

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Legislative Meeting
Tribal Court Room 1150 Bayview, Petoskey, MI 49770
May 20, 2001
9:30 a.m.

Executive Session: Yes

Called to Order: Meeting was called to order at 9:39 a.m.

Council Present: Chairman Gerald V. Chingwa, Vice-Chairman George Anthony, Secretary Susan Wysocki, Treasurer Alice Yellowbank, Councilor Janet Shomin, Councilor Bea Law

Council Absent: Regina Bentley, (excused))

Staff Present: See attached list

Guests: See attached list

Motion made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to approve the agenda of May 20, 2001 as amended.

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

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Shomin** to accept the Special meeting minutes of April 30, 2001 as corrected.

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

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Law** to approve the Administrative minutes from May 6, 2001 as corrected.

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

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Law** to accept into the minutes the Phone Poll dated 5/14/01 for Gaming Administration to hold a Special Meeting on 5/15/01 at Victories Casino.

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

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to accept the Chairman's verbal report, with attached calendar.

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

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to re-appoint Carol Jeffers to the Trust Fund Board for a two-year term to expire on March 22, 2003.

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

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Law** to approve Rita Brubacker to the Trust Fund Board with terms to be determined by the Trust Fund Board.

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

Motion Carried

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Motion made by **Councilor Anthony** and **Supported** by **Councilor Law** to appoint Ken Harrington to the Trust Fund Board with the term to be determined by the Trust Fund Board.

Vote: 6Yes **0** No **0**Abstained **1**Absent **(Bentley)**
Motion Carried

Motion made by **Councilor Shomin** and Supported by **Councilor Yellowbank** to authorize the submission of Grant application from Enviromental Services for the Recycling Proposal Program and authorization for Chairman Chingwa to sign.

Vote: 6Yes **0** No **0**Abstained **1**Absent **(Bentley)**
Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Law** to approve a Constitution Work Session for May 24, 2001 at the Holiday Inn, Petoskey from 9:00 a.m. to 4:00 p.m. and to allow stipend, mileage and lodging for Tribal Council members to attend.

Vote: 6Yes **0** No **0**Abstained **1**Absent **(Bentley)**
Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Law** to approve stipend, mileage and lodging for the Ad/Hoc Constitution Committee members to attend the Constitution Work Session on 5/24/01 with funds to come from the Enterprise budget, other line item.

Vote: 6Yes **0** No **0**Abstained **1**Absent **(Bentley)**
Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Law** to approve travel for George Anthony to Fairport, Mi., to include stipend (\$75.00), mileage and per diem with funds from the Trap Net project.

Vote: 6Yes **0** No **0**Abstained **1**Absent **(Bentley)**
Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Law** to accept the Gaming Administration's quarterly verbal and written report into the record.

Vote: **6**Yes **0** No **0**Abstained **1**Absent **(Bentley)**
Motion Carried

Motion made by **Councilor Law** and **Supported** by **Councilor Yellowbank** to accept the Financial Statements and Independent Auditor's report, December 31, 2000 and "Independent Accountant's Report on Internal Control Matters Noted in a Financial Statement Audit and Agreed Upon Procedures Engagement, December 31, 2000."

Vote: 6Yes **0** No **0**Abstained **1**Absent **(Bentley)**
Motion Carried

Public Comment: 11:47 a.m. to 11:54 a.m. Rosemary Knapp, Cathy Rothan, Andrew Stich, Carol McFall and Ken Harrington speak.

Legal Update: Jim Bransky speaks about court of appeals decision regarding Casino Land Trust.

Recess called: 12:10 p.m. to 1:47 p.m.

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Motion made by **Councilor Anthony** and **Supported** by **Councilor Shomin** to into Executive Session for Legal/Personnel at 1:48 p.m.

Vote: 6Yes **0** No **0**Abstained **1**Absent **(Bentley)**
Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to return to open session at 3:24 p.m.

Vote: 6 Yes **0** No **0** Abstained **1** Absent **(Bentley)**
Motion Carried

Recess: 3:24 p.m. to 3:33 p.m.

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Law** to send the Indian Community Development Block Grant before the deadline of May 23, 2001 and approve sending an addendum letter explaining the accident of May 19, 2001 that delayed the fulfillment of a public hearing.

Vote: 6 Yes **0** No **0** Abstained **1** Absent **(Bentley)**
Motion Carried

Motion made by **Councilor Law** and **Supported** by **Councilor Shomin** to accept the bid from H & D, Inc., in the amount of \$3214,797.00 for roadway construction for the government complex.

Vote: 5 Yes **1** No **(Shomin)** **0** Abstained **1** Absent **(Bentley)**
Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to postpone the Zoning Statute until the next Legislative Meeting of June 24, 2001 with drafts sent to the Economic Development Commission, Law Enforcement and Planning for review.

Vote: 6 Yes **0** No **0** Abstained **1** Absent **(Bentley)**
Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to authorize the Tribal Chairman to sign and send a letter dated May 20, 2001 to Mr. Michael Cummings.

Vote: 5 Yes **1** No **(Shomin)** **0** Abstained **1** Absent **(Bentley)**
Motion Carried

Note: The letter drafted to Gaming Administration with authorization for Tribal Council secretary to sign with initials.

Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to approve the three consultant agreements for Trap Net Fisheries.

Vote: 5 Yes **0** No **(Shomin)** **1** Abstained **(Bentley)** **1** Absent **(Bentley)**
Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to extend the approval of the Traffic Code for an additional 60-day interim period, to expire on July 20, 2001.

Vote: 6 Yes **0** No **0** Abstained **1** Absent **(Bentley)**
Motion Carried

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Motion made by **Councilor Shomin** and **Supported** by **Councilor Law** to approve the Management Plan/Admissions Policy.

Roll Call Vote: Chingwa- Yes, **Yellowbank-** Yes, **Law-** yes, **Anthony-** Yes, **Wysocki-** Yes, **Shomin-** Yes, **Bentley-** Yes.

Vote: 6 Yes **0** No **0** Abstained **1** Absent **(Bentley)**
Motion Carried

Motion made by **Councilor Law** and **Supported** by **Councilor Yellowbank** to approve the Tenant Grievance and Appeals Procedure Policy.

Roll Call Vote: Chingwa- Yes, **Yellowbank-** Yes, **Law-** yes, **Anthony-** Yes, **Wysocki-** Yes, **Shomin & Bentley-** Absent

Vote: 6 Yes **0** No **0** Abstained **2** Absent **(Shomin and Bentley)**

Motion Carried

Motion made by **Councilor Law** and **Supported** by **Councilor Yellowbank** to approve the following policies, (1) Collection for Rural Development elderly Rental Units and Tribally Owned Houses, (2) Rental Housing Maintenance Policy, (3) Residential Lease Agreement Policy, (4) Residential Ground Lease Policy.

Roll Call Vote: **Chingwa-** Yes, **Yellowbank-** Yes, **Law-** yes, **Anthony-** Yes, **Wysocki-** Yes, **Shomin-** Yes, **Bentley-**Absent

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

Motion Carried

Chairman turns over Chairmen responsibilities to Vice Chairman George Anthony.

Chairman Chingwa and Councilor Yellowbank leave at 5:10 p.m.

Motion made by **Councilor Shomin** and **Supported** by **Councilor Law** to approve Budget Modification #01-1 for Indian Health Services Contract #239-01-0011 in the amount of \$5,789.00.

Vote: 4 Yes 0 No 0 Abstained 3 Absent (**Chingwa, Yellowbank, Bentley**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Law** to approve the payment of invoices for the Tribal Prosecutor, Greg Justice, in the amount of \$1,287.00 to come from legal line items.

Vote: 4 Yes 0 No 0 Abstained 3 Absent (**Chingwa, Yellowbank, Bentley**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Law** to place the Enrollment Statute on the next agenda of June 3, 2001 for emergency action.

Vote: 4 Yes 0 No 0 Abstained 3 Absent (**Chingwa, Yellowbank, Bentley**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Law** to approve list (A) eligible for enrollment.

Vote: 4 Yes 0 No 0 Abstained 3 Absent (**Chingwa, Yellowbank, Bentley**)

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Wysocki** to approve list (B) – ineligible for enrollment.

Vote: 4 Yes 0 No 0 Abstained 3 Absent (**Chingwa, Yellowbank, Bentley**)

Motion Carried

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Motion made by **Councilor Wysocki** and **Supported** by **Councilor Law** to accept list (C) – Disbandment.

Vote: 2 Yes 2 No (**Shomin and Law**) 0 Abstained 3 Absent (**Chingwa, Yellowbank, Bentley**)

Motion Failed.

Councilor Wysocki leaves at 5:25 p.m.

Meeting ends due to lack of quorum.

Minutes have been read and approved as written:

Approved:

Susan Wysocki, Tribal Council Secretary

Date

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