

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
April 20, 2008
Tribal Court Room 7500 Odawa Circle

Closed Session: none

Call to Order: Meeting was called to order at: 9:36 a.m.

Opening Ceremony: Melvin L. Kiogima

Council Present: Legislative Leader Beatrice A. Law, Secretary Regina Gasco Bentley, Treasurer Gerald Chingwa, Councilor Dexter McNamara, Councilor Alice Yellowbank, Councilor Melvin L. Kiogima, Councilor Marvin Mulholland, Councilor Shirley Oldman

Absent: Councilor Fred Harrington, Jr.

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chairman Frank Ettawageshik, Communications Director Annette VandeCar

Guests: John Keshick, Denise Petoskey, Jenny Kronk, Tiffany Willis, Linda Harper, Yvonne Fuerte, Roger Emery, Julie Shananaquet, Angie Woodin, Fred Kiogima, Rita Shananaquet

Motion made by Councilor Oldman and supported by Councilor Kiogima to adopt the agenda for April 20, 2008 as amended.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Councilor Yellowbank and supported by Councilor Oldman to approve the Minutes of April 6, 2008 with corrections.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington, Jr.)

Motion carried.

John Keshick spoke regarding the Natural Resource Commission Proposed Legislation and requested the Commission be put on the Agenda to defend the original document submitted to Tribal Council for consideration.

Tribal Elder Comments: No comments at this time.

Motion made by Treasurer Chingwa and supported by Councilor Mulholland to re-appoint Jenny Lee Kronk to the position of Little Traverse Bay Bands of Odawa Indians Associate Judge to a 4-year term beginning February 18, 2008 to

February 18, 2012 and request the Tribal Court notify Tribal Council of the time and date of the swearing in.

Vote: 6 - Yes, 2 – No (Councilor McNamara, Councilor Oldman), 0 - Abstained, 1 – Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Kiogima to adopt the Tribal Council Code of Conduct and Ethics Procedures and the Complaint and Request for Hearing form.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa to move the Gaming Board of Director's Office back to the Odawa Casino Administration Building at 911 Spring Street on the upper level, in the old Marketing suite. (This move is to be completed by May 30, 2008).

Motion Withdrawn

11:46 a.m. Public Comment opened: Julie Shananaquet spoke regarding the Burial Statute Regulations need for situational considerations, and the Constitutionally Mandated Compensation Statute proposed legislation regarding the accountability of the Tribal Chairman/Vice Chairman, and support for the section of proposed legislation regarding "Return to Employment".

11:50 a.m. Public Comment closed.

11: 54 a.m. Lunch Recess called.

1:49 p.m. Meeting Reconvened. Councilor Melvin Kiogima absent

Motion made by Councilor McNamara and supported by Treasurer Chingwa to adopt Tribal Resolution Request for Funding from the U.S. Environmental Protection Agency Region 5, Little Traverse Bay Bands of Odawa Indians Support Agency Cooperative Agreement (SACA) Grant for anticipated funding of \$61,758.

Roll Call Vote: Councilor Harrington, Jr., -absent, Councilor Kiogima-absent, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

Motion carried.

Motion made by Councilor McNamara and supported by Councilor Yellowbank to adopt Tribal Resolution Request for Funding from the United States Environmental Protection Agency, Little Traverse Bay Bands of Odawa Indians, Performance Partnership Grant (PPG) for an annual amount of Section 106 up to \$213,000.00 and the total two year amount for the General Assistance Program (GAP) is \$220,000.00.

Roll Call Vote: Councilor Harrington, Jr., -absent, Councilor Kiogima-absent, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-yes,

Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Councilor Oldman and supported by Councilor Yellowbank to adopt Tribal Resolution Funding from the Association of American Indian Physicians in support of: Little Traverse Bay Bands of Odawa Indians Healthy Indian Country Initiative Home Grown Project Enhancement in the maximum amount of \$25,000.00.

Roll Call Vote: Councilor Harrington, Jr., -absent, Councilor Kiogima-absent, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Councilor Oldman and supported by Treasurer Chingwa to adopt Tribal Resolution Request for Funding Bureau of Indian Affairs (BIA) Indian Highway Safety Program 2008 Child Passenger Safety – Child Safety Seat Program Little Traverse Bay Bands of Odawa Indians Child Safety Seat Project in the amount of \$5,000.00.

Roll Call Vote: Councilor Harrington, Jr., -absent, Councilor Kiogima-absent, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor McNamara to approve Enrollment List A – Eligible for Citizenship dated March 26, 2008 for a total of 11.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Kiogima, Councilor Harrington, Jr.)

Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa to approve Enrollment List B – Declination (Ineligible) dated March 26, 2008 for a total of 3.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Kiogima, Councilor Harrington, Jr.)

2:38 p.m. Recess called.

2:54 p.m. Meeting Reconvened.

2:58 p.m. Councilor Kiogima arrived.

3:12 p.m. Public Comment opened: Rita Shananaquet spoke regarding information placed on the Red Arrow web site, the proposed resolution allocating \$100,000 for the Community Development Financial Institution (CDFI), and the job description of the Chief Financial Officer Valerie Tweedie. Fred Kiogima spoke regarding the Constitutionally Mandated Compensation Statute, the

Gaming Board of Director's ability to make decisions, the Tribal Citizen accessibility to access the Gaming Board meetings, the Indian Preference in Hiring Statute regarding the casino management decisions, and casino employee confusion where the chain of command flows after their immediate supervisor.
3:21 p.m. Public Comment closed.

Motion made by Councilor Yellowbank and supported by Treasurer Chingwa to adopt Tribal Resolution to Allocate \$25,000 to Northern Shores Loan Fund, Inc.
Roll Call Vote: Councilor Harrington, Jr., -absent, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-no, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Kiogima to adopt Tribal Resolution to Rescind and Replace Tribal Resolution 040608-03 to Authorize the Establishment of a Line-of-Credit for Inventory Purposes for Bell's Fishery, in amount \$200,000.00.
Roll Call Vote: Councilor Harrington, Jr., -absent, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Councilor McNamara and supported by Treasurer Chingwa to adopt Tribal Resolution Authorize \$100,000 from Prior Period Funds for Capitalization for the Northern Shores Loan Fund, Inc. (CDFI).
Roll Call Vote: Councilor Harrington, Jr., -absent, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-no, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Councilor Yellowbank and supported by Councilor Kiogima to add to the agenda the process to form the Tribal Council Ethics Committee.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington, Jr.)
Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Kiogima to add to the agenda, Tribal Council Resolution creating the Tribal Council Ethics Committee.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington, Jr.)
Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Yellowbank to adopt Tribal Council Resolution Formation of Tribal Council Ad-Hoc Ethics Committee and Panel.

Roll Call Vote: Councilor Harrington, Jr., -absent, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-abstain
Motion carried.

4:36 p.m. Recess called.

4:40 p.m. Meeting reconvened.

Motion made by Councilor Oldman and supported by Secretary Gasco Bentley to accept the Legislative Leader's verbal and written report with confidential items contained there in.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Councilor McNamara and supported by Councilor Oldman to accept the Tribal Treasurer's verbal report for April 20, 2008.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Councilor Oldman and supported by Treasurer Chingwa to accept the verbal Land and Reservation Committee report given by Councilor Kiogima.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Councilor Oldman and supported by Councilor Yellowbank to accept Councilor McNamara's verbal and written report.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Councilor McNamara and supported by Councilor Oldman to accept Councilor Harrington, Jr., and Councilor Yellowbank written report.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Councilor McNamara and supported by Councilor Kiogima to accept the Legislative Services Attorney Donna Budnick's verbal report.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Councilor Oldman and supported by Councilor Kiogima for Tribal Council attendance at the May 16, 2008 Economic Development Training at the Odawa Hotel.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Councilor McNamara and supported by Councilor Oldman to adjourn at 5:11 p.m.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington, Jr.)
Motion carried.

These Minutes have been read and approved as corrected:

Regina Gasco Bentley, Tribal Council Secretary

Date