



The Little Traverse Bay Bands of Odawa Indians  
VIA ZOOM  
**Tribal Council Regular Meeting Agenda**  
**December 15, 2022**  
**9:00 a.m.**

**All meetings, work sessions and Citizens' meetings are recorded**

**\*Agenda subject to change and may include closed session\***

Public Comment 11:45 a.m. & 3:00 p.m. (approximate)

Lunch Recess may be held approximately 12:00 p.m. - 1:30 p.m.

**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.**

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 December 15, 2022 as (presented/amended).
5. **Motion** to dedicate this meeting in honor of the following Tribal Citizen(s) who have walked on: Randy Gibson, Charles Gould, Catherine Merryman, Leonard "Joe" Mitchell, and Jacy Russell.
6. Review and Approve Minutes of December 1, 2022.
  - a. **Motion** to approve the minutes of December 1, 2022 as (presented/corrected).
7. Executive Oversight Report
  - i. **Motion** to acknowledge receipt of the verbal and written Executive Oversight Report as presented by...for December 15, 2022.
8. **10:00 a.m.** Closed Session for Personnel
  - \_\_\_\_\_ **a.m. Motion** to enter into Closed Session for Personnel
  - \_\_\_\_\_ **a.m. Motion** to return to Open Session.

**Motion** to...(Dependent on closed session)
9. **11:00 a.m.** Tribal Council Officer Reports
  - a. Legislative Leader Report
    - i. Assistant Prosecutor Michael Long Contract Negotiation.  
\_\_\_\_\_ **a.m. Motion** to enter into Closed Session for Confidential Personnel.  
\_\_\_\_\_ **a.m. Motion** to return to Open Session.
    - ii. **Motion** to approve Assistant Prosecutor Michael Long's Contract as presented December 15, 2022 and authorize Legislative Leader to sign the Contract.

- iii. **Motion** to acknowledge receipt of Legislative Leader Emily Proctor's verbal and written report for December 15, 2022.

b. Secretary Report

- i. Documents Delivered to the Executive: None
- 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:  
**12/07/2022** Reason for Phone Poll: Motion to release Ziibimijwang, Inc. 2022 4<sup>th</sup> Quarter budget funds.  
Phone Poll Vote: 9 Yes, 0 No, 0 Abstain, 0 Absent  
Motion carries.

**Motion** to acknowledge receipt of Secretary Marcella Reyes' verbal and written report as provided on the agenda for December 15, 2022.

c. Treasurer Report

**Appropriations and Finance Committee**

-Last Meeting: December 6, 2022

*(Motions made at Appropriations and Finance Committee Meeting)*

*Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to adopt Tribal Resolution Burial Program Supplemental Funding in the Amount of \$40,000.00 to come from the General Fund-Fund Balance.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to adopt Tribal Resolution Migizi Aviary and Rehabilitation Center Supplemental Funding in the Amount of \$300,000.00 to come from the General Fund-Fund Balance.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve the Gaming Authority's Fiscal Year 2023 Operating Budget.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve the Odawa Online GSP Fiscal Year 2023 Operating Budget.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to acknowledge receipt of Odawa Casino Resort's Fiscal Year 2023 Operating Budget as presented by Denise Petoskey, Committee Vice Chair and Roger Borton, Odawa Casino Resort Director of Finance for December 6, 2022.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve the Odawa Economic Affairs Holding Corporation Fiscal Year 2023 Operating Budget.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve the Odawa Economic Development Management, Inc. Fiscal Year 2023 Operating Budget.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve the Tribal Burial Board Fiscal Year 2023 Operating Budget.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend Tribal Council to approve the Ziibimijwang, Inc. Fiscal Year 2023 Operating Budget.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to release Ziibimijwang, Inc's 2022 4<sup>th</sup> Quarter budget funds.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to Post for Comment the Constitutionally Mandated Compensation statutes for the Tribal Chairperson and Tribal Vice-Chairperson, Judges and Justices, Tribal Prosecutor, and Tribal Council.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

*Motion made by Councilor William Ortiz and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve and post the Investment Advisory Services Request for Proposal.*

*Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent*

*Motion carries.*

Phone Polls passed by Appropriations and Finance Committee:

**-12/13/2022** Reason for Phone Poll #1: Motion to recommend to Tribal Council to adopt Tribal Resolution Ziibimijwang, Inc. Requests fourth quarter funding for FY2022 in the Amount of \$36,399.00 to come from the General Fund-Fund Balance.

Phone Poll Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carries.

**-12/13/2022** Reason for Phone Poll #2: Motion to recommend to Tribal Council to adopt Tribal Resolution Tribal Burial Board Requests for FY 2023 Contribution in the Amount of \$103,344.17 to come from the General Fund-Fund Balance.

Phone Poll Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

Motion carries.

**-12/13/2022** Reason for Phone Poll #3: Motion to recommend to Tribal Council to adopt Tribal Resolution Ziibimijwang, Inc. Requests for FY 2023 Contribution in the Amount of \$150,000.00 to come from the General Fund-Fund Balance.

Phone Poll Vote: 3 Yes, 0 No, 0 Abstain, 0 Absent

*Motion carries.*

-Next Meeting: Tuesday, January 17, 2023 at 9:00 a.m. in Council Chambers and via Zoom

**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 December 15, 2022.

**d. Land and Reservation Committee Report**

-Last Meeting: December 8, 2022

*(Motions made at Land and Reservation Committee Meeting)*

*Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to recommend to Tribal Council to approve CERTIFIED MOTION # 121522-01 Approval of FY 2023 – FY 2026 Tribal Transportation Improvement Plan.*

*Vote: 3-yes, 0-no, 0-abstain, 0-absent*

*Motion carries.*

*Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to request a Staff Review and Analysis Report for Land Parcel #178 to be completed and submitted to the Committee prior to January 6, 2023.*

*Vote: 3-yes, 0-no, 0-abstain, 0-absent*

*Motion carries.*

*Motion made by Councilor Fred Kiogima and supported by Secretary Marcella Reyes to recommend to Tribal Council to not pursue Land Parcels #116, #124, #151, #156, and #158.*

*Vote: 3-yes, 0-no, 0-abstain, 0-absent*

*Motion carries.*

Phone Polls passed by Land and Reservation Committee: None

-Next Meeting: Friday, January 6, 2023 at 9:00 a.m. in Council Chambers and via Zoom

\_\_\_\_\_ **a.m./p.m. Motion** to enter into closed session for Confidential Business, Land  
*(standard motion)*

\_\_\_\_\_ **a.m./p.m. Motion** to return to open session.

**Motion** to ...(Dependent on closed session)

**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 December 15, 2022.

10. Tribal Council Member Reports:

a. Councilor Fred Kiogima

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- b. Councilor Tamara Kiogima
- c. Councilor William Ortiz
- d. Councilor Aaron Otto
- e. Councilor Melissa Pamp
- f. Councilor James Pontiac
- g. Legislative Leader Emily Proctor
- h. Secretary Marcella Reyes
- i. Treasurer Leroy Shomin

**Motion** to acknowledge receipt of ...(verbal/written) report for December 15, 2022.

11. Legislative Office Reports:

- a. Office of Finance and Revenue - Senior Financial Analyst
  - i. Office Update
  - ii. Corporate Charters and/or Board Updates:
    - Gaming Authority – Gaming Authority/Odawa Casino Resort October 2022 Monthly Report. Approval of both Gaming Authority and GSP Online FY23 Operating Budgets.
    - Odawa Economic Affairs Holding Corporation – Approval of FY23 Operating Budget
    - Odawa Economic Development Management, Inc. – Approval of FY23 Operating Budget
    - Tribal Burial Board – Approval of FY23 Operating Budget
    - Ziibimijwang, Inc. – Approval of FY23 Operating Budget.

**Motion** to acknowledge receipt of the written Gaming Authority/Odawa Casino Resort October 2022 Monthly Report dated November 30, 2022.

**Motion** to approve the Gaming Authority’s Fiscal Year 2023 Operating Budget.

**Motion** to approve the Odawa Online GSP Fiscal Year 2023 Operating Budget.

**Motion** to approve the Odawa Economic Affairs Holding Corporation Fiscal Year 2023 Operating Budget.

**Motion** to approve the Odawa Economic Development Management, Inc. Fiscal Year 2023 Operating Budget.

**Motion** to acknowledge receipt of Sr Financial Analyst Rachel Cope’s verbal and written report for December 15, 2023.

- b. Tribal Historic Preservation Officer

**Motion** to acknowledge receipt of Tribal Historic Preservation Officer Melissa Wiatrolik's verbal and written report for December 15, 2022.

c. General Counsel

**Motion** to acknowledge receipt of General Counsel Jim Bransky's verbal report for December 15, 2022.

d. Legislative Office Manager

**Motion** to acknowledge receipt of Legislative Office Manager Michele Portman-LaCount's verbal and written report for December 15, 2022.

12. Tribal Council Action Items:

a. Motions

- i. **Motion** to Post for Comment the Constitutionally Mandated Compensation statutes for the Tribal Chairperson and Tribal Vice-Chairperson, Judges and Justices, Tribal Prosecutor, and Tribal Council.
- ii. **Motion** to approve and post the Investment Advisory Services Request for Proposal.
- iii. **Motion** to acknowledge receipt of the Executive Nomination of Renee "Wasson" Dillard to the Housing Commission and set up an interview.
- vi. **Motion** to acknowledge receipt of the Executive Nomination of Terri Thomasma to the Gaming Regulatory Commission and set up an interview.
- v. **Motion** to approve CERTIFIED MOTION # 121522-01 Approval of FY 2023 – FY 2026 Tribal Transportation Improvement Plan.
- vi. **Motion** to not pursue Land Parcels #116, #124, #151, #156, and #158.
- vii. **Motion** to acknowledge receipt of the Executive's Department of Commerce Limited Liability Company Fee Schedule REG-WOS 2020-005-XXXXXX-001-A
- viii. **Motion** to acknowledge receipt of the Executive's Department of Commerce For-Profit and Non-Profit Corporation Fee Schedule REG-WOS 2003-007-XXXXXX-001-A
- ix. **Motion** to approve the Human Resources Department to apply the annual Cost of Living increase at the same COLA rate for Legislative Branch Employees as that of the Executive Branch Employees.
- x. **Motion** to acknowledge receipt of Chief Judge Allie Greenleaf Maldonado's resignation letter dated December 6, 2022.

b. Roll Call Votes

- i. **Motion** to adopt Tribal Resolution Burial Program Supplemental Funding in

the Amount of \$40,000.00 to come from the General Fund-Fund Balance.

- ii. **Motion** to adopt Tribal Resolution Migizi Aviary and Rehabilitation Center Supplemental Funding in the Amount of \$300,000.00 to come from the General Fund-Fund Balance.
- iii. **Motion** to adopt Tribal Resolution to adopt Tribal Resolution Ziibimijwang, Inc. Requests fourth quarter funding for FY2022 in the Amount of \$36,399.00 to come from the General Fund-Fund Balance.
- iv. **Motion** to adopt Tribal Resolution Tribal Burial Board Requests for FY 2023 Contribution in the Amount of \$103,344.17 to come from the General Fund-Fund Balance.
- v. **Motion** to adopt Tribal Resolution Ziibimijwang, Inc. Requests for FY 2023 Contribution in the Amount of \$150,000.00 to come from the General Fund-Fund Balance.

13. Other Items of Business:

a.

13. Adjournment

\_\_\_\_\_ a.m./p.m. **Motion** to adjourn.

Next Scheduled Meeting;  
**Thursday, January 12, 2023 at 9:00 a.m. in Council Chambers and via Zoom**