

The Little Traverse Bay Bands of Odawa Indians Tribal Council
Tribal Court Room 1150 Bayview, Petoskey, MI 49770
January 20, 2002
9:15 am, Smudging
9:30 am

Executive Session: yes

Call to order: Meeting was called to order at 9:48 am

Council present: Chairman Gerald V. Chingwa, Vice-Chairman George Anthony,
Secretary Fred Harrington Jr., Treasurer Alice Yellowbank, Councilor Janet Shomin,
Councilor Rita Shananaquet, Councilor Bea Law

Council absent: none

Staff present: See attached list

Guests: See attached list

Motion made by Vice-Chairman George Anthony and supported by Councilor Beatrice A. Law, to accept the agenda for January 20, 2002 as amended.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Beatrice A. Law, to approve the minutes of January 6, 2002, as corrected with attached letter from Vice-Chairman George Anthony.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Vice-Chairman George Anthony and supported by Secretary Fred Harrington Jr., to accept the Tribal Administrator's verbal and written report for January 20, 2002.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Beatrice A. Law and supported by Treasurer Alice Yellowbank, to approve payment of \$3,111.40 from Tribal Council enterprise fund consultant line item, to consultant, Ken Mimmack for services detailed in invoice dated December 3, 2001.

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

Motion carried

Motion made by Vice-Chairman George Anthony and supported by Secretary Fred Harrington Jr. to accept the Tribal Chairman's verbal and written report for January 20, 2002.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

11:23 am, recess called

11:30 am, reconvened

Tribal Chair Directive to all commissions/committees requesting a binder from each commission/committee to include a list of members, terms of office, schedule of meetings, policies, statutes, and minutes.

1:08 pm, public comment opened, Rosemary Knapp

1:13 pm, public comment closed

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank, to accept the Casino Manger's verbal and written report for January 20, 2002.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Rita Shananaquet, to except the verbal and written reports, 2001 Financial Statements (end of year), as presented by Mr. Olson, C.F.O., and Gaming Administration.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

1:56 pm, recess called

3:21 pm, reconvened

Motion made by Councilor Rita Shananaquet and supported by Secretary Fred Harrington Jr., to postpone the appointment of LTBB Commissioners for 90 days.

Vote: 6 Yes, 1 No (Treasurer Alice Yellowbank), 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Secretary Fred Harrington Jr., to place Inland Hunting and Fishing Rules and Regulations on the calendar for markup on February 16, 2002.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Vice-Chairman George Anthony to accept List C – Relinquishment.

Vote: 5 Yes, 2 No (Chairman Gerald V. Chingwa, Councilor Rita Shananaquet), 0 Abstained, 0 Absent

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Beatrice A. Law, to place the Enrollment Statute on the Legislative Calendar February 17, 2002, to be marked up on February 1, 2002.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Vice-Chairman George Anthony and supported by Councilor Rita Shananaquet, to postpone the Revised Building Code Statute until March 17, 2002.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Beatrice A. Law and supported by Vice-Chairman George Anthony, to place the Building Code Statute markup on the March 16 2002 work session calendar.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Vice-Chairman George Anthony and supported by Councilor Janet Shomin, to postpone the Small Grant Fund Application Procedure until a corrected copy is received.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank, to approve the amended Burial Fund Policy.

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

Motion carried

4:48 pm, recess called

4:58 pm, reconvened

Motion made by Councilor Janet Shomin and supported by Treasurer Alice Yellowbank, to add the Election Statute to the legislative work session of March 16, 2002.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Treasurer Alice Yellowbank, to pay \$5,010.12 for the GAP space cost out of the facilities line item.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Beatrice A. Law, to approve the GAP budget amendment increase of \$1,950.00 to be added to the travel line item in the 2002 budget.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank, that we fill Department head positions and above only by those who meet Indian Preference or by someone who does not meet Indian Preference on a contractual basis only.

Vote: 2 Yes, 5 No(Chairman Gerald V. Chingwa, Vice-Chairman George Anthony, Councilor Beatrice A. Law, Councilor Rita Shananaquet, Councilor Janet Shomin), 0 Abstained, 0 Absent

Motion failed

5:49 pm, public comment opened, Taimi Hoag, Janet Shomin, Beatrice Law

5:51 pm, public comment closed

Motion made by Councilor Rita Shananaquet and supported by Councilor Beatrice A. Law, to file suit in federal court against Perrier and subsidiaries to stop diversion of the Great Lakes basin waters.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Beatrice A. Law and supported by Secretary Fred Harrington Jr., to approve resolution # 012002-01 Continuation of Title VI Grant #0105MI26989, Association of Aging, to cover the project period April 1, 2002 – March 31, 2005.

Roll Call Vote: Chairman Gerald V. Chingwa- yes, Vice-Chairman George Anthony- yes, Treasurer Alice Yellowbank- yes, Secretary Fred Harrington Jr.- yes, Councilor Janet Shomin- yes, Councilor Rita Shananaquet- yes, Councilor Beatrice A. Law- yes

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent,

Motion carried

The Tribal Chair directed the Natural Resources Commission to issue the burning permit for the Administration Building Site.

Motion made by Councilor Janet Shomin and supported by Councilor Rita Shananaquet to approve the recommendation from the Natural Resources Commission for the Open Air Burning Permit Authorization form, effective January 20, 2002.

Vote: 6 Yes, 1 No (Secretary Fred Harrington Jr.), 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Councilor Beatrice A. Law, to make the National Indian Gaming Association Membership payment of \$7,500.00 for membership from January 1, 2002 to December 31, 2002, to come from the donation line item, enterprise fund.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Beatrice A. Law, to approve the indirect cost rate at 24.65% for the FY 2002.

Vote: 4 Yes, 3 No (Councilor Janet Shomin, Councilor Rita Shananaquet, Secretary Fred Harrington Jr.), 0 Abstained, 0 Absent
Motion carried

6:48 pm, Motion made by Vice-Chairman George Anthony and supported by Councilor Beatrice A. Law, to begin an executive session.

Vote: 6 Yes, 1 No (Secretary Fred Harrington Jr.), 0 Abstained, 0 Absent
Motion carried

8:19 pm, Motion made by Vice-Chairman George Anthony and supported by Councilor Beatrice A. Law, to return to open session.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent
Motion carried

Motion made by Councilor Rita Shananaquet and supported by Councilor Janet Shomin, to offer an early buyout of the Tribal Physician's contract with a thirty-day notice and a payment of \$183,000.00 with no obligation to either party after the buyout, payment to come from the enterprise fund consultants and contracts line item.

Vote: 4 Yes, 3 No (Treasurer Alice Yellowbank, Councilor Beatrice A. Law, Chairman Gerald V. Chingwa), 0 Abstained, 0 Absent
Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Beatrice A. Law, to approve Resolution #012002-02 Retention of Reserve Funds.

Roll Call Vote: Chairman Gerald V. Chingwa- yes, Vice-Chairman George Anthony- yes, Treasurer Alice Yellowbank- yes, Secretary Fred Harrington Jr.- yes, Councilor Janet Shomin- yes, Councilor Rita Shananaquet- yes, Councilor Beatrice A. Law- yes
Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent,
Motion carried

Motion made by Councilor Beatrice A. Law and supported by Treasurer Alice Yellowbank, to approve Resolution #012002-03 Approval of Noram Termination Documents.

Roll Call Vote: Chairman Gerald V. Chingwa- yes, Vice-Chairman George Anthony- yes, Treasurer Alice Yellowbank- yes, Secretary Fred Harrington Jr.- yes, Councilor Janet Shomin- yes, Councilor Rita Shananaquet- yes, Councilor Beatrice A. Law- yes
Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent,
Motion carried

Motion made by Councilor Rita Shananaquet and supported by Councilor Janet Shomin, to make reimbursement to LTBB for disallowed cost of \$3,597.52 to come from the enterprise fund, travel line item.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent
Motion carried

8:46 pm, Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to adjourn.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

These minutes have been read and approved as written:

Recorded by:

Fred Harrington Jr., Tribal Secretary

Date