

**Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
November 17, 1996**

Closed Session: A closed session was held.

Called To Order: 10:34 a.m.

Opening Ceremony: Opening ceremony was conducted by George Anthony.

Council Present: George Anthony, Janet Shomin, Frank Ettawageshik, Barry Laughlin, Patti Dyer-Deckrow, Alice Yellowbank.

Council Absent: Shirley Oldman

Staff Present: Susan Keller, Michelle Chingwa

Guests Present: See attached list.

AGENDA:

Agenda was modified.

Motion was made by **Patti Dyer-Deckrow** and was **Seconded** by **Alice Yellowbank** to adopt agenda as amended.

Vote: 6 YES 0 NO 0 ABSTAINED **Motion Carried**

Council Arrives: Shirley Oldman arrived at 11:09 a.m.

LTBB Logo:

Bea Law requested permission to add the colors to the logo and to digitize the logo. She would digitize the logo, add the colors, and then send a sample back to Council for review.

The copyright issue of the logo was discussed. Jim Bransky stated that the Tribe owns the logo based on the contest rules and the signatures obtained. To protect the logo from unauthorized use, it would make sense to file a copyright. Jim does not feel that it is necessary to copyright the logo in order to establish ownership by the Tribe. Bea stated that once the logo is digitized LTBB not only owns the logo, LTBB also would own the disk that contains the digitized logo.

A discussion was held on if there should be a licensing fee. It was decided that there would be a \$25.00 annual fee for a license to use the logo. It was stated that the charge by Image Quest for digitizing the logo would be \$250.00.

A Resolution, #11179601, was completed to grant a one year license to Image Quest to use the Tribal logo for a fee of \$25.00.

Motion was made by **Barry Laughlin** and was **Seconded** by **Alice Yellowbank** to adopt Resolution #11179601 which grants a one year license to use the Tribal logo for a fee of \$25.00 to Image Quest.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

Comments: It was decided that any individual order over 100, involving the Tribal Logo, will be brought to Council for prior approval.

Digitizing of Logo:

A discussion was held on digitizing the LTBB logo and what would be involved in digitizing the logo.

Motion was made by **Barry Laughlin** and was **Seconded** by **George Anthony** authorizing up to \$300.00 for digitizing of the LTBB logo by Image Quest.

Vote: YES NO ABSTAINED **Motion Withdrawn**

Motion was withdrawn by Barry Laughlin because he felt he was making a motion on a logo that had been voted in by Tribal members. He felt the logo voted in was now being changed by Council.

A discussion was held on the logo and the problems involved in digitizing the logo that won the contest. Council also discussed the fact that the artist has stated that he could add the LTBB name and put Waganaksing Odawa at the bottom of the logo. The general consensus was that you need both Little Traverse Bay Bands and Waganaksing Odawa on the logo.

Bea stated that if more letters were added to the logo, this would raise the cost of digitizing. In order to figure the additional cost, she would type the name LTBB on a machine and a computer would report how many stitches had been used for these additional letters.

Motion was made by **Shirley Oldman** and was **Seconded** by **Alice Yellowbank** to approve up to \$500.00 from the Development Account for digitizing the logo and adding the name Little Traverse Bay Bands.

Vote: 6 YES Barry Laughlin (1) NO _ ABSTAINED **Motion Carried**

Frank Schunook made a request to give his report at this point in the meeting due to the fact that he had a death in the family and needs to depart early.

Bryan Gillette was introduced to the Tribal Council. Bryan is the LTBB Planner. Council posed questions to Bryan. Bryan has been working on putting in place a planning program so that when issues come up they can be better addressed. Bryan has been assigned to coordinate the work on the move to Emmet Street. He was welcomed aboard by Council. Gary Otto, Frank Shunock, and Jim Bransky were also introduced to Bryan.

Land Acquisition

Frank Shunock distributed a report to Tribal Council regarding land applications. Most of the parcels will be handled by American Title. He gave a verbal report and written report. He felt that LTBB should fight the rule that LTBB would have to publish the parcels of land for 30 days in the Federal Register. The 30 days run from the day the land parcels are published.

American Express accounts for GSA discount travel should be forth coming.

Motion was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to accept Frank Shunock's verbal and written report.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried.**

Bills:

Bills were reviewed.

Motion was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to pay the bills as presented and amended.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

Health Department Software Request:

The Health Director requested that the Treasurer bring this request to Council. It is important that Council make a decision on this software as soon as possible. The longer Council waits to come to a decision, the more the software will cost. The Health Director is asking permission to go ahead and order this software. She stated she had received additional bids and the one being presented to Council is the best one. By purchasing this software it gives the Health Department everything they need to set up for third party billing. The Treasurer reported that internally there is a hold on this purchase. The budget modification has been put on hold pending the fact that the money the Health Director is wanting to move is indirect money which is included in our total indirect budget. If

this is allowed to go through it may directly effect our indirect budget. Janet needs to find out if this money is available.

Motion was made by **Patti Dyer-Deckrow** and was **Seconded** by **Janet Shomin** to expend funds for software to do Third Party Billing in the amount of \$7895.00 with Accounting approval.

Vote: 3 YES 4 NO ABSTAINED **Motion Fails**

The paperwork for this request was not in order. A phone poll will be done later in the week. The Health Department needs to submit the three bids to Council that are required when making a request such as this.

A discussion was held on Council travel and the fact that they need to get prior approval to travel.

Motion was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to approve Janet Shomin's room expenses for working in the LTBB Accounting office.

Vote: 6 YES NO (1) Janet Shomin ABSTAINED **Motion Carried**

It was discussed that Council needs to know ahead of time that there are moneys available. It was stated that there needs to be a policy in place for this. A discussion was held on if the Treasurer is needed in the Accounting Department. Council decided that from this point on there will be no more future expenses incurred by a Council member prior to Council approval. It was further discussed on whether or not there is a need for the Treasurer to stay until November 22, 1996.

Motion was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to approve Janet's expenditures on lodging until 11/22/96 to work in the accounting office.

Vote: 6 YES 0 NO (1) Janet Shomin ABSTAINED **Motion Carried**

It was reiterated that staff needs to make sure that they are not undermining the authority of the Tribal Administrator. A discussion was held on keeping people in the loop. A directive was given to Michelle for a job description for temporary help. There was a discussion on how to hire temporary help. A request was made by Michelle to restrict Janet Shomin's involvement in the Accounting Department. After discussion, the majority of the Tribal Council agreed that no Tribal Council member should be restricted from being involved in dealing with any Tribal business.

George Anthony stated that this meeting is a Legislative meeting and so far Council has only worked on administrative items during this meeting.

Recess: Recess was called at 1:16 p.m.

USDA Food Distribution Program

Janet Sagataw gave a verbal and written report on the USDA Food Distribution Program.

Recess: Meeting was called back to order at 1:54 p.m.

Temporary help policy was discussed and was drafted by Patti on what the policy is regarding how to hire temporary help.

Motion was made by **Patti Dyer-Deckrow** and was **Seconded** by **Alice Yellowbank** that at the discretion of the Tribal Administrator, all temporary help be hired through a temporary help agency.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried.**

Comments: George Anthony wanted it noted that he makes objection to acting on an item that is not on the agenda and is an administrative issue.

Motion was made by **Patti Dyer-Deckrow** and was **Seconded** by **Janet Shomin** to table the minutes.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

Motion was made by **Shirley Oldman** and was **Seconded** by **Barry Laughlin** to approve Janet Sagataws verbal and written report.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried.**

Comments: George Anthony, Shirley Oldman, and Patti Dyer-Deckrow object to this because this is an administrative report and is being conducted at a Legislative meeting.

Public Comment: Opened and closed at 1:59 p.m.

Economic Development Statute:

At 2:02 p.m. Chairman Ettawageshik turned the chair over to Vice-Chairperson Shirley Oldman because he was not feeling well.

The Economic Development Statute was reviewed and marked up. Attorney Jim Bransky will make the changes and provide a final typed copy to Tribal Council.

Chairman Ettawageshik returned to the meeting at 2:49 p.m.

Motion was made by **Alice Yellowbank** and was **Seconded** by **George Anthony** to approve the Economic Development Statute #1996006.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

At 3:00 Vice-Chairperson Shirley Oldman turned the chair back over to Chairman Ettawageshik.

Motion was made by **Patti Dyer-Deckrow** and was **Seconded** by **Janet Shomin** to table Commissions Procedures.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

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

Vote: 5 YES (2) Barry Laughlin & Shirley Oldman NO ABSTAINED **Motion Carried**

Shirley Oldman commented that she doesn't like to table all of these legislative issues that we agreed to address at this meeting.

Discussion was held on the Organizational Chart and the positions. The budget has already been written to follow the Organizational Chart based on current year 638 budget.

A discussion was held on the amount of duties the Tribal Administrator has to complete. It was stated by Council that the Enrollment Officer's duties and due to the fact that she is going to school full time, she would be unable to take on any additional responsibilities such as taking on the responsibility as a division head. The Tribal Administrator stated that she felt the current Office Manager could handle such a responsibility seeing that she is performing several of these functions currently. It was decided that the position of Office Manager would be moved on the Organizational Chart from under Tribal Administrator to the Operations position, division head. An assistant should be attained for clerical staff for the Tribal Administrator.

Motion was made by **Barry Laughlin** and was **Seconded** by **Shirley Oldman** to move the Office Manager position to Operations.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

Motion was made by **Shirley Oldman** and was **Seconded** by to **George Anthony** designate the Officer Manger to be the division head for Operations.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

Motion was made by **Patti Dyer-Deckrow** and was **Seconded** by **George Anthony** to table Health Board Commissions Statute.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

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

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

Sage Council

Joe Mitchell has accepted and is the LTBB Sage Council representative. Joe would like us to ask Peggy Heminway to be his alternate. Pat Corbin has been informed that Joe Mitchell is going to be our representative.

Holy Childhood Church

Shirley passed out a letter she has received from Holy Childhood. This letter is in response to the letter that LTBB had sent to them regarding the issue of the Native American Graves located on the Holy Childhood property.

Motion was made by **Alice Yellowbank** and was **Seconded** by **George Anthony** to accept Shirley Oldman's verbal and written report.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

Emmet Street Purchase

Bought the building, working on moving in.

Wage Grid

Patti wanted it noted that she never approved this wage grid.

Resolution for Headstart

Frank read this resolution to Council.

Motion was made by **Patti Dyer-Deckrow** and was **Seconded** by **Barry Laughlin** to adopt resolution #11179602 for the Headstart Program.

Vote: 7 YES 0 NO 0 ABSTAINED **Motion Carried**

Job Descriptions

Council reviewed briefly and will do a telephone poll. George should be called on his cell phone. Discussion was held on job descriptions; after being posted three days in house. All descriptions will have draft written on them and then by the time they are interviewed a final description will be completed. Council will send them back with changes. Michelle will make the changes and Council will do a phone poll on Friday, November 22, 1996. Will have to do a separate mailing of these jobs to the general membership.

Public Comment: Public comment opened and closed at 3:59 p.m.

Motion was made by **Alice Yellowbank** and was **Seconded** by **George Anthony** to go into closed session.

Vote: 7 YES _ NO _ ABSTAINED **Motion Carried**

Motion was made by **George Anthony** and was **Seconded** by **Shirley Oldman** to adjourn the Council meeting at 4:55 p.m.

Vote: 6 YES _ NO _ ABSTAINED **Motion Carried**

The above minutes have been read & approved as written:

Barry Laughlin, LTBB Tribal Council Secretary

Date