

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle
Harbor Springs, MI 49740
January 8, 2012

Closed Session: yes

Call to Order: Meeting was called to order at: 9:00 a.m.

Opening Ceremony: Melvin L. Kiogima

Council Present: Legislative Leader Melvin L. Kiogima, Secretary Regina Gasco Bentley, Treasurer John Bott, Councilor Belinda Bardwell, Councilor John Keshick, Councilor Kevin Gasco, Councilor Bill A. Denemy, Councilor Aaron Otto

Absent: Councilor Winnay Wemigwase

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

Executive Officials and Staff Present: Tribal Chairman Dexter McNamara, Vice-Chairman Julie Shananaquet

Public: Renee' Dillard, Sharon Sierzputowski, Gwen Gasco, Tom Teuthorn, Sue Gasco, Teke , Matt Davis

Invited Guests: none

9:14 a.m. Councilor Wemigwase arrived.

Motion made by Councilor Wemigwase and supported by Councilor Keshick to adopt the agenda for to adopt the agenda as amended for January 8, 2012.

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

Motion carried.

Motion made by Councilor Otto and supported by Treasurer Bott to approve the minutes of December 18, 2011 as presented.

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

Motion carried.

Motion made by Councilor Otto and supported by Councilor Denemy to ratify into the record the Phone Poll dated December 20, 2011. The reason for Phone Poll: was to approve the action item within the confidential Memo dated December 20, 2011 from General Counsel Bransky and authorize and approve the Executive to implement the action tem and such funding to come from Prior Period Funds.

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

Motion carried.

Motion made by Councilor Otto and supported by Councilor Gasco to ratify into the record the Phone Poll dated December 27, 2011. The reason for Phone Poll was to acknowledge receipt of a nominee for the Prosecutor position and schedule an interview for nominee Matt Lesky for Saturday, January 7, 2012 at 1:00 p.m., contingent on the Legislative Office receiving the needed information from the Executive Office.

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

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Otto to ratify into the record the Phone Poll dated January 03, 2011. The reason for Phone Poll: To "authorize the action set out in Confidential Memo 010312-01 from General Counsel James Bransky."

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

Motion carried.

Elder Comments: Doug Emery spoke regarding emergency assistance and education assistance.

Motion made by Councilor Denemy and supported by Treasurer Bott to accept receipt of the Chairman's report for January 8, 2012.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Wemigwase to approve Enrollment list A - Eligible for Citizenship dated December 21, 2011 for a total of 12.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Wemigwase to approve Enrollment List B – Declination In-eligible dated December 21, 2011 for a total of 6.

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

Motion carried.

10:24 a.m. Recess called.

10:36 a.m. Meeting reconvened.

Motion made by Councilor Otto and supported by Councilor Denemy to accept Legislative Leader Kiogima's verbal and written report for January 8, 2012.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Bardwell to accept Secretary Gasco Bentley's verbal report for January 8, 2012.

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

Motion made by Councilor Wemigwase and supported by Councilor Otto to accept Treasurer Bott's verbal report for January 8, 2012.

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

Motion made by Councilor Otto and supported by Councilor Gasco to approve supplemental funding request for expansion of the Grant Department in the amount of \$96,300 for fiscal year 2012 to come from prior period funds.

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

Motion made by Secretary Gasco Bentley and supported by Councilor Gasco to approve supplemental funding request to establish the Native American Graves Protection and Repatriation Act (NAGPRA) and Michigan Anishinaabek Cultural Preservation & Repatriation Alliance (MACPRA) representative according to Waganakising Odawak Statute 2011-017 LTBB Waganakising Representative to Michigan Anishnaabeg Cultural Preservation And Repatriation Alliance (MACPRA) And Native American Graves Protection and Repatriation Act (NAGPRA) in the amount of \$18,000 for fiscal year 2012 to come from prior period funds.

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

Motion made by Treasurer Bott and supported by Councilor Gasco to approve and authorize the Executive to pay the property taxes for 229 South Huron Avenue, Mackinaw City, for FY 2012 to come from the Property Taxes line item within the Executive budget and recommend approval of any additional supplemental funds necessary to meet the obligation; and that the Executive shall present Tribal Council with future annual budgets that contain funding necessary to meet this obligation.

Vote: 7 - Yes, 1 – No (Councilor Otto) 1 – Abstained (Councilor Keshick), 0 – Absent
Motion carried.

11:46 a.m. Public comment opened: Gwen Gasco spoke as a language student regarding Gijigowi Department. Tom Teuthorn spoke in support of a language department, the procurement/management of grants and Council working to make it happen. Matt Davis spoke regarding the language classes and the need for more communication. Renee Dillard spoke regarding the language. Sharon Sierzputowski spoke regarding the language classes.

12:15 p.m. Public Comment closed.

12:24 p.m. Lunch recess called.

1:31 p.m. Meeting reconvened.

Motion made by Councilor Gasco and supported by Councilor Denemy to approve Judicial and Prosecutorial Appointments Policy POL-WOS 2006-003 010712-001.

Vote: 5 - Yes, 3 - No (Councilor Keshick, Councilor Otto, Secretary Gasco Bentley), 1 – Abstained (Councilor Wemigwase), 0 – Absent

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to appoint Matthew Lesky as Tribal Prosecutor to serve for a term of three (3) years.

Roll call vote: Councilor Bardwell-yes, Councilor Denemy-yes, Councilor Gasco-yes, Councilor Keshick-no, Councilor Otto-yes, Councilor Wemigwase-yes, Treasurer Bott-yes, Secretary Gasco Bentley-no, Legislative Leader Kiogima-yes

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Gasco to request the Executive to consider the Grant Writer positions be partially tasked with searching and applying for grants through relative policy and/or procedure that could possibly benefit out of area Citizens.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Denemy to amend the agenda to add the draft Ambassadorial Statute to Action Items/Motions.

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

Motion carried.

2:18 p.m. Motion made by Councilor Otto and supported by Councilor Bardwell to go into closed session for Legal issues.

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

Motion carried.

2:30 p.m. Legislative Leader Kiogima left the meeting.

3:26 p.m. Motion made by Councilor Otto and supported by Treasurer Bott to return to open session.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)

Motion carried.

3:27 p.m. Recess called.

3:31 p.m. Meeting reconvened.

Motion made by Councilor Otto and supported by Councilor Denemy to table the Land and Reservation Committee Report until the next regular schedule Tribal Council meeting.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Gasco to approve and to approve and accept the donation of land parcel located along M119, in Bear Creek Township, Emmet County, Michigan, Tax ID parcel #01-16-27-300-003 in memory of Mary Lou Kishigo-Wall.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)

Motion carried.

Motion made by Councilor Denemy and supported by Secretary Gasco Bentley to approve the thank you letter to Loren H and Carol A. Wall and authorize the Tribal Chair and Legislative Leader to sign on behalf of the Tribe.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)

Motion carried.

Motion made by Councilor Otto and supported by Councilor Keshick to approve Confidential Memo 010812-01.

Vote: 7 - Yes, 1 – No (Secretary Gasco Bentley), 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Gasco to accept the Legal and Legislative Committee report as presented by Secretary Gasco Bentley for January 8, 2012.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Bardwell to approve the Tribal Council and its Committees Public Hearing Policy for General Rules of Conduct.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)

Motion carried.

Ethics Committee: no meeting to report.

Motion made by Councilor Wemigwase and supported by Councilor Denemy to accept the Gaming Authority Committee verbal report for January 8, 2012.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)

Motion carried.

Motion made by Councilor Otto and supported by Councilor Bardwell to post to the Legislative Calendar Membership to Midwest Alliance of Sovereign Tribes (MAST), National Congress of American Indians (NCAI) and United Tribes of Michigan draft Statutes.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Legislative Leader Kiogima)

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Keshick to post the Tribal Chair Ambassadorial Capacity and Tribal Representative draft Statute to the Legislative Calendar.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Legislative Leader Kiogima)

Motion carried.

Motion made by Treasurer Bott and supported by Secretary Gasco Bentley to adjourn.

Vote: 5 - Yes, 3 - No (Councilor Gasco, Councilor Bardwell, Councilor Otto), 0 - Abstained, 1 - Absent (Legislative Leader Kiogima)

Motion carried.

These Minutes have been read and approved as corrected:



Regina Gasco Bentley, Tribal Council Secretary

1-22-12
Date