

**Little Traverse Bay Bands of Odawa Indians  
Tribal Council Chambers  
7500 Odawa Circle, Harbor Springs, MI 49740  
Tribal Council Regular Meeting  
June 6, 2019**

Call to Order: **9:07 a.m.**

Opening ceremony: Tribal Chair Regina Gasco Bentley

Closed Session: Yes

Council Present: Councilor Frank Bernard, Councilor David Harrington, Councilor Emily Proctor, Councilor Julia Shananaquet, Councilor Leroy Shomin, Treasurer Marcella R. Reyes, Secretary Tamara Kiogima

Absent: Councilor Dexter McNamara, Legislative Leader Fred Harrington Jr.

Legislative Office Staff Present: Office Manager Michele Portman-LaCount, Legislative Services Attorney Donna Budnick, Senior Financial Analyst Rachel Cope, Legislative Administrative Assistant Linda Gokee, Economic and Business Development Director Billi Jo Head, Interim Tribal Historic Preservation Officer Melissa Wiatrolik

Corporate Charters Present: None

Executive Officials and Staff Present: Tribal Chair Regina Gasco Bentley

Judicial Officials and Staff: None

Public: None

Invited Guest: None

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**Motion** made by Councilor Shananaquet and supported by Councilor Proctor to adopt the agenda for June 6, 2019 as amended.

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

Motion carried.

**Motion** made by Councilor Shananaquet and supported by Councilor David Harrington to approve the Regular Meeting minutes of May 23, 2019 as corrected.

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

Motion carried.

**Motion** made by Treasurer Reyes and supported by Councilor Shomin to approve the Special Meeting Minutes of May 29, 2019 as corrected.

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

Motion carried.

**9:18 a.m. Motion** made by Councilor Shananaquet and supported by Councilor Shomin to enter into Closed Session for Confidential Business Matters.

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

**10:14 a.m. Motion** made by Councilor Shananaquet and supported by Treasurer Reyes to return to Open Session.

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

**10:14 a.m. Break**

**10:27 a.m. Resume**

### **Tribal Council Officer Reports:**

#### Legislative Leader Report

**Motion** made by Councilor Shomin and supported by Councilor Shananaquet to accept Legislative Leader Fred Harrington Jr.'s written report for June 6, 2019.

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

**Motion** made by Treasurer Reyes and supported by Councilor Shomin to accept Legislative Leader Fred Harrington Jr.'s written Confidential Travel Report for June 5, 2019.

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

### **Tribal Council Action Items:**

**Motion** made by Councilor Shananaquet and supported by Councilor David Harrington to approve Citizenship List A-Eligible for Citizenship dated May 24, 2019 for a total of two (2).

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

**Motion** made by Treasurer Reyes and supported by Councilor Shananaquet to approve Citizenship List B-Declination (Ineligible) dated May 24, 2019 for a total of one (1).

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

**Motion** made by Councilor Shananaquet and supported by Councilor Shomin to approve travel and reimbursement for June 4-5, 2019 travel to Troy MI for Treasurer Reyes for economic development purposes.

Vote: 5 - Yes, 0 - No, 1 - Abstained (Treasurer Reyes), 3 - Absent (Councilor Proctor, Councilor McNamara, Legislative Leader Fred Harrington Jr.)  
Motion carried.

**Motion** made by Councilor Shananaquet and supported by Treasurer Reyes to post Amendment to Waganakising Odawak Statute 2013-010 Fair Employment to the Legislative Calendar in the Odawa Register as sponsored by Councilor David Harrington.

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

Motion carried.

**10:33 a.m.** Councilor Proctor returns

**Motion** made by Councilor Shananaquet and supported by Treasurer Reyes to approve Tribal Council attendance to the Statewide Tribal Opioid Summit on June 12-13, 2019 at Soaring Eagle Casino & Resort in Mount Pleasant, MI.

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

Motion carried.

**Motion** made by Councilor Shananaquet and supported by Councilor Proctor to approve Tribal Council attendance to Midwest Alliance of Sovereign Tribes (M-A-S-T) on July 17-18, 2019 in Mount Pleasant, MI.

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

Motion carried.

**Motion** made by Treasurer Reyes and supported by Councilor Shananaquet to pass Hemp Authorization and Regulatory Commission Statute.

Roll Call Vote: Councilor Bernard-yes, Councilor David Harrington-yes, Councilor McNamara-absent, Councilor Proctor-yes, Councilor Shananaquet-yes, Councilor Shomin-yes, Treasurer Reyes-yes, Secretary Kiogima-yes, Legislative Leader Fred Harrington Jr.-absent

Motion carried.

**Motion** made by Councilor Shomin and supported by Treasurer Reyes to pass Amendment to Criminal Code Statute.

Roll Call Vote: Councilor Bernard-yes, Councilor David Harrington-yes, Councilor McNamara-absent, Councilor Proctor-yes, Councilor Shananaquet-yes, Councilor Shomin-yes, Treasurer Reyes-yes, Secretary Kiogima-yes, Legislative Leader Fred Harrington Jr.-absent

Motion carried.

### **Executive Oversight Report:**

#### **Discussion:** Tribal Chair Regina Gasco Bentley

- Direct Services Administrator Phil Harmon and some staff are at Mediation Training.
- New signs outside of Archives and Records. Stop by and take a look.
- Little Traverse Historical Museum contacted the tribe to ask if we would like to display a canoe they have.
- Michigan Economic Development Commission (MEDC) visited the Tribe. Met with the Executive, Economic Business and Development Director Billi Jo Head, and GIS Director Alan Proctor.

- Michigan State University (MSU) Extension met with Vice Chairperson Stella Kay and Direct Services Administrator Phil Harmon to pair up on some projects to provide additional services to Tribal Citizens.
- Annual Health Fair will be on Friday, June 21, 2019 at the LTBB Health Department located at 1260 Ajjjaak (aka: Crane) Avenue, Petoskey, MI from 10:00 a.m. – 3:00 p.m.
- U.S. Senator Gary Peters of Michigan inquired if he could host a Town Hall Meeting in the Tribes Government Complex Commons Area. Discussion would include a state issue on Enbridge's Line 5. He is working on legislation to make tougher laws. Date to be determined
- Conference call with Deputy Legal Counsel for to the Office of the Governor Wenona Singel regarding Line 5. There will be a meeting with Michigan's Tribal Leaders and tribes' Environmental Staff to discuss Line 5.
- Desmond Berry and Kristine Ingrao of 7<sup>th</sup> Legacy Environmental visited the office of the Executive on Wednesday, June 5, 2019 to inquire if the Executive, Tribal Council, and Environment Office would be interested in sit down meeting with Enbridge.

**Discussion:** Tribal Councils stance remains the same, Decommission Line 5 as indicated by Tribal Resolution # 102718-01 Opposition to the State of Michigan's Agreement with Enbridge about Line 5. Roll call vote: by a vote of 8 in favor, 0 opposed, 0 abstentions, and 1 absent. Any meetings can occur in Lansing or at a United Tribes Meeting.

**Motion** made by Councilor Shananaquet and supported by Councilor Proctor to acknowledge the verbal Executive Oversight Report as presented by Tribal Chairperson Regina Gasco-Bentley on June 6, 2019.

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

Motion carried.

Tribal Council Officer Reports continued.

### Secretary Report

#### Documents Delivered to the Executive

*-Waganakising Odawak Statute Amendment to Waganakising Odawak Statute # 2011-005 Gaming Regulatory Statute was delivered to the Executive for signature on 04/11/19-the Executive signed on 05/01/19. The Legislative Office received this Statute on 05/08/19 and should have been reported at the 05/09/19 Tribal Council Meeting.*

*-Tribal Resolution Appropriation of Funds for the 2020 Fiscal Year Operating Budgets was delivered to the Executive for signature on 05/07/19-the Executive signed on 05/08/19 and should have been reported at the 05/09/19 Tribal Council Meeting.*

*-Tribal Resolution Appropriation to the Planning Department to Obtain Engineered Plans for Apartment Building at Mtigwaakiis Housing (Murray Road), in the amount of \$200,000.00 to come from the General Fund-Balance was delivered to the Executive for signature on 05/28/19-the Executive signed on 05/29/19.*

-Tribal Resolution Supplemental Funding the Amount of \$187,600.00 for the purpose of Food and Utility Allowance was delivered to the Executive for signature on 05/28/19-the Executive signed on 05/29/19.

-Tribal Resolution Increase MIS FY2019 Operating budget by \$82,000.00 for software and licensing agreements was delivered to the Executive for signature on 05/28/19-the Executive signed on 05/29/19.

-Tribal Resolution Budget Modifications for FY 2019 in the amount of \$34,532.00 to fund Facilities was delivered to the Executive for signature on 05/30/19-the Executive signed on 05/30/19.

-Tribal Resolution Budget Modifications for FY 2019 Increased Consolidated Tribal Government Program (CTGP) Related General Fund Needs in Other Programs was delivered to the Executive for signature on 05/31/19-the Executive signed on 06/04/19.

-Waganakising Odawak Statute Tribal Historic Preservation Office Statute was delivered to the Executive for signature on 05/28/19-**PENDING SIGNATURE** (due back to Tribal Council on or before 06/27/19.)

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

Phone Polls passed by Tribal council: none

**Motion** made by Councilor Shananaquet and supported by Treasurer Reyes to accept Secretary Kiogima's verbal and written report as provided on the agenda for June 6, 2019.

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

Motion carried.

### Treasurer Report

### **Appropriations and Finance Committee**

-Last Meeting: May 14, 2019

(Motions made at Appropriations and Finance Committee Meeting were presented at the May 23, 2019 Tribal Council Meeting)

-Next Meeting: Tuesday, June 11, 2019 at 9:00 a.m. in the Council Chambers

Phone Polls passed by Appropriations and Finance Committee: None

**Motion** made by Councilor Shomin 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 June 6, 2019.

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

Motion carried.

**Motion** made by Councilor Proctor and supported by Councilor Shananaquet to accept Treasurer Reyes's verbal Confidential Travel Report for June 5, 2019.

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

Motion carried.

## Land and Reservation Committee

-Last Meeting: May 3, 2019

*(Motions made at Land and Reservation Committee Meeting were presented at the May 9, 2019 Tribal Council Meeting)*

-Next Meeting: Friday, June 14, 2019 at 9:00 a.m. in the Council Chambers

**Motion** made by Councilor Proctor and supported by Councilor Shomin to accept the Land and Reservation Committee verbal and written report as provided on the agenda by Treasurer Reyes, Committee Chair for June 6, 2019.

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

Motion carried.

### Tribal Council Member Reports:

#### Councilor Proctor: Line 5 Update

- Consultation and communication issues with the tribes response to state officials.
- Tribal Historic Preservation Office needs to be involved in consultations including Chippewa and Ottawa Resource Authority (CORA) and Enbridge discussions.
- Would like to invite the Director for the Upper Peninsula Research and Extension Center (UPREC) James DeDecker to give a presentation on hemp productions within tribes across the state and to contact Ziibimijwang, Inc. to see if there is an interest.

#### **Discussion:**

Legislative Services Attorney Budnick: Advise Interim Tribal Historic Preservation Officer Melissa Wiatrolik ask to be placed on the Natural Resources Commission (NRC) meeting agenda to discuss what her role as the Interim Tribal Historic Preservation Officer role is.

**Motion** made by Councilor Shananaquet and supported by Treasurer Reyes to acknowledge receipt of Councilor Proctor's verbal report for June 6, 2019.

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

Motion carried.

### Legislative Office Reports:

#### Office of Finance and Revenue

- Uploaded a report to the pod on financials.
- Investment accounts.
- Attended the Gaming Authority meeting last week. There was confusion on their meeting dates as there were two (2) meeting calendars out with different dates.
- Importance in hiring an Administrative Assistant for the Economic Business and Development Direct to help keep open communication with commissions and boards.
- The Gaming Authority Board is doing well.
- Was pleased with Wasaybek Development Company presentation by Clay Vanderpool and Deidra Mitchell on Tribal Economic Development Corporations on

June 4, 2019. She will take pieces of their presentation and incorporate their ideas with ours.

**Motion** made by Councilor Shananaquet and supported by Treasurer Reyes to accept Sr Financial Analyst Rachel Cope's verbal and written report for June 6, 2019.

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

Motion carried.

#### Economic Business and Development Director

- Busy setting up meetings
- Completed a last-minute survey of Tribal Citizens on banking/credit union interest. Received 262 internet and 23 written Survey Monkey responses. These statistics were needed to help support a Northern Shores grant application for a Credit Union.
- Will schedule a meeting with Grant Writers Amber Holt and Alison Simon to discuss the grant process.
- Met with Joe VanAlstine and Kafui Ojai Adjei aka: KK of Ziibimijwang, Inc. to discuss the Pack Shed, Canning Facilities, the need for a 5-year strategic plan, and the availability to grow in capacity in the future. Ziibimijwang, Inc. is doing an amazing job and doing great things in selling product at different farmers markets and local businesses.
- Will be assisting enterprises and charters in writing By-laws for boards who have not submitted.
- Met with John Link and Treasurer Reyes to discuss insurance needs.

#### **Discussion:**

Secretary Kiogima: Would like the Economic Business and Development Director Billi Jo Head to submit articles to the Odawa Trails to update Tribal Citizens.

Councilor Proctor: Would like an opportunity to provide training to our Enterprises and Corporation on how to function as a non-profit.

Councilor Shananaquet: Has Ziibimijwang, Inc. reached the level of being self-sustainable?

Senior Financial Analyst Rachel Cope: Ziibimijwang, Inc. has not reached the level of self-sustaining, yet. Will look at the end of the season to review their numbers. Senior Financial Analyst has positive thoughts and they are getting close. The original plan for the Pack Shed has grown since they last presented to Tribal Council on February 21, 2019.

Economic Business and Development Director continued.

- Met with Flagstar yesterday. Many opportunities are coming along and the Tribe needs a friend in banking. They were very welcoming, friendly, and asked many questions on Tribal history and traditions. They will be here on June 18 at 11:00 a.m. for a Special Work Session.
- The team and Legislative Staff have been great and welcoming. Thank you.

#### **Public Comment:**

11:45 a.m. Opened

- No comments

11:45 a.m. Closed

**Motion** made by Councilor Shananaquet and supported by Treasurer Reyes to accept Economic Business and Development Director Billi Jo Head's verbal report for June 6, 2019.

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

Motion carried.

**Motion** made by Councilor Shomin and supported by Councilor Shananaquet to acknowledge the verbal Confidential Economic Business and Development Director Billi Jo Head's update in the earlier Closed Session as presented on June 6, 2019

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

Motion carried.

#### Interim Tribal Historic Preservation Officer

- The Tribal Historic Preservation Office (THPO) server was encrypted and Melissa will need to rescan many documents.
- Update on Beaver Island collaboration. Meeting many people to cut costs down.
- Natural Resources Department will be assisting with the Stone Circle and jimaan projects.
- Would like to form a Cultural Advisory within Little Traverse Bay Bands (LTBB) to seek ideas from Elders, youth, and cultural leaders on a volunteer basis.
- Community Meeting went well with the display of the Council Tree. Many Elders are willing to tell their stories on boarding schools.
- Completed HPF Grant work plan for 2019.
- Working on Section 106 review process policies and procedures. Will be sharing spreadsheet for reviews so Legislative Administrative Assistant Linda Gokee and Office Manager Michele Portman-LaCount can enter received requests via mail.
- Attended the government to government consultation with Enbridge, Chippewa Ottawa Resource Authority (CORA) and other 1836 Treaty signature Tribes. THPO is the last to know when her department should be the first on reviews. Working with other departments to submit one strong summary.
- Gathering information from individuals on history of the Stone Circle on Beaver Island. Northern Michigan University and island residents are willing to assist in the restoration efforts.
- Will be attending the Amik Society Meeting on July 16-17, 2019 on Beaver Island.
- Continued construction site monitoring in the area. Will be working with residents to add locations to the LTBB data server for protection, local townships and the State Historic Preservation Offices.
- Working on policy and procedures for Michigan Anishnaabeg Cultural Preservation and Repatriation Alliance (MAGPRA)/Native American Graves Protection and Repatriation Act (NAGPRA).
- Still waiting for remains from Sleeping Bear Dunes to be identified.
- Working with Tom Teuthorn and Wes Andrews regarding the Osborne Road burial site.
- Invited to attend State Historic Preservation Office (SHPO) meetings on both June 27 and July 11, 2019.

- Received Cultural Stewardship and Historic Preservation certificate through the Association of Tribal Archives, Libraries & Museums (ATALM).

**Discussion:**

Councilor Proctor: Briefed Interim Tribal Historic Preservation Officer on her earlier discussion in Tribal Council Reports. How many requests did you receive for Section 106?

**Motion** made by Councilor Shananaquet and supported by Councilor Proctor to accept the Interim Tribal Historic Preservation Officer Melissa Wiatrolik's verbal and written report as presented on June 6, 2019.

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

Motion carried.

Legislative Services Attorney

- Confidential Report submitted to Tribal Council.
- Recent decision by federal judge has set a 90-day deadline for Michigan Legislature to fix System of Records Notice (SORN) in regards to the Sex Offender Registration and Notification Act (SORNA). The tribe does not have geographical restrictions. Needs to be rereviewed to make sure we are compliant with federal and state laws.

**12:06 p.m.** Councilor David Harrington exits.

- Will be attending the Chippewa Ottawa Resource Authority (CORA) Meeting on Thursday, June 20, 2019 at the Odawa Hotel.
- Spoke with Deidra Mitchell of Wasaybek and her Tribe uses a Members Only website. This option needs to be reexplored by the Tribe as Tribal Citizens have a right to be informed.

**12:07 p.m.** Councilor Bernard exits meeting.

**Discussion:**

Councilor Shananaquet: Has General Counsel Jim Bransky completed a final review of the General Managers contract? Please develop a policy with General Counsel Jim Bransky.

**Motion** made by Councilor Shananaquet and supported by Councilor Proctor to acknowledge receipt of Legislative Services Attorney Donna Budnick's verbal and written report for June 6, 2019.

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

Motion carried.

General Counsel – no report

Legislative Office Manager

- No written report.
- Working with Tribal Council, Economic Business and Development Director Billi Jo Head, and Interim Tribal Historic Preservation Officer Melissa Wiatrolik on topics.
- Worked with grants regarding THPO wages and fringe for Officer and Deputy Officer.

- All Special Meetings and Work Sessions have been posted. If you have documents for the pod, please submit them to either Michele or Linda.
- Will reach out to Potawatomi's regarding a Members Only site and will present the information to the Executive and Information Technology (IT) Director Mark Tracy.
- Will work on getting camera up and running so Tribal Citizens can tap into URL's to view Tribal Council Meetings and Committee Meetings.

**Motion** made by Treasurer Reyes and supported by Councilor Shomin to accept Legislative Office Manager Michele Portman-LaCount's verbal report as presented on June 6, 2019.

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

Motion carried.

**Corporate Charters and/or Board Updates: None**

**Other Items of Business:**

Economic Business and Development Director Billi Jo Head has been selected to be the Petoskey Chamber of Commerce Chamber Champion and they have asked her to be a Chamber Ambassador. How does she go about seeking approval?

Discussion:

Tribal Council: Contact Executive Assistant Rebecca Fisher to further discuss this with the Executive Branch.

**Adjournment**

**12:20 p.m. Motion** made by Councilor Shananaquet and supported by Councilor Proctor to adjourn.

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

Motion carried.

Next Regular Tribal Council Meeting:  
Thursday, June 27, 2019

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

 6-27-19  
 Tamara Kiogima, Tribal Council Secretary Date

