

The Little Traverse Bay Bands of Odawa Indians
Tribal Council
July 27, 2003
Tribal Court Room 7500 Odawa Circle
9:30 a.m.

Executive Session: yes

Call to Order: Meeting was called to order at 9:35 a.m.

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

Council Absent: Councilor Rita Shananaquet

Staff Present: See Attached list

Guests: See attached list

9:43 a.m. Councilor Rita Shananaquet arrives

Oath of office: Chairman Frank Ettawageshik, Councilor Regina Bentley, Councilor, Dexter McNamara

Call to Order: Meeting was called to order at 9:45 a.m.

Council Present: Chairman Frank Ettawageshik, Councilor Dexter McNamara, Secretary Beatrice A. Law, Treasurer Alice Yellowbank, Councilor Rita Shananaquet, Councilor Fred Harrington, Jr., Councilor Regina Bentley

Council elects: Vice Chairperson – Councilor Bea Law, Treasurer – Treasurer Alice Yellowbank, Secretary – Dexter McNamara

Councilor Dexter McNamara resigns from the Economic Development Commission and the Gaming Regulatory Commission

Chairman Frank Ettawageshik resigns from the Economic Development Commission

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to adopt the agenda for July 27, 2003 as amended.

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

Motion carried

11:45 a.m. Public Comment: Andrew Stich, Judy Field, Carol McFall, Janet Shomin, Joe Medicine, Tim LaCroix, Allie Greenleaf Maldonado, Sheryl McNamara Cranick, Harvey Gibson, Ellie Barber, Janice Shackelford, John Keshick, Carol Quinones

11:56 a.m. Public comment closed

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank the to accept the minutes of June 22, 2003 as corrected.

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

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to approve the minutes of July 13, 2003 as corrected.

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

Motion carried

12:00 p.m. lunch recess called, meeting will reconvene at 1:30 p.m.

1:33 p.m. meeting reconvened

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. law to accept the Tribal Administrator's verbal and written report for July 27, 2003.

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

Motion carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to approve "The LTBB Land Acquisition Policy" as developed by Consultant, Ken Mimmack, Tribal Planner, Bryan Gillett, Tribal Administrator, Albert Colby Jr., in consultation with LTBB Tribal Council.

Motion withdrawn

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Rita Shananaquet. Support withdrawn and Vice Chairperson Beatrice A. Law supports to approve "The Interim Land Acquisition Process", as corrected.

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

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Dexter McNamara to approve the establishment of the Legal Benefit Plan for Governmental employees.

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

Motion carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Fred Harrington, Jr., to accept the Tribal Chairman's verbal and written report for July 27, 2003.

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

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to accept the Natural Resource Commission's verbal and written report, as presented by Commission Chairperson John Keshick, dated July 27, 2003.

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

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Dexter McNamara to authorize the Natural Resource Commission and Natural Resource Department to begin Government-to-Government negotiations with the United States Coast Guard to develop a Memorandum of Understanding Governing Safety Regulations, to be forwarded to Tribal Council for final approval.

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

Motion carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to accept the Indian Child Welfare Commission's report given by Rochelle Ettawageshik for July 27, 2003.

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

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to accept the Economic Development Department's verbal and written report for July 27, 2003 from Jaime Barrientoz.

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

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Councilor Regina Bentley to enter into the record the Regulatory Commission's quarterly report for July 27, 2003.

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

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Councilor Fred Harrington, Jr., to enter into the record the Trust Fund Board's quarterly report July 27, 2003, as submitted by Carol Jeffers.

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

Motion carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Fred Harrington, Jr., to accept the Housing Commission's written report into the record, for July 27, 2003.

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

Motion carried

3:38 p.m. Councilor Rita Shananaquet leaves the room

Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Rita Shananaquet to accept the Gaming Administration's June 2003 Confidential Financial Statements as given by Ron Olson, on July 27, 2003.

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

Motion carried

3:38 p.m. Councilor Rita Shananaquet returns

3:38 p.m. 5 minute recess called

4:00 p.m. meeting reconvened

4:00 p.m. Public comment opened: Andrew Stich, Deleta Smith

4:04 p.m. Public comment closed

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. law to authorize D.E.M. to let out bids for repair to the Wah-Wahs-Noo-Da-Ke housing development as proposed by D.E.M., project #714-6-02-H.

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

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Councilor Regina Bentley to postpone the Health Insurance Portability and Accountability Act (HIPAA) policies until August 3, 2003.

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

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to approve Burial Fund request #A0054, for \$5,000.

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

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to approve Burial Fund request #A0055 for \$4, 354.54.

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

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairperson Beatrice A. law to adopt Resolution #072703-01 Delegation Authorizing the Chippewa-Ottawa Resource Authority to Register 1836 Great Lakes Fishing and Government Vessels.

Motion withdrawn

Motion made by Vice-Chairperson Beatrice A. law and supported by Councilor Rita Shananaquet to postpone until August 3, 2003 the Chippewa Ottawa Resource Authority Delegation to adopt Resolution.

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

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairperson Beatrice A. Law to allocate \$30,000 to the Natural Resource Department to come from Enterprise Fund, Government Operations.

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

Motion carried

5:40 p.m. Councilor Rita Shananaquet leaves the room

5:45 p.m. Councilor Rita Shananaquet returns

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Rita Shananaquet to approve Little Traverse Bay Bands of Odawa Indians preschool-12th grade Education Assistance Scholarship Program with initial funding of \$76,400 pending availability determined by the Treasurer, with technical amendments, to delete the reimbursement.

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

Motion carried

6:17 p.m. Councilor Rita Shananaquet leaves the room

6:22 p.m. Councilor Rita Shananaquet returns

6:22 p.m. Vice-Chairperson Beatrice A. Law leaves the room

6:25 p.m. Vice-Chairperson Beatrice A. Law returns

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to donate \$5,000 to One Wolf Building and Maintenance for expansion to come from Enterprise Fund, Donations line item.

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

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to support the cultural activities of Tribal Court by funding the proposed Odawa Immersion II Program for \$10,000 to come from the Enterprise Fund, General Welfare, Cultural Activities line item.

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

Motion carried

6:48 p.m. Recess called

7:08 p.m. Meeting reconvened

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to allow any Council Member wishing to go to the National Congress of American Indians Albuquerque, New Mexico schedule for November 2003 to receive, travel, stipend, mileage, and per diem.

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

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Regina Bentley that we approve the J. Dalton Institute On Site Training, Roles and Responsibilities of Members of Boards, Commissions, and Committees and authorize the Tribal Chairman to sign the contract. Also authorize travel, mileage, stipend and per diem for Tribal Council and Commissioners to attend, in 2003.

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

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Regina Bentley to adopt resolution #072703-01 Honoring the Service of Janet Shomin.

Roll call: Secretary Dexter McNamara -yes, Tribal Chairman Frank Ettawageshik -yes, Councilor Fred Harrington, Jr.-yes, Vice-Chairperson Beatrice A. Law-yes, Councilor Rita Shananaquet-yes, Councilor Regina Bentley-yes, Treasurer Alice Yellowbank-yes

Motion carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank Honoring the Service of Gerald V. Chingwa resolution #072703-02

Roll call: Secretary Dexter McNamara -yes, Tribal Chairman Frank Ettawageshik -yes, Councilor Fred Harrington, Jr.-yes, Vice-Chairperson Beatrice A. Law-yes, Councilor Rita Shananaquet-yes, Councilor Regina Bentley-yes, Treasurer Alice Yellowbank-yes

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Vice-Chairperson Beatrice A. Law to adopt resolution # 072703-03, Honoring the Service of George Anthony.

Roll call vote: Secretary Dexter McNamara-yes, Tribal Chairman Frank Ettawageshik -yes, Councilor Fred Harrington, Jr.-yes, Vice-Chairperson Beatrice A. Law-yes, Councilor Rita Shananaquet-yes, Councilor Regina Bentley-yes, Treasurer Alice Yellowbank-yes

Motion carried

Directive by the Tribal Chairman to the Tribal Administrator: to direct the Health Director to interpret the social economic ties of contract health eligibility, until further defined by Tribal Council.

8:13 p.m. Councilor Rita Shananaquet leaves

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to adopt Resolution #072703-04 National City Bank Account signer.

Roll call vote: Secretary Dexter McNamara-yes, Tribal Chairman Frank Ettawageshik-yes, Councilor Fred Harrington, Jr.-yes , Vice-Chairperson Beatrice A. Law-yes, Councilor Rita Shananaquet-absent, Councilor Regina Bentley-yes, Treasurer Alice Yellowbank-yes

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Fred Harrington, Jr. to adopt resolution #072703-05 First Community Bank Account Signer

Roll call vote: -Secretary Dexter McNamara-yes, Tribal Chairman Frank Ettawageshik-yes, Councilor Fred Harrington, Jr.-yes, Vice-Chairperson Beatrice A. Law-yes, Councilor Rita Shananaquet-absent, Councilor Regina Bentley-yes, Treasurer Alice Yellowbank-yes

Motion carried

Motion made by Councilor Fred Harrington, Jr, and supported by Councilor Regina Bentley to adopt resolution # 072303-06 National City Bank account signer Resolution.

Roll call vote: -Secretary Dexter McNamara-yes, Tribal Chairman Frank Ettawageshik-yes, Councilor Fred Harrington, Jr.-yes, Vice-Chairperson Beatrice A. Law-absent, Councilor Regina Bentley-yes, Treasurer Alice Yellowbank-yes, Councilor Rita Shananaquet-absent

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Fred Harrington, Jr. that we support the American Red Cross Blood Drive and authorize the Tribal Administrator to carry it out by allowing the Commons area to be used, not to exceed \$500 to come from the Enterprise Fund, Donations line item.

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

Motion carried

8:24 p.m. Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Regina Bentley to go into executive session.

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

Motion carried

8:33 p.m. Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Regina Bentley to go out of closed session.

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

Motion carried

8:34 p.m. Motion made by Treasurer Alice Yellowbank and supported by Councilor Fred Harrington, Jr. to adjourn.

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

Motion carried

These Minutes have been read and approved as written:

Approved:

Dexter McNamara, Tribal Secretary

Date