

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting Minutes
January 09, 2020

Call to Order: **9:05 a.m.**

Closed Session: none

Opening Ceremony: Martin Van De Car

Council Present: Councilor Fred Kiogima, Councilor Melissa Pamp, Councilor Leroy Shomin, Councilor Marty Van De Car, Treasurer Marcella Reyes, Secretary Julie Shananaquet

Absent: Councilor Fred Harrington, Jr., Councilor Tamara Kiogima, Legislative Leader Emily Proctor

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

Executive Officials and Staff Present: Tribal Chairperson Regina Gasco-Bentley

Judicial Officials and Staff: none

Public: Doug Emery

Invited Guest: none

Motion made by Councilor Leroy Shomin and supported by Councilor Melissa Pamp to adopt the agenda for January 9, 2020 as amended.

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

Motion carried.

9:11 a.m. Councilor Tamara Kiogima arrived.

Motion made by Treasurer Marcella Reyes and supported by Councilor Leroy Shomin to approve the Regular Meeting minutes of December 19, 2019.

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

Motion carried.

Executive Report:

Discussion: Headstart, Housing update, Nominations update, Medicare work requirements update, Elder's lunch, Handbook update, 2020 Negotiations at Grand Traverse Bay Bands next, Indian Child Welfare issue update, Notification process of Tribal Citizens who walk on, Department goals.

Motion made by Councilor Melissa Pamp and supported by Councilor Marty Van De Car to acknowledge receipt of the verbal Executive Report as presented by Tribal Chairperson Regina Gasco-Bentley for January 9, 2020.



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

Legislative Officer Reports:

Legislative Leader Report: none

Secretary Report

Documents Delivered to Executive:

- a. Waganakising Odawak Statute Hemp Authorization and Regulatory Commission Statute delivered on December 23, 2019.
- b. Resolution: Budget Modification Citizenship Commission Executive Signed December 23, 2019.
- c. Resolution: Tribal Court Carryover Executive Signed December 23, 2019.

Vetoes: none

Phone Polls: none

Motion made by Treasurer Marcella Reyes and supported by Councilor Melissa Pamp to acknowledge receipt of Secretary Julie Shananaquet's verbal and written report as presented on the agenda for January 9, 2020.

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

Motion carried.

Treasurer Report

Appropriations and Finance Committee

Last meeting: December 10, 2019.

(Motions made at Appropriations and Finance Committee Meeting reported at last Tribal Council meeting)

Next Meeting: January 14, 2020 at 9:00 a.m. in the Tribal Council Chambers

Phone Polls:

Reason for Phone Poll #1: Motion to recommend to Tribal Council to reauthorize and reapprove Odawa Casino Resort's PNC Final Term Sheet and Commitment Letter for Transaction One not to exceed \$26,500,000 for the refinance of Wells Fargo loan debt, Ozone renovation and Mackinaw OCR expansion and authorize the Treasurer Marcella Reyes and Chairperson Regina Gasco-Bentley to sign.

Phone Poll Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Comments: None

Motion carried.

Reason for Phone Poll #2: Motion to recommend to Tribal Council to reauthorize and reapprove Odawa Casino Resort's PNC Final Term Sheet and Commitment Letter for Transaction Two not to exceed \$28,500,000 for the Petoskey OCR Hotel Construction project and authorize the Treasurer Marcella Reyes and Chairperson Regina Gasco-Bentley to sign.

Phone Poll Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Comments: None

Motion carried.

Motion made by Councilor Melissa Pamp and supported by Treasurer Marcella Reyes to approve Certified Motion Designation of Wah-Wahs-Noo-Da-Ke Parcels 11, 12, 13, 15, and 16 Harbor Springs Michigan for Economic Development.

Vote: 6- Yes, 1- No (Councilor Fred Kiogima), 0- Abstained, 2- Absent (Councilor Fred Harrington, Jr., Legislative Leader Emily Proctor)

Motion carried.

Motion made by Treasurer Marcella Reyes and supported by Councilor Marty Van De Car to approve Certified Motion Designation and Assignment of 608 W. Second St. Harbor Springs, Michigan.

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

Motion carried.

Motion made by Councilor Tamara Kiogima and supported by Councilor Melissa Pamp to acknowledge receipt of Treasurer Reyes' verbal and written agenda report as presented on the agenda for January 9, 2020.

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

Motion carried.

Tribal Council Committee Reports:

Land and Reservation Committee

Last meeting: December 6, 2019, and January 3, 2020 Meeting cancelled due to lack of agenda items.

Next meeting: February 14, 2020

Motion made by Councilor Tamara Kiogima and supported by Councilor Leroy Shomin to acknowledge receipt of Treasurer Reyes Committee Chair's verbal and written report for the Land and Reservation Committee as presented on the agenda for January 9, 2020.

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

Motion carried.

10:11 a.m. Break

10:28 a.m. Resume

Tribal Council Member Reports

Councilor Leroy Shomin: Update on new Credit Union contact.

Motion made by Treasurer Marcella Reyes and supported by Councilor Fred Kiogima to acknowledge receipt of Councilor Leroy Shomin's verbal Tribal Council member report for January 9, 2020.

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

Motion carried.

Legislative Staff Reports

Office of Finance and Revenue Report Sr Financial Analyst Rachel Cope
Corporate Charters and/or Board Updates:

Traditional Tribal Burial Board
Odawa Economic Development Management, Inc.
Ziibimijwang, Inc.
Odawa Economic Affairs Holding Corporation
Odawa Casino Resort

Motion made by Treasurer Marcella Reyes and supported by Councilor Leroy Shomin to acknowledge receipt of Sr. Financial Analyst Rachel Cope's verbal report for January 9, 2020.

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

Motion carried.

Motion made by Councilor Melissa Pamp and supported by Councilor Marty Van De Car to acknowledge receipt of Economic Development and Business Director Billi Jo Head's final report for January 9, 2020.

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

Motion carried.

Tribal Historic Preservation Officer – no report

Legislative Services Attorney Report

Motion made by Treasurer Marcella Reyes and supported by Councilor Fred Kiogima to acknowledge receipt of Legislative Services Attorney Budnick's verbal and written report for January 9, 2020.

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

Motion carried.

Legislative Office Manager Report

Motion made by Councilor Fred Kiogima and supported by Treasurer Marcella Reyes to acknowledge receipt of Legislative Office Manager Portman-LaCount's verbal and written report as presented for January 9, 2020.

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

Motion carried.

Motions

Motion made by Treasurer Marcella Reyes and supported by Councilor Marty Van De Car to acknowledge receipt of Patrick Wemigwase's resignation letter from the Traditional Tribal Burial, Inc. received on December 18, 2019.

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

Motion carried.

Motion made by Treasurer Marcella Reyes and supported by Councilor Tamara Kiogima to re-post LEG-266 Constitutionally Mandated Compensation Election Board.

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

Motion carried.

Motion made by Councilor Leroy Shomin and supported by Treasurer Marcella Reyes to approve the Grant, Donation and Other Funding Policy.

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

Motion carried.

Motion made by Councilor Melissa Pamp and supported by Councilor Fred Kiogima to approve the Little Traverse Bay Bands of Odawa Indians 2020 Reservation Natural Resources Rules and Regulations REG-WOS 2013-004-121719-004A.

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

Motion carried.

Motion made by Treasurer Marcella Reyes and supported by Councilor Marty Van De Car to approve the Little Traverse Bay Bands of Odawa Indians 1836 Ceded Territory 2020 Natural Resources Rules and Regulations REG-WOS-2013-004-121819-003B.

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

Motion carried.

Motion made by Councilor Melissa Pamp and supported by Councilor Fred Kiogima to approve a Special Work Session on Wednesday January 22, 2019 at 3:30 p.m. to be held in the Tribal Council chambers for Youth Council discussion updates.

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

Motion carried.

Motion made by Councilor Melissa Pamp and supported by Treasurer Marcella Reyes to approve Tribal Council attendance at the Tribal Public Health Law Training April 15 and 16th, 2020 at the Odawa Hotel.

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

Motion carried.

Motion made by Councilor Melissa Pamp and supported by Councilor Tamara Kiogima to acknowledge receipt of the Gaming Authority/Odawa Casino Resort November 2019 Financials for Mackinaw and Petoskey and the November Status Report 2019 as received on December 23, 2019.

Vote: 6- Yes, 0- No, 1- Abstained (Councilor Marty Van De Car), 2– Absent (Councilor Fred Harrington, Jr., Legislative Leader Emily Proctor)

Motion carried.

Motion made by Treasurer Marcella Reyes and supported by Councilor Marty Van De Car to approve Enrollment for Citizenship List A Eligible dated January 6, 2020 for a total of 1.

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

Motion carried.

Motion made by Treasurer Marcella Reyes and supported by Councilor Leroy Shomin to approve Enrollment for Citizenship List B Declination Ineligible dated January 6, 2020 for a total of 1.

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

Roll Call Votes

Motion made by Councilor Leroy Shomin and supported by Treasurer Marcella Reyes to pass Waganakising Odawak Statute Amendment to 2018-016 Gaming Authority Statute. Roll call vote: Councilor Fred Harrington, Jr.-absent, Councilor Fred Kiogima-no, Councilor Tamara Kiogima-yes, Councilor Melissa Pamp-yes, Councilor Leroy Shomin-yes, Councilor Marty Van De Car-abstain, Treasurer Marcella Reyes-yes, Secretary Julie Shananaquet-yes, Legislative Leader Emily Proctor-absent
Motion carried.

Motion made by Councilor Tamara Kiogima and supported by Councilor Melissa Pamp to pass Waganakising Odawak Statute Gaming Regulatory Statute. Roll call vote: Councilor Fred Harrington, Jr.-absent, Councilor Fred Kiogima-abstain, Councilor Tamara Kiogima-yes, Councilor Melissa Pamp-yes, Councilor Leroy Shomin-yes, Councilor Marty Van De Car-abstain, Treasurer Marcella Reyes-yes, Secretary Julie Shananaquet-yes, Legislative Leader Emily Proctor-absent
Motion carried.

Motion made by Treasurer Marcella Reyes and supported by Councilor Leroy Shomin to pass Waganakising Odawak Statute Amendment to 2009-018 Traditional Tribal Burial Grounds Statute. Roll call vote: Councilor Fred Harrington, Jr.-absent, Councilor Fred Kiogima-no, Councilor Tamara Kiogima-no, Councilor Melissa Pamp-yes, Councilor Leroy Shomin-yes, Councilor Marty Van De Car-yes, Treasurer Marcella Reyes-yes, Secretary Julie Shananaquet-yes, Legislative Leader Emily Proctor-absent
Motion carried.

Motion made by Councilor Melissa Pamp and supported by Councilor Tamara Kiogima to pass Waganakising Odawak Statute Amendment to Open Meetings of Tribal Council Statute. Roll call vote: Councilor Fred Harrington, Jr.-absent, Councilor Fred Kiogima-yes, Councilor Tamara Kiogima-yes, Councilor Melissa Pamp-yes, Councilor Leroy Shomin-yes, Councilor Marty Van De Car-yes, Treasurer Marcella Reyes-yes, Secretary Julie Shananaquet-yes, Legislative Leader Emily Proctor-absent
Motion carried.

Motion made by Treasurer Marcella Reyes and supported by Councilor Leroy Shomin to pass Waganakising Odawak Statute Limited Liability Company Code. Roll call vote: Councilor Fred Harrington, Jr.-absent, Councilor Fred Kiogima-yes, Councilor Tamara Kiogima-yes, Councilor Melissa Pamp-yes, Councilor Leroy Shomin-yes, Councilor Marty Van De Car-yes, Treasurer Marcella Reyes-yes, Secretary Julie Shananaquet-yes, Legislative Leader Emily Proctor-absent
Motion carried.

Motion made by Councilor Tamara Kiogima and supported by Treasurer Marcella Reyes to pass Waganakising Odawak Statute Amendment to 2008-005 Tribal Notary Public Statute. Roll call vote: Councilor Fred Harrington, Jr.-absent, Councilor Fred Kiogima-yes, Councilor Tamara Kiogima-yes, Councilor Melissa Pamp-yes, Councilor Leroy Shomin-

yes, Councilor Marty Van De Car-yes, Treasurer Marcella Reyes-yes, Secretary Julie Shananaquet-yes, Legislative Leader Emily Proctor-absent
Motion carried.

Motion made by Councilor Tamara Kiogima and supported by Councilor Leroy Shomin to table Waganakising Odawak Statute Marriage Statute.
Vote: 7- Yes, 0- No, 0- Abstained, 2- Absent (Councilor Fred Harrington, Jr., Legislative Leader Emily Proctor)
Motion carried.

Motion made by Councilor Tamara Kiogima and supported by Councilor Melissa Pamp to pass Waganakising Odawak Statute Budget Formulation.
Roll call vote: Councilor Fred Harrington, Jr.-absent, Councilor Fred Kiogima-yes, Councilor Tamara Kiogima-yes, Councilor Melissa Pamp-yes, Councilor Leroy Shomin-yes, Councilor Marty Van De Car-yes, Treasurer Marcella Reyes-yes, Secretary Julie Shananaquet-yes, Legislative Leader Emily Proctor-absent
Motion carried.

Public Comment:
11:46 a.m. Public Comment opened: no comments
11:47 a.m. Public Comment closed

General Counsel

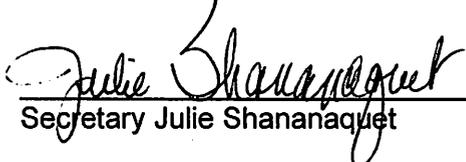
Motion made by Treasurer Marcella Reyes and supported by Councilor Marty Van De Car to acknowledge receipt of General Counsel Bransky verbal report for January 9, 2020.
Vote: 7- Yes, 0- No, 0- Abstained, 2- Absent (Councilor Fred Harrington, Jr., Legislative Leader Emily Proctor)
Motion carried.

Adjournment

12:15 p.m. Motion made by Councilor Tamara Kiogima and supported by Councilor Leroy Shomin to adjourn.
Vote: 7- Yes, 0- No, 0- Abstained, 2- Absent (Councilor Fred Harrington, Jr., Legislative Leader Emily Proctor)
Motion carried.

Next Tribal Council Regular Meeting
January 23, 2020

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


Secretary Julie Shananaquet

1-23-20

Date

