

**Little Traverse Bay Bands of Odawa Indians
Tribal Council Chambers
7500 Odawa Circle, Harbor Springs, MI 49740
Tribal Council Regular Meeting
February 20, 2020**

Call to Order: **9:01 a.m.**

Opening ceremony: Councilor Melissa Pamp

Closed Session: No

Council Present: Councilor Fred Kiogima, Councilor Melissa Pamp, Councilor Leroy Shomin, Secretary Julie Shananaquet, Legislative Leader Emily Proctor

Absent: Councilor Fred Harrington Jr., Councilor Tamara Kiogima, Councilor Marty Van De Car, Treasurer Marcella Reyes

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Senior Financial Analyst Rachel Cope, Legislative Administrative Assistant Linda Gokee

Corporate Charters Present: Ziibimijwang, Inc. Kafui Ojai Adjei and Rosebud Schneider

Executive Officials and Staff Present: Executive Director- Unit II Daugherty "Duffy" Johnson, Human Resources Generalist Rose Pyant, Chief Financial Officer Carrie Carlson, Purchasing Technician Nataawnee Mickalacki, Housing Administrative Assistant Hunter Johnson, Health Department Office Manager Cathy Bradley, Health Information Manager Kristin Haley, Dennis Lawrence PsyD (Clinical Psychologist), Nitaazhitoojik Industrial Training Project Director Kerstine Bennington, and Communications Coordinator Annette VanDeCar.

Judicial Officials and Staff: none

Public: Doug Emery

Invited Guest: none

Motion made by Secretary Julie Shananaquet and supported by Councilor Melissa Pamp to adopt the agenda for February 20, 2020 as amended.

Vote: 5 - Yes, 0 - No, - Abstained, 4 - Absent (Councilor Fred Harrington Jr., Councilor Tamara Kiogima, Councilor Marty Van De Car, Treasurer Marcella Reyes)

Motion carried.

9:06 a.m. Councilor Fred Harrington Jr. arrives

Motion made by Secretary Julie Shananaquet and supported by Legislative Leader Emily Proctor to dedicate this meeting in honor of the following Tribal Citizens who have walked on: Dawn Noack, Shirley Startup, Mildred LaDuke, Donald Root Jr., Arvella Ten Brink, Mary Hoar (pronounced Oar), Russell Green, Richard Gasco, Donald Chippewa Sr., Wayne Gasco, and Susanne Yates.

Vote: 6 - Yes, 0 - No, - Abstained, 3 - Absent (Councilor Tamara Kiogima, Councilor Marty Van De Car, Treasurer Marcella Reyes)

Motion carried.

Motion made by Secretary Julie Shananaquet and supported by Councilor Melissa Pamp to approve the Regular Meeting minutes of February 6, 2020 as corrected.
Vote: 6 - Yes, 0 - No, - Abstained, 3 - Absent (Councilor Tamara Kiogima, Councilor Marty Van De Car, Treasurer Marcella Reyes)
Motion carried.

Tribal Council Officer Reports:

Legislative Leader Report

- Met with the Executive office regarding Law Enforcement Duties and Obligations on Trust Land. Further discussions held at the Tuesday, February, 2020 Tribal Council Work Session.
- Met with Office Manager Michele Portman-LaCount regarding Administrative duties and Employee PTO
- Attended both the Appropriations & Finance and Land & Reservation Committee Meetings held in February.
- Attended the Tribal State Forum on February 19, 2020 in Lansing, MI. This forum is a meeting for Tribal liaisons with state officials, Line 5, and general exclusion from the State of Michigan.

Motion made by Councilor Fred Harrington Jr. and supported by Councilor Leroy Shomin to accept Legislative Leader Proctor's verbal and written report for February 20, 2020.

Vote: 6 - Yes, 0 - No, - Abstained, 3 - Absent (Councilor Tamara Kiogima, Councilor Marty Van De Car, Treasurer Marcella Reyes)
Motion carried.

Secretary Report

Documents Delivered to the Executive

The following Tribal Resolution's/Statutes were signed by the Executive:

- Tribal Resolution Six-Month Delay in the Transfer of Funds in the Excess of "Three Year Free Play Amount" was signed 02/07/2020.
- Tribal Government Formulation and Modification Statute was signed 02/10/2020

Vetoes (a vote of Tribal Council to override a veto shall occur within 90-days of the veto):

- Amendment to Waganakising Odawak Statute 2018-016 Gaming Authority Statute **VETOED** on 02/07/2020.
- Gaming Regulatory Statute **VETOED** on 02/11/2020

Phone Polls passed by Tribal Council: none

Motion made by Councilor Fred Harrington Jr. and supported by Councilor Fred Kiogima to accept Secretary Shananaquet's verbal and written report as provided on the agenda for February 20, 2020.

Vote: 6 - Yes, 0 - No, - Abstained, 3 - Absent (Councilor Tamara Kiogima, Councilor Marty Van De Car, Treasurer Marcella Reyes)
Motion carried.

Treasurer Report

Appropriations and Finance Committee

-Last Meeting: February 11, 2020

(Motions made at Appropriations and Finance Committee Meeting)

-Motion made by Councilor Leroy Shomin and supported by Treasurer Marcella Reyes to recommend to Tribal Council to approve Ziibimijwang, Inc. FY 2020 Budget.

Vote: 2 Yes, 0 No, 0 Abstain, 1 Absent (Secretary Julie Shananaquet)

Motion carried.

-Motion made by Councilor Leroy Shomin and supported by Treasurer Marcella Reyes to recommend to Tribal Council to approve Tribal Resolution Supplemental funding for Ziibimijwang, Inc. in the amount of \$244,440.

Vote: 2 Yes, 0 No, 0 Abstain, 1 Absent (Secretary Julie Shananaquet)

Motion carried.

-Motion made by Councilor Leroy Shomin and supported by Treasurer Marcella Reyes to recommend to Tribal Council to approve Odawa Economic Affairs Holding Corporation's FY 2020 1st Quarter Budget.

Vote: 2 Yes, 0 No, 0 Abstain, 1 Absent (Secretary Julie Shananaquet)

Motion carried.

-Next Meeting: March 17, 2020 at 9:00 a.m. in Council Chambers

Phone Polls passed by Appropriations and Finance Committee: none

Motion made by Secretary Julie Shananaquet and supported by Councilor Fred Harrington Jr. to accept the Appropriations and Finance Committee verbal and written report as provided on the agenda by Councilor Leroy Shomin, Committee Member for February 20, 2020.

Vote: 6 - Yes, 0 - No, - Abstained, 3 - Absent (Councilor Tamara Kiogima, Councilor Marty Van De Car, Treasurer Marcella Reyes)

Motion carried.

Land and Reservation Committee

-Last Meeting: February 14, 2020

(Motions made at Land and Reservation Committee Meeting)

-Motion Councilor Fred Kiogima and supported by Legislative Leader Emily Proctor to recommend to Tribal Council to assign Land Parcel #126 to Odawa Economic Development Management, Inc. for the purpose of possibly pursuing as economic development.

Vote: 2 - Yes, 0 - No, 0 - Abstain, 1 - Absent (Treasurer Marcella Reyes)

Motion carried.

-Next Meeting: Friday, March 6, 2020 at 9:00 a.m. in Council Chambers

Phone Polls passed by Land and Reservation Committee: none

Motion made by Secretary Julie Shananaquet and supported by Councilor Melissa Pamp to accept the Land and Reservation Committee verbal and written report as

provided on the agenda by Councilor Fred Kiogima, Committee Secretary for February 20, 2020.

Vote: 6 - Yes, 0 - No, - Abstained, 3 - Absent (Councilor Tamara Kiogima, Councilor Marty Van De Car, Treasurer Marcella Reyes)

Motion carried.

Executive Oversight Report:

- Tribal Chair and Health Director Jody Werner are attending the United Tribes Meeting in Lansing, MI. Jody was invited to attend this year's meeting to talk about the success of the Tribes pharmacy.
- Working on the FY 2021 Budget
- Executive Director- Unit I Phil Harmon is out of the office
- Update on Lot 13. Working with Great Lakes Energy, have removed and sealed the skylights as they were leaking. It is the Executive's intention to have the house ready to go in thirty (30) days providing no other problems arise.

Questions from Tribal Council:

- Tribal Council would like the Health Director to speak with Council in regards to after hour and weekend Urgent Care services in respect to treatment Tribal Citizens receive upon check in from business receptionists.
- How long does it take the Tribal Chair to forward nominations to Tribal Council for Citizens interested in serving on charters and/or boards?
- Would like Planning Director Amanda Swiss to give update on EMGO/SRR and Tribal Transportation Funding.

Motion made by Councilor Leroy Shomin and supported by Councilor Melissa Pamp to acknowledge the verbal and written Executive Oversight Report as presented by Executive Director- Unit II Daugherty "Duffy" Johnson on February 20, 2020.

Vote: 6 - Yes, 0 - No, - Abstained, 3 - Absent (Councilor Tamara Kiogima, Councilor Marty Van De Car, Treasurer Marcella Reyes)

Motion carried.

9:30 a.m. Introduction of new Tribal Government Employees

Natawnee Mickalacki-Purchasing Technician
Hunter Johnson-Housing Administrative Assistant
Kristin Haley – Health Information Manager
Dennis Lawrence-Master's Level Counselor
Kerstine Bennington-NIT Project Director

9:31 a.m. Public Comment Opens

- Tribal Elder Doug Emery commented he submitted his Letter of Interest and Resume for the Gaming Authority to the Tribal Chair. To date, his information has not been forwarded to Tribal Council for consideration. This is unfair practice by the Tribal Chairperson.

9:34 a.m. Public Comment Closed

9:35 a.m. Councilor Tamara Kiogima arrives

Tribal Council Member Reports: No reports

Legislative Office Reports:

Office of Finance and Revenue

- i. Corporate Charters and/or Board Updates:
 - i-a. Traditional Tribal Burial Board. Inc. – No report
 - i-b. Odawa Economic Development Management, Inc. – No report
 - i-c. Ziihimijwang, Inc. – No report
 - i-d. Odawa Economic Affairs Holding Corporation, Inc. – No report
 - i-e. Odawa Construction Corporation, Inc. – No report

II. Senior Financial Analyst

- White house opening.
- Odawa Construction Corporation is working on obtaining their Employer Identification Number (EIN) in order to open a bank account.
- Merrill Lynch would like to plan their annual visit in May 2020 to update Tribal Council on our investment accounts.
- Crime renewal application for Tribal Council.
- Budget Season.
- Received a call from the Mid-American Real Estate regarding Walgreen's. It has been purchased by another individual.
- Budget and expense questions for Appropriations and Finance Committee on March 17, 2020.
- Would like to formally request the Executive for a report on the 2018 cyber-attack such as when was the claim filed, the cost of damages, has the claim been paid?

Questions by Tribal Council:

- Larkin payment.
- Fiber Optic funding.

Motion made by Councilor Fred Harrington Jr. and supported by Councilor Fred Kiogima to accept Sr Financial Analyst Rachel Cope's verbal and written report for February 20, 2020.

Vote: 7 - Yes, 0 - No, - Abstained, 2 - Absent (Councilor Marty Van De Car, Treasurer Marcella Reyes)

Motion carried.

Tribal Historic Preservation Officer – No report

Legislative Services Attorney

- Working with Stuart Fenton on Domestic Violence Statutes.
- Codifying rules of evidence. Tribal Court uses federal rules of evidence.
- Working on the annual Tribal Council report for the Community Meeting. Senior Financial Analyst Rachel Cope will be working with Treasurer Marcella Reyes on the Treasurers Report.
- The Health Ad-hoc will meet next week. Waiting for data from Gallagher.

Motion made by Councilor Tamara Kiogima and supported by Councilor Leroy Shomin to acknowledge receipt of Legislative Services Attorney Donna Budnick's verbal and written report for February 20, 2020.

Vote: 7 - Yes, 0 - No, - Abstained, 2 - Absent (Councilor Marty Van De Car, Treasurer Marcella Reyes)

Motion carried.

General Counsel – No report

10:04 a.m. Break

10:18 a.m. Resume

Legislative Office Manager – No report

Tribal Council Action Items:

Motion made by Councilor Melissa Pamp and supported by Councilor Fred Kiogima to approve Ziihimijwang, Inc. FY 2020 Budget.

Vote: 5 - Yes, 0 - No, - Abstained, 4 - Absent (Councilor Fred Harrington Jr., Councilor Tamara Kiogima, Councilor Marty Van De Car, Treasurer Marcella Reyes)

Motion carried.

Motion made by Councilor Melissa Pamp and supported by Councilor Leroy Shomin to approve Odawa Economic Affairs Holding Corporation's FY 2020 1st Quarter Budget.

Vote: 5 - Yes, 0 - No, - Abstained, 4 - Absent (Councilor Fred Harrington Jr., Councilor Tamara Kiogima, Councilor Marty Van De Car, Treasurer Marcella Reyes)

Motion carried.

Motion made by Councilor Leroy Shomin and supported by Secretary Julie Shananaquet to authorize Treasurer Marcella Reyes to submit an application to Tribal First for the Great American Insurance Group/Crime Supplemental Insurance Policy Renewal for Tribal Council.

Vote: 5 - Yes, 0 - No, - Abstained, 4 - Absent (Councilor Fred Harrington Jr., Councilor Tamara Kiogima, Councilor Marty Van De Car, Treasurer Marcella Reyes)

Motion carried.

Motion made by Councilor Leroy Shomin and supported by Councilor Melissa Pamp to assign Land Parcel #126 to Odawa Economic Development Management, Inc. for the purpose of possibly pursuing as economic development.

Vote: 5 - Yes, 0 - No, - Abstained, 4 - Absent (Councilor Fred Harrington Jr., Councilor Tamara Kiogima, Councilor Marty Van De Car, Treasurer Marcella Reyes)

Motion carried.

Motion made by Councilor Melissa Pamp and supported by Councilor Fred Kiogima to post the Domestic Violence Statute to the Legislative Calendar in the Odawa Register as sponsored by Councilor Marty Van De Car.

Vote: 5 - Yes, 0 - No, - Abstained, 4 - Absent (Councilor Fred Harrington Jr., Councilor Tamara Kiogima, Councilor Marty Van De Car, Treasurer Marcella Reyes)

Motion carried.

Motion made by Councilor Melissa Pamp and supported by Councilor Fred Kiogima to post Amendment to Waganakising Odawak Statute 2015-005 Victims' Rights Statute to the Legislative Calendar in the Odawa Register as sponsored by Councilor Marty Van De Car.

Vote: 5 - Yes, 0 - No, - Abstained, 4 - Absent (Councilor Fred Harrington Jr., Councilor Tamara Kiogima, Councilor Marty Van De Car, Treasurer Marcella Reyes)

Motion carried.

Motion made by Councilor Melissa Pamp and supported by Councilor Fred Kiogima to post Personal Protection Orders and No Contact Orders and Violations of Protective Orders Statute to the Legislative Calendar in the Odawa Register as sponsored by Councilor Marty Van De Car.

Vote: 5 - Yes, 0 - No, - Abstained, 4 - Absent (Councilor Fred Harrington Jr., Councilor Tamara Kiogima, Councilor Marty Van De Car, Treasurer Marcella Reyes)

Motion carried.

Motion made by Councilor Melissa Pamp and supported by Councilor Leroy Shomin to approve Citizenship List A-Eligible for Citizenship dated February 19, 2020 for a total of three (3).

Vote: 5 - Yes, 0 - No, - Abstained, 4 - Absent (Councilor Fred Harrington Jr., Councilor Tamara Kiogima, Councilor Marty Van De Car, Treasurer Marcella Reyes)

Motion carried.

Motion made by Councilor Leroy Shomin and supported by Legislative Leader Emily Proctor to approve Citizenship List B-Declination (Ineligible) dated February 19, 2020 for a total of one (1).

Vote: 5 - Yes, 0 - No, - Abstained, 4 - Absent (Councilor Fred Harrington Jr., Councilor Tamara Kiogima, Councilor Marty Van De Car, Treasurer Marcella Reyes)

Motion carried.

Legislative Leader called for motion to adopt Tribal Resolution Supplemental funding for Ziibimijwang, Inc. in the amount of \$224,440 to come from the General Fund-Fund Balance restricted for Economic Development.

No action due to lack of motion and support.

Legislative Leader called for motion to pass Waganakising Odawak Statute Constitutionally Mandated Compensation for Election Board Members.

No action due to lack of motion and support.

Motion made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to appoint Legislative Leader Emily Proctor, Councilor Tamara Kiogima, and Councilor Melissa Pamp to the Tribal Youth Ad-Hoc Council Committee.

Vote: 6 - Yes, 0 - No, - Abstained, 3 - Absent (Councilor Fred Harrington Jr., Councilor Marty Van De Car, Treasurer Marcella Reyes)

Motion carried.

Other Items of Business:

- a. Gaming Authority – No report
- b. Tribal Charters need to make sure their meeting dates, times, and locations are posted to the web calendar and to their respective web pages as Tribal Citizens would like to attend these meetings.

10:36 a.m. Public Comment Opens

- Linda Gokee commented the need for the Executive Branch to explore after hour care and weekend Urgent Care services be provided by the Tribal Health Clinic as she and her minor son were treated badly by the receptionist at the facility she was directed to go to because she did not have a reference number. Minor child was not seen.

10:38 a.m. Public Comment Closed

Ziibimijwang, Inc. Kafui Ojai Adjei and Rosebud Schneider presented to Tribal Council their 2020 Farmer of the Year Award presented to Ziibimijwang Farm.

Adjournment

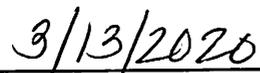
10:51 a.m. Motion made by Councilor Tamara Kiogima and supported by Councilor Leroy Shomin to adjourn.

Vote: 7 - Yes, 0 - No, - Abstained, 2 - Absent (Councilor Marty Van De Car, Treasurer Marcella Reyes)

Motion carried.

Next Scheduled Meeting
Thursday, March 12, 2020 at 9:00 a.m.

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

	
Julie Shananaquet, Tribal Council Secretary	Date

