

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Administrative Meeting
915 Emmet Street, Administrative Building
January 09, 2000
9:30 a.m.

Closed Session: Yes

Called to Order: Meeting was called to order at 9:40 a.m.

Council Present: Chairman Gerald V. Chingwa, Vice-Chairwoman Alice Yellowbank, Secretary Dorothy Gasco, Treasurer Rita Shananaquet, Councilor George Anthony, Councilor Janet Shomin and Councilor Susan Wysocki.

Staff Present: See attached list

Guests: See attached list

Motion made by **Councilor Anthony** and **Supported** by **Councilor Shomin** to adopt the Agenda as presented and amended.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Gasco** to accept the minutes for the meeting dated July 11, 1999, as amended, with **Chairman Chingwa, Councilor Shomin** and **Councilor Wysocki** abstaining since they cannot attest to the accuracy.

Motion Withdrawn

Motion made by **Councilor Anthony** and **Supported** by **Councilor Shomin** to postpone the minutes for the meeting dated July 11, 1999 until the next Tribal Council meeting on January 23, 2000.

Vote: 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Yellowbank**)

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Shomin** to accept the minutes for the meeting dated December 19, 1999, as corrected.

Vote: 6 Yes 0 No 1 Abstained (**Councilor Wysocki**) 0 Absent

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Anthony** to accept into the record the phone poll dated 01/02/00, to accept the proposal from NORAM on adjusted gross revenues, 15.5% for six years, with a cap of \$30 million, provided that NORAM receive 15.5% for at least five years, whether or not it received \$30 million in incentive rent before the fifth anniversary of the commencement date.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Wysocki** to accept into the record the phone poll dated 01/03/00, approving the January issue of the Odawa Trails.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Wysocki** and **Supported** by **Councilor Shomin** to accept into the record the phone poll dated 01/04/00, authorizing payment of stipend and mileage for **Councilor Anthony** to attend US v. MI meeting scheduled for 01/05/00 at 915 Emmet St., Petoskey, MI.

Vote: 6 Yes 0 No 1 Abstained (**Councilor Anthony**) 0 Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to do a survey on whether or not the membership would want alcohol served at the Victories Casino.

Vote: 3 Yes 4 No (**Chairman Chingwa, Councilors Shomin, Gasco and Shananaquet**) 0 Abstained 0 Absent

Motion Failed

Public Comment: Called at 11:33 a.m. Comment provided by Lucy Rich, Judy Skippergosh, Rosemary Knapp and Nancy Wanshon.

Public Comment: Closed at 11:45 a.m.

Motion made by **Councilor Shomin** and **Supported** by **Councilor Wysocki** to approve the EPA General Assistance Program Budget Modification #1 for FY 2000..

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Wysocki** to authorize **Chairman Chingwa** to sign the Tribal Environmental Agreement between LTBB and the U.S. Environmental Protection Agency.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Shomin** to enter into closed session for the purpose of personnel discussions.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Closed Session: Called at 11:59 a.m. with the meeting reconvening at 12:15 p.m.

Recess: Called at 12:20 p.m. Meeting reconvenes at 1:50 p.m.

Council Departs: **Councilor Shananaquet** leaves at 1:45 p.m.

Motion made by **Councilor Shomin** and **Supported** by **Councilor Wysocki** to approve the Independent Contracting Agreement between LTBB and the Inter-Tribal Council, not to exceed \$6,400.00, and authorizing the Tribal Chairman to sign the agreement.

Vote: 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to accept the Tribal Administrator's written and oral report as presented.

Vote: 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Gasco** to approve the Compensation Agreement for the Chief Judge Appointed Position.

Vote: 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Wysocki** to adopt **Resolution #010900-01** in support of the Odawa Institute's application to the Administration for Native Americans for the purpose of preservation and retention of the language.

Vote: 5 Yes 1 No (**Councilor Shomin**) 0 Abstained 1 Absent (**Councilor Shananaquet**)

Motion Carried

Public Comment: Called at 3:28 p.m.

Public Comment: Closed at 3:30 p.m.

Recess: Called at 3:30 p.m. with meeting reconvening at 3:40 p.m.

Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to approve the LTBB 2000 NRC Litigation Work Plan and to designate Albert Colby, Jr. as the Coordinator.

Vote: 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to adopt **Resolution #010900-02** for the execution of documents with NORAM for the Victories Casino, upon final approval of the Tribal Attorney, Tribal Chairman or Tribal Vice-Chairwoman.

Vote: 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Gasco** to issue an on-premises liquor license to the Victories Casino.

Roll Call Vote: Chairman Chingwa-Yes, Councilor Shomin-Yes, Councilor Gasco-Yes, Councilor Anthony-No, Councilor Yellowbank-No, and Councilor Wysocki-No.

Vote: 3 Yes 3 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

Motion Failed

Motion made by **Councilor Anthony** and **Supported** by **Councilor Shomin** to adopt **Resolution #010900-03** for Gaming Administration Authorization To Enter Into Progressive Jackpot Contract With Sodak.

Vote: 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to approve the Special Counsel Contract with Leonard, Street & Deinard with a \$600,000.00 cap per year for hourly fees and a \$75,000.00 cap for expenses.

Vote: 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to approve the Special Counsel Contract with Michigan Indian Legal Services with a \$50,000.00 cap per year for hourly fees and a \$4,000.00 cap for expenses.

Vote: 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Shomin** to adopt **Resolution #010900-04** to sign the Special Counsel Contract with Michigan Indian Legal Services.

Vote: 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Wysocki** to sign the Special Counsel Contract with Leonard, Street & Deinard.

Vote: 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

Motion Carried

Motion made by **Councilor Anthony** for Tribal Council to purchase copies of the Tribal Membership Directory.

Motion Withdrawn

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Anthony** to approve mileage, stipend and per diem for the NIGA meeting on January 10, 11, 12 & 13, 2000, for **Tribal Council Secretary Gasco**.

Vote: 5 Yes 0 No 1 Abstained (**Councilor Gasco**) 1 Absent (**Councilor Shananaquet**)

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Shomin** to approve mileage, stipend and per diem for all Tribal Councilors attending the M.A.S.T. meeting on January 26,27 & 28,2000.

Vote: 5 Yes 0 No 0 Abstained 2 Absent (**Councilors Shananaquet/Gasco**)
Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to approve stipend and mileage for **Councilor Anthony** to attend US v. MI meeting on January 20-21, 2000.

Vote: 5 Yes 0 No 1 Abstained (**Councilor Anthony**) 1 Absent (**Councilor Shananaquet**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to accept the Tribal Chairman's verbal report as presented.

Vote: 6 Yes 0 No 1 Abstained (**Chairman Chingwa**) 1 Absent (**Councilor Shananaquet**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to adjourn the Administrative Session of the Tribal Council for January 9, 2000 at 6:56 p.m.

Vote: 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

Motion Carried

These Minutes have been read and approved as written:

Dorothy Gasco, Tribal Council Secretary

Date