

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting Minutes
January 23, 2020

Call to Order: 9:11 a.m.

Opening Ceremony: Councilor Marty Van De Car

Roll Call: Councilor Fred Harrington, Jr, Councilor Fred Kiogima, Councilor Tamara Kiogima, Councilor Leroy Shomin, Councilor Van De Car, Treasurer Reyes, Secretary Shananaquet, Legislative Leader Proctor
Absent: Councilor Melissa Pamp

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

Corporate Charters: Traditional Tribal Burial Board Inc. Gwen Gasco, Kevin Willis, Ken Gill, Annette VanDeCar, Ziibimijwang chair Joe VanAlstine, Odawa Economic Affairs Holding Corporation

Executive Officials and Staff Present: Vice-Chair Stella Kay, Executive Director Unit I Phil Harmon, Executive Director Unit II Daugherty Johnson, Human Resources Department Generalist Rose Pyant. Elder's Director Mary Roberts, Education Board of Appeals Lily Anderson, Education Director Jordan Shananaquet, Higher Education Specialist Kerstine Bennington

Judicial Officials and Staff: none

Public: Susan Reece (on phone), Andrew Stich, Lily Anderson

Invited Guests: Odawa Casino Resort General Manager Ron Olson, Chief Financial Officer Roger Borton, LCISD – Fiber Chuck Madden

Motion made by Treasurer Marcella Reyes and supported by Councilor Marty Van De Car to Adopt the Agenda of January 23, 2020 as amended.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Motion made by Treasurer Marcella Reyes and supported by Councilor Marty Van De Car to dedicate this meeting in honor of the following Tribal Citizens who have walked on: Margaret Boatright, Cheryl Cranick, Nancy Gardner, Marcella Keller, John Lasley, and Theresa Leo.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Motion made by Secretary Julie Shananaquet and supported by Treasurer Marcella Reyes to approve the minutes of January 9, 2020 as presented

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Traditional Tribal Burial, Inc. 2019 4th Quarter Report

Motion made by Secretary Julie Shananaquet and supported by Councilor Marty Van De Car to acknowledge receipt of the verbal and written Traditional Tribal Burial, Inc.'s 2019 4th Quarterly Report as presented by Gwen Teuthorn and Kevin Willis on January 23, 2020.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Introduction of new Tribal Government Employees

Greg Karlis – Elder's Department

David Thom Jr. Health Clinic - Front Desk/Medical Assistant

Executive Oversight Report

Discussion:

- *Executive Director Unit II Daugherty Johnson-Medicaid work requirement update, update on Medicaid reimbursement, in-process of implementing training for active shooter situations (home security)*
- *Executive Director Unit I Phil Harmon- Fielded questions regarding other home security and medical emergency response needs.*
- *Vice-Chair Stella Kay: reported that Rebecca Fisher will be point of contact for Tribal Census*
- *IT Director Mark Tracy: Active Shooter Training, Introduced Chuck Madden and updated cost/mapping/construction of Fiber optic progress*

Tribal Council Question/Responses:

Secretary Julie Shananaquet on behalf of Councilor Melissa Pamp questioned 2020 Census Issue and lack of representation.

Motion made by Councilor Fred Harrington Jr. and supported by Councilor Marty Van De Car to acknowledge the written Executive Oversight Report received and updates presented by Executive Director Unit 1– Phil Harmon and Executive Director Unit 2 Daugherty Johnson and to acknowledge fiber optic presentation provided by IT Director Mark Tracy and Chuck Madden on January 23, 2020.

Vote: 7-yes, 0-no, 0-abstain, 2-absent (Councilor Melissa Pamp, Secretary Julie Shananaquet)

Motion carried.

10:52 a.m. Break

11:10 a.m. Resume

Public Comment

11:10 a.m. Open

- Lilly Anderson #1551 Commented on support of Michelle Chingwa Education Honorarium Act amendments

11:12 a.m. Close

Odawa Casino Resort loan update

Motion made by Secretary Julie Shananaquet and supported by Legislative Leader Emily Proctor to acknowledge receipt of loan update as presented by Odawa Casino General Manager Ron Olson and Director of Finance Roger Borton on January 23, 2020.

Vote: 7-yes, 0-no, 1-abstain (Councilor Marty Van De Car), 1-absent (Councilor Melissa Pamp)

Motion carried.

Tribal Council Officer Reports

Secretary Report

Documents Delivered to the Executive:

The following Statute was delivered to the Executive for signature on 01/10/2020 and is due back to Tribal Council on or before 02/10/2020:

- Amendment to Waganakising Odawak Statute 2018-016 Gaming Authority Statute

The following Statutes were delivered to the Executive for signature on 01/14/2020 and are due back to Tribal Council on or before 02/13/2020:

- Gaming Regulatory Statute
- Amendment to Waganakising Odawak Statute 2009-018 Traditional Tribal Burial Grounds
- Limited Liability Company Code
- Tribal Government Budget Formulation and Modification Statute

The following Statutes were signed by the Executive on 01/15/2020:

- Amendment to Waganakising Odawak Statute 2015-014 Open Meetings of the Tribal Council
- Amendment to Waganakising Odawak Statute 2008-005 Tribal Notary Public

Vetoes: none

Phone Polls passed by Tribal Council: none

FYI: Lack of Tribal representation at Census training in Chicago

Motion made by Treasurer Marcella Reyes and supported by Councilor Leroy Shomin to accept Secretary Julie Shananaquet's verbal and written report as provided on the agenda for January 23, 2020.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Treasurer Report - Appropriations and Finance Committee

Motion made by Secretary Julie Shananaquet and supported by Councilor Fred Kiogima to accept the Appropriations and Finance Committee verbal and written report as provided on the agenda as presented by Treasurer Reyes, Committee Chair for January 23, 2020.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

11:48 a.m. Public Comment opens and closes

Tribal Council Member Reports:

Councilor Tamara Kiogima – Youth Council Report.

Motion made by Secretary Julie Shananaquet and supported by Treasurer Marcella Reyes to approve scheduling the next Youth Council meeting on February 12, 2020, at 3:30 p.m. in Tribal Council Chambers.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.



Motion made by Treasurer Reyes and supported by Councilor Marty Van De Car to accept Councilor Tamara Kiogima's verbal report as presented on January 23, 2020.
Vote 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)
Motion carried.

12:03 p.m. Lunch Break
1:40 p.m. Meeting Resumes

Tribal Council Officer Reports continued....
Legislative Leader Report – Tentative Closed session

Motion made by Secretary Julie Shananaquet and supported by Treasurer Marcella Reyes to accept Legislative Leader Emily Proctor's verbal and written report for January 23, 2020.
Vote: 7-yes, 0-no, 0-abstain, 2-absent (Councilor Melissa Pamp, Councilor Tamara Kiogima)
Motion carried.

Tribal Council Member Reports continued....

Councilor Fred Harrington, Jr. LEG-268 Michelle Chingwa Education Honorarium Act.

Motion made by Secretary Julie Shananaquet and supported by Treasurer Marcella Reyes to accept Councilor Fred Harrington Jr.'s verbal report and acknowledge comments of Education Director Jordan Shananaquet and Higher Education Specialist Kerstine Bennington, and Tribal Citizen Elder/student Susan Reece (on phone) as presented on January 23, 2020.
Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)
Motion carried.

Legislative Office Reports:

Office of Economic & Business Development

- Corporate Charters and/or Board Updates:
- Odawa Economic Development Management, Inc.-no report (scheduled for 02/04/2020)

Public Comment

3:06 p.m. Opens

- Andrew Stich. Housing shortage, large sums made to lawyers, lack of tribal laws in place

3:09 p.m. Closes

Ziibimijwang, Inc.

Motion made by Treasurer Marcella Reyes and supported by Councilor Leroy Shomin to acknowledge receipt of the verbal and written Ziibimijwang Inc's 2019 4th Quarterly Report as presented by Joe VanAlstine, Committee Chairman on January 23, 2020.
Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)
Motion carried.

Odawa Economic Affairs Holding Corporation

Motion made by Councilor Tamara Kiogima and supported by Treasurer Marcella Reyes to acknowledge receipt of the verbal and written Odawa Economic Affairs Holding



Corporation's 2019 4th Quarterly Report as presented by Cheryl Kishigo Lesky on January 23, 2020.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

3:16 p.m. Break

3:31 p.m. Resume

Odawa Construction Corporation

Motion made by Secretary Julie Shananaquet and supported by Councilor Marty Van De Car to acknowledge receipt of the written Odawa Construction Corporation's written 2019 4th Quarter Report for January 23, 2020.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Office of Finance and Revenue

Motion made by Treasurer Marcella Reyes and supported by Councilor Leroy Shomin to accept Sr Financial Analyst Rachel Cope's verbal and written report for January 23, 2020.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Tribal Historic Preservation Officer – No report

Legislative Services Attorney

Motion made by Treasurer Marcella Reyes and supported by Councilor Leroy Shomin to acknowledge receipt of Legislative Services Attorney Donna Budnick's verbal and written report for January 23, 2020.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

General Counsel – No report

Legislative Office Manager

Motion made by Councilor Leroy Shomin and supported by Treasurer Marcella Reyes to accept Legislative Office Manager Michele Portman-LaCount's verbal and written report as presented on January 23, 2020.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Tribal Council Action Items: - Motions

Motion made by Councilor Tamara Kiogima and supported by Treasurer Marcella Reyes to appoint Ken Gill to the Traditional Tribal Burial, Inc. for a 4-yr term ending January 23, 2024.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Motion made by Treasurer Marcella Reyes and supported by Councilor Tamara Kiogima to approve Certified Motion # 012320-01 Request for Funding from the U.S. Department of Health and Human Services Family Violence Prevention and Services Program Act FY 2020.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Motion made by Treasurer Marcella Reyes and supported by Councilor Leroy Shomin to approve Certified Motion # 012320-02 Funding from the Department of the Interior, Bureau of Indian Affairs, Fixing America's Surface Transportation (FAST) Act, Tribal Transportation Program Agreement

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Motion made by Councilor Tamara Kiogima and supported by Treasurer Marcella Reyes to approve Certified Motion # 012320-03 Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, Great Lakes Restoration Initiative Funding FY 2020.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Motion made by Councilor Tamara Kiogima and supported by Treasurer Marcella Reyes to approve Certified Motion # 012320-04 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 2020.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Motion made by Secretary Julie Shananaquet and supported by Treasurer Marcella Reyes to approve Certified Motion # 012320-05 Acceptance of Funds as a sub-grantee from the Inter-Tribal Council of Michigan, Michigan Department of Health and Human Services (MDHHS), Mental Health Block Grant FY 2021-2022.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Motion made by Councilor Tamara Kiogima and supported by Treasurer Marcella Reyes to approve Certified Motion # 012320-06 Request for Funding from United States Department of Justice, FY 2020 Coordinated Tribal Assistance Solicitation (CTAS).

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Motion made by Councilor Leroy Shomin and supported by Treasurer Marcella Reyes approve the Tribally Chartered Corporations Distribution Policy and Procedures.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Motion made by Treasurer Marcella Reyes and supported by Councilor Marty Van De Car to approve the Hemp Regulatory Commission Regulations for Hemp Sampling and THC Testing REG-WOS 2019-013-011720-003.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Motion made by Secretary Julie Shananaquet and supported by Councilor Marty Van De Car to acknowledge receipt of Odawa Construction Corporation's By-laws.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Motion made by Councilor Tamara Kiogima and supported by Treasurer Marcella Reyes to repost the LEG-263 Marriage Statute.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Motion to appoint Marvin Mulholland to the Gaming Authority for a 3-yr term ending January 23, 2023 pending background check in accordance with statute.
Motion fails due to lack of motion maker and support

Motion made by Councilor Tamara Kiogima and supported by Treasurer Marcella Reyes to appoint Shane Robertson to the Odawa Economic Development Management, Inc. for the remainder of his 5-yr term ending August 20, 2020.
Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)
Motion carried.

Motion made by Secretary Julie Shananaquet and supported by Councilor Fred Kiogima to delegate to Legislative Leader the responsibility to perform the following duties: approval of staff travel, PTO, and other similar ministerial tasks for Legislative Branch and office operations.
Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)
Motion carried.

Motion made by Treasurer Marcella Reyes and supported by Councilor Fred Kiogima to approve Citizenship List A-Eligible for Citizenship dated January 22, 2020 for a total of three (3).
Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)
Motion carried.

Motion made by Treasurer Marcella Reyes and supported by Councilor Marty Van De Car to approve Citizenship List B-Ineligible for Citizenship dated January 22, 2020 for a total of one (1).
Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)
Motion carried.

Motion made by Councilor Leroy Shomin and supported by Councilor Marty Van De Car to approve Tribal Council attendance to United Tribes of Michigan Annual Meeting to be held on February 19-20, 2020 in Lansing, MI.
Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)
Motion carried.

Motion made by Councilor Tamara Kiogima and supported by Councilor Fred Kiogima to approve Certified Motion # 012320-07 Request for Funding from Petoskey Harbor Springs Community Foundation, Little Traverse Bay Protection and Restoration Fund, Stocking Whitefish for Restoration Purposes in Little Traverse Bay, Lake Michigan
Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)
Motion carried.

Motion made by Secretary Julie Shananaquet and supported by Councilor Fred Harrington Jr. to amend agenda to include:

- Accept Citizenship List C-Voluntary Relinquishment
- Approve Gaming Authority Banking Resolution
- Pass Michele Chingwa Education Honorarium Act (MCEHA)

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)
Motion carried.



Motion made by Treasurer Marcella Reyes and supported by Councilor Marty Van De Car to accept Citizenship List C-Voluntary Relinquishment dated January 23, 2020 for a total of 1.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Motion made by Secretary Julie Shananaquet and supported by Councilor Fred Harrington Jr. to pass Waganakising Odawak Statute Michelle Chingwa Education Honorarium Act

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Motion made by Secretary Julie Shananaquet and supported by Councilor Fred Harrington Jr. to post the Amendment to Waganakising Odawak Statute 2018-016 Gaming Authority (Sports Betting) as sponsored by Councilor Fred Harrington Jr.

Vote: 7-yes, 0-no, 1-abstain (Councilor Marty Van De Car), 1-absent (Councilor Melissa Pamp)

Motion carried.

Tribal Council Action Items: - Roll Call Votes

Motion made by Secretary Julie Shananaquet and supported by Councilor Tamara Kiogima to approve Tribal Resolution Authorization of Odawa Casino Resort Business Banking Account and Treasury Management Documents and Limited Waiver of Sovereign Immunity and Related Matters

Roll call vote: Councilor Fred Harrington, Jr.-yes, Councilor Fred Kiogima-yes, Councilor Tamara Kiogima-yes, Councilor Melissa Pamp-absent, Councilor Leroy Shomin-yes, Councilor Marty Van De Car-abstain, Treasurer Marcella Reyes-yes, Secretary Julie Shananaquet-yes, Legislative Leader Emily Proctor-yes

Motion carried.

4:42 p.m. Break

4:51 p.m. Resume

Tribal Council Officer Reports continued...

Legislative Leader Report continued

4:52 p.m. Motion made by Treasurer Marcella Reyes and supported by Secretary Julie Shananaquet to enter into Closed Session for Confidential Business Matters and Personnel Matters.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

5:34 p.m. Councilor Fred Harrington Jr. exits meeting

5:39 p.m. Motion made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to return to Open Session.

Vote: 7-yes, 0-no, 0-abstain, 2-absent (Councilor Melissa Pamp, Councilor Fred Harrington Jr.)

Motion carried.

Motion made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to accept the Land and Reservation Committee verbal report as provided in closed session by Treasurer Reyes, Committee Chair for January 23, 2020.

Vote: 7-yes, 0-no, 0-abstain, 2-absent (Councilor Melissa Pamp, Councilor Fred Harrington Jr.)
Motion carried.

Adjournment

5:41 p.m. Motion made by Councilor Tamara Kiogima and supported by Councilor Leroy Shomin adjourn.

Vote: 8-yes, 0-no, 0-abstain, 1-absent (Councilor Melissa Pamp)

Motion carried.

Next Regular Scheduled Meeting:
Thursday, February 6, 2020 at 9:00 a.m.

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



Julie Shananaquet, Tribal Council Secretary

2-6-2020

Date



