to come from the General Fund-Fund Balance restricted for Economic Development and Supplemental Funding was delivered to the Executive for signature on 01/11/19-PENDING SIGNATURE (due back to Tribal Council on/before 02/11/19).

-Waganakising Odawak Statute American Indigenous Sovereign Funds, Inc. was delivered to the Executive for signature on 01/11/19-PENDING SIGNATURE (due back to Tribal Council on/before 02/11/19).

Vetoes (a vote of Tribal Council to override a veto shall occur within 90-days of the veto):
none

Phone Polls: none

Motion made by Treasurer Reyes and supported by Councilor McNamara to accept Secretary Kiogima's verbal and written report as presented on the agenda for January 26, 2019.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent Councilor (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor McNamara to authorize Odawa Casino to enter into a contract with Honeywell with the dispute resolution provision contained in the Honeywell contract.

Vote: 5 - Yes, 0 - No, 1 - Abstained (Councilor David Harrington), 2 – Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

Motion made by Councilor McNamara and supported by Councilor Proctor to approve Certified Motion # 012619-01 Request for Funding from United States Department of Justice, FY 2019 Coordinated Tribal Assistance Solicitation (CTAS).
Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

Motion made by Councilor McNamara and supported by Treasurer Reyes to approve Certified Motion # 012619-02 Request for Funding from the United States Department of Health and Human Services Administration for Children and Families, Administration for Native Americans, Native American Language Preservation and Maintenance FY 2019.
Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

Motion made by Councilor McNamara and supported by Treasurer Reyes to approve Certified Motion # 012619-03 Request for Funding from U.S. Department of Health & Human Services, Administration for Native Americans, FY 2019 Social and Economic Development Strategies (SEDS) 36-Month Project.
Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

Motion made by Councilor McNamara and supported by Treasurer Reyes to approve Certified Motion # 012619-04 Request for Funding from U.S. Department of the Interior, Bureau of Indian Affairs, Road Maintenance Program Contract FY 2019.
Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

Motion made by Councilor Proctor and supported by Treasurer Reyes to approve Certified Motion # 012619-05 Request for Funding from U.S. Environmental Protection Agency, FY 2019 Request for Applications from Indian Tribes and Intertribal Consortia for Nonpoint Source Management Grants Under Clean Water Act (CWA) Section 319 Non- Federal Match Amended.
Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

Motion made by Councilor McNamara and supported by Councilor Proctor to approve Certified Motion # 012619-06 Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, FY 2019 Great Lakes Restoration Initiative Funding.
Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Proctor to approve Certified Motion # 012619-07 Request for Funding from the U.S. Department of Health and Human Services, FY 2019 Family Violence Prevention and Services Program.
Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

Motion made by Councilor McNamara and supported by Treasurer Reyes to approve Certified Motion # 012619-08 Request for Funding from U.S. Department of Health and Human Services, Indian Health Service, 2015 Annual Funding Agreement, Award Increase Mod #08.
Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Proctor to approve Certified Motion # 012619-09 Request for Funding from the U.S. Department of the Interior, Bureau of Indian Affairs, Great Lakes Restoration Initiative Capacity Funding, Tribal Capacity Funding FY 2019.
Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor McNamara to acknowledge receipt of Netawn Kiogima's resignation letter from the Traditional Tribal Burial Board dated January 21, 2019.
Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

Motion made by Councilor Proctor and supported by Treasurer Reyes to adopt Tribal Resolution Transfer and Segregation of Compact Payment.
Roll Call Vote: Councilor Bernard-absent, Councilor David Harrington-abstained, Councilor McNamara-yes, Councilor Proctor-yes, Councilor Shananaquet-absent, Treasurer Reyes-yes, Secretary Kiogima-yes, Legislative Leader Fred Harrington, Jr.-yes, 1-Tribal Council seat declared vacant
Motion carried.

Motion made by Councilor McNamara and supported by Councilor David Harrington to acknowledge receipt of Traditional Tribal Burial, Inc.'s verbal and written 4th Quarterly Report for January 26, 2019.
Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Proctor to appoint Leroy Shomin to fill the vacancy on Tribal Council for a term ending in 2021 pending receipt of a Financial Disclosure from the appointee, and a clean Criminal History Background Report.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

9:47 a.m. Break

9:58 a.m. Resume

Legislative Officer Reports:

Legislative Leader Report

Discussion held in Closed Session

9:58 a.m. Motion made by Councilor Proctor and supported by Treasurer Reyes to enter Closed Session for Confidential Business Matters.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

10:18 a.m. Motion made by Councilor McNamara and supported by Treasurer Reyes to return to Open Session.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor McNamara to accept Legislative Leader Fred Harrington Jr.'s verbal report for January 26, 2019.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant
Motion carried.

Treasurer Report

Appropriations and Finance Committee

Last meeting: January 15, 2019

(Motions made at the Appropriations and Finance Committee Meeting)

-Motion made by Councilor McNamara and supported by Treasurer Reyes to recommend to Tribal Council to approve Certified Motion # 012619-01 Request for Funding from United States Department of Justice, FY 2019 Coordinated Tribal Assistance Solicitation (CTAS).

*Vote: 2 -yes, 0 -no, 0 -abstain, 0 -absent
Motion carried.*

-Motion made by Councilor McNamara and supported by Treasurer Reyes to recommend to Tribal Council to approved Certified Motion # 012619-02 Request for Funding from the United States Department of Health and Human Services Administration for Children and Families, Administration for Native Americans, Native American Language Preservation and Maintenance FY 2019.

*Vote: 2 -yes, 0 -no, 0 -abstain, 0 -absent
Motion carried.*

-Motion made by Councilor McNamara and supported by Treasurer Reyes to recommend to Tribal Council to approve Certified Motion # 012619-03 Request for Funding from U.S. Department of Health & Human Services, Administration for Native Americans, FY 2019 Social and Economic Development Strategies (SEDS) 36-Month Project.

Vote: 2 -yes, 0 -no, 0 -abstain, 0 -absent

Motion carried.

-Motion made by Councilor McNamara and supported by Treasurer Reyes to recommend to Tribal Council to approve Certified Motion # 012619-04 Request for Funding from U.S. Department of the Interior, Bureau of Indian Affairs, Road Maintenance Program Contract FY 2019.

Vote: 2 -yes, 0 -no, 0 -abstain, 0 -absent

Motion carried.

-Motion made by Councilor McNamara and supported by Treasurer Reyes to recommend to Tribal Council to approve Certified Motion # 012619-05 Request for Funding from U.S. Environmental Protection Agency, FY 2019 Request for Applications from Indian Tribes and Intertribal Consortia for Nonpoint Source Management Grants Under Clean Water Act (CWA) Section 319 Non- Federal Match Amended.

Vote: 2 -yes, 0 -no, 0 -abstain, 0 -absent

Motion carried.

-Motion made by Councilor McNamara and supported by Treasurer Reyes to recommend to Tribal Council to approve Certified Motion # 012619-06 Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, FY 2019 Great Lakes Restoration Initiative Funding.

Vote: 2 -yes, 0 -no, 0 -abstain, 0 -absent

Motion carried.

-Motion made by Councilor McNamara and supported by Treasurer Reyes to recommend to Tribal Council to approve Certified Motion # 012619-07 Request for Funding from the U.S. Department of Health and Human Services, FY 2019 Family Violence Prevention and Services Program.

Vote: 2 -yes, 0 -no, 0 -abstain, 0 -absent

Motion carried.

-Motion made by Councilor McNamara and supported by Treasurer Reyes to recommend to Tribal Council to approve Certified Motion # 012619-08 Request for Funding from U.S. Department of Health and Human Services, Indian Health Service, 2015 Annual Funding Agreement, Award Increase Mod #08.

Vote: 2 -yes, 0 -no, 0 -abstain, 0 -absent

Motion carried.

-Motion made by Councilor McNamara and supported by Treasurer Reyes to recommend to Tribal Council to approve Certified Motion # 012619-09 Request for Funding from the U.S. Department of the Interior, Bureau of Indian Affairs, Great Lakes Restoration Initiative Capacity Funding, Tribal Capacity Funding FY 2019.

Vote: 2 -yes, 0 -no, 0 -abstain, 0 -absent

Motion carried.

-Motion made by Councilor McNamara and supported by Treasurer Reyes to recommend to Tribal Council to approve Tribal Resolution Funding to the Odawa Aviation, Inc. for Economic Development-Strategy II in the amount of \$3.5 Million pending the receipt of further documentation.

Vote: 2 -yes, 0 -no, 0 -abstain, 0 -absent

Motion carried.

- Next Special Meeting: Tuesday, January 29, 2019 at 9 a.m. in Council Chambers.
- Next Regular Scheduled Meeting: Tuesday, February 12, 2019 at 9:00 a.m. in Council Chambers.

Phone Polls passed by Appropriations and Finance Committee: none

Motion made by Councilor McNamara and supported by Councilor Proctor to accept the Appropriations and Finance Committee verbal and written report as provided on the agenda by Treasurer Reyes, Committee Chair for January 26, 2019.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant

Motion carried.

Land and Reservation Committee Report:

- Last Meeting: November 2, 2018
- The December 7, 2018 Meeting was cancelled due to a lack of agenda.
- The January 4, 2019 was cancelled due to the Legislative Branch office closure.

(Motions made at November 2, 2018 Land and Reservation Committee Meeting were presented at the November 9, 2018 Tribal Council Meeting.)

-Next Meeting: Friday, February 1, 2019 at 9:00 a.m. in the Council

Motion made by Councilor McNamara and supported by Councilor Proctor to accept Treasurer Reyes Committee Chair's verbal and written report for the Land and Reservation Committee as presented on the agenda for

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant

Motion carried.

Tribal Council Member Reports: none

Legislative Staff Reports:

Office of Finance and Revenue Report:

- 2018 Budgets-some departments over budget, no request for overage received in accordance with the Budget Formulation Statute.
- Michael Hughes bringing training here. Looking at the 2nd week in August. He will provide all meeting administrative arrangements.
- Attended the Odawa Economic Development Management, Inc. and Odawa Casino Resort regarding waste water treatment billings, and spend down of appropriated funds.
- Working on collectability of Hotel(s) sales tax.
- Rough December for investment accounts. Looking at other ways of making revenue.
- Met with Odawa Casino Resort Finance Director regarding how funds are reported. Odawa Casino Resort met obligation to the Tribe for 2018.

Motion made by Councilor McNamara and supported by Councilor Proctor to accept Sr. Financial Analyst Rachel Cope's report for January 26, 2019.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant

Motion carried.

10:41 a.m. Public Comment open:

- Andrew Stich spoke regarding request for \$3.5 million Aviation appropriation that is on agenda. Disappointed regarding too much spending by Tribal Council, IE: Bell's, Nimkee. Murray Road housing issues; why aren't we putting money there. 911 springs Street roof leaks, and windows need repair due to bad remodeling. Tribal Citizens vote should be needed in order to spend money.

10:45 a.m. Public Comment closed.

Legislative Services Attorney

Motion made by Councilor David Harrington and supported by Councilor Proctor to acknowledge receipt of Legislative Services Attorney Donna Budnick's written report for January 26, 2019.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant

Motion carried.

General Counsel

Motion made by Treasurer Reyes and supported by Councilor Proctor to accept General Counsel Jim Bransky's verbal report for January 24, 2019.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant

Motion carried.

Legislative Office Manager

Motion made by Councilor McNamara and supported by Treasurer Reyes to accept Legislative Office Manager Michele Portman-LaCount's verbal and written report as presented on January 26, 2019.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant

Motion carried.

Ziibimijwang, Inc. - 2018 4th Quarter Report

Motion made by Councilor Proctor and supported by Treasurer Reyes to acknowledge receipt of Ziibimijwang, Inc.'s verbal and written 4th Quarterly Report as presented by Committee Chair Joseph VanAlstine on January 24, 2019.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant

Motion carried.

10:51 a.m. Public Comment opened:

- Andrew Stich asked who was appointed to Tribal Council.
- Joanne Carey asked about the Elder Statute increase food and utility increase.

10:53 a.m. Public Comment closed.

10:54 a.m. Lunch Break until 1:30 p.m.

1:32 p.m. Return. Councilor David Harrington absent.

Corporate Charters and/or Board Updates:

Odawa Economic Development Management, Inc. – 2018 4th Quarter Report

Discussion:

- Victories Square Phase II. Hotel scheduled to open in June 2019. Marriott has hired a general manager and has 20 new hires so far.
- Boston's working on June 2019 target date as well.
- Receiving \$111,000 grant for training employees.
- Looking at a senior housing complex which will not only assist the housing needs but will also assist in getting infrastructure grants down the road to build an attached casino hotel.
- Having a TV marketing public service Channel at restaurants and Hotels

Motion made by Secretary Kiogima and supported by Councilor McNamara to acknowledge receipt of Odawa Economic Development Management, Inc.'s verbal and written 4th Quarterly Report.

Vote: 5 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Bernard, Councilor Shananaquet, Councilor David Harrington), 1-Tribal Council seat declared vacant
Motion carried.

2:03 p.m. Councilor David Harrington arrived.

Gaming Authority Board

Discussion: 4th Quarter Report and Strategic Plan

- On target, doing well, up percent wise with best December since 2012 based on new/old marketing strategies.
- Responsive rate regarding the Preferred Customer e-mail blast.
- Working on new billboards with directional, call to action and giveaways theme.
- Posted general manager opening with several applicants received.
- Will look at living wage determination.
- Confidential item discussion stopped form further discussion by Legislative Leader Fred Harrington, Jr.

3:03 p.m. Public Comment opened:

- Andrew Stich asked if there is sports betting at casino with Superbowl next Sunday.
- Jannan Cornstalk said she filed a public document request to provide Citizens for a visual the amount of profit from the time of victories Casino to present Odawa Casino Resort.

3:08 p.m. Public Comment closed.

Gaming Authority Board 4th Quarter Report and Strategic Plan continued:

- Looking at Economically viable entertainment and advertising with themed events.
- Potential for expansion to include a hotel at the Mackinaw property.
- Will send \$50,000 request for seed money for site plan completion to the Appropriations and Finance Committee.

4:00 p.m. Public Comment opened:

- Tribal Elder Beverly Wemigwase mentioned she was an elder and that main fundamental things are respect and felt threatened when giving her report. Said no one came to her aid. Said she is a Tribal Citizen and has been on Gaming Board since October and it is her job to increase revenue, and that the Board is doing in amazing job.

4:01 p.m. Public Comment closed.

Gaming Authority Board 4th Quarter Report and Strategic Plan continued:

- Roger Borton Director of Finance spoke regarding auditors BDO. Would like to keep BDO for next audit. Asked who does the bids. Per Legislative Leader Fred Harrington, Jr., need to work with Sr Financial Analyst Rachel Cope and the Appropriations and Finance Committee for recommendation to Tribal Council. Need to place on February 12, 2019 Appropriations and Finance Committee agenda.

Motion made by Secretary Kiogima and supported by Treasurer Reyes to acknowledge receipt of Gaming Authority Board's verbal and written 4th Quarterly Report.

Vote: 5 - Yes, 0 - No, 1 - Abstained (Councilor David Harrington), 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant

Motion carried.

Motion made by Councilor McNamara and supported by Secretary Kiogima to acknowledge receipt of the Gaming Authority Board's written 4-year Strategic Economic Development Plan.

Vote: 5 - Yes, 0 - No, 1 - Abstained (Councilor David Harrington), 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant

Motion carried.

Adjournment:

4:08 p.m. Motion made by Councilor David Harrington and supported by Councilor Proctor to adjourn.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Bernard, Councilor Shananaquet), 1-Tribal Council seat declared vacant

Motion carried.

Next Tribal Council Regular Meeting:
Thursday, February 7, 2019 at 9:00a.m.

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


Tamara Kiogima, Tribal Council Secretary


Date

