

**Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
October 20, 1996**

**Closed Session:** A closed session was held.

**Called to Order:** 10:44 a.m. Vice-Chairperson, Shirley Oldman conducted meeting.

**Opening Ceremony:** Opening ceremony was conducted by Alice Yellowbank

**Council Present::** George Anthony, Shirley Oldman, Barry Laughlin, Alice Yellowbank

**Council Absent,** Frank Ettawageshik, Patti Dyer-Deckrow, Janet Shomin

**LTBB Staff Present:** Susan Keller, Michelle Chingwa, Julie Skippergosh

**Guests:** See Attached List

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**Agenda**

Agenda was reviewed and amended.

**Motion** was made by **George Anthony** and was **Seconded** by **Barry Laughlin** to accept agenda as amended.

**Vote: 4 YES                    0 NO                    0 ABSTAINED                    MOTION CARRIED**

**Bills:**

Bills were discussed.

**Motion** was made by **George Anthony** and was **Seconded** by **Barry Laughlin** to accept bills as presented with the addition of a letter being sent to Dorsey and Whitney terminating services upon final bill.

**Vote: 4 YES                    0 NO                    0 ABSTAINED                    MOTION CARRIED**

**Guests Arrive:** Jim Bransky arrived at 11:00 a.m.

**Guests Arrive:** Frank Shunock arrived at 11:16 a.m.

**Council Arrives:** Janet Shomin arrived at 11:30 a.m.

**Council Arrives:** Patti Dyer-Deckrow arrived at 11:40 a.m.

**Minutes**

A discussion was held on meeting minutes and corrections were made.

**Motion** was made by **George Anthony** and was **Seconded** by **Janet Shomin** to approve Tribal Council meeting minutes of September 22, 1996 as amended.

**Vote: 6 YES                    0 NO                    0 ABSTAINED                    MOTION CARRIED**

**Comments:** Council requested corrected copies of the minutes be sent to Council members.

**Phone Poll**

Shirley discussed the phone poll that was conducted on October 15, 1996.

**Motion** was made by **George Anthony** and was **Seconded** by **Patti Dyer-Deckrow** to approve the phone poll conducted on October 15, 1996 of an additional \$100.00 for the gift of a medicine bag made by Theresa Shawanese for the Dominic Family.

**Vote: 6 YES                    0 NO                    0 ABSTAINED                    MOTION CARRIED**

**Comments:** Shirley requested that a resolution be drawn up today by Jim Branksy to go along with the phone poll. **Motion** was made by **Alice Yellowbank** and was **Seconded** by **Patti Dyer-Deckrow** to adopt **Resolution #10209601** acknowledging the accomplishments and sacrifices of Robert and Waunetta Dominic to the Dominic Family.  
**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **MOTION CARRIED**

**Public Comment:** Public comment opened at 12:46 p.m.  
**Public Comment:** Public comment closed at 12:46 p.m.

The Enrollment Officer asked Alice Yellowbank and Patti Dyer-Deckrow if they would like the Enrollment files they requested be brought to the table, and Alice and Patti stated they would.

Frank Shunock asked Council at this point where they would want him to give his report. Council directed Frank Shunock to give his report at this time and he was placed on the agenda before the Tribal Administrator's Report.

### **Fee & Trust Applications**

Frank Shunock started his report stating that he has reviewed the Fee & Trust Applications. He feels that there are not any major issues raised by the solicitors office or Marianna. He addressed the Maudry tract and suggested that if Council were to have any questions regarding this tract, they could contact Frank Shunock directly and they could address the issue together. He feels that by doing this money would be saved and that fee in trust is something he and Council can handle together. Information should be copied to Mike Hall, but directed to Paul Filzer or Frank Shunock.

### **Sault Ste. Marie Tribe**

Frank Shunock addressed the meeting that was conducted with the Secretary of Interior. Frank stated that in the meeting, Mr. Babbitt made it clear to the Sault Tribe that if they expected to get any type of favors from Washington in the future they better clean up their act and quit hassling the other three Tribes. Bruce Green, legal counsel from Boulder, Colorado, is the Counsel for the Sault Tribe. Paul has had contact with Bruce Green and was told that Bruce has been instructed to put this deal to bed with the Odawa. He has been mandated to solve the problem with the compact and come to some arrangement with the other two Tribes. A follow up meeting was held with Bernard Boushard, Bruce Green, and Dan Green. The Sault Tribe gave a proposal orally without offering anything in writing. They verbally stated that they want to work with the Odawa and establish a joint venture agreement covering Mackinaw and St. Ignace. They want to combine St. Ignace and Mackinaw and turn it into an attractive package for tourism. The Sault Tribe has put their casino expansion on hold until they find out what LTBB is going to do. Bruce Green was instructed to complete a written proposal to give to Chairman Ettawageshik, and he in turn would bring this to Council.

Frank Shunock feels that the Land in Trust should be completed by February. The Management contract could possibly be completed by February or May. He felt it would take LTBB approximately 90 days to put up a temporary facility.

**Motion** was made by **George Anthony** and was **Seconded** by **Barry Laughlin** to accept Frank Shunock's verbal report.  
**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **MOTION CARRIED**

**Recess:** A five minute recess was called at 1:14 p.m. Meeting was called back to order at 1:22 p.m.

### **TRIBAL ADMINISTRATORS REPORT**

## **Procedures**

The Tribal Administrator handed out written copies of office procedures for review. The current plan is to attempt to develop procedures for current day to day operations. She requested that Council review these procedures in their leisure and bring back any recommendations they may have. She has given the direction to the other department heads to develop procedures for their individual departments. The process for the procedures is that the department head will develop the procedure, the Tribal Administrator will review each procedure, discuss with the department head if there are concerns, and then provide the procedure to Council for further recommendations and/or approval.

## **Accounting**

The Tribal Administrator informed Council on the activity of the accounting office. She stated that all payroll has been straightened out and charged to the right accounts. The accounting department has started to implement a purchase order system and some businesses have been contacted and have issued verbal agreements. There is still the need in the accounting department to get non-payroll costs allocated to the right account. A plan of action on certain items for the accounting department has been developed and the accountant continues to work on this.

The Tribal Administrator stated that the Tribal Chairman wants LTBB to follow up with Killer & Associates. Killer & Associates are willing to do this. It is important that the Indirect for the 97 budget and other systems are put into place. This is needed in order to assist in a smooth transition from the current software, Quicken, to the Fundware Software. LTBB needs to prepare for an A-128 Audit that will be conducted in the future. It is felt by the Tribal Administrator that at this point we would not pass an A-128 audit. Francis Killer is willing to come and address the Tribal Council on November 3rd. He will stay at LTBB for the following week to assist with the indirect cost rate proposal and the other areas that have been identified as needing Killer's expertise.

Chairman Ettawageshik and the Tribal Administrator did not discuss the cost of Killer & Associates returning to LTBB. The Tribal Administrator stated that the Chairman felt that LTBB could pay for this additional service. A discussion followed regarding the job qualifications surrounding the positions of the Accountant and the accountant assistant in the way of wages, hiring practices, degrees.

## **Travel**

When the application was submitted to American Express it created some confusion. American Express does not have a need for the resolution waiving Tribal sovereignty. American Express wanted to know if LTBB wanted this resolution returned or would LTBB prefer that American Express shred the resolution. Council directed the Tribal Administrator to have American Express shred this resolution. Once American Express receives the money from LTBB, they will begin the process of setting LTBB up with government airfares and travel cards.

Council made a request that they would like a report on any new staff that comes on board. Pertinent information would include starting date, job title, and starting wage. Council would like priority given to the hiring of a grant writer.

## **511 Contract**

Arlene & Mary Lou informed Council that Theresa Boda has moved from the position of Enrollment Clerk to Administrative Assistant for the Substance Abuse Department. Robert De Young has been hired as the Community Service Monitoring Supervisor for the Substance Abuse Department. Paul Hornbogen and David Madison have been hired as the substance abuse counselors for the Substance Abuse Department.

A concern regarding phone billing was discussed. Council would like to know how the separate accounts for the phone are separated out for each department. The Tribal Administrator plans on presenting this to Francis Killer for

his recommendations as to how we take money for each telephone account, utilities, space costs, etc.

Another concern voiced by Council was that a Tribal Judge will have to be brought on board soon for the Tribal Court

**Motion** was made by **George Anthony** and was **Seconded** by **Patti Dyer-Deckrow** to accept the Tribal Administrator's verbal report.

**Vote: 6 YES                      0 NO                      0 ABSTAINED                      MOTION CARRIED**

**Motion** was made by **George Anthony** and was **Seconded** by **Patti Dyer-Deckrow** to excuse the Tribal Administrator from the Council meeting at 2:05 p.m.

**Vote: 6 YES                      0 NO                      0 ABSTAINED                      MOTION CARRIED**

### **HEALTH DIRECTOR'S REPORT**

The Health Department Director offered an apology for the recent breach of confidentiality that occurred in the Health Department. She informed Council that she attended the internment of the Saginaw/Chippewa's ancestral ceremony. The Saginaw/Chippewa Tribe conducted a giveaway after the ceremony. Arlene acted as the representative for LTBB. She brought back a sweet grass basket and presented it to the Tribal Council. Arlene also gave a report on the van recently purchased for the Health Department and the Sacred Hoop that came to the LTBB office on October 16, 1996.

The Tribal Seal was briefly discussed. Barry will find out the cost of duplicating the Tribal seal.

The Health Director gave a report on the USDA and it's representative, Joe Templin. She will be sending a letter stating LTBB has the capability of operating the food commodities program.

Joe Templin informed Arlene that he does not have administrative money for the LTBB Program. He is currently collecting leftover funds from other food commodities programs and will allocate this money to LTBB. Arlene would like to keep Janet Sagataw on board through a stipend. They also have access to a truck, a computer, a printer, and postage. Joe Templin felt that the USDA could supply LTBB with computer paper supplies. They also have some food that they can provide to LTBB. Grant Ackon, a USDA representative of Bay Mills, is agreeable to working with LTBB. He has offered to do the ordering and storing of the commodities food in the Bay Mills warehouse.

Bay Mills will also buy the truck and then turn it over to LTBB where the food commodities would be done as a tailgate project. The Health Director further stated that LTBB would have money for gas and maintenance of the truck. January 1, 1997 is the beginning of a new year. Arlene stated that there would be money for a nutrition aid and education.

Bay Mills would also like to send a financial representative to LTBB on 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> of November to instruct the accounting department the process of completing draw downs. The Health Director stated that the goal is for LTBB being able to do food distribution on December 1. She also stated that LTBB will have the capability of keeping extra food on hand for Tribal members for food emergencies. LTBB will have to limit their food distribution to the three county area which is Emmet, Cheboygan, and Charlevoix. These three counties make up 85% of our Tribal population. She further stated that members can drive into one of these three counties to receive food.

It was stated that once LTBB establishes a land base, our Tribal status will change, and we will be able to do more things.

The Health Director requested a resolution from Council, stating that they are willing to work with Bay Mills in assisting LTBB's Commodity Food Program.

**Motion** was made by **George Anthony** and was **Seconded** by **Barry Laughlin** for a resolution **10209602** in support of the USDA Food Distribution Program in conjunction with Bay Mills.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **MOTION CARRIED**

**Comments:** Alice would like a statistical report showing how many clients are being served by this program.

**Motion** was made by **Barry Laughlin** and was **Seconded** by **Janet Shomin** to accept Health Director's verbal report.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **MOTION CARRIED**

Janet Sagataw issued a letter to Council regarding the hours of in kind that she was donating to LTBB. The letter was discussed by Council and that they are appreciative of this donation.

**Motion** was made by **Janet Shomin** and was **Seconded** by **George Anthony** to accept the letter from Janet Sagataw offering 79 hours of in kind support for LTBB.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **MOTION CARRIED**

### **Enrollment**

The Enrollment Officer presented a report regarding documentation on Alex Gasco. She also discussed her concerns regarding Tribal members confidentiality and a possibility of breaching this confidentiality. She expressed concern regarding other employees setting up office in the Enrollment Department. This puts a strain on Enrollment personnel when discussing Tribal applicant's documentation or the contents of their file with other Enrollment staff and/or with the Enrollment Committee when researching data for enrolling members. She feels that a separation of the Enrollment Office from other departments is needed. A possible suggestion would be to construct a wall in the current Enrollment Office. The Enrollment Officer provided two lists to Tribal Council to review and approve. List A was for new members. List B was for members who were relinquishing their membership with LTBB.

**Motion** was made by **Janet Shomin** and was **Seconded** by **Barry Laughlin** to accept List A of new members.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **MOTION CARRIED**

**Motion** was made by **Barry Laughlin** and was **Seconded** by **Patti Dyer-Deckrow** to accept List B of Relinquishments.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **MOTION CARRIED**

**Comments:** George questioned if the members who were relinquishing their membership were being fully informed of the impact of this. Julie informed Council that the repercussions of relinquishment is stated on the relinquishment form which is included in the enrollment package that is sent to the member. The member who is requesting relinquishment is informed of the ramifications when relinquishing, and this information is charted on the member's activity sheet.

**Motion** was made by **George Anthony** and was **Seconded** by **Alice Yellowbank** to accept the Enrollment Officer's written and verbal enrollment report.

**Comments:** Tribal Council gave a directive to Chairman Ettawageshik to sign membership cards and forms for the Enrollment Office by the next Council meeting.

**Staff Arrive:** Denneen Smith arrived at 3:35 p.m.

### **Tribal Court/Probation Officer**

Denneen Smith gave a verbal report to Council. She stated she was attending this meeting in order to meet each Council member directly. She did an overview of what she is currently working on as the probation officer, and answered questions posed by Council.

**Motion** was made by **Janet Shomin** and was **Seconded** by **Barry Laughlin** to accept Tribal Court Probation Officer's verbal and written report.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **MOTION CARRIED**

### **Attorney**

Jim Bransky informed Council that the letter of intent from Noram needed to be addressed. An extension of three months of this management agreement was acceptable to Noram.

**Motion** was made by **Alice Yellowbank** and was **Seconded** by **Patti Dyer-Deckrow** to authorize Chairman Ettawageshik to sign an extension of the letter of intent with Noram from November 5, 1996, to January 5, 1997.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **MOTION CARRIED**

**Motion** was made by **George Anthony** and was **Seconded** by **Patti Dyer-Deckrow** to table Personnel Policies.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **MOTION CARRIED**

It was decided by Council that a special meeting will be called for on November 16th, Saturday in order to complete the Personnel Policies.

**Motion** was made by **Janet Shomin** and was **Seconded** by **Barry Laughlin** to conduct a working session meeting on November 16th at 10:00 for completion of the Personnel Polices only.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **MOTION CARRIED**

**Motion** was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to table Economic Development Statute to the legislative calendar.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **MOTION CARRIED**

Jim Bransky was concerned regarding the amount of legislative items on the agenda and the continuous tabling of these items because of lack of time during Tribal Council meetings. It was decided that the first Council meeting of every month will be administrative and staff would provide written reports for this meeting. The second meeting of the month will be for legislative items only.

**Motion** was made by **Patti Dyer-Deckrow** and was **Seconded** by **Janet Shomin** to conduct the administrative staff meeting the first meeting of the month, with the second meeting being a legislative meeting.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **MOTION CARRIED**

**Motion** was made by **George Anthony** and was **Seconded** by **Patti Dyer-Deckrow** to table Commissions Procedures to the legislative calendar.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **MOTION CARRIED**

### **Organizational Chart**

The organizational chart was briefly discussed.

**Motion** was made by **Janet Shomin** and was **Seconded** by **Alice Yellowbank** to table the Organizational Chart to the legislative calendar.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **MOTION CARRIED**

## **Tribal Council Procedure Manual**

Barry briefly discussed the Tribal Council procedural manual.

**Motion** was made by **Patti Dyer-Deckrow** and was **Seconded** by **Janet Shomin** to table Tribal Council Procedure Manual to the legislative calendar.

**Vote:** 5 YES            **Barry Laughlin** 1 NO            0 ABSTAINED            **MOTION CARRIED**

The Emmet Street Purchase agenda item was moved to the Chairman's Report section.

## **Sage Council**

Vice-Chairperson, Shirley Oldman stated the need for Tribal Council to submit a recommendation for a Sage Council representative. This person would be somebody that is a spiritual leader in our native community. A discussion was held regarding how these representatives would be reimbursed for mileage. The Sage Council by-laws were reviewed and Council felt that this was budgeted in the Sage Council by-laws.

Shirley stated that she has already approached Peggy Heminway asking if she was interested in acting as the LTBB Sage Council representative. Peggy stated she would like to act as the representative. It was decided that Council would ask Joe Mitchell to act as the LTBB Sage Council representative and if Joe agreed, Peggy would be an alternate representative for meetings Joe could not attend.

**Motion** was made by **Barry Laughlin** and was **Seconded** by **Janet Shomin** to ask Joe Mitchell to be a representative of LTBB for the Sage Council with Peggy Hemingway as alternate.

**Vote:** 6 YES            0 NO            0 ABSTAINED            **MOTION CARRIED**

## **Holy Childhood Letter**

The letter that Shirley Oldman was directed to compose regarding LTBB's requests as to how the graves are handled was distributed to Council. A discussion ensued pertaining to what types of fencing could be used to block off the graves. It was decided that a hedge or a shrub type of fence would be preferred. The letter was also revised to state that early November would be when the wreaths would be placed on the marker at the grave site. Council is still working on finding a person willing to act as a liaison between the Tribe and the Renovation Committee.

## **Health Board Commissions Statute**

The Health board by-laws were reviewed by Jim Bransky. A statute has been developed and will be discussed at the legislative meeting. Shirley wants this item to be made a priority. Copies of the Health Board Commissions Statute were distributed to Council for their review.

**Motion** was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to add the Health Commissions Statute to the legislative calendar.

**Vote:** 6 YES            0 NO            0 ABSTAINED            **MOTION CARRIED**

## **TRIBAL CHAIRMAN'S REPORT**

### **Judgment Funds**

Patti questioned if all of Council have to be in agreement with what the Sault Tribe has offered. Jim Bransky stated that LTBB would want to submit some type of proposal by November 15 to the Department Of Interior. Council would like to receive a copy of the letter that was drawn up by Marianna Shulstead to Chairman Ettwageshik.

**Sault Ste. Marie Tribe:**

This portion of the Chairman’s report was discussed and Jim Bransky stated that Tribal Council will have to wait for the Sault Tribe’s letter of proposal and discuss it.

**Emmet Street Purchase**

Jim Bransky stated that he has reviewed the packet of information regarding the Emmet Street Purchase. The language in the mortgage was briefly discussed. Jim prepared a resolution for the Emmet Street Purchase.

**Motion** was made by **Janet Shomin** and was **Seconded** by **George Anthony** to adopt **Resolution 10209603** in support of the Emmet Street property purchase.

**Vote: 6 YES                      0 NO                      0 ABSTAINED                      MOTION CARRIED**

**US Attorney Meeting**

Jim Bransky stated to Council that he felt we have a US Attorney who is willing to cooperate with the Tribe. The Consent Agreement was discussed. This is an agreement for fishing which expires in the year 2000. The US Attorney’s office wants to know the Tribal concerns so they can be aware of what their responsibility to Tribes is going to be in the future.

There has been a lot of complaints that the federal courts are not doing their jobs in Indian Country. Plans have been made to have a federal magistrate court to meet in Upper and Lower Michigan. A Tribal Prosecutor would be sought to prosecute federal crimes in Indian Country. This would be someone who would be appointed by the Tribe.

Boundary issues were discussed. There has been a Tribal opinion submitted to the US Attorney’s office. The US Attorney’s office is waiting for a decision from Troy Woodward of the Department of Interior.

Jim discussed the fact that there may be the availability of funds for training for officers from the Justice Fund. Training for officers of Tribal Court and also victim money. He has talked with Kate Hooker regarding what money is available. There is also the possibility of Conservation and Firemen training. Chairman Ettawageshik is going to investigate how we can access this money for current and future staff.

**Ground Breaking News**

George Anthony gave a report regarding the Grand Traverse Band issuing inland hunting and fishing licenses. He stated where LTBB was at regarding this issue. Jim Bransky requested that the issue of inland hunting and fishing be moved to the legislative calendar.

**Motion** was made by **Janet Shomin** and was **Seconded** by **George Anthony** to add Inland Code to the legislative calendar of November 17.

**Vote: 6 YES                      0 NO                      0 ABSTAINED                      MOTION CARRIED**

**Motion** was made by **Patti Dyer-Deckrow** and was **Seconded** by Alice Yellowbank to accept Chairman Ettawageshik’s written report.

**Vote: 6 YES                      0 NO                      0 ABSTAINED                      MOTION CARRIED**

**Comments:** Patti would like to see the Attorney General’s opinion on the tuition waiver. She believes this report was delivered to Chairman Ettawageshik. Susan will try to locate this information and relay it to Patti.



**Public Comment:** Public comment opened at 5:11 p.m. Shirley questioned when the newsletter would be completed. Susan informed Tribal Council that the hard drive on her computer had crashed. The newsletter would be delayed, but if Tribal Council wanted to make this a priority item they could do so.

**Public Comment:** Public comment closed at 5:25 p.m.

**Motion** was made by **Patti Dyer-Deckrow** and was **Seconded** by **George Anthony** to go into closed session at 5:15 p.m.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **MOTION CARRIED**

**Motion** was made by **Janet Shomin** and was **Seconded** by **George Anthony** to adjourn Tribal Council Meeting of October 20, 1996 at 6:05 p.m.

These minutes have been read and approved as written:

\_\_\_\_\_  
Barry Laughlin, Tribal Council Secretary

\_\_\_\_\_  
Date