

The Little Traverse Bay Bands of Odawa Indians Tribal Council
Tribal Court Room 1150 Bayview, Petoskey, MI 49770
May 19, 2002
9:15 am Smudging
9:30 am

Executive Session: yes

Call to order: Meeting was called to order at 9:42 am

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

Council absent: Councilor Rita Shananaquet

Staff present: See attached list

Guests: See attached list

Motion made by Vice-Chairman George Anthony and supported by Secretary Fred
Harrington Jr. to adopt the agenda for May 19, 2002.

Vote: 5 Yes, 1 No (Councilor Janet Shomin), 0 Abstained, 1 Absent (Councilor Rita
Shananaquet)

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Beatrice A.
Law to approve the minutes of May 5, 2002, as corrected.

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

Motion carried

10:00am, Motion made by Councilor Beatrice A. Law and supported by Vice-Chairman
George Anthony to enter executive session for legal reasons.

Vote: 5 Yes, 1 No (Secretary Fred Harrington Jr.), 0 Abstained, 1 Absent
(Councilor Rita Shananaquet)

Motion carried

10:18 Motion made by Councilor Janet Shomin and supported by Secretary Fred
Harrington Jr. to return to open session.

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

Motion carried

Motion made by Councilor Beatrice A. Law and supported by Treasurer Alice
Yellowbank to authorize the purchase of the Petoskey Holiday Inn for the price of
\$2,990,000.00 to come from the Casino's 50% share of revenues.

Vote: 5 Yes, 1 No (Councilor Janet Shomin), 0 Abstained, 1 Absent (Councilor Rita
Shananaquet)

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law to accept the Tribal Administrator's verbal and written report for May 19, 2002, provided by the Tribal Chairman.

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

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank to approve the LTBB Substance Abuse (4000-03) budget modification increasing the departmental budget by \$4,400.00, to come from the 2001 Indian Health Services Carryover.

Vote: 5 Yes, 1 No (Vice-Chairman George Anthony), 0 Abstained, 1 Absent

(Councilor Rita Shananaquet)

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law to approve the contract as corrected, for Terry Samuels, to provide future physician services within the Tribal Health Clinic, to come from the approved 2002 Indian Health Services budget and to authorize the Tribal Chairman to sign the contract.

Vote: 5 Yes, 1 No (Councilor Janet Shomin), 0 Abstained, 1 Absent (Councilor Rita Shananaquet)

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony to accept the Tribal Chairman's verbal and written report for May 19, 2002.

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

Motion carried

Motion made by Councilor Beatrice A. Law and supported by Treasurer Alice Yellowbank that Tribal Council directs posting and advertising for the Economic Development Commission Planner immediately as of May 20, 2002.

Vote: 5 Yes, 1 No (Councilor Janet Shomin), 0 Abstained, 1 Absent (Councilor Rita Shananaquet)

Motion carried

Motion made by Councilor Beatrice A. Law and supported by Secretary Fred Harrington Jr. to grant the Economic Development Commission authorization to sign "Non-Disclosure" agreements when necessary for sensitive information regarding business items and duties of the Commission.

Vote: 4 Yes, 2 No (Vice-Chairman George Anthony, Councilor Janet Shomin), 0 Abstained, 1 Absent (Councilor Rita Shananaquet)

Motion carried

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

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

Motion carried

Motion made by Councilor Janet Shomin and supported by Vice-Chairman George Anthony to direct the Gaming Administration to incorporate the new hotel site under casino management.

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

Motion carried

12:10 pm, Public Comment, Carol McFall

12:11 pm Public Comment closed

12:11 pm, Tribal Chairman departed.

12:11 pm, Recessed for lunch until 1:40 pm

1:52 pm, Reconvened

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law to approve the Tribal Court Budget modification (3000-11) increase of \$38,685.00, to come from the Enterprise Fund line item 5707.

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

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Beatrice A. Law to approve the Tribal Court Judge's contract and authorize the Chairman or his designee to sign the contract.

Vote: 4 Yes, 0 No, 1 Abstained (Secretary Fred Harrington Jr.), 2 Absent (Chairman Gerald V. Chingwa, Councilor Rita Shananaquet)

Motion carried

2:20 pm, Vice-Chairman George Anthony conducted the swearing in ceremony for Judge Michael Petoskey.

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank to approve the well and septic contract with Mattson & Sons Well Drilling for the Administration Building project in the amount of \$123,787.68 and authorize Vice-Chairman George Anthony to sign the contract.

Vote: 4 Yes, 0 No, 0 Abstained, 3 Absent (Chairman Gerald V. Chingwa, Councilor Janet Shomin, Councilor Rita Shananaquet)

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law to approve the Master Computer Services Agreement with Integrated Systems Consultants for computer services at the Administration Building project in the amount of \$148,766.91 and authorize the Chairman or his designee to sign the contract.

Vote: 4 Yes, 0 No, 0 Abstained, 3 Absent (Chairman Gerald V. Chingwa, Councilor Janet Shomin, Councilor Rita Shananaquet)

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank to approve the Master Telecommunications Services Agreement with Netcom Group for telecommunications services at the Administration Building project in the amount of \$84,332.00 and authorize the Chairman or his designee to sign the contract.

Vote: 4 Yes, 0 No, 0 Abstained, 3 Absent (Chairman Gerald V. Chingwa, Councilor Janet Shomin, Councilor Rita Shananaquet)

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law to postpone action on the Enrollment Statute.

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

Motion carried

Motion made by Councilor Janet Shomin and supported by Treasurer Alice Yellowbank to approve burial request #A0033 for the amount requested.

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

Motion carried

Motion made by Councilor Beatrice A. Law and supported by Secretary Fred Harrington Jr. to approve Resolution # 051902-01 First Community Bank Account Signer Resolution for account # 1103711.

Roll Call Vote: Chairman Gerald V. Chingwa- absent, Vice-Chairman George Anthony- yes, Treasurer Alice Yellowbank- yes, Secretary Fred Harrington Jr.- yes, Councilor Janet Shomin- no, Councilor Rita Shananaquet- absent, Councilor Beatrice A. Law- yes

Vote: 4 Yes, 1 No (Councilor Janet Shomin), 0 Abstained, 2 Absent (Chairman Gerald V. Chingwa, Councilor Rita Shananaquet)

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank to approve Resolution # 051902-02 Subsistence Grant Support and Participation in EPA Contamination Assessment Project.

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

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

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Beatrice A. Law to postpone action on the Open Space Task Force Invoice.

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

Motion carried

Motion made by Councilor Janet Shomin and supported by Treasurer Alice Yellowbank to approve resolution #051902-03 ITC Application for Community Service Block Grant supporting the Tribe's Low Income Energy Program.

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

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

Motion carried

3:30 pm, recesses

3:42 pm, reconvened

Motion made by Councilor Janet Shomin and supported by Treasurer Alice Yellowbank to place the LTBB Education Commission statute on the Legislative Agenda.

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

Motion carried

Motion made by Councilor Beatrice A. Law and supported by Councilor Janet Shomin to place the proposed Commissions, Boards and Committees statute on the Legislative Agenda.

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

Motion carried

Motion made by Councilor Beatrice A. Law and supported by Treasurer Alice Yellowbank to place the Indian Preference in Tribal Employment statute on the Legislative Agenda.

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

Motion carried

4:00pm Public Comment opened, Janet Shomin

4:01 pm Public Comment closed

Motion made by Councilor Janet Shomin and supported by Councilor Beatrice A. Law to approve a special mailing for the legislative agenda items of the Education Commission Statute, the proposed Commissions, Boards and Committees statute, and the Indian

Preference in Hiring statute, to be paid from the Enterprise Fund line item 5900, other, and processed and mailed to heads of households by the Communications Department.
Vote: 5 Yes, 0 No, 0 Abstained, 2 Absent (Chairman Gerald V. Chingwa, Councilor Rita Shananaquet)
Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Janet Shomin to pay travel, mileage, and per diem for any Tribal Council attending the Native Issues Gubernatorial Forum in Mt. Pleasant on June 28, 2002.
Vote: 5 Yes, 0 No, 0 Abstained, 2 Absent (Chairman Gerald V. Chingwa, Councilor Rita Shananaquet)
Motion carried

4:21 pm, Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law to adjourn.
Vote: 5 Yes, 0 No, 0 Abstained, 2 Absent (Chairman Gerald V. Chingwa, Councilor Rita Shananaquet)
Motion carried

These minutes have been read and approved as written:
Recorded by:

Fred Harrington Jr., Tribal Secretary

June 2, 2002
Date