

**Little Traverse Bay Bands of Odawa Indians
Tribal Council Chambers
7500 Odawa Circle, Harbor Springs, MI 49740
Tribal Council Regular Meeting
August 22, 2019
Morning Session**

Call to Order: **9:10 a.m.**
Opening ceremony: none
Closed Session: Yes

Council Present: 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: Councilor Frank Bernard, Councilor David Harrington

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

Corporate Charters Present: Odawa Economic Development Management, Inc. Vice President Alan Proctor, GNI Steve Hayward

Executive Officials and Staff Present: none

Judicial Officials and Staff Present: none

Public: Tribal Council Elect Marty VanDeCar, Melissa Pamp, and Fred Kiogima; Andrew Stitch, Sarah Proctor, Rose Smalley, Lila Bertram

Invited Guest: Gaming Authority Sunnese Granados and Donald Lasley; General Manager Ron Olson, Director of Human Resources Andrea Shananaquet, Director of Table Games Nick Foltz, Director of Finance Roger Borton, Director of Property Operations Barry Laughlin, Director of Marketing Alan Bouschor, Director of Hospitality Mike Bodjiak, Director of Slots Dennis Shananaquet

Motion made by Councilor McNamara and supported by Treasurer Reyes to Adopt the Agenda of August 22, 2019 as presented.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Shananaquet to dedicate this meeting in honor of the following Tribal Citizens who have walked on: Briar Seume and Carole Thomas.

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

Motion carried.

Review and Approve Minutes of August 8, 2019.

Motion made by Treasurer Reyes and supported by Councilor Shomin to approve the minutes of August 8, 2019 as corrected.

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

Motion carried.

Tribal Council Officer Reports:

Legislative Leader Report

- Passed feathers and pipe to Youth
- Closed Session for Confidential Business Matters

9:24 a.m. Motion made by Treasurer Reyes and supported by Councilor Shomin to enter into Closed Session for Confidential Business Matters.

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

Motion carried.

10:10 a.m. Councilor David Harrington arrives

10:40 a.m. Motion made by Treasurer Reyes and supported by Councilor Proctor to return to Open Session.

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

Motion carried.

10:40 a.m. Break

10:58 a.m. Resumes

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to accept Legislative Leader Fred Harrington Jr.'s verbal Confidential Report for August 22, 2019.

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

Motion carried.

Motion made by Councilor Shomin and supported by Councilor McNamara to grant of a limited waiver of sovereign immunity for the sole purpose of enforcing the provisions of the Agreement between ODAWA ECONOMIC AFFAIRS HOLDING CORPORATION, dba Odawa Property Holding Company and VISIO CLARA LLC, for conveyance of land.

Vote: 5 - Yes, 2 - No (Councilor Proctor, Secretary Kiogima), 1 - Abstained (Councilor David Harrington), 1 - Absent (Councilor Bernard)

Motion carried.

Motion made by Councilor Shomin and supported by Councilor McNamara to grant of a limited waiver of sovereign immunity for the sole purpose of enforcing the provisions of the Ground Lease between ODAWA ECONOMIC AFFAIRS HOLDING CORPORATION, dba Odawa Property Holding Company and SUNRISE AGRICULTURAL PRODUCTS LLC, for leasing of land located at 1020 S. Nicolet Street, Village of Mackinaw City, State of Michigan.

Vote: 6 - Yes, 2 - No (Councilor Proctor, Secretary Kiogima), 0 - Abstained, 1 - Absent (Councilor Bernard)

Motion carried.

Motion made by Councilor Shomin and supported by Councilor McNamara to grant of a limited waiver of sovereign immunity for the sole purpose of enforcing the provisions of the Ground Lease between ODAWA ECONOMIC AFFAIRS HOLDING CORPORATION, dba Odawa Property Holding Company and SUNRISE AGRICULTURAL PRODUCTS LLC, for leasing of land located at 1345 US 31 North, Petoskey, MI.

Vote: 6 - Yes, 2 - No (Councilor Proctor, Secretary Kiogima), 0 - Abstained, 1 - Absent (Councilor Bernard)

Motion carried.

Motion made by Councilor Shomin and supported by Councilor McNamara to grant a limited waiver of sovereign immunity for the sole purpose of enforcing the provisions of the Agreement between Odawa Casino Resort and the Stars Group for Sports Betting.

Vote: 7 - Yes, 0 - No, 1 - Abstained (Councilor David Harrington), 1 - Absent (Councilor Bernard)

Motion carried.

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to approve the action item contained within General Counsel Jim Bransky's confidential memo dated August 20, 2019.

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

Motion carried.

Corporate Charters and/or Board Updates:

Gaming Authority - 2nd Quarterly Report

- Odawa Casino Resort financials
- Front line employees living wage to be adjusted including House Keeping and Valet.
- 4 Year Strategic Economic Development Plan

Public Comment:

11:45 a.m. Opened

- Andrew Stitch commented about the \$7 million cost for the Reservation Boundary Case. This money could have been better used for housing and mental health services. A vote by Tribal Citizens should have occurred to determine if a Reservation Boundary is what the citizens wanted. Feels the Legislative Service Attorney should be terminated as she is the one who initiated this case. A vote by Tribal Citizens should be put to vote if they want an Odawa Casino Resort expansion to include a hotel.

11:47 a.m. Closed

Tribal Council Action Items:

Motion made by Treasurer Reyes and supported by Secretary Kiogima to acknowledge the signing of the *Special Tribute for Councilor David Harrington* by Tribal Council.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Proctor to acknowledge the signing of the *Special Tribute for Councilor Dexter McNamara* by Tribal Council.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Shomin to acknowledge the signing of the *Special Tribute for Councilor Frank Bernard* by Tribal Council.

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

Motion carried.

Gaming Authority/Odawa Casino Resort Report continued.

Motion made by Councilor McNamara and supported by Councilor Shananaquet to accept the Gaming Authority/Odawa Casino Resort 2019 2nd Quarterly Report as presented by the Gaming Authority, Director of Finance Roger Borton and General Manager Ron Olson on August 22, 2019 and approve the 4-Year Strategic Economic Development Plan

Vote: 7 - Yes, 0 - No, 1 - Abstained (Councilor David Harrington), 1 - Absent (Councilor Bernard)

Motion carried.

Tribal Council Member Reports:

Councilor McNamara

Discussion: Closed Session for Confidential Business

12:12 p.m. Motion made by Secretary Kiogima and supported by Councilor Proctor to enter into Closed Session for Confidential Business matters.

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

Motion carried.

12:33 p.m. Motion made by Councilor McNamara and supported by Councilor Proctor to return to Open Session.

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

Motion carried.

Motion made by Secretary Kiogima and supported by Treasurer Reyes to accept Councilor McNamara's report as presented on August 22, 2019.

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

Motion carried.

Tribal Council Action Items:

Motion made by Secretary Kiogima and supported by Councilor Shananaquet to pass Waganakising Odawak Statute Gaming Regulatory Statute.

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

Motion carried.

Motion made by Councilor Shomin and supported by Councilor Shananaquet to pass Amendment to Waganakising Odawak Statute # 2019-004 Contracting Statute.

Roll Call Vote: Councilor Bernard-absent, Councilor David Harrington-yes, Councilor McNamara-yes, Councilor Proctor-no, Councilor Shananaquet-yes, Councilor Shomin-

yes, Treasurer Reyes=yes, Secretary Kiogima=no, Legislative Leader Fred Harrington Jr.-yes
Motion carried.

Motion made by Councilor McNamara and supported by Councilor David Harrington to pass Amendment to Waganakising Odawak Statute # 2002-004 Indian Preference in Tribal Employment.

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

Motion made by Councilor McNamara and supported by Councilor David Harrington to pass Amendment to Waganakising Odawak Statute # 2013-010 Fair Employment.

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

Motion made by Councilor McNamara and supported by Councilor David Harrington to adopt Tribal Resolution Promotion of a Living Wage.

Roll Call Vote: Councilor Bernard-absent, Councilor David Harrington=yes, Councilor McNamara=yes, Councilor Proctor=yes, Councilor Shananaquet=no, Councilor Shomin=yes, Treasurer Reyes=yes, Secretary Kiogima=yes, Legislative Leader Fred Harrington Jr.-yes
Motion carried.

Motion made by Secretary Kiogima and supported by Councilor Proctor to move the remainder of the agenda to the afternoon session.

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

Oath of Office for Tribal Council Elect scheduled after adjournment.

Adjournment

12:39 p.m. Motion made by Councilor David Harrington and supported by Councilor Proctor to adjourn.

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

Next Regular Tribal Council Meeting:
Thursday, September 12, 2019

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

Tamara Kiogima
Tamara Kiogima, Tribal Council Secretary

Sept. 12, 2019
Date

