

**Little Traverse Bay Bands of Odawa Indians  
Tribal Council Chambers  
7500 Odawa Circle, Harbor Springs, MI 49740  
Tribal Council Regular Meeting  
August 8, 2019**

Call to Order: **9:11 a.m.**

Opening ceremony: Interim Tribal Historic Preservation Officer Melissa Wiatrolik

Closed Session: Yes

Council Present: Councilor Frank Bernard, Councilor David Harrington, Councilor Dexter McNamara, Councilor Emily Proctor, Councilor Julie Shananaquet, Councilor Leroy Shomin, Treasurer Marcella R. Reyes, Secretary Tamara Kiogima, Legislative Leader Fred Harrington Jr.

Absent: none

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Senior Financial Analyst Rachel Cope, Office Manager Michele Portman-LaCount, Legislative Administrative Assistant Linda Gokee, Interim Tribal Historic Preservation Officer Melissa Wiatrolik

Corporate Charters Present: Odawa Economic Development Management, Inc. Alan Proctor

Executive Officials and Staff Present: none

Judicial Officials and Staff Present: none

Public: none

Invited Guest: none

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**Motion** made by Secretary Kiogima and supported by Councilor Proctor to adopt the agenda for August 8, 2019 as presented.

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

Motion carried.

**Motion** made by Secretary Kiogima and supported by Councilor David Harrington to approve the minutes of July 27, 2019 as corrected.

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

Motion carried.

**Tribal Council Officer Reports:**

Legislative Leader Report

- Declaration of support of Michigan's Attorney General Dana Nessel filing a lawsuit that seeks to decommission the Enbridge Line 5 Oil Pipeline.
- Volunteered at the Youth Jiiman travel for several days. Was proud to be a part of the camp. Enlightening to watch this new generation.

- Moving along with new business negotiations.
- Discussion on Tribal Chair and nomination process
- Waseyabek Development Company, LLC has been asked to revisit the Tribe to assist for an organizational business structure.
- CBD partnerships.
- Had a discussion with Gaming Authority at their last meeting.

**Motion** made by Councilor David Harrington and supported by Councilor Shananaquet to accept Legislative Leader Fred Harrington Jr.'s verbal report for August 8, 2019.

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

Motion carried.

**9:48 a.m. Motion** made by Councilor David Harrington and supported by Councilor McNamara to enter into Closed Session for Personnel.

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

Motion carried.

**10:20 a.m.** Break

**10:36 a.m.** Return

**11:31 a.m. Motion** made by Councilor David Harrington and supported by Councilor Proctor to return to Open Session.

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

Motion carried.

**Motion** made by Treasurer Reyes and supported by Councilor McNamara to offer Candidate #1 the Tribal Historic Preservation Officer position.

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

Motion carried.

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

**Motion** made by Councilor Proctor and supported by Treasurer Reyes to repost LEG-245 Gaming Regulatory Statute to the Legislative Calendar in the Odawa Register as sponsored by Councilor Leroy Shomin.

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

Motion carried.

**Motion** made by Councilor Shomin and supported by Councilor Proctor to post Amendment to Waganakising Odawak Statute 2018-016 Gaming Authority Statute to the Legislative Calendar in the Odawa Register as sponsored by Legislative Leader Harrington.

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

Motion carried.

**Motion** made by Councilor McNamara and supported by Councilor Shomin to approve Tribal Council attendance to American Indian Law Section Conference on Marijuana Legalization and Governmental Relations on August 9, 2019 at the Odawa Hotel (program is free and pre-registration is required).

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

Motion carried.

**Motion** made by Treasurer Reyes and supported by Councilor Proctor to authorize and approve the Tribal Chair to enter an agreement with Hipcamp, Inc., to provide online reservations services for the Natural Resources Department's camping sites.

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

Motion carried.

**Motion** made by Treasurer Reyes and supported by Councilor Shananaquet to approve REG-WOS 2019-008 080619-001 Hemp Regulatory Commission Regulations for Sampling, THC Testing, and Post-Testing Actions.

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

Motion carried.

**Motion** made by Councilor Proctor and supported by Councilor Shomin to acknowledge receipt and approve the Amendment to the Little Traverse Bay Bands of Odawa Indians Tribal Minimum Internal Control Standards REG-WOS 2011-005-080719-020 as received from the Executive on August 7, 2019.

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

Motion carried.

**Motion** made by Secretary Kiogima and supported by Councilor Proctor to approve a Declaration for Statement of Support of Michigan Attorney General Dana Nessel Filing of a Lawsuit that Seeks to Decommission the Enbridge Line 5 Oil Pipeline.

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

Motion carried.

**Motion** made by Councilor McNamara and supported by Councilor Shomin to appoint Carol Jeffers to the Zoning Board of Appeals for a 3-year term.

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

Motion carried.

**Motion** made by Councilor Shananaquet and supported by Councilor Proctor to acknowledge receipt of the Executive Nomination of Steve Sochay for the Child Welfare Commission and reappoint for a 3-year term beginning September 21, 2019.

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 Executive Nomination of Robin Lees for the Child Welfare Commission and reappoint for a 3-year term beginning September 21, 2019.

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

Motion carried.

**Motion** made by Treasurer Reyes and supported by Councilor Shomin to acknowledge receipt of the Executive Nomination of Mary Kilmer for the Gaming Authority and schedule an interview.

Vote: 6 - Yes, 2 - No (Secretary Kiogima, Councilor McNamara), 1 - Abstained (Councilor David Harrington), 0 - Absent

Motion carried.

**Public Comment:**

11:46 a.m. Opened

- No public comments

11:46 a.m. Closed

**Executive Oversight Report – No report**

Tribal Council Officer Reports continued.

Secretary Report

Documents Delivered to the Executive:

-Waganakising Odawak Statute Odawa Historical and Cultural Site Registries Statute was delivered to the Executive for signature on 07/31/19-**PENDING SIGNATURE** (due back on or before 08/30/19.)

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 Councilor Proctor to accept Secretary Kiogima's verbal report as provided on the agenda for August 8, 2019.

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

Motion carried.

Treasurer Report

**Appropriations and Finance Committee**

-Last Regular Meeting: July 16, 2019

-Special AFC Meeting: July 24, 2019

(Motions made at Appropriations and Finance Committee Meeting were presented at the July 27, 2019 Tribal Council Meeting)

-Next Meeting: Friday, August 16, 2019 at 9:00 a.m. in the Council Chambers

Phone Polls passed by Appropriations and Finance Committee: none

**Motion** made by Secretary Kiogima and supported by Councilor Shomin to accept the Appropriations and Finance Committee verbal report as provided on the agenda by Treasurer Reyes, Committee Chair for August 8, 2019.

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

Motion carried.

**Land and Reservation Committee**

-Last Meeting: August 2, 2019

(No Motions made at Land and Reservation Committee Meeting requiring Tribal Council action)

-Next Meeting: Friday, September 6, 2019 at 9:00 a.m. in the Council Chambers

**Motion** made by Councilor Shomin and supported by Councilor Shananaquet to accept the Land and Reservation Committee verbal report as provided on the agenda by Treasurer Reyes, Committee Chair for August 8, 2019.

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

Motion carried.

12:01 p.m. Councilor Bernard exits meeting

**Tribal Council Member Reports:**

Councilor Proctor:

- Travel Report to St. Martin Island on July 31, 2019. Appreciated the opportunity to visit lighthouse. Discussion to be had on restoration funds for the light house. Possible opportunities for college biological stations and/or interns for light housekeeping.
- Potential business venture
- Economic Impact Study for forwarding to United Tribes of Michigan.

**Legislative Office Reports:**

Legislative Office Manager

- Interviews scheduled on August 22, 2019 for two (2) Gaming Regulatory Commission seats. Awaiting on Letters of Interest and Resumes' from the Executive Office.
- On August 22, 2019 there will be two (2) General Sessions labeled A.M. and P.M. for the newly elected Tribal Council. The Oath of Office will be at 11:15 a.m.
- Need RSVP for Harassment Training.
- Received a call from a Native American woman whose business provides office supplies. Referred the call to Purchasing Technician Mandy Szocinski. Office Manager LaCount will continue to follow up on.
- Received word from Chief Financial Officer Carrie Carlson that Office Space fees is required for Interim Tribal Historic Preservation Officer Melissa Wiatrolik office located at the Tribal Community Center. Will continue to work with Chief Financial Officer and Interim Tribal Historic Preservation Officer Melissa Wiatrolik budgets on this issue.
- Files missing from the Legislative Web Page due to cyber-attack. The office will continue to work with the IT Department to replace missing documents.

**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 August 8, 2019.

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

Motion carried.

**Motion** made by Councilor Shananaquet and supported by Councilor Shomin to accept Councilor Proctor's verbal and written St Martin Island Travel Report for August 8, 2019.

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

Motion carried.

**Motion** made by Councilor McNamara and supported by Councilor Shomin to approve and authorize the Sr. Financial Analyst to participate in the Tribal Economic Impact Study of non-gaming economic diversification initiatives to increase awareness of the economic impact Tribal investments, Tribally-owned EDCs impact overall economic development and planning and coordination with policymakers to attract and deploy resources in Tribal communities.

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

Legislative Office Reports continued:

Economic & Business Development - No Report

Office of Finance and Revenue

- Update on financial plan for economic development.
- Met with Odawa Casino Resort's Director of Finance Roger Borton, General Manager Ron Olson, and Director of Human Resources Andrea Shananaquet regarding the Living Wage.
- Michael Hughes conference is scheduled for August 12 & 13, 2019 at the Odawa Hotel. New Council Elect Marty VanDeCar and Melissa Pamp will be in attendance.

**Motion** made by Treasurer Reyes and supported by Councilor Shomin to accept Sr Financial Analyst Rachel Cope's verbal and written report for August 8, 2019.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor David Harrington, Councilor Shananaquet, Councilor Bernard)

Motion carried.

Interim Tribal Historic Preservation Officer - No Report

Legislative Services Attorney

- Attended the Gaming Authority meeting
- Working on a lease agreement which a phone poll will need to be conducted when completed.
- Received a Notice of Hearing from the Tribal Court on August 7, 2019.
- Appeals update

Councilor Shananaquet: You cannot have a separate standard of living for each branch of government. When it's fair across the board for all employees, only then will Councilor Shananaquet agree to the Fair Employment.

**Note:** Councilor Shananaquet requested her comment be on record.

**Motion** made by Councilor McNamara and supported by Treasurer Reyes to acknowledge receipt of Legislative Services Attorney Donna Budnick's verbal and written report for August 8, 2019.

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

Motion carried.

General Counsel - No Report

Tribal Council Member Reports continued:

Treasurer Reyes:

Travel Report to St. Martin Island on July 31, 2019. Some buildings need immediate attention sooner rather than later.

