

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
November 20, 2005  
Tribal Court Room 7500 Odawa Circle  
Smudging 8:45 a.m.  
9:30 a.m.

Executive Session: no

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

Council Present: Legislative Leader Beatrice A. Law, Secretary Melvin L. Kiogima, Treasurer Shirley Oldman, Councilor Dexter McNamara, Councilor Alice Yellowbank, Councilor Rita Shananaquet, Councilor Mary Roberts, Councilor Regina Gasco Bentley, Councilor Fred Harrington, Jr.

Absent: none

Executive Office Present: Tribal Chairman Frank Ettawageshik, Vice-Chairman William Denemy

Legal Staff Present: James Bransky - General Counsel

Staff Present: Michele LaCount - Legislative Office Manager, Valerie Tweedie-Chief Financial Officer, Albert Colby, Jr. - Tribal Administrator

Commission, Boards and Committees: Beverly Wemigwase - Gaming Regulatory Chairperson, Rochelle Ettawageshik - Indian Child Welfare Commission Chairperson, Ray Kiogima - Housing Chairperson, Kevin Willis - Trust Fund Board-Vice Chairperson

Guests: Harvey Gibson, Marty VandeCar, Eleanor Barber, Edith Teuthorn, Marylou Bowers

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Opening Ceremony: Beatrice A. Law

Motion made by Councilor Yellowbank and supported by Councilor McNamara to adopt the agenda for November 20, 2005.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Yellowbank and supported by Councilor McNamara to approve the minutes for November 6, 2005 as presented.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent

Motion Carried

Motion made by Councilor Harrington and supported by Councilor Gasco Bentley to adopt Resolution # 112005-01 Investigate Elder's Housing Conditions.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes, Councilor McNamara-yes  
Motion Carried

10:28 a.m. Recess called  
10:52 p.m. Meeting reconvened

Motion made by Councilor Shananaquet and supported by Councilor Roberts to enter into the record the verbal report from the Elders, Harvey Gibson, Eleanor Barber, Edith Teuthorn, and Marylou Bowers for November 20, 2005.  
Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent  
Motion Carried

Motion made by Councilor Yellowbank and supported by Councilor Gasco Bentley to accept the Legal Department's report presented by James Bransky, General Counsel.  
Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent  
Motion Carried

Motion made by Councilor Yellowbank and supported by Councilor McNamara due to constitutional restraints Alice Yellowbank makes the motion to rescind the previous motion dated October 23, 2005 made by Councilor Harrington and supported by Councilor Shananaquet, support withdrawn and then supported by Councilor Roberts to eliminate authorization for stipends from the Tribal Council Stipend Policy and approve budget modifications transferring balance of the Tribal Council Stipend line item to the Elders Program for Energy Assistance provided by the Utility and Food Reimbursement line item for 2005 and 2006.  
Vote: 6 Yes, 3 No (Councilor Harrington, Councilor Roberts, Secretary Kiogima), 0 Abstained, 0 Absent  
Motion Carried

Motion made by Councilor Shananaquet and supported by Councilor Gasco Bentley to authorize an amendment to the 2000 Consent Decree entered in United States -v- Michigan regarding Lake Trout harvest as negotiated by the Executive Council and to authorize legal counsel to execute a stipulation for the amendment.  
Vote: 8 Yes, 1 No (Councilor Harrington), 0 Abstained, 0 Absent  
Motion Carried

Motion made by Councilor Gasco Bentley and supported by Councilor Harrington to approve List A - Eligible for Membership dated November 10, 2005.  
Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent  
Motion Carried

11:45 a.m. Public Comment opened: Andrew Stich  
11:51 p.m. Public Comment closed

Motion made by Councilor Yellowbank and supported by Councilor Shananaquet for Tribal Council attendance at the Enrollment Statute Work Session on December 16, 2005.

Vote: 7 Yes, 2 No (Secretary Kiogima, Treasurer Oldman), 0 Abstained, 0 Absent  
Motion Carried

Motion made by Councilor Yellowbank and supported by Councilor McNamara for Tribal Council attendance at the Anishinaabemowin Work Shops to be held on November 23, November 30, and December 7, 2005.

Vote: 5 Yes, 4 No (Councilor Roberts, Councilor Shananaquet, Treasurer Oldman, Secretary Kiogima), 0 Abstained, 0 Absent  
Motion Carried

Motion made by Secretary Kiogima and supported by Councilor Roberts that we accept Open Discussion/Public Comment Policy LEG 100-00.

Vote: 9 Yes, 0 No, 0 Abstained, 0 Absent  
Motion Carried

12:04 p.m. Lunch recess called

1:46 p.m. Meeting reconvened, Secretary Kiogima excused

Motion made by Councilor Gasco Bentley and supported by Councilor Harrington to accept the Elder's Fuel and Utility Assist Program EXEC-ELD-125-00.

Vote: 8 Yes, 0 No, 0 Abstained, 1 Absent (Secretary Kiogima)  
Motion Carried

3:32 p.m. Recess called

3:43 P.M. Meeting reconvened

4:02 p.m. Public Comment opened: no comments

4:02 p.m. Public Comment Closed

Motion made by Councilor Shananaquet and supported by Treasurer Oldman to adopt Resolution #112005-02 to Appropriate \$20,000 in Funds, FY 2005 for Little Traverse Bay Bands of Odawa Indians Winter Solstice Children's Party.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-absent, Legislative Leader Law-yes

Motion Carried

Motion made by Councilor Harrington and supported by Councilor Shananaquet to require full disclosure of all personal financial interests in any Tribal Enterprise before a Member of the Tribal Council can vote on any issues concerning that Tribal Enterprise.

Vote: 6 Yes, 1 No (Councilor Yellowbank), 1 Abstained (Treasurer Oldman), 1 Absent (Secretary Kiogima)

Motion Carried

5:00 p.m. Recess called

5:12 p.m. Meeting reconvened

Motion made by Councilor Gasco Bentley and supported by Councilor Harrington to adopt Resolution # 112005-03 to Appropriate \$144,000 in Additional Funds FY 2005 for Little Traverse Bay Bands of Odawa Indians Bells Fisheries and Kings Inn Activities.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-no, Councilor Yellowbank-no, Treasurer Oldman-yes, Secretary Kiogima-absent, Legislative Leader Law-yes

Motion Carried

Motion made by Councilor Yellowbank and supported by Treasurer Oldman to adopt Resolution # 112005-04 Protection of Great Lakes Basin.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-absent, Legislative Leader Law-yes

Motion Carried

Motion made by Councilor Shananaquet and supported by Treasurer Oldman to adopt Resolution # 112005-05 Consultation on Land-into-Trust Process.

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-absent, Legislative Leader Law-yes

Motion Carried

Motion made by Councilor Shananaquet and supported by Councilor Harrington authorizing the Tribal Chairman or his designee to sign the liquor license for 2006 for Biindigen Store.

Vote: 7 Yes, 1 No (Councilor Yellowbank), 0 Abstained, 1 Absent (Secretary Kiogima)

Motion Carried

Motion made by Councilor Shananaquet and supported by Councilor Harrington authorizing the Tribal Chairman or his designee to sign the liquor license for 2006 for Victories Casino and Hotel.

Vote: 3 Yes, 1 No (Councilor Yellowbank), 4 Abstained (Councilor Gasco Bentley, Councilor Roberts, Legislative Leader Law, Treasurer Oldman), 1 Absent (Secretary Kiogima)

Motion Carried

Motion made by Councilor Yellowbank and supported by Councilor McNamara to adopt Resolution # 112005-06 New Casino Project Design Authorization

Roll Call Vote: Councilor Gasco Bentley-Abstained, Councilor Harrington-no, Councilor McNamara-yes, Councilor Roberts-abstain, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Treasurer Oldman-abstain, Secretary Kiogima-absent, Legislative Leader Law-abstain  
Motion Carried

Motion made by Councilor Shananaquet and supported by Councilor Roberts to accept the Tribal Chairman's verbal and written report with the confidential report from the Gaming Board of Directors for November 20, 2005.  
Vote: 8 Yes, 0 No, 0 Abstained, 1 Absent (Secretary Kiogima)  
Motion Carried

Motion made by Councilor Harrington and supported by Councilor Roberts to enact Waganakising Odawak Statute Administrative Procedures Act.  
Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Treasurer Oldman-absent, Secretary Kiogima-absent, Legislative Leader Law-yes  
Motion Carried

6:39 p.m. Recess called  
7:12 p.m. Meeting Reconvened

Motion made by Councilor Harrington and supported by Councilor Gasco Bentley to place Enjinaaknegeng, Ray and Helen Kiogima Noozwin Act, and Judicial and Prosecutorial Appointments Statutes, sponsored by Fred Harrington and Mary Roberts, on the legislative agenda.  
Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-yes, Councilor Yellowbank-yes, Treasurer Oldman-absent, Secretary Kiogima-absent, Legislative Leader Law-yes  
Motion Carried

7:19 p.m. Motion made by Councilor Roberts and supported by Councilor Gasco Bentley to adjourn.  
Vote: 7 Yes, 0 No, 0 Abstained, 2 Absent (Secretary Kiogima, Treasurer Oldman)  
Motion Carried

These Minutes have been read and approved as written:  
Approved:

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Melvin L. Kiogima, Tribal Secretary

Date