

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
December 7, 2008

Closed Session: yes

Call to Order: Meeting was called to order at: 9:34 a.m.

Opening Ceremony: Beatrice A. Law

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 Fred Harrington, Jr., Councilor Marvin Mulholland

Absent: Councilor Shirley Oldman

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

Executive Officials and Staff Present: Tribal Chairman Frank Ettawageshik, Executive Assistant Rebecca Atkinson, Vice-Chairman William Denemy, Tribal Administrator Albert Colby, Chief Financial Officer Valerie Tweedie

Guests: Virginia Lewis, Fred Kiogima, Jody Werner, Kevin Gross, Billy McNamara, Gunnar McNamara, Carol McFall

Motion made by Councilor McNamara and supported by Councilor Mulholland to adopt the agenda with additions for December 7, 2008 in honor of Thomas Andrews who walked on November 27, 2008.

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

Motion carried.

Councilor Harrington, Jr., spoke regarding Tribal Finances.

9:58 a.m. Councilor Oldman arrived.

Motion made by Councilor Yellowbank and supported by Treasurer Chingwa to approve the minutes for November 16, 2008 as presented.

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

Motion carried.

Tribal Elders Comments: no comments at this time.

10:15 a.m. Recess called.

10:21 a.m. Meeting reconvened.

10:22 a.m. Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa to go into closed session for legal.

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

10:55 a.m. Motion made by Councilor Mulholland and supported by Councilor Harrington, Jr., to return to open session.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

11:45 a.m. Public Comment opened: Michele LaCount spoke with regard to Governmental employee layoffs compared to the retention of Commissions. Billy McNamara spoke regarding the allowance of employee traditional time off. Kevin Gross spoke regarding Elder housing issues and his wish to volunteer his services.

12:09 p.m. Public Comment closed.

12:14 p.m. Lunch recess called.

1:54 p.m. Meeting reconvened.

1:56 p.m. Closed session.

Motion made by Councilor McNamara and supported by Councilor Mulholland to go into closed session for legal.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

2:37 p.m. Motion made by Councilor Harrington, Jr., and supported by Councilor Mulholland to return to open session.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor Harrington, Jr., and supported by Councilor Kiogima to approve confidential memo 120708-01.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor McNamara to accept Chairperson Kiogima from the Land and Reservation Committees, verbal report.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Tribal Elder Diane Naganashe drew the winning name of the Pendleton Blanket given through the Land and Reservation Committee Survey. The winner was Mary Ann Yoder.

Motion made by Councilor Harrington, Jr., and supported by Councilor McNamara to accept the Legislative Leader Law verbal and written report for December 7, 2008.

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

Motion carried.

3:01 p.m. Public Comment Opened: Diane Naganashe spoke regarding the Tribe thinking ahead and notifying Tribal Citizens far in advance with regard to Per Capita possible cutbacks in the future. Michele LaCount spoke regarding the Casino employees who are currently in school losing educational hours. Rita Shananaquet spoke regarding not cutting health or educational services.

3:08 p.m. Public Comment closed.

Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa to accept Councilor McNamara verbal report.

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

Motion carried.

3:14 p.m. Councilor Mulholland departed the meeting.

Motion made by Councilor McNamara and supported by Councilor Oldman to accept Treasurer Chingwa verbal report.

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

3:38 p.m. Councilor Kiogima departed the meeting.

3:29 p.m. Councilor McNamara departed the meeting.

Motion made by Treasurer Chingwa and supported by Councilor Harrington, Jr., to accept the Legislative Services Attorney Donna Budnick verbal report.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Mulholland, Councilor Kiogima, Councilor McNamara)

Motion carried.

Motion made by Councilor Harrington, Jr., and supported by Treasurer Chingwa to approve the Health Clinic Policies.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Mulholland, Councilor Kiogima, Councilor McNamara)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa to approve the Gaming Regulatory Commission Regulation Amendment with recommendations.

Vote: 4 - Yes, 1 – No (Councilor Harrington, Jr.), 1 – Abstained (Councilor Oldman), 3 - Absent (Councilor Mulholland, Councilor Kiogima, Councilor McNamara)

Motion carried.

Motion made by Councilor Oldman and supported by Secretary Gasco Bentley to adopt Tribal Resolution Request for Funding from the USDA Rural Development Water and Environmental Programs Little Traverse Bay Bands of Odawa Indians Fiscal Year 2009 Solid Waste Management Grant Program.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Yellowbank to adopt Tribal Resolution Request for Funding from the National Endowment for the Humanities, America's Historical and Cultural Organizations Planning Grants Little Traverse Bay Bands of Odawa Indians.

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

Motion carried.

Motion made by Councilor Yellowbank and supported by Councilor Oldman to adopt Tribal Resolution Approval to Sign Memorandum of Understanding between Little Traverse Bay Bands of Odawa Indians and Northwest Michigan Community Health Agency.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa to accept the Tribal Chairman report for December 7, 2008 with confidential items contained therein.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Mulholland, Councilor Kiogima, Councilor McNamara)

Motion carried.

Motion made by Councilor Harrington, Jr., and supported by Treasurer Chingwa to post the Receiving Grants, Donations or Other Funding Policy to the Draft Work Products on the Legislative Calendar.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Mulholland, Councilor Kiogima, Councilor McNamara)

Motion carried.

Motion made by Councilor Harrington, Jr., and supported by Treasurer Chingwa to pass the Amendment to Waganakising Odawak Statute 2008-013 Labor and Management Relations Statute.

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

Motion made by Councilor Harrington, Jr., and supported by Treasurer Chingwa to post the Tribal Treasurer's Responsibilities Draft Statute to the Legislative Calendar.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Mulholland, Councilor Kiogima, Councilor McNamara)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Harrington, Jr., to move the remainder of the Draft Work Products to the next Tribal Council Agenda.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Mulholland, Councilor Kiogima, Councilor McNamara)

Motion carried.

4:41 p.m. Motion made by Councilor Harrington, Jr., and supported by Treasurer Chingwa to adjourn.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Mulholland, Councilor Kiogima, Councilor McNamara)

Motion carried.

These Minutes have been read and approved as corrected.

Regina Gasco Bentley, Tribal Council Secretary

Date