

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting Minutes  
February 6, 2020

Call to Order: 9:00 a.m.  
Closed Session: none  
Opening Ceremony Marty Van De Car

Council Present: Councilor Fred Kiogima, Councilor Tamara Kiogima, Councilor Melissa Pamp, Councilor Marty Van De Car, Treasurer Marcella Reyes, Secretary Julie Shananaquet, Legislative Leader Emily Proctor

Absent: Councilor Fred Harrington, Jr., Councilor Leroy Shomin, Councilor Tamara Kiogima

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

Executive Officials and Staff Present: Tribal Chairperson Regina Gasco-Bentley, Vice-Chair Stella Kay, Executive Director Unit II Daugherty Johnson, Gaming Regulatory Director Vince Cook

Judicial Officials and Staff: none

Public: Dexter McNamara, Andrew Stich

Invited Guest: Gaming Regulatory Commission David Dominic, Cathy Bradley, Gaming Authority Matt Stemkoski, Mary Kilmer, Odawa Casino Resort General Manager Ron Olson, Director of Finance Roger Borton, Director of Hospitality Mike Bodjiak, Director of Table Games Nick Foltz, Director of Property Operations Barry Laughlin, Director of Table Games Dennis Shananaquet, Marketing Director Mark Bouschor

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**Motion** made by Secretary Julie Shananaquet and supported by Treasurer Marcella Reyes to Adopt the Agenda of February 6, 2020 as amended.

Vote: 6-yes, 0-no, 0-abstain, 3-absent (Councilor Fred Harrington Jr., Councilor Tamara Kiogima, Councilor Leroy Shomin)  
Motion carried.

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Melissa Pamp to recognize Bob Chicks, member of the Stockbridge Munsee Tribe of Mohican Indians who walked on, and was a long-time LTBB employee and community member.

Vote: 6-yes, 0-no, 0-abstain, 3-absent (Councilor Fred Harrington Jr., Councilor Tamara Kiogima, Councilor Leroy Shomin)  
Motion carried.

**Motion** made by Councilor Melissa Pamp and supported by Councilor Marty Van De Car to approve the Minutes of January 23, 2020 as corrected.

Vote: 6-yes, 0-no, 0-abstain, 3-absent (Councilor Fred Harrington Jr., Councilor Tamara

Kiogima, Councilor Leroy Shomin)  
Motion carried.

**9:14 a.m.** Councilor Tamara Kiogima arrives

#### Executive Oversight Report

Tribal Chairperson Regina Gasco-Bentley: Great strides with State of Michigan regarding computer access for purposes associated with Indian Child Welfare. Chippewa Ottawa Resource Authority 2020 Negotiations update, upcoming United Tribes of Michigan meeting in Lansing, Discussion with Casino regarding insurance and health service expansion.

Executive Director Unit II Daugherty Johnson: Environmental to start testing in Pellston area for polyfluoroalkyl substances (PFAS). Fishing event taking place. Title IV. Formed Web site development work group, need an Event Calendar. Outside contracts regarding plowing services. New home placement.

**Motion** made by Secretary Julie Shananaquet and supported by Treasurer Marcella Reyes to acknowledge the verbal Executive Oversight Report as presented by Tribal Chairperson Regina Gasco-Bentley and Executive Director Unit II Daugherty Johnson on February 6, 2020.

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

Motion carried.

#### Tribal Council Officer Reports:

##### Legislative Leader Report

**Motion** made by Councilor Tamara Kiogima and supported by Treasurer Marcella Reyes to accept Legislative Leader Proctor's verbal and written report for February 6, 2020.

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

Motion carried.

**10:11 a.m.** Break

**10:26 a.m.** Resume

##### Secretary Report

Documents Delivered to the Executive

The following four (4) Statute/Resolution were delivered to the Executive for signature:

-Amendment to Waganakising Odawak Statute 2018-016 Gaming Authority Statute was delivered on 01/10/2020 (due back to Tribal Council on or before 02/10/2020).

-Gaming Regulatory Statute was delivered on 01/14/2020 (due back to Tribal Council on or before 02/13/2020).

- Tribal Government Budget Formulation and Modification Statute was delivered on 01/14/2020 (due back to Tribal Council on or before 02/13/2020).
- Tribal Resolution Six-Month Delay in the Transfer of Funds in the Excess of "Three Year Free Play Amount" was delivered on 01/31/2020 (due back to Tribal Council on or before 03/02/2020)

The following three (3) Tribal Resolution/Statutes were signed by the Executive:

- Tribal Resolution Authorization of Odawa Casino Resort Business Banking Account and Treasury Management Documents and Limited Waiver of Sovereign Immunity and Related Matters was signed 01/24/2020.
- Waganakising Odawak Statute Michelle Chingwa Education Honorarium Act was signed 01/28/2020.
- Amendment to Waganakising Odawak Statute 2009-018 Traditional Tribal Burial Grounds was signed 01/29/2020.
- Limited Liability Company Code was signed 01/29/2020.

Vetoes: none

Phone Polls passed by Tribal Council:

*-01/30/2020 Reason for Phone Poll: Motion to pass Tribal Resolution Six-Month Delay in the Transfer of Funds in Excess of "Three Year Free Play Amount"*  
*Phone Poll Vote: 7 Yes, 0 No, 1 Abstained (Councilor Marty Van De Car), 1 Absent (Councilor Fred Harrington Jr.)*  
*Comments: none*  
*Motion carried.*

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Fred Kiogima to accept Secretary Shananaquet's verbal and written report as provided on the agenda for February 6, 2020.

Vote: 6-yes, 0-no, 0-abstain, 3-absent (Councilor Fred Harrington Jr., Councilor Tamara Kiogima Councilor Leroy Shomin)  
 Motion carried.

#### Treasurer Report

#### **Appropriations and Finance Committee**

-Last Regular Meeting: January 14, 2020

(Motions made at the January 14, 2020 Appropriations and Finance Committee Meeting were presented at the January 23, 2020 Tribal Council Meeting)

-Special Meeting: January 28, 2020

(Motions made at the Special Appropriations and Finance Committee Meeting):

*-Motion made by Councilor Leroy Shomin and supported by Secretary Julie Shananaquet to recommend to Tribal Council to approve Tribal Resolution Six-Month Delay in the Transfer of Funds in Excess of "Three Year Free Play*

Amount".

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carried.

-Motion made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to recommend to Tribal Council approval of the Traditional Tribal Burial Board Inc. FY2020 budget and Odawa Economic Development Management, Inc. 2020 budget.

Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion carried.

-Next Meeting: Tuesday, February 11, 2020 at 9:00 a.m. in Council Chambers

Phone Polls passed by Appropriations and Finance Committee:

01/31/2020 Reason for Phone Poll: Motion to recommend to Tribal Council to approve Certified Motion # 020620-01 Governmental Branch Allocation of General Funds for Fiscal Year 2021.

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

Comments: none

Motion carried.

**Motion** made by Councilor Marty Van De Car and supported by Councilor Melissa Pamp to accept the Appropriations and Finance Committee verbal and written report as provided on the agenda by Treasurer Reyes, Committee Chair for February 6, 2020.

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

Motion carried.

#### **Land and Reservation Committee**

-Last Meeting: December 6, 2019

(Motions made at the December 6, 2019 Land and Reservation Committee Meeting were presented at the December 19, 2019 Tribal Council Meeting)

-Next Meeting: Friday, February 14, 2020 at 9:00 a.m. in Council Chambers

**Motion** made by Councilor Fred Kiogima and supported by Councilor Melissa Pamp to accept the Land and Reservation Committee verbal report as provided on the agenda by Treasurer Reyes, Committee Chair for February 6, 2020.

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

Motion carried.

Tribal Council Member Reports:

Councilor Melissa Pamp: Women are Sacred Conference

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Fred Kiogima to accept Councilor Melissa Pamp's verbal and written report for February 6, 2020.

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

Motion carried.

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Fred Kiogima to approve Tribal Council attendance to the 2020 Women are Sacred Conference, "Carrying our medicine and strengthening our vision to end the violence" to be held in St. Paul, MN on June 23-25, 2020.

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

Motion carried.

### **Legislative Office Reports:**

#### Office of Finance and Revenue

Update on issues specific to responsibilities as Sr. Financial Officer. See written report.

#### -Traditional Tribal Burial Board

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Melissa Pamp to approve the Traditional Tribal Burial, Inc.'s. FY 2020 Budget

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

Motion carried.

**Motion** made by Councilor Melissa Pamp and supported by Councilor Tamara Kiogima to acknowledge receipt of Traditional Tribal Burial, Inc.'s By-laws.

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

Motion carried.

#### -Odawa Economic Development Management

**Motion** made by Councilor Tamara Kiogima and supported by Councilor Melissa Pamp to appoint Tanya Gibbs to the Odawa Economic Development Management, Inc. for the remainder of her 5-year term ending October 8, 2020.

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

Motion carried.

**Motion** made by Councilor Fred Kiogima and supported by Treasurer Marcella Reyes to appoint Belinda Bardwell to the Odawa Economic Development Management, Inc. for the remainder of her 5-year term ending May 21, 2021.

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

Motion carried.

**Motion** made by Councilor Melissa Pamp and supported by Councilor Marty Van De Car to appoint Alan Proctor to the Odawa Economic Development Management, Inc. for the remainder of his 3-year term ending January 25, 2021.

Vote: 6-yes, 0-no, 1-abstain (Legislative Leader Emily Proctor), 2-absent (Councilor Fred Harrington Jr., Councilor Leroy Shomin)

Motion carried.

**Motion** made by Councilor Melissa Pamp and supported by Councilor Fred Kiogima to acknowledge receipt of the verbal and written Odawa Economic Development Management, Inc.'s 2019 4<sup>th</sup> Quarter Report as presented by Tanya Gibbs on February 4, 2020.

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

Motion carried.

**Motion** made by Councilor Melissa Pamp and supported by Councilor Fred Kiogima to approve Odawa Economic Development Management, Inc.'s FY 2020 Budget.

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

Motion carried.

- Ziibimijwang – no report
- Odawa Economic Affairs Holding Corporation – no report
- Odawa Construction – no report

**Motion** made by Secretary Julie Shananaquet and supported by Councilor Tamara Kiogima to accept Sr Financial Analyst Rachel Cope's verbal report for February 6, 2020.

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

Motion carried.

#### Tribal Historic Preservation Officer

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Fred Kiogima to acknowledge receipt of the Tribal Historic Preservation Officer Melissa Wiatrolik's written report for February 6, 2020.

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

Motion carried.

**11:47 a.m.** Public Comment Opens and Closes – No comments

#### Legislative Services Attorney

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Melissa Pamp to acknowledge receipt of Legislative Services Attorney Donna Budnick's verbal report for February 6, 2020.

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

Motion carried.

#### General Counsel

**Motion** made by Councilor Tamara Kiogima and supported by Councilor Melissa Pamp to accept General Counsel Jim Bransky's verbal report for February 6, 2020.

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



Motion carried.

12:17 p.m. Lunch

1:47 p.m. Resume

Legislative Office Manager

**Motion** made by Councilor Marty Van De Car and supported by Councilor Melissa Pamp to accept Legislative Office Manager Michele Portman-LaCount's verbal and written report as presented on February 6, 2020.

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

Motion carried.

Tribal Council Action Items - **Motions**

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Melissa Pamp to approve Certified Motion # 020620-01 Governmental Branch Allocation of General Funds for Fiscal Year 2021.

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

Motion carried.

**Motion** made by Councilor Tamara Kiogima and supported by Treasurer Marcella Reyes to approve Tribal Council Certified Motion # 020620-02 Ad-Hoc Youth Council Committee.

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

Motion carried.

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Fred Kiogima to post Tribal Burial Board Statute to the Legislative Calendar in the Odawa Register as sponsored by Councilor Melissa Pamp.

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

Motion carried.

**Motion** made by Councilor Tamara Kiogima and supported by Treasurer Marcella Reyes to post Natural Burial Grounds Statute to the Legislative Calendar in the Odawa Register as sponsored by Councilor Melissa Pamp.

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

Motion carried.

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Fred Kiogima to acknowledge receipt of Tribal Prosecutor Catherine Castagne's Resignation Letter dated February 3, 2020 effective February 21, 2020.

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

Motion carried.

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Fred Kiogima to accept Citizenship List C-Voluntary Relinquishment dated February 4, 2020 for a total of one (1)

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

Motion carried.

**2:19 p.m.** Break

**2:30 p.m.** Resume

**2:30 p.m.** Gaming Authority and Odawa Casino Resort- Year End Report and 2020 Plans

**3:00 p.m.** Public Comment Opens

- Andrew Stitch: Board notices regarding Committee/Board meetings, Finish Cemetery, Farm payback of loan. Casino revenue to Government. Needed housing.

**3:04 p.m.** Public Comment Closes

**Motion** made by Secretary Julie Shananaquet and supported by Councilor Tamara Kiogima to acknowledge receipt of the Gaming Authority/Odawa Casino Resort's 2019 4<sup>th</sup> Quarter Status Report, Financial Review for Petoskey and Mackinaw, Business Plan and December 2019 Status Report.

Vote: 5-yes, 0-no, 1-abstain (Councilor Marty Van De Car), 3-absent (Councilor Fred Harrington Jr., Councilor Leroy Shomin, Treasurer Marcella Reyes)

Motion carried.

**4:01 p.m.** Break

**4:11 p.m.** Resume

Other Items of Business:

Discussion regarding fiber optics. Presentation did not answer all questions raised by Council. How many phases planned and the projected costs/expenses and possible revenue and returns. Cost comparatives of possible alternatives?

### **Adjournment**

**4:23 p.m.** **Motion** made by Councilor Tamara Kiogima and supported by Councilor Fred Kiogima to adjourn.

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

Motion carried.

Next Regular Scheduled Meeting:  
**Thursday, February 20, 2020 at 9:00 a.m.**

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

  
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Julie Shananaquet Tribal Council Secretary

  
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Date