

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
March 22, 2009

Closed Session: yes

Call to Order: Meeting was called to order at: 9:33 a.m.

Opening Ceremony: Alice Yellowbank

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: none

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

Executive Officials and Staff Present: Tribal Chairman Frank Ettawageshik, Vice-Chairman William Denemy, Executive Assistant Rebecca Atkinson

Guests: John Bott, Debra DeLeon, Mary Roberts, Ken Roberts, Rita Shananaquet, Ken Harrington, Roger Emery, Julie Shananaquet, Janet Shomin, Marcia Sutton, Fred Kiogima, George Anziano, Andrew Stich, Christine Shomin

Motion made by Councilor Kiogima and supported by Secretary Gasco Bentley to adopt the agenda for March 22, 2009 as amended.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

11:04 a.m. Recess called.

11:21 a.m. Meeting reconvened.

Motion made by Councilor Yellowbank and supported by Secretary Gasco Bentley to approve Procedures for Appointment for Vacancy to Tribal Council.

Vote: 6 - Yes, 2 - No (Councilor Harrington, Jr., Councilor Kiogima), 0 - Abstained, 0 - Absent

Motion carried.

11:45 a.m. Public Comment opened: Ken Harrington spoke with regard to the process for the Tribal Council vacancy.

Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa to appoint Rita Shananaquet to fill the Tribal Council vacancy.

Vote: 5 - Yes, 3 – No (Councilor Harrington, Jr., Councilor Kiogima, Councilor McNamara), 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Yellowbank to approve the minutes of March 8, 2009 with corrections.
Vote: 8- Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Yellowbank to approve the letter in response to complaint dated February 12, 2009 filed by Yvonne McShane against Executive/Chairman, Frank Ettawageshik for non compliance with the “Waganakising Odawak Constitutionally Mandated Rules and Procedures Disclosure of Public Documents” Section VI. Violations; Hearings, and Consequence.
Vote: 7 - Yes, 0- No, 1 – Abstained (Councilor Kiogima), 0 - Absent
Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Yellowbank to accept Legislative Leader Law’s verbal report for March 22, 2009.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor McNamara and supported by Councilor Mulholland to accept Tribal Treasurer and Appropriations and Finance Committee Chairperson Chingwa’s verbal report for March 22, 2009.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

3:00 p.m. Public Comment opened: no comments.
3:00 p.m. Public Comment closed.

Motion made by Councilor Mulholland and supported by Councilor McNamara to accept the Land and Reservation Chairperson Kiogima’s verbal report for March 22, 2009.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor Kiogima and supported by Treasurer Chingwa to accept Legislative Services Attorney Budnick’s verbal report for March 22, 2009.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

3:53 p.m. Recess called.
4:04 p.m. Meeting reconvened.

Motion made by Councilor Mulholland and supported by Councilor McNamara to accept the Executive Oversight Report including confidential items contained therein.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Mulholland and supported by Treasurer Chingwa to adopt Tribal Resolution: Request for Funding from the United States Department of Justice, Office of Community Oriented Policing Services, Little Traverse Bay Bands of Odawa Indians COPS FY 2009 Tribal Resources Grant Program.

Roll Call Vote: Councilor Harrington, Jr. -no, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Yellowbank-no, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

Motion carried.

Motion made by Councilor Yellowbank and supported by Secretary Gasco Bentley to adopt Tribal Resolution: Request for Funding from the Environmental Protection Agency, Region 5 Little Traverse Bay Bands of Odawa Indians Resource Conservation Challenge Grant Program.

Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, 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: Request for Funding from the U.S. Department of Justice, Office of Justice Programs' Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) Office; Little Traverse Bay Bands of Odawa Indians SMART Office FY 2009 Support for Adam Walsh Act Implementation Grant Program.

Roll Call Vote: Councilor Harrington, Jr. -no, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Yellowbank-no, Treasurer Chingwa-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 Substance Abuse and Mental Health Services Administration Center for Mental Health Services Little Traverse Bay Bands of Odawa Indians Tribal Youth Suicide Prevention Grant.

Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-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: Request for Funding from the Bureau of Indian Affairs

Little Traverse Bay Bands of Odawa Indians Inland Lake Bathymetric Mapping Project.

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

Motion made by Councilor Mulholland and supported by Councilor Kiogima to approve the Policy for Payment to Minors for Tribal Revenue Allocation #POL-Res 061106-22-032209-001.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor McNamara to approve Enrollment List A – Eligible for Citizenship dated February 26, 2009 for a total of 17.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor McNamara to approve Enrollment list B - Declination ineligible dated February 26, 2009 for a total of 4.

Vote: 7 - Yes, 1 - No (Councilor Harrington, Jr.), 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Kiogima to adopt Tribal Resolution: Authorization for Cooperative Conservation Law Enforcement Agreements with Little River Band of Odawa Indians, Grand Traverse Band of Ottawa and Chippewa and Sault Ste Marie Tribe of Chippewa Indians.

Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-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 Secretary Gasco Bentley to adopt Tribal Resolution: Provide for a Payment Schedule for the Remaining Balance Due on the Line-of-Credit for Bell's Fishery.

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

5:02 p.m. Motion made by Secretary Gasco Bentley and supported by Councilor McNamara to go into closed session for confidential business matters.

Vote: 7 - Yes, 1 - No (Councilor Harrington, Jr.), 0 - Abstained, 0 - Absent
Motion carried.

5:23 p.m. Motion made by Treasurer Chingwa and supported by Councilor Yellowbank to return to open session.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa to adopt Tribal Resolution: The Odawa Casino Resort is in Default on Payments to the Tribal Government.

Roll Call Vote: Councilor Harrington, Jr. -no, Councilor Kiogima-yes, Councilor McNamara-no, Councilor Mulholland-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 Kiogima to approve the Welfare of Adults Regulations.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to approve the Tribal Council Hearing Procedures.

Vote: 7 - Yes, 1 – No (Councilor Harrington, Jr.), 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor McNamara to post to the Legislative Calendar the Gaming Board of Directors Draft Statute,

Vote: 7 - Yes, 1 – No (Councilor Harrington, Jr.), 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Mulholland and supported by Treasurer Chingwa to post the Investment Draft Statute to the Legislative calendar.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0- Absent

Motion carried.

5:45 p.m. Motion made by Councilor Harrington, Jr., and supported by Councilor McNamara to adjourn.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0- Absent

Motion carried.

These Minutes have been read and approved as written.

Regina Gasco Bentley, Tribal Council Secretary

Date