

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Council Chambers  
7500 Odawa Circle  
Harbor Springs, MI 49740  
November 6, 2014

Closed Session: yes  
Call to Order: 9:04 a.m.  
Opening Ceremony: Michael Naganashe

Council Present: Legislative Leader Regina Gasco Bentley, Secretary Julia Shananaquet, Treasurer Marcella Reyes, Councilor Bill A. Denemy, Councilor John Keshick III, Councilor Beatrice A. Law, Councilor Michael Naganashe  
Councilor Aaron Otto

Absent: Councilor Winnay Wemigwase

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 Chairman Fred Kiogima, Vice-Chairperson Deb DeLeon, Chief Financial Officer Carrie Carlson, Tribal Administrator Albert Colby, Executive Services Attorney Diane Vitols

Judicial Staff: None

Public: Andrew Stich

Invited Guests: Odawa Casino Resort: General Manager Eric McLester, Slot Director Dennis Shananaquet, Food and Beverage Director Hank Rowland, Table Games Director Shane Robertson, Director of Finance Roger Borton, Human Resources Director Katie Eberly, Property Operations Director Barry Laughlin.

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Motion made by Councilor Naganashe and supported by Treasurer Reyes to adopt the agenda of November 6, 2014, in honor of Elder Patrick V. Naganashe.  
Vote: 8-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Wemigwase)  
Motion carried.

Motion made by Councilor Law and supported by Councilor Naganashe to approve the minutes of October 23, 2014 as corrected.  
Vote: 8-Yes, 0-No, 0-Abstained, 1-Absent (Councilor Wemigwase)

Motion carried.

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

**Executive Updates**

**Discussion Items:** Update on issues presented at National Congress of American Indians (NCAI) regarding pipeline issues. Chairman Kiogima gave notice of upcoming meetings: December 3, 2014, White House Meeting, November 23, 2014 Michigan State University (MSU) Annual Conference meeting with Kevin Washburn, staff Achievement Awards: December 3, 2014, honoring Joe VanAlstine for commodities work, Valarie Glazier re: Tax Exempt Applications, the Government Building roof repair meeting on November 13, 2014. And the Chippewa Ottawa Resource Authority Meeting's lack of refreshments; Chairman Kiogima will look into costs.

Motion made by Secretary Shananaquet and supported by Councilor Denemy to acknowledge the verbal report of Tribal Chairman Kiogima as presented on November 6, 2014.

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

Motion carried.

**9:30 a.m.: Gaming Authority Committee Report and Odawa Casino Resort 2014 3rd Quarter Report and Business Plan Update.**

**Discussion Items:** Secretary Shananaquet raised questions regarding Employee Chamber Bucks and plan to increase revenue? Councilor Law requested update on maintenance Issues and signage, and Councilor Denemy commended Casino for lighted water tower. Councilor Keshick suggested serving Buffalo meat.

10:04 a.m. Motion made by Councilor Otto and supported by Councilor Law to go into closed session for confidential business matters.

Vote: 7-Yes, 1-No (Secretary Shananaquet), 0-Abstained, 1-Absent (Councilor Wemigwase)

Motion carried.

10:15 a.m. Motion made by Councilor Law and supported by Councilor Denemy to return to open session.

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

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to accept the Gaming Authority Committee Report and to acknowledge receipt of the Odawa Casino Resort 2014 3<sup>rd</sup> Quarter Report and Business Plan update as presented by on November 6, 2014.

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

Motion carried.

10:48 a.m. Break  
11:01 a.m. Resume

**11:01 a.m. FY2013 Rehmann Audit Exit Interview – Doug Deeter**

**Discussion Items:** Clean audit for Odawa Economic Development Management, Inc., Trust Fund, Burial Fund, 401 (K). Modified audit opinion of overall government audit due to exclusion of Odawa Fishery, Inc. (OFI). Overall LTBB received a good audit. Single audit of grant programs (7 programs) had no findings this year!

Motion made by Councilor Law and supported by Treasurer Reyes to acknowledge receipt of the verbal and written Rehmann 2013 Audit Report as presented on November 6, 2014, by Doug Deeter.

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

Motion carried.

**Legislative Leader Report**

**Discussion Items:** Legislative Leader has not received a response from Tribal Court Appellate regarding the overdue Backlog Report, Attended Appellate Justice presentation, Government to Government Training (Homeland Security re: Hacking); and Gambling in a smoke free environment.

Motion made by Treasurer Reyes and supported by Councilor Otto to accept Legislative Leader Gasco Bentley's verbal report as presented on November 6, 2014.

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

Motion carried.

**Secretary Report**

**Discussion Items:** On Wednesday, October 22, 2014, Tribal Prosecutor Lesky delivered a letter signed by Chairman Kiogima regarding "unauthorized use of the Tribal Seal of the Little Traverse Bay Bands of Odawa Indians (LTBB)". After much discussion by Tribal Council at Tuesday's November 3, 2014 Work session, I respectfully submit a draft article for the Citizen Website and publication in the Odawa Trails and I recommend a public hearing with our Tribal Citizens to hear their suggestions and input regarding possible amendments to the Waganakising Odawak Statute 2006-015, The Tribal Seal Of The Waganakising Odawak Nation.

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

- Certified Motion #102314-01 Funding from the U.S. Department of Health and Human Services Indian Health Service Annual funding Agreement, Award Increase

- Certified Motion #102314-02 Request for funding from the Office of Vocational and Adult Education, Native American Career and Technical Education Project (WOCTEP) Supplemental Funding
- Certified Motion #102314-03 Request for Funding from the U.S. Department of the Interior, Bureau of Indian Affairs, FY2014 GLRI Wetland and Waterfowl Monitoring and Enhancement
- Certified Motion #102314-04 Request for funds from Inter-Tribal Council of Michigan REACH Program
- Certified Motion #102314-05 Approval of FY 2015-FY 2018 Tribal Transportation Improvement Plan
- Certified Motion #102314-06 Funding from the U.S. Department of Health and Human Services Indian Health Service 2015 Annual Funding Agreement, Award Increase
- Tribal Resolution #102314-01: Supplemental Funding in the amount of \$31,000 for Network Security Assessment.
- Waganakising Odawa Statute Repeal of WOS 2010-006 Waganakising Odawa Development, Inc.
- Waganakising Odawa Statute Repeal of WOS 2009-023 Economic Development Commission

Vetoes: None

Phone Polls: None

Motion made by Treasurer Reyes and supported by Councilor Naganashe to accept Secretary Shananaquet's verbal report as presented on November 6, 2014.

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

Motion carried.

11:48 a.m. Public Comment opens

- Citizen Andrew Stich attended Violence Against Women Act work session and inquired into the process; What is the intended use of Mackinaw City properties including Odawa Fishery, Inc. (OFI); inquired into the farm property and house; questioned OFI need for additional funds; and would like to know what type of housing will be put on Harbor Springs 2<sup>nd</sup> Street property.
- Citizen Fred Kiogima brought up Elder request that Tribal Council members and employees park in back parking lot on Tuesdays and Thursdays.

- Citizen Law would like to know who will do the maintenance at Housing and who handles housing complaints after offices are closed.

12:05 p.m. Public Comment closed

12:05 p.m. Lunch Break

1:31 p.m. Meeting Resumes

### **Treasurer Report**

Motion made by Councilor Naganashe and supported by Councilor Law to accept Treasurer Reyes' verbal report as presented on November 6, 2014.

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

Motion carried.

### **Tribal Council Travel Reports**

Motion made by Councilor Otto and supported by Councilor Naganashe to acknowledge the verbal and/or written report from Secretary Shananaquet, Treasurer Reyes, and Councilor Law for their attendance at the 71<sup>st</sup> Annual National Congress of American Indians Conference held in Atlanta, GA., October 27-31, 2014.

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

Motion carried.

### **Tribal Council Committee Reports**

#### **Agriculture Assessment Work Group**

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

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

Motion carried.

#### **Land and Reservation Committee**

FYI: Next meeting will take place on November 18, 2014. Motion made by Councilor and supported by Councilor to accept the verbal report of the Land and Reservation Committee as presented by Legislative Leader Gasco Bentley, Committee Chairperson.

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

Motion carried.

#### **Legal Legislative Committee**

Motion made by Secretary Shananaquet and supported by Councilor Naganashe to accept the verbal report of the Legal Legislative Committee as presented by Treasurer Reyes, Committee Secretary.

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

Motion carried.

## **Ethics Committee**

**Discussion Items:** FYI There has not been a meeting held since last Council meeting. Ethics Ad/hoc meeting will be held on November 12<sup>th</sup> at 3:30 p.m. and the Ethics Committee will take place on November 10<sup>th</sup> at 1:00 p.m.

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

Vote: 7-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Wemigwase, Legislative Leader Gasco Bentley)

Motion carried.

## **Legislative Office Reports:**

### **Treasury Director Report**

Motion made by Councilor Law and supported by Councilor Otto to accept Treasury Director Garrow's written and verbal report as presented on November 6, 2014.

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

Motion carried.

2:25 p.m. Break

2:30 p.m. Resume

## **Action Items – Motions:**

Motion made by Councilor Law and supported by Treasurer Reyes to approve travel for Councilor Wemigwase to attend the 2014 White House Tribal Nations Conference December 2 - 4, 2014, and travel for Councilors to the National Reservation Economic Summit (RES) March 9 - 12, 2015, the 2015 Midwest Alliance of Sovereign Tribes (MAST) Impact Week March 8 – 11, 2015, and the National Indian Child Welfare meeting in Portland Oregon March 2015.

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

Motion carried.

Motion made by Legislative Leader Gasco Bentley and supported by Councilor Law to approve Odawa Fishery, Inc., Corporate Charter Addendum.

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

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Law to appoint Cathy Bradley to the Gaming Regulatory Commission for a 3-year term ending September 21, 2017.

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

Motion carried.

Motion made by Councilor Law and supported by Councilor Naganashe to repost the Human Resources Department Statute to the Odawa Register.

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

Motion made by Secretary Shananaquet and supported by Councilor Naganashe to post the Constitutionally Mandated Tribal Council Compensation Statute to the Odawa Register as sponsored by Secretary Shananaquet.

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

2:41 p.m. Legislative Leader Gasco Bentley, Treasurer Reyes and Councilor Keshick exit the meeting.

### **Legislative Services Attorney Report**

Motion made by Secretary Shananaquet and supported by Councilor Denemy to accept Legislative Services Attorney Budnick's verbal and written report as presented on November 6, 2014.

Vote: 5-Yes, 0-No, 0-Abstained, 4–Absent (Councilor Wemigwase, Legislative Leader Gasco Bentley, Treasurer Reyes, Councilor Keshick)  
Motion carried.

### **Enjinaaknegeng**

Motion made by Secretary Shananaquet and supported by Councilor Law to accept Enjinaaknegeng General Counsel James Bransky's verbal report as presented on November 6, 2014.

Vote: 5-Yes, 0-No, 0-Abstained, 4–Absent (Councilor Wemigwase, Legislative Leader Gasco Bentley, Treasurer Reyes, Councilor Keshick)  
Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to approve retainer with BDO 2014 Letter of Engagement, with limited waiver of sovereign immunity as stated therein to the extent of the contract amount.

Vote: 5-Yes, 0-No, 0-Abstained, 4–Absent (Councilor Wemigwase, Legislative Leader Gasco Bentley, Treasurer Reyes, Councilor Keshick)  
Motion carried.

### **Legislative Office Manager**

**Discussion Items:** Have not received the 3<sup>rd</sup> Quarter Report from OFI. Sound system maintenance completed. Dumpster Issue on Farm property resolved and had fee waived. No more contracting request will be processed after tomorrow per Accounting Department.

Motion made by Councilor Denemy and supported by Councilor Naganashe to accept Legislative Office Manager LaCount verbal and written report as presented on November 6, 2014.

Vote: 5-Yes, 0-No, 0-Abstained, 4–Absent (Councilor Wemigwase, Legislative Leader Gasco Bentley, Treasurer Reyes, Councilor Keshick)  
Motion carried.

**Other Items of Business:**

Vice-Chairperson Deb DeLeon responded to Councilor Law's question regarding Housing Department and who will take over the duties of retiree Richard Wemigwase, and what will the cost be. She also stated that John Givens and Kay Rowland are available for after hour calls. And that there has been a new sound system installed in the commons area.

**Adjournment**

3:41 p.m. Motion made by Councilor Denemy and supported by Secretary Shananaquet to adjourn meeting.

Vote: 5-Yes, 0-No, 0-Abstained, 4-Absent (Councilor Wemigwase, Legislative Leader Gasco Bentley, Treasurer Reyes, Councilor Keshick)

Motion carried.

Next Scheduled Meeting  
November 20, 2014

Please contact the Legislative Office at 231-242-1403, 231-242-1404 or 231-242-1406 for additional updates and clarifications of these minutes as presented.

These Minutes have been read and approved as written:

	
_____ Julia A. Shananaquet, Tribal Council Secretary	_____ Date