

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
February 17, 2013

Closed Session: yes

Call to Order: Meeting was called to order at: 9:11 a.m.

Opening Ceremony: Melvin L. Kiogima

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

Absent: Councilor John Keshick

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele LaCount, Treasury Director Michael Garrow, Administrative Assistant Yvonne McShane, General Counsel James Bransky

Executive Officials and Staff Present: none

Public: Bill Denemy, Sr., Annette VanDeCar, Janice Shackelford, Glenna Kimball, Margaret Gasco, Emma Gasco, John Gasco, Edward Shenoskey

Invited Guests: Odawa Economic Development Corporate Charter: Alan Proctor, Bryan Gillette

Motion made by Councilor Gasco and supported by Councilor Wemigwase to adopt the amended agenda for February 17, 2013.

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

Motion carried.

Motion made by Councilor Otto and supported by Councilor Wemigwase to approve the minutes of February 3, 2013 as presented.

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

Motion carried.

Elder comments: No comments at this time.

Motion made by Councilor Gasco and supported by Treasurer Bott to accept the Legislative Leader Kiogima report for February 17, 2013.

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

Motion carried.

Secretary Gasco Bentley read into the minutes three (3) Tribal Council Phone Polls:

1. February 5, 2013 Phone Poll: To override the Veto by Chairperson McNamara for Tribal Resolution 010613-02 Confirmation of the Establishment of the Capital Project Fund, remaining Balance and Payment to consultants and Vendors. The Phone Poll Passed: 7-Yes, 0-No, 1-Abstain (Councilor Wemigwase), 1-Absent (Secretary Gasco Bentley).
2. February 8, 2013 Phone Poll: To accept the Executive nomination and appoint Councilor Winnay Wemigwase as the Little Traverse Bay Bands of Odawa Indians Representative for the Midwest Alliance of Sovereign Tribes Impact Week February 10-14, 2013 and to approve Certified Motion: Midwest Alliance of Sovereign Tribes Impact Week February 10-14, 2013 Representative. The Phone Poll Passed: 8-Yes, 0-No, 1-Abstain (Councilor Wemigwase), 0-Absent.
3. February 8, 2013 Phone Poll: To approve Certified Motion 020813-02 Support of the Supreme Court Project Amicus Brief in the case of Adoptive Couple v. Baby Girl The Phone Poll Passed: 9-Yes, 0-No, 0-Abstain, 0-Absent.

Motion made Councilor Gasco and supported by Councilor Wemigwase to accept Secretary Gasco Bentley verbal report for February 17, 2013.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Wemigwase to accept Treasurer Bott verbal report for February 17, 2013.

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

Motion carried.

Motion made by Councilor Otto and supported by Treasurer Bott to accept Councilor Bardwell, Councilor Wemigwase and Councilor Gasco verbal and written Midwest Alliance of Sovereign Tribes travel reports and Councilor Keshick written 2013 Midwest Region Budget Meeting travel report.

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

Motion carried.

Elder comments: No comments.

Motion made by Treasurer Bott and supported by Councilor Wemigwase to accept Councilor Gasco's verbal Gaming Authority Committee report for February 17, 2013.

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

Motion carried.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept Land and Reservation Committee report as presented by Councilor Wemigwase.

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

Motion carried.

10:20 a.m. Recess called.

10:53 a.m. Meeting reconvened.

Motion made by Councilor Gasco and supported by Councilor Bardwell to accept the verbal Ethics Committee report as presented by Councilor Otto for February 17, 2013.

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

Motion carried.

No Agricultural Assessment Work Group report.

Motion made by Treasurer Bott and supported by Councilor Gasco to accept the verbal Hearing Aid Assessment Work Group Committee Report from Councilor Wemigwase for February 17, 2013.

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

Motion carried.

Motion made by Treasurer Bott supported by Councilor Gasco to accept the verbal Junior Tribal Council Ad-hoc Committee Report for February 17, 2013.

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

Motion carried.

11:10 a.m. Councilor Keshick arrives.

Motion made by Councilor Keshick and supported by Councilor Denemy to accept Treasury Director Garrow verbal and written report for February 17, 2013.

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

Motion carried.

Motion made by Councilor Bardwell and supported by Councilor Wemigwase to accept Legislative Services Attorney Budnick's verbal report for February 17, 2013.

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

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Denemy to appoint David Dominic to the Gaming Regulatory Commission for a 3-year term ending September 2015.

Vote: 7 - Yes, 1 – No (Councilor Gasco), 1 – Abstained (Treasurer Bott), 0 – Absent

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Gasco to approve Enrollment List A - Eligible for Citizenship dated January 31, 2013 for a total of 11.

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

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Gasco to approve Enrollment List B - Declination Ineligible dated January 31, 2013 for a total of 10.

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

Motion carried.

11:43 a.m. Public comment opened: no comments.

11:46 a.m. Public comment closed.

Motion made by Treasurer Bott and supported by Councilor Keshick to adopt Tribal Resolution: Confirmation of the Appropriations of \$37,000.00 and Supplemental Funding of \$21,303.56 for Planning Department Land Survey and Studies Budget to come from prior period funds.

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

Motion Carried.

In the discussion regarding the vote on the motion to confirm the previous appropriations by a new resolution, there was discussion to the effect that the reason this vote is being taken is to make sure that bills in the name of the Tribe are paid. We do not want bills to go unpaid because of a political dispute.

12:05 p.m. Lunch recess called.

1:30 p.m. Meeting reconvened.

Motion made by Treasurer Bott and supported by Councilor Keshick to adopt Tribal Resolution: Refinancing of the Tribe's Notes and Other Economic Development Opportunities Including the potential Mackinaw City Casino.

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

Motion Carried.

Motion made by Councilor Wemigwase and supported by Treasurer Bott to approve Certified Motion: Promote the Protection of the Wolf in Support of a Referendum to Overturn Public Act 520.

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

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Denemy to post to the Legislative Calendar: Gaming Enterprise Division Corporate Charter.

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

Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Bott to acknowledge Receipt of the Odawa Economic Development Management, Inc., 2012 4th Quarter Report.

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

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Gasco to approve the FY 2013 Annual Budget and plan for the Odawa Economic Development Management, Inc.

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

Motion carried.

Tabled to the next regular Tribal Council work session and meeting: Amendment to Waganakising Odawak Statute 2005-01 Natural Resources Commission Amendment and Repeal of Statutory Inland Regulations.

Motion made by Councilor Keshick and supported by Councilor Gasco to pass: Amendment to Waganakising Odawak Statute 2001-04 Natural Resources Commission Amendment.

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

Motion Carried.

Motion made by Councilor Keshick and supported by Secretary Gasco Bentley to pass Amendment to Waganakising Odawak Statute 2002-04 Indian Preference in Employment.

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

Motion Carried.

2:53 p.m. Public comment opened: Margaret Gasco spoke regarding Archives and Records employment issues.

3:28 p.m. Public Comment closed.

3:45 p.m. Motion made by Councilor Gasco and supported by Councilor Denemy to into closed session for confidential business matters.

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

Motion carried.

4:17 p.m. Motion made by Councilor Otto and supported by Treasurer Bott to return to open session.

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

Motion carried.

4:21 p.m. Motion made by Councilor Otto and supported by Treasurer Bott to return to go into closed session for legal purposes.

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

Motion carried.

5:01 p.m. Motion made by Treasurer Bott and supported by Councilor Otto to return to open session.

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

Motion carried.

Motion made by Councilor Gasco and supported by Secretary Gasco Bentley to approve and authorized Councilor Wemigwase to contact the Tribal Police and file a complaint on behalf of Tribal Council based on the documentation, dated January 21, 2013, provided by Rehmann Corporate Investigative Services.

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

Motion carried.

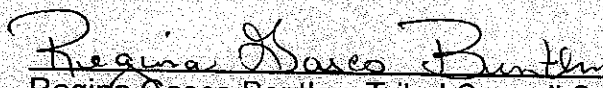
5:05 p.m. Motion made by Councilor Gasco and supported by Treasurer Bott to adjourn.

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

Motion carried.

Please contact the Legislative Office at 231-242-1403 or 231-242-1406 for additional updates and clarifications of these minutes as presented.

These Minutes have been read and approved as corrected:


Regina Gasco Bentley, Tribal Council Secretary

3-3-13

Date