



Little River Band of Ottawa Indians

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*Revised
Correct
is noted*

TRIBAL COUNCIL MEETING OPEN SESSION MINUTES

Regular Session

Wednesday, January 3, 2001, 1:00 p.m.

(Held at the Little River Band Community Center)

The minutes for the above noted Little River Band of Ottawa Indians Tribal Council Meeting will follow the agenda (in bold).

I. SILENT PRAYER

Prior to beginning the meeting, time was given to those attending to offer a silent prayer.

II. GENERAL BUSINESS

A. CALL TO ORDER

On January 3, 2001, Joan Spalding, Tribal Council Speaker, called to order the first Little River Band of Ottawa Indians Tribal Council meeting for the new year – time was approximately 1:12 p.m.

B. ROLL CALL

Charles Fisher, Tribal Council Recorder, conducted Roll Call of Tribal Council members of the Little River Band of Ottawa Indians. The record indicates that all Tribal Council members were present with the exception of Kathy Berentsen.

Roll Call Results:

C. Bennett – Present

C. Fisher – Present

L. McCatty – Absent

J. Spalding – Present

C. Waitner – Present

K. Berentsen – Present

T. Kleeman – Present

E. Porter – Present

J. Szpliet – Present

With eight Tribal Council Members of the Little River Band of Ottawa Indians present for the meeting, a quorum was established.

C. CONSENT AGENDA

APPROVAL OF AGENDA

The Agenda for the meeting of the Tribal Council was reviewed in the meeting. Following this, there was a motion to approve the agenda. Connie Waitner made the motion: Tammy Kleeman supported. The Roll Call Record reflects the following vote:

Motion: To accept the agenda as presented.

Motion by: Connie Waitner

Support: Tammy Kleeman

Roll Call:

K. Berentsen – Yes

T. Kleeman – Yes

E. Porter – Yes

J. Szpliet – Yes

C. Bennett – Yes

C. Fisher – Yes

L. McCatty – No

J. Spalding – Yes

C. Waitner – Yes

Results: Motion passes:

7 for, 1 opposed, 0 abstain and 1 absent.

APPROVAL OF COUNCIL MINUTES

It was suggested that all minutes should include mention of the location of the Tribal Council Meeting (to which they refer). This was briefly discussed and resulted in the motion that follows:

Motion: To include "Held at the Little River Band Community Center" to Tribal Council minutes".

Motion by: Lisa McCatty

Support: Janine Szpliet

Roll Call:

K. Berentsen – Absent

T. Kleeman – Yes

E. Porter – Yes

J. Szpliet – Yes

C. Bennett – Yes

C. Fisher – Yes

L. McCatty – Yes

J. Spalding – Yes

C. Waitner – Yes

Results: Motion passes:

8 for, 0 opposed, 0 abstain and 1 absent.

It should also be noted that a number of minutes were scheduled for approval. The following list represents the minutes included on the agenda (for approval).

December 9, 2000, Regular Meeting, Open Session

December 12, 2000, Open Session

December 12, 2000, Closed Session

December 27, 2000, Special Meeting

The 12/9 and 12/12 open and closed session minutes were previously provided to Tribal Council. In the related discussion, it

was noted that the minutes neglected to include a specific "For the Record" Statement by one of the Tribal Council members. There was also concern expressed by another Tribal Council member that was related to the matter of attendance noted in the minutes of one of the meetings. It was further noted that although included in the minutes to be approved, the December 27th minutes were not completed and thus not available. As a result, approval of all the minutes listed was postponed until they were reviewed. According to the record, this occurred as follows:

Motion: To postpone approval of all minutes include "Held at the Little River Band Community Center" to Tribal Council minutes".

Motion by: Lisa McCatty

Support: Janine Szpliet

Roll Call:

K. Berentsen – Absent

T. Kleeman – Yes

E. Porter – Yes

J. Szpliet – Yes

C. Bennett – Yes

C. Fisher – Yes

L. McCatty – Yes

J. Spalding – Yes

C. Waitner – Yes

Results: Motion passes:

8 for, 0 opposed, 0 abstain and 1 absent.

Additionally, in the discussion of the minutes, Connie Waitner indicated that she had found five sets of old minutes: the closed session minutes of 5/1 and 5/9, open session minutes for 6/26 and 9/13, and the minutes from the Emergency Meeting of 9/13. The Recorder indicated that he would check on the status of these, i.e., determine whether or not they had been approved.

D. PUBLIC COMMENT

Joan Spalding opened the meeting to public comment, of which there was none.

III. OLD BUSINESS

- A. RESOLUTION AUTHORIZING THE TRIBAL OGEMA TO EXECUTE CONTRACT WITH BAY SHORES CONSTRUCTION TO PROVIDE OWNER'S REPRESENTATIVE SERVICES IN CONNECTION WITH THE CASINO EXPANSION AND AGREEING TO A LIMITED WAIVER OF SOVEREIGN IMMUNITY IN THAT CONTACT. (Bill Brooks).**

There were still some remaining unresolved contract matters with Bay Shores Construction at the time of this meeting. This fact led to a motion to move Agenda item "A", Old Business, to the January 10, 2001 meeting (of the Tribal Council). This is reflected in the Roll Call Record as follows:

Motion: To move "A", Old Business, to the meeting. January 10, 2001

Motion by: Connie Waitner
Support: Tammy Kleeman

Roll Call:

K. Berentsen – Absent
T. Kleeman – Yes
E. Porter – Yes
J. Szpliet – Yes
C. Bennett – Yes

C. Fisher – Yes
L. McCatty – Yes
J. Spalding – Yes
C. Waitner – Yes

Results: Motion passes:
8 for, 0 opposed, 0 abstain and 1 absent.

IV. NEW BUSINESS

A. RATIFICATION OF CONTRACT WITH JAMES B. LAPORTE. (Bob Davis).

There was considerable discussion about the proposed contract that was received by the Tribal Council related to this agenda item. It should be noted that although not present earlier in the meeting, Bob Davis, did arrive in time to discuss this matter. In summary, there were a variety of shortcomings were noted in the discussion that ensued. Among the mentions were the following: no scope of work was included in the contract; contract did not provide clear expectations; lack of legal review; the ambiguity as to whether status is as a contractor or an employee; the question as to whether contract provides payment for services in excess of the level of salary for the position; lack of clear reporting structure as well as that the dates indicated in the contract were not correct. Some concern was also expressed in terms of whether we should contract for the work or hire for the position. It was requested that Bill Brooks work with Bob Davis to finalize the contract. The discussion of this agenda item was quite extensive and resulted in the following motion.

Motion: That the contract presented for ratification be denied and request for a new contract.

Motion by: Janine Szpliet
Support: Lisa McCatty

Roll Call:

K. Berentsen – Absent
T. Kleeman – Yes
E. Porter – Yes
J. Szpliet – Yes
C. Bennett – Yes

C. Fisher – Yes
L. McCatty – Yes
J. Spalding – Yes
C. Waitner – Yes

Results: Motion passes:
8 for, 0 opposed, 0 abstain and 1 absent.

Before moving on to Concluding Business, It was noted in the meeting that this concluded the open session portion of the Tribal Council meeting.

V. CONCLUDING BUSINESS

A. PUBLIC COMMENT

Public comment was invited; there was none.

B. NEXT TRIBAL COUNCIL MEETING DATE (S)

Regular Session: Wednesday, January 9, 2001

Work Session: Tuesday, January 8, 2001

VI. ADJOURNMENT OF OPEN SESSION

Subsequent to moving through the Concluding Business portion of the meeting, there was a motion to adjourn the open session.

Motion: To Adjourn the Open Session.

Motion by: Charles Fisher

Support: Connie Waitner

Roll Call:

K. Berentsen – Absent

T. Kleeman – Yes

E. Porter – Yes

J. Szpliet – Yes

C. Bennett – Yes

C. Fisher – Yes

L. McCatty – Yes

J. Spalding – Yes

C. Waitner – Yes

Results: Motion passes:

8 for, 0 opposed, 0 abstain and 1 absent.

Upon adjournment of the Open Session, it was noted that there would be a Closed Session meeting and that this would convene in the Little River Band Community Center Conference Room. (A short break was taken to move to the other meeting room). The Little River Band of Ottawa Indians Tribal Council Open Session Meeting held January 3, 2001 was adjourned at approximately 1:55 p.m.



**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, JANUARY 3, 2001
LITTLE RIVER BAND COMMUNITY CENTER**

OPEN SESSION

AMENDMENTS (added 10/29/02)

II. GENERAL BUSINESS

B. ROLL CALL

Corrections to Roll Call: L. McCatty-Present, K. Berentsen-Absent

C. CONSENT AGENDA

Approval of Agenda

Motion: To accept the agenda as presented.

Correction to Roll Call: K. Berentsen-Absent (original results correct)