

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
November 20, 2014

Closed Session: Yes
Call to Order: 9:15 a.m.
Opening Ceremony: Beatrice Law

Council Present: Secretary Julia Shananaquet, Councilor Bill A. Denemy,
Councilor John Keshick III, Councilor Beatrice A. Law, Councilor Aaron Otto

Absent: Councilor Michael Naganashe, Treasurer Marcella Reyes, Councilor
Winnay Wemigwase

Due to the Constitution responsibilities, Legislative Leader shall serve as
Chairperson until a special election can be conducted to fill the remaining terms.
While acting as Chairperson, the Legislative Leader will not be considered a
Tribal Council member. After a Chairperson is elected and sworn in, the
Legislative Leader will resume his/her position as a Tribal Council member for
the remainder of his/her term.

In the absence of the Legislative Leader the Tribal Council Secretary shall
preside over meetings of the Tribal Council.

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

Executive Officials and Staff Present: Tribal Chair Regina Gasco Bentley, Chief
Financial Officer Carrie Carlson, Executive Services Attorney Diane Vitols

Judicial Staff: None

Public: Andrew Stich

9:25 a.m. Treasurer Reyes arrives.

9:30 a.m. Councilor Wemigwase arrives.

9:36 a.m. Break.
9:50 a.m. Resume.

Motion made by Councilor Law and supported by Councilor Keshick to adopt the agenda of November 20, 2014, as amended and in honor of Elder Dorothy Sagataw.

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

Motion made by Councilor Denemy and supported by Councilor Otto to approve the minutes of November 6, 2014 as corrected.

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

9:13 a.m.: Elder comments - None at this time.

Executive Updates

Discussion Items: Issue with Native Way Gym, Petoskey News Review Statement, Chippewa Ottawa Resource Authority meetings and refreshments, addressing Personnel issues, Administrative signature issues, and Update on Per Capita checks.

Motion made by Councilor Law and supported by Councilor Wemigwase to acknowledge the verbal report of Tribal Chair Gasco Bentley as presented on November 20, 2014.

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

Legislative Leader Report: Nothing to Report.

Discussion Items:

Secretary Report

Discussion Items: Cancellation of Tribal Council Work Session, Succession Memo, Counter signatures on Tribal Documents Cancellation of Land & Reservation Meeting, Recommendation of motion to remove and replace Councilor Naganashe from seated Tribal Council Committees, Attendance at Chairperson swearing in ceremony, request that Legislative Attorney Budnick round up all Legislation and Regulations dealing with Election process, and concern for a quorum at the December 11, 2014 Tribal Council Meeting.

The following Tribal Council approved/adopted documents were delivered to the Executive for signature:

Vetoes:

- Tribal Resolution #100914-02-Supplemental Funding for Accounting to Reinstitute the Tribal Employee Weekly Payroll in the amount of \$64,000.00 to come from prior period funds.

- Tribal Resolution #100914-03-Tribal Government Priority Funding Percentage Allocation for FY 2016.

Phone Polls: None.

10:59 a.m. Break.

11:16 a.m. Resume.

Motion made by Councilor Wemigwase and supported by Councilor Keshick to accept Secretary Shananaquet's verbal report as presented on November 20, 2014.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Law to remove Councilor Naganashe from the following Tribal Council Committees: Land and Reservation, Agricultural Assessment Work Group and Ethics Committee and to elect new committee members.

Vote: 6-Yes, 1-No (Councilor Otto), 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Law to cancel the December 9th Tribal Council Work Session and the December 11th Tribal Council meeting and reschedule both for December 16th, 1:00 p.m. Work Session and December 18th 9:00 a.m. Tribal Council Meeting.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

11:45 a.m. Public Comment opens

- Citizen Andrew Stich inquired into the need for Agricultural Assessment Work Group to meet more than (2) times per month; Why is Tribal Council sitting on the Farm Board?; Inquired into Investigation; Would like to know why Council is not building more Housing; Did Appropriations and Finance Committee (AFC) give Odawa Fishery Inc. (OFI) \$150,000 line of credit; and when and how much will it cost to attach a hotel to the casino.

12:10 p.m. Public Comment closed.

12:10 p.m. Lunch break.

1:30 p.m. Meeting resumes.

1:33 p.m. Motion made by Councilor Wemigwase and supported by Councilor Keshick to go into closed session for confidential business matters.

Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Naganashe, Secretary Shananaquet)

Motion carried.

1:34 p.m. Secretary Shananaquet arrives.

1:41 p.m. Councilor Otto arrives.

2:30 p.m. Break.

2:42 p.m. Resume.

2:43 p.m. Return to closed session.

3:48 p.m. Motion made by Councilor Law and supported by Councilor Denemy to return to open session.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

3:49 p.m. Public Comment opens – No comments made.

3:50 p.m. Break.

4:01 p.m. Resume meeting.

Treasurer Report

Motion made by Councilor Law and supported by Councilor Otto to accept Treasurer Reyes' verbal report as presented on November 20, 2014.

Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Naganashe, Councilor Wemigwase)

Motion carried.

Gaming Authority Committee

Motion made by Treasurer Reyes and supported by Councilor Wemigwase to accept the verbal report of the Gaming Authority Committee as presented by Councilor Otto, Committee Chairman.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Tribal Council Travel Reports

Motion made by Councilor Law and supported by Councilor Keshick to acknowledge the verbal report from Councilor Wemigwase for her attendance at the 71st Annual National Congress of American Indians (NCAI) Conference held in Atlanta, GA., October 27-31, 2014.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Agriculture Assessment Work Group

Motion made by Councilor Wemigwase and supported by Councilor Denemy to accept the verbal report of the Agriculture Assessment Work Group as presented by Councilor Keshick, Committee Chairman.

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

Land and Reservation Committee – No meeting held since last Tribal Council meeting.

Legal Legislative Committee – No meeting held since last Tribal Council meeting.

Ethics Committee

Discussion Items: (2) pending complaints.

Motion made by Councilor Law and supported by Secretary Shananaquet to accept the verbal report of the Ethics Committee as presented by Councilor Otto, Committee Chairman.

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

Legislative Office Reports:

Treasury Director Report

Motion made by Councilor Otto and supported by Councilor Denemy to accept Treasury Director Garrow's written and verbal report as presented on November 20, 2014.

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

Legislative Services Attorney Report

Motion made by Councilor Denemy and supported by Councilor Wemigwase to accept Legislative Services Attorney Donna Budnick's written and verbal report as presented on November 20, 2014.

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

Enjinaaknegeng Report

5:20 p.m. Break.

5:28 p.m. Resume.

Motion made by Councilor Law and supported by Councilor Denemy to go closed for confidential business.

Vote: 6-Yes, 1-No (Secretary Shananaquet), 0-Abstained, 1–Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Law and supported by Councilor Denemy to return to open session.

Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Wemigwase to approve the action items contained within Confidential Memo 112014-02 as presented by Enjinaaknegeng General Counsel James Bransky.

Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Law to accept Enjinaaknegeng General Counsel James Bransky's verbal and written report as presented on November 20, 2014.

Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Naganashe)

Motion carried.

Legislative Office Manager Report

Motion made by Councilor Denemy and supported by Treasurer Reyes to accept Legislative Office Manager Michele LaCount's verbal and written report as presented on November 20, 2014.

Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Naganashe)

Motion carried.

Action Items – Motions

Motion made by Treasurer Reyes and supported by Councilor Keshick to assign Councilor Law and Councilor Otto to the Land and Reservation Committee.

Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Law and supported by Councilor Denemy to assign Treasurer Reyes to the Gaming Authority Committee.

Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Law and supported by Councilor Keshick to assign Councilor Wemigwase to the Legal and Legislative Committee.

Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to assign Councilor Denemy to the Ethics Committee.

Vote: 6-Yes, 0-No, 1-Abstained, 1–Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to assign Councilor Otto to the Agricultural Assessment Work Group

Vote: 7-Yes, 0-No, 0-Abstained, 1–Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Denemy to approve Certified Motion #112014-01: Request for Funding from the Bureau of Indian Affairs FY 2015 Tribal Youth Initiative Youth Conservation Corps.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Keshick to approve Certified Motion #112014-02: Request for Funding from Inter-Tribal Council of Michigan Sema Policy Development.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to approve Certified Motion #112014-03: Request for Funding from U.S. Environmental Protection Agency, Under Section 103 of the Clean Air Act, FY 2015 Region 5 Tribal Air Grants, Clean Air Program.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Law and supported by Councilor Denemy to approve Certified Motion #112014-04: Request for Acceptance of Donation from the University of Pennsylvania in the amount of \$5,000.00

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Keshick and supported by Secretary Shananaquet to post to the Legislative Agenda in the Odawa Register, Ziibimijwang, Inc., Corporate Charter as sponsored by Councilor Keshick.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to approve Certified Motion 112014-05 Request for FY 2015 Litigation Support Funds by the Chippewa Ottawa Resource Authority (CORA).

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve 2015 Council Regular and Work Session/Meeting Schedule.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Keshick to Override Executive Veto: Tribal Resolution #100914-02-Supplemental Funding for Accounting to Reinstitute the Tribal Employee Weekly Payroll in the amount of \$64,000.00 to come from prior period funds.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Law to Override the Executive Veto: Tribal Resolution #100914-03-Tribal Government Priority Funding Percentage Allocation for FY 2016.

Vote: 7-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Action Items – Roll Call Votes

Motion made by Councilor Law and supported by Councilor Wemigwase to pass Leasing of Trust Land Statute.

Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-absent, Councilor Otto-yes, Councilor Wemigwase-yes, Treasurer Reyes-yes, Secretary Shananaquet-yes

Motion carried.

Motion made by Councilor Law and supported by Councilor Keshick to pass Gaming Enterprise Statute as sponsored by Councilor Law.

Motion was withdrawn.

Motion made by Councilor Wemigwase and supported by Councilor Denemy to approve Tribal Resolution: Supplemental Funding in the Amount of \$72,000 for Burial Assistance Program.

Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-absent, Councilor Otto-no, Councilor Wemigwase-yes, Treasurer Reyes-yes, Secretary Shananaquet-yes,

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to amend the agenda to include the following: Motion for Treasurer Duties, and posting of Amendment to the Succession Statute.

Vote: 6-Yes, 1-No (Secretary Shananaquet), 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Keshick to request, authorize and approve the Treasurer to perform the following duties, in accordance with Article VII, C(3): signatory for certified motions, Legislative Branch documents, staff travel, PTO, and other similar day-to-day functions for Legislative Branch and office operations.

Vote: 6-Yes, 1-No (Secretary Shananaquet), 0-Abstained, 1-Absent (Councilor Naganashe)

Motion carried.

Motion made by Councilor Law and supported by Councilor Keshick to post to the Legislative Agenda of the Odawa register the Amendment to the Succession Statute.

