

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
July 9, 2006
Tribal Court Room 7500 Odawa Circle
9:15 a.m. Smudging
9:30 a.m.

Closed Session: no

Call to Order: Meeting was called to order at 9:31 a.m.

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

Absent: Councilor Rita Shananaquet

Executive Office Present: William Denemy-Vice Chairman, Rebecca Fisher-Executive Assistant

Legal Staff Present: James Bransky-General Counsel, Marilyn Phelps-Legal Intern

Staff Present: Michele LaCount-Legislative Office Manager

Commission, Boards, and Committees: none

Guests: John Keshick

Opening Ceremony: Melvin L. Kiogima

Motion made by Councilor Harrington and supported by Councilor Yellowbank to adopt the agenda, as amended, for July 9, 2006, in honor of Daisy Shano.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Shananaquet)

Motion Carried

Motion made by Councilor Yellowbank and supported by Councilor McNamara to approve the minutes for June 25, 2006, as presented.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Shananaquet)

Motion Carried

Motion made by Treasurer Oldman and supported by Councilor Roberts to table the Domestic Violence Protection Statute until the next Tribal Council meeting.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Shananaquet)

Motion Carried

Motion made by Councilor Harrington and supported by Councilor Gasco Bentley to pass the Victims Rights Act.

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

10:33 a.m. Recess called.
10:41 a.m. Meeting reconvened.

Motion made by Councilor Harrington and supported by Councilor Roberts to table the Harvey Delorme and the Burt Lake Resolutions until the next Tribal Council meeting.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1- Absent (Councilor Shananaquet)
Motion Carried

Motion made by Councilor Harrington and supported by Councilor Roberts to override the veto of the Gijigowi Anishnaabemowin Program.
Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Oldman-no, Secretary Kiogima-no, Legislative Leader Law-yes
Motion fails due to criteria for an affirmative vote of seven (7).

Motion made by Councilor Roberts and supported by Councilor Gasco Bentley to override the Executive veto of the Tribal Youth Services Statute.
(Discussion on hold in consideration of Public Comment.)
Motion Withdrawn

11:52 a.m. Public Comment opened: no comments.
11:53 a.m. Public Comment closed.

(Discussion resumes regarding Tribal Youth Services Statute.)

(Discussion on hold in consideration of lunch recess.)

12:03 p.m. Lunch recess called.
1:30 p.m. Meeting reconvened.

(Discussion resumes regarding Tribal Youth Services Statute.)

Motion made by Councilor Roberts and supported by Treasurer Oldman to amend the agenda for July 9, 2006, to include the revised Tribal Youth Services Department Statute under the Draft Statute section.
Vote: 5 - Yes, 3 – No (Legislative Leader Law, Councilor Yellowbank, Secretary Kiogima), 0 - Abstained, 1 - Absent (Councilor Shananaquet)
Motion Carried

Motion made by Councilor Roberts and supported by Treasurer Oldman to pass the Tribal Youth Services Department Statute replacing the wording in the Statute in SECTION IV A. to state, "Tribal Preference in Hiring Statute shall apply."

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

Motion Carried

Motion made by Councilor Harrington and supported by Councilor Roberts to override the veto by the Chairman of the Citizenship Statute.

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

Motion failed

Motion made by Secretary Kiogima and supported by Treasurer Oldman to place the Marriage Statute, as sponsored by Beatrice A. Law, on the Legislative Agenda.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Shananaquet)

Motion Carried

2:33 p.m. Recess called.

2:40 p.m. Meeting reconvened.

3:08 p.m. Public Comment opened: John Keshick

3:13 p.m. Public Comment closed.

Motion made by Councilor Harrington and supported by Councilor McNamara to adopt Tribal Resolution #070906-01 Request for Funding from the Robert Wood Johnson Foundation, Tobacco Policy Change: A Collaborative for Healthier Communities and States, Little Traverse Bay Bands of Odawa Indians, Tobacco Control, Prevention, and Cessation Advocacy Project.

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

Motion Carried

Motion made by Councilor McNamara and supported by Councilor Harrington to adopt Tribal Resolution #070906-02 Funding from the United States Department of Agriculture (USDA), Food and Nutrition Services, Food Distribution Program on Indian Reservations (FDPIR).

Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-

absent, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes
Motion Carried

Motion made by Councilor Gasco Bentley and supported by Councilor Yellowbank to adopt Tribal Resolution #070906-03 Inter-Tribal Council of Michigan, Inc. Application for Funding: U.S. Department of Health and Human Services Office of Community Services Low Income Energy Assistance Program. Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes
Motion Carried

Motion made by Councilor Roberts and supported by Treasurer Oldman to adopt Tribal Resolution #070906-04 Inter-Tribal Council of Michigan, Inc. Application for funding: U.S. Department of Health and Human Services Office of Community Services Community Services Block Grant Emergency Assistance Program. Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes
Motion Carried

Motion made by Councilor Roberts and supported by Councilor Gasco Bentley to adopt Tribal Resolution #070906-05 Approval of "Fire Protection Services Agreement Between the Little Traverse Bay Bands of Odawa Indians and Bear Creek and Resort Townships." Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-abstain, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Oldman-abstain, Secretary Kiogima-yes, Legislative Leader Law-yes
Motion Carried

Motion made by Councilor Harrington and supported by Councilor Gasco Bentley to adopt Tribal Resolution #070906-06 Approval of Agreement in Principle for the Inland Phase of the United States v. Michigan. Roll Call Vote: Councilor Gasco Bentley-yes, Councilor Harrington-yes, Councilor McNamara-yes, Councilor Roberts-yes, Councilor Shananaquet-absent, Councilor Yellowbank-yes, Treasurer Oldman-yes, Secretary Kiogima-yes, Legislative Leader Law-yes
Motion Carried

Motion made by Councilor Gasco Bentley and supported by Councilor Roberts to approve Enrollment List A - Eligible for Membership dated June 20, 2006, for a total of 12 new members.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Shananaquet)
Motion Carried

Motion made by Secretary Kiogima and supported by Councilor Gasco Bentley to accept the Legislative Leaders verbal and written report which includes the Executive report containing confidential items.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Shananaquet)

Motion Carried

Motion made by Councilor Harrington and supported by Councilor Roberts to approve Tribal Council attendance for the July 2006 Tribal Court Open House & Appellate Swearing In Ceremony, July 2006 Merrill Lynch/National City Bank meeting, August 2006 Midwest Alliance of Sovereign Tribes Mid Year meeting, August 2006 National Indian Gaming Association Mid Year meeting, and March 2007 National Indian Gaming Association Annual Trade Show.

Vote: 7 - Yes, 1 – No (Secretary Kiogima), 0 - Abstained, 1 – Absent (Councilor Shananaquet)

Motion Carried

Motion made by Councilor Harrington and supported by Councilor Roberts to pass the revised Domestic Violence Statute.

Motion Withdrawn

Motion made by Treasurer Oldman and supported by Councilor Yellowbank to adjourn at 3:51 p.m.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1- Absent (Councilor Shananaquet)

These Minutes have been read and approved as written:

Approved:

Melvin L. Kiogima, Tribal Council Secretary

Date