The Little Traverse Bay Bands of Odawa Indians
VIA ZOOM
Tribal Council Regular Meeting Agenda
March 17, 2022, at 9:00 a.m.

All meetings, work sessions and Citizens' meetings are recorded
Public Comment 11:45 a.m. & 3:00 p.m. (approximate)
Lunch Recess may be held approximately 12:00 p.m. - 1:00 p.m.
Agenda subject to change and may include closed session

Participation. With respect to all participants, and in accordance with Waganakising Odawak Statute 2015-014 Open Meetings of the Tribal Council, and the Tribal Council Meeting Policy and Procedures for Electronic Meetings, participants are required to provide their full name and Tribal affiliation at log in for meeting entry. Citizens use name and enrollment number, all others who are required to be in the meeting, use name and title. Without required identification you will remain in the Zoom waiting room of this session until the entry criteria is met. If you log in under what appears to be a fictitious name, you may be removed and will not be provided entry into the meeting room until such time as your log in is verifiable.

Public Comment. 11:45 a.m. & 3:00 p.m. (approximate)
Tribal Council will not accept comments nor discuss matters that relate to the following:
1. Personnel matters.
2. Personal information affecting an individual's privacy, including personnel matters. or medical conditions or similar matters that constitute a clearly unwarranted invasion of personal privacy unless it pertains to the Tribal Citizens who is raising the matter.
3. Matters covered by attorney client privilege.
4. Matters considered confidential by other Statutes.
5. Matters regarding confidential business or legal matters of the Tribe or a Tribal Citizen.
6 Matters that could impair a criminal investigation.
(Source: WOS 2015-014, July 24, 2015, Section VI)

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GENERAL SESSION

1. Call to Order
2. Opening Ceremony
3. Roll Call

4. **Motion** to Adopt the Agenda of March 17, 2022 as (presented/amended).

5. **Motion** to dedicate this meeting in honor of the following Tribal Citizen(s) who have walked on: Jarrett Nez-Shananaquet-ba, Theresa Slaton-ba, Leslie Flint-ba, James Vincent-ba, Lawrence Nadeau-ba, Danielle Sands-ba, Kimberly White-ba

6. Review and Approve Minutes of March 3, 2022.
   a. **Motion** to approve the minutes of March 3, 2022 as (presented/corrected).

7. **9:30 a.m.** Introduction of new Tribal Government Employees

   - Joe Keller – Maintenance Worker
   - Ashley Davis – Human Resources Generalist (transfer)

8. **9:45 a.m.** Closed Session

   ___**a.m. Motion** to enter into closed session **for…**

   ___**a.m. Motion** to return to open session.

9. Executive Oversight Report

Motion to acknowledge receipt of the verbal and written Executive Oversight Report as presented by…for March 3, 2022.

10. Tribal Council Officer and Committee Reports

    a. Legislative Leader Report

Motion to acknowledge receipt of Legislative Leader Emily Proctor's verbal report for March 17, 2022.

    b. Secretary Report

       i. Documents Delivered to the Executive:

          - **Delivered 03/04/22:** Tribal Resolution to Establish the FY 2022 Cost of Living (COLA) for Little Traverse Bay Band of Odawa Indians (LTBB) Government Employees and Odawa Casino Resort Employees, and to appropriate to the Tribal Government FY 2022 LTBB Operating Budget an amount not to exceed $220,000.00 to come from General Fund-Fund Balance. **Due back on 04/04/22.**

ii. Vetoes *(a vote of Tribal Council to override a veto shall occur within 90-days of the veto)*: none

iii. Phone Polls passed by Tribal Council: none

Motion to acknowledge receipt of Secretary Marcella Reyes' verbal and written report as provided on the agenda for March 17, 2022.

c. Treasurer Report

Appropriations and Finance Committee

-Last Meeting: March 8, 2022
(Motions made at Appropriations and Finance Committee Meeting):

Motion to recommend to Tribal Council that GNI Phase III, LLC pursue a loan with Bay Bank in the amount of $2,400,000 for Lot 1.
VOTE: 1-yes, 1-no (Treasurer Leroy Shomin), 0-absetined, 1-absent (Councilor William Ortiz)
Motion failed

<u>Phone Polls passed by Appropriations and Finance Committee:</u>

Reason for Phone Poll: Motion to recommend to Tribal Council to approve CERTIFIED MOTION # 031722-01Request for Funding from the Bureau of Indian Affairs Fire Management/Fuel Reduction Funds FY 2022 – FY 2026.
Vote:

Reason for Phone Poll: Motion to recommend to Tribal Council to approve CERTIFIED MOTION # 031722-02 Request for Funding from U.S. Department of Health & Human Services, Administration for Native Americans, FY 2022 Social and Economic Development Strategies (SEDS) Program.
Vote:

Reason for Phone Poll: Motion to recommend to Tribal Council to approve CERTIFIED MOTION # 031722-03 Request for Funding from Office on Violence Against Women (OVW), Transitional Housing Assistance Grants for Victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking FY 2022
Vote:

Reason for Phone Poll: Motion to recommend to Tribal Council to approve CERTIFIED MOTION # 031722-04 Request for Funding as a sub-grantee from Michigan Department of Health and Human Services (MDHHS) for funding from the Substance Abuse and Mental Health Services Administration SOR 3 Anishinaabek Healing Circle Medication Assisted Treatment Initiative.
Vote:

Reason for Phone Poll: Motion to recommend to Tribal Council to approve CERTIFIED MOTION # 031722-05 Authorization to Participate in Nationwide Elder Needs Assessment.
Vote:

-Next Meetings:
Zoom-April 6, 2022, 9:00 a.m. 2023 Budget Hearing – Executive and Election Board

Zoom-April 8, 2023, 9:00 a.m. 2023 Budget Hearing - Prosecutor, Legislative Judicial

Zoom-April 12, 2022, 9:00 a.m. Regular meeting and
Zoom-April 12, 2022, 1:00 p.m. 2023 Budget Hearing –Citizens Comments

Motion to acknowledge receipt of the Appropriations and Finance Committee verbal and written report as provided on the agenda by Treasurer Leroy Shomin, Committee Chair for March 17, 2022.

d. **Land and Reservation Committee**

-Last Meeting: March 11, 2022
(Motions made at Land and Reservation Committee Meeting):

Motion made by Committee Member Fred Kiogima and supported by Committee Secretary Marcella Reyes to approve Confidential Memo #031122-01 Assignment of Land Parcel #152.
Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent
Motion Carries

Motion made by Committee Member Fred Kiogima and supported by Committee Secretary Marcella Reyes to request a Staff Review and Analysis Report for land parcel #152 that will be completed and submitted to the Committee by April 1, 2022.
Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent
Motion Carries

Motion made by Committee Member Fred Kiogima and supported by Committee Secretary Marcella Reyes to approve Confidential Memo #031122-02 Assignment of Land Parcel #153.
Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent
Motion Carries

Motion made by Committee Member Fred Kiogima and supported by Committee Secretary Marcella Reyes to request a Staff Review and Analysis Report for land parcel #153 that will be completed and submitted to the Committee by April 1, 2022.
Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent
Motion Carries

Motion made by Committee Member Fred Kiogima and supported by Committee Secretary Marcella Reyes to approve Confidential Memo #031122-03 Assignment of Land Parcel #154.
Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent
Motion Carries

Motion made by Committee Member Fred Kiogima and supported by Committee Secretary Marcella Reyes to request a Staff Review and Analysis Report for land parcel #154 that will be completed and submitted to the Committee by April 1, 2022.
Vote: 3 – Yes, 0 – No, 0 – Abstain, 0 – Absent
Motion Carries

Motion made by Committee Secretary Marcella Reyes and supported by Committee Chairperson Aaron Otto to table to the next Land and Reservation Meeting, April 1, 2022, the Motion to Acknowledge receipt of a document from Tribal Chairperson Bentley that sets forth and explains the decision of why the Executive staff is not required to participate in due diligence information and Staff Review and Analysis Report for land

parcels either being brought forward by Odawa Economic Affairs Holding Corporation to the Land and Reservation Committee for consideration, or for land parcels that are being purchased by Odawa Economic Affairs Holding Corporation that may be utilized by the Tribe as a whole.
Vote: 2 – Yes, 1 – No (Committee Member Fred Kiogima), 0 – Abstain, 0 – Absent
Motion Carries

-Phone Polls passed by Land and Reservation Committee: none

-Next Meeting: at 9:00 a.m. via Zoom

Motion to acknowledge receipt of the Land and Reservation Committee verbal and written report as provided on the agenda by Councilor Aaron Otto, Committee Chairperson for March 17, 2022.

11. Tribal Council Member Reports:

a. Councilor Fred Kiogima
b. Councilor Tamara Kiogima
c. Councilor William Ortiz
d. Councilor Aaron Otto
e. Councilor Melissa Pamp
f. Legislative Leader Emily Proctor
g. Secretary Marcella Reyes
h. Treasurer Leroy Shomin
i. Councilor Marty Van De Car

Motion to acknowledge receipt of …(verbal/written) report for March 17, 2022.

12. Legislative Office Reports:

a. Office of Finance and Revenue - Senior Financial Analyst

i. Office Update

ii. Corporate Charters and/or Board Updates:

- Odawa Economic Affairs Holding Corporation, Inc.

  - **Motion** to approve the remainder (2nd, 3rd, 4th Quarters) of the Odawa Economic Affairs Holding Corporation (OEAHC) FY 2022 Budget in the amount of $250,460.00.

- Tribal Burial Board, Inc.
- Odawa Economic Development Management, Inc.
- Ziibimijwang, Inc.
- Gaming Authority

Motion to acknowledge receipt of Sr Financial Analyst Rachel Cope's verbal and written report for March 17, 2022.

b. Tribal Historic Preservation Officer

Motion to approve Misty Jackson PH.D Arbe Croche contract amendment to extend the contract date to 3/15/23 to complete boundary expansion of Greensky Hill National register of historical places to include the "Circle of Trees" and authorized Legislative Leader to sign.

Motion to approve Mark Holley contract amendment to extend the contract date to 7-15-22 to complete the LTBB Straits of Mackinaw underwater survey and authorized Legislative Leader to sign.

Motion to acknowledge receipt of Tribal Historic Preservation Officer Melissa Wiatrolik's verbal and written report for March 17, 2022.

c. Legislative Services Attorney

Motion to acknowledge receipt of Legislative Services Attorney Donna Budnick's verbal and written report for March 17, 2022.

d. General Counsel

Motion to acknowledge receipt of General Counsel Jim Bransky's verbal report for March 17, 2022.

e. Legislative Office Manager

Motion to acknowledge receipt of Legislative Office Manager Michele Portman-LaCount's verbal and written report for March 17, 2022.

13. Tribal Council Action Items:

a. Motions

i. **Motion** to approve GNI Phase III, LLC pursue a loan with Bay Bank in the amount of $2,400,000 for Lot 1.

ii. **Motion** to acknowledge receipt of REG-WOS 2021-014-03172022-001 Energy Improvement Program Application for Third Party Financing Regulations as received by the Executive.

iii. **Motion** to approve CERTIFIED MOTION # 031722-01 Request for Funding from the Bureau of Indian Affairs Fire Management/Fuel Reduction Funds FY 2022 – FY 2026.

iv. **Motion** to approve CERTIFIED MOTION # 031722-02 Request for Funding from U.S. Department of Health & Human Services, Administration for Native Americans, FY 2022 Social and Economic Development Strategies (SEDS) Program.

v. **Motion** to approve CERTIFIED MOTION # 031722-03 Request for Funding from Office on Violence Against Women (OVW), Transitional Housing

Assistance Grants for Victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking FY 2022

vi. **Motion** to approve CERTIFIED MOTION # 031722-04 Request for Funding as a sub-grantee from Michigan Department of Health and Human Services (MDHHS) for funding from the Substance Abuse and Mental Health Services Administration SOR 3 Anishinaabek Healing Circle Medication Assisted Treatment Initiative.

vii. **Motion** to approve CERTIFIED MOTION # 031722-05 Authorization to Participate in Nationwide Elder Needs Assessment.

viii. **Motion** to accept Prosecutor Jana Simmons letter of resignation effective immediately dated March 15, 2022.

ix. **Motion** to acknowledge receipt of Executive nomination of Maanii Tall Cloud for the Ziibimijwang, Inc., and set up an interview.

x. **Motion** to acknowledge receipt of Executive nomination of Rosebud Bear-Schneider to serve on Ziibimijwang, Inc., and set up an interview.

xi. **Motion** to approve Tribal Declaration: Statement of Opposition for Senate Bill S. 0460, Amendment to the "Revised School Code" that bans Critical Race Theory (CRT) from being taught in Schools.

xii. **Motion** to authorize Treasurer Shomin to submit an application to Tribal First for the Great American Insurance Group / Crime Supplemental Insurance Policy Renewal for Tribal Council.

xiii.

b. Roll Call Votes

i. **Motion** to pass Waganakising Odawak Statute Enjinaaknegeng.

ii. **Motion** to pass Waganakising Odawak Statute Donated Land Acceptance.

iii. **Motion** to pass Waganakising Odawak Statute Vulnerable Elder and Adult, or Incapacitated Adult, Protection Statute.

iv. **Motion** to adopt Tribal Resolution: Authorization of the COVID-19 Financial Impact Relief Payment Program Policy III that allows a one thousand-dollar ($1,000.00) payment to Little Traverse Bay Bands of Odawa Indians Citizens to come from American Rescue Plan Act ("ARP") funds in the amount of in the amount of Four million, Four hundred and Seventy thousand Dollars ($4,470,000.00)

v.

13. Other Items of Business:

a.

14. Adjournment

_____ **a.m./p.m. Motion** to adjourn.

Next Scheduled Meeting; April 7, 2022 at 9:00 a.m. via Zoom