



**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, JANUARY 6, 2016
LITTLE RIVER BAND
GOVERNMENT CENTER**

**OPEN SESSION
MINUTES**

The Little River Band of Ottawa Indians held a meeting at the Little River Band Government Center on January 6, 2016. Following are the minutes of that meeting.

I. Opening Prayer

Speaker Johnson noted that to please keep Pat Ruitter in their prayers because she had a heart attack around the Christmas Holidays and had quadruple by-pass surgery. Johnson said she is doing very well right now.

Darleen Martin, Tribal Elder, offered the opening prayer.

Creator, I ask you this morning to let their minds be open and let us think the right way.

Open our hearts to our people in a good way.

I am really sorry this morning and I just ask that Pat Ruitter be well. All prayers go out to her and there are several other people in the Tribe who are very, very sick right now. We have to send some healing prayers to those people also.

Let us be one people, Tribe, again. Miigwech.

II. General Business

A. Call to Order

The regularly scheduled Tribal Council meeting was called to order at 10:01 a.m.

B. Roll Call

J. Riley - Present	J. Burger- Present	F. Medacco- Present
S. Crampton - Present	G. DiPiazza- Present	M. Wabindato -Present
R. Wittenberg-Present	V. Johnson - Present	S. Lewis - Present

Quorum established.

Others Present: Grace Hendler, Darleen Martin, Frank Beaver, Lee Mc Caslin, Jennifer Crampton, Bill Willis, Steve Parsons, Jim Derouin, Frank Figgels.

Others Present That Did Not Sign In: George Le Vasseur, Mary Thomas, Ogema Romanelli, Officer Patrick Gilles, Officer from Public Safety, Elaine Porter, Shayne Machen, Akisa Milk.

C. Approval of Agenda

MOVE TO APPROVE THE AGENDA FOR WEDNESDAY JANUARY 6 WITH THE FOLLOWING ADDS; TO C, 1 AND 2, IN CLOSED SESSION; REMOVAL UNDER C, 1 AND 2, AND ADD C.5; by Burger; supported by Riley.

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion. Johnson said he just wanted to make a comment for the record. Johnson said he knows that they have been off from work for the holidays and he can understand why they had these adds because they just came back to work after being off for several days however in the future he would encourage all of his colleagues here to try and minimize the adds. Johnson said their membership do not have the opportunity to see these adds or these things they want to bring forward on the agenda and they need to see these so if they wanted to attend these meetings they can knowing what is going to be on the agenda or what is not going to be on the agenda. Johnson reiterated that by having these late adds they do not have the opportunity to look at these things to see if they want to attend. Johnson said he wants them to keep that in mind for the future 2016.

Roll Call #1

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

D. Tribal Council Minutes 12/16/15

MOTION TO ACCEPT TRIBAL COUNCIL OPEN SESSION MINUTES DATED 12/16/15 FOR FILING; by Wabindato; supported by Lewis.

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion.

Roll Call #2

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

III. Continuing Business

A. Grants & Contracts

Speaker Johnson noted they do not have anything under Item A, Grants & Contracts.

B. Budget Modifications

1. Acceptance of contract funds from the U.S. Department of Interior – Bureau of Indian Affairs and approving a modification to the Operating Budget MB-2016-__ in the amount of \$5,000

The Tribe has received additional funding for the BIA 2014 Self-Governance Compact.

Bill Willis, Budget Coordinator, represented this agenda item. Willis said the Tribe was recently notified that they were awarded \$5,000 under the 2014 BIA Self-Governance Compact which seems kind of odd but none the less the money is specifically awarded for off-setting expenses associated with someone from the Tribe attending the Tribal Interior Budget Council Meetings that are held by the Bureau either annually or quarterly. Willis said they just need to accept the money and amend the Operating Budget so they can apply the funds to whatever expenses that are out there.

**MOTION TO APPROVE RESOLUTION #16-0106-001;
ACCEPTANCE OF CONTRACT FUNDS FROM THE U.S.
DEPARTMENT OF INTERIOR-BUREAU OF INDIAN AFFAIRS
AND APPROVING A MODIFICATION TO THE OPERATING
BUDGET MB-2016-01 IN THE AMOUNT OF \$5,000;** by Medacco;
supported by Burger.

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion.

Roll Call #3

J. Riley -	Yes	J. Burger-	Yes	F. Medacco-	Yes
S. Crampton -	Yes	G. DiPiazza-	Yes	M. Wabindato -	Yes
R. Wittenberg-	Yes	V. Johnson -	Yes	S. Lewis -	Yes

Motion carried (9-0-0-0)

C. Approval of Budgeted Expenditure

1. Authorization for Councilor Burger to travel and attend the 2016 Information Systems Advisory Committee (ISAC) Semi-annual Meeting

The meeting takes place in Rockville, Maryland on January 20-21, 2016 at the Hilton Executive Meeting Center.

Speaker Johnson said he will apologize in advance and ask Councilor Burger to give them a quick overview of what is anticipated on the first travel here.

Councilor Burger said this first travel she has been appointed to the Information Systems Advisory Committee which is the committee that advises the Indian Health Service regarding the implementation of the electronic health record, certain bodies of law, health information portability, and Accountability Act, and HI Tech Act. Burger said that particular committee can only be seated by Elected Tribal Officials. Burger said there is a rule in Washington D.C. called the Federal Advisory Committee Act that states basically that individuals must be seated on committees that have no opportunity to influence through monetary or other means. Burger said Tribal Advisory Committees because of that rule have to be seated Elected Officials to serve in those capacities. Burger said the Self-Governance Advisory Committee to the Indian Health Service has asked her to serve on that committee as their appointee for the Self-Governance Tribes in the United States which is approximately 254 Tribes that she will be representing and she is very honored to do that as well as representing the Little River Band. Burger said this travel is reimbursed to the Tribe from her participation so none of the travel expenses is billed to the Tribe but they pay them up front on her behalf and are not an expense to the Tribe.

MOTION FOR AUTHORIZATION FOR COUNCILOR BURGER TO TRAVEL AND ATTEND THE 2016 INFORMATION SYSTEMS ADVISORY COMMITTEE (ISAC) SEMI-ANNUAL MEETING; by Di Piazza; supported by Medacco.

Speaker Johnson asked if anybody was going to abstain.

Councilor Burger said she would like to abstain from the vote since it involves expense that is paid to her.

Speaker Johnson said it is open for discussion.

Roll Call #4

J. Riley -	Yes	J. Burger-	Abstain	F. Medacco-	Yes
S. Crampton -	Yes	G. DiPiazza-	Yes	M. Wabindato -	Yes
R. Wittenberg-	Yes	V. Johnson -	Yes	S. Lewis -	Yes

Motion carried (8-0-1-0)

2. Authorization for Councilor Burger to travel and attend Indian Health Services Contract Support Costs Workgroup Meetings

The Workgroup Meetings takes place in Washington, D.C on January 14-15, 2016 at the Holiday Inn Capitol.

Councilor Burger said just so the membership is aware the Tribe participated in Class Action Lawsuit and sued the United States Federal Government, Department of Interior, the Department of Health and Human Services and the Indian Health Service for funds that were never paid to them that were shorted the Tribe in their Self-Governance Compacts and also their Self-Determination Contracts. Burger said they were successful in that litigation under a Supreme Court Case called the Rayma Decision. Burger said Tribes has been awarded full Contract Support Costs and essentially what that means is that the cost of doing business in carrying out those services both in the Bureau and the Health Services side of the coin the Tribe incurs costs for delivering those services so they have an opportunity now to recover full costs for providing those services. Burger said this particular work group is working on methodologies or the formula of methodologies for how those costs will be determined Tribe to Tribe. Burger said in her travels what she has discovered is that larger Tribes that have been very diligent in their record keeping and their accounting processes are receiving larger amounts of contract support where smaller Tribes like theirs are receiving lesser amounts because they are not documenting well. Burger said it is not the case here or in all cases but through the years that has been a problem for them. Burger said she is hoping to learn how these methodologies might impact the Tribe, how they can improve some of their accounting practices and most importantly bring home more money that will directed at the service of their Native people. Burger said that is the most critical piece for her to bring home more money.

MOTION FOR AUTHORIZATION FOR COUNCILOR BURGER TO TRAVEL AND ATTEND THE INDIAN HEALTH SERVICES CONTRACT SUPPORT COSTS WORKGROUP MEETINGS; by Di Piazza; supported by Medacco.

Speaker Johnson asked if anybody was going to abstain.

Councilor Burger said she would like to abstain from the vote as this will be an expense that will be paid to her for travel.

Speaker Johnson said that it was open for discussion.

Roll Call #5

J. Riley - Yes	J. Burger- Abstain	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (8-0-1-0)

IV. Old Business

A. Operations Report

None Submitted

Speaker Johnson noted that they have received the Operations Report but it will be on next week's agenda for approval. Johnson said they have not received the Financial Report, Health Commission Report, Housing Commission Report, and Natural Resources Commission Report however they have the Commerce Commission Report for November 2015. Johnson said it is open for adoption.

- | | |
|---------------------------------------|---|
| B. Financial Report | <input type="checkbox"/> None Submitted |
| C. Health Commission | <input type="checkbox"/> None Submitted |
| D. Housing Commission | <input type="checkbox"/> None Submitted |
| E. Natural Resource Commission | <input type="checkbox"/> None Submitted |
| F. Commerce Commission | <input type="checkbox"/> November 2015 |

MOTION TO ACCEPT THE COMMERCE COMMISSION REPORT DATED NOVEMBER 2015 FOR FILING; by Medacco; supported by Wabindato.

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion.

Roll Call #6

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

V. New Business

- A. Authorizing release of Judgment Fund Monies held in Trust for certain Minors reaching the Age of Majority**
 Distribution of 80/20 Judgment Plan money released to minors turning 18 in January, 2016.

Speaker Johnson said this is a standard item that they do as people reach that age and believed this is the very last one.

MOTION TO APPROVE RESOLUTION #16-0106-002; AUTHORIZING RELEASE OF JUDGMENT FUND MONIES HELD IN TRUST FOR CERTAIN MINORS REACHING THE AGE OF MAJORITY IN JANUARY, 2016; by Medacco; supported by Di Piazza.

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion.

Recorder Riley noted that Elaine Porter has her hand up.

Elaine Porter said how many more of their children are going to reach the age of majority for this.

Speaker Johnson said he believed this is the last one. Johnson said because of the situation that Elaine Porter is in he respects that and allowed her question to come from the audience.

Recorder Riley said he believed the deadline to be enrolled to qualify for the Judgment Fund Money was January 28, 1998 so January is the last month.

Roll Call #7

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

B. Ratification of Traffic Signal Agreement with the City of Norton Shores

An agreement between LRBOI and Norton Shores which calls for the Tribe to contribute 25% of the costs to maintain an existing traffic signal at the corner of Harvey Street and Ellis Road.

Steve Parsons, Planning Department Coordinator, represented this agenda item. Parsons said this item involves the ratification of a Traffic Signal Agreement with the City of Norton Shores which is a suburb of Muskegon in Muskegon County. Parsons said there is some history behind this and they are essentially being asked by Norton Shores to contribute 25% of the Maintenance Costs for a traffic signal on the corner of Ellis Road and Harvey Road or Street. Parsons said that is on the corner of the proposed casino parcel which is formerly the Great Lakes Downs Parcel in Muskegon. Parsons said the reason that they are making this request of them is that portion of Ellis Road between Harvey and Quarterline has been abandoned by the Muskegon County Road Commission at the Tribe's request and primarily that is because that portion of Ellis Road actually sits in the middle of two parcels that are owned by the Tribe and are going to be developed by the Tribe. Parsons said it is more appropriate for that road to be more of a private road or an access road to both the proposed Muskegon Casino and any other economic development that goes on the other side of Ellis Road. Parsons said the Muskegon County Road Commission did abandon Ellis Road so now it is a private drive under the jurisdiction of the Tribe and because of that Norton Shores has requested that they take the place of the Muskegon County Road Commission who was the party that had the agreement for the 25% cost share on the maintenance of the traffic signal so that is what this is about. Parsons said essentially as he understands it this is a template that they used with the Muskegon County Road Commission and Norton Shores in the past. Parsons said Tom St. Dennis was the lead person on this and sort of massaged the agreement

and got it to the point where it was going to work for the Tribe and that is what they have before them today. Parsons apologized for the long explanation but this has some background to it.

Councilor Di Piazza asked what was the cost roughly at 25%.

Steve Parsons replied the estimated cost was based on a five year review of the costs that the road commission paid annually. Parsons said the costs is about \$300 but it could be more or less based upon what happens with the light itself. Parsons said also for the record any monies that are paid in support of this will come from the Road Maintenance portion of their BIA Government to Government Compact so it will be federal money that will pay the cost for this.

Councilor Di Piazza asked if they were going to have control over that light.

Steve Parsons replied that he didn't believe that was in the agreement but might be something they could try to negotiate on a further agreement.

**MOTION TO APPROVE RESOLUTION #16-0106-003;
RATIFICATION OF TRAFFIC SIGNAL AGREEMENT WITH
THE CITY OF NORTON SHORES; by Medacco; supported by Riley.**

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion.

Roll Call #8

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

VI. Concluding Business

A. Next Meeting Date(s) - Wednesday, January 13, 2016

Speaker Johnson said in the section is the opportunity if they have anything to talk about regarding business concerns to address them at this point and not into Public Comments.

B. Ogema Weekly Status and Business Update

Ogema Romanelli noted that he doesn't have too much on his update this week. Romanelli said they had an extended time off for the holidays which they appreciate. Romanelli said what they are looking for though in 2016 he thinks will be a good year for some needed changes in certain areas and he has a couple of lists that he is working on changes that they want to make for the benefit of the

Tribe to get through that. Romanelli said they have a new website up and running but he hasn't really had a chance to look at it and everybody is encouraged to get on the website and check it to see if they have any concerns or changes they would like to see happen with that. Romanelli said they are on the down side of the ADP Process which was kind of landed on their plates towards the last quarter of last year. Romanelli said it caused some confusion but he thinks they are again about 80% he is hoping through the ADP Process and IT Processes that had to go along with it. Romanelli said they have looked at a few of their departments last year, made some changes, they believed for the better. Romanelli said they are going to look at a few other or focus on a few departments this year and try to make some corrective action or take some corrective action there. Romanelli said Economic Development, again, is back in full swing he thinks and they have been working Tom St. Dennis hard and he appreciates Council, again, for their cooperation in getting some things done. Romanelli said with that he thinks he is done.

Councilor Crampton said for 2016 moving forward if they could work more on getting some communication tools because it is still in the paper the controversy they just had. Crampton said there should be a letter going out to the membership before it impacts the elections stating that these are not the facts. Crampton said he thinks if the paper is under the control of the Executive at the moment.

Ogema Romanelli said yes it is.

Councilor Crampton said it would be responsible to the membership to get them out some kind of statement that states these are the true facts.

Ogema Romanelli said yes and just as an update on that. Romanelli said as they know they retained an attorney, outside attorney, to give them an opinion on that process. Romanelli said he has basically completed that and he will be forwarding that on to Tribal Council as to what his thoughts and his opinion of what transpired there. Romanelli said yes there are some misstatements that should be corrected as well.

Speaker Johnson said there is one other area that he just wanted to bring up and apologizes to the Ogema in advance on this but one of the things that they moving forward on and it is priority for both the Legislative and Executive sides is the Pharmacy. Johnson said as they move forward on this Pharmacy the membership needs to know how they are progressing on that so they can anticipate utilizing this service as they open their doors to another opportunity for their membership. Johnson said he would invite the Ogema to think about on the Business Update to maybe just give a quick FYI to their people here how they are progressing on the Pharmacy and when they plan on opening the doors.

Ogema Romanelli said along with that his thought is and he is trying to work this around whereas they would have departments give a brief update on a regular

basis through the paper now, again, for a while they had part of the Currents going out every other month on an electronic basis. Romanelli said now Council has authorized 12 or at least 11 actual paper copies going out to the membership and that is really one of the only ways of communicating to all members. Romanelli said it was his thought that maybe they could have each Director give an update as to anything happening in that quarter or that month or whatever it may be. Romanelli said that is probably the best way then somehow they are going to make sure that the information is correct and thorough so that is in the next step.

B. Legislative Affairs Update

Speaker Johnson said he believed there were two items that they saw during Agenda Review for travel and he knows that will impact their Legislative Affairs Update and he invites his colleague to share with their membership.

Councilor Burger said one major Legislative Update in that the Federal Government passed a Budget for Fiscal Year 2016. Burger said in the Budget the Bureau of Indian Affairs did see some increases in Indian Health Service costs and also some increases to special programs. Burger said one of the things that they increased was the Law Enforcement Initiative that the Bureau funds. Burger said there is a \$3 million increase to policing services that will probably come out in the form of grants so the department will have to pay attention and hopefully submit a plan to get a portion of the funding. Burger said then another \$5 million for Tribal Courts under what the President started last year something called the TOWIHE Initiative and that is a family court driven initiative to unify families to keep children in their homes under the Indian Child Welfare Act. Burger said again that will probably be a granted program so someone is going to have to dust off their pencil and get busy planning a proposal. Burger said IHS saw a substantial increase almost 4% which is huge in a federal sense. Burger said Alcohol and Substance Abuse with a focus on youth services, dental services, and operating shortfalls are also going to see a bump in operation of the Community Health Clinic's like theirs because they consider that their Community Health Clinic. Burger said one thing that has happened in both Budgets is Contract Support Costs have been funded fully in the Indian Health Service Appropriation that is \$717,900 million in additional funding that is going to go out to Tribes in 2016 alone. Burger said all of those efforts and their travels to Washington, D.C. even though it seems like they are gone away from their desk and away from their constituents along with their responsibilities they are not. Burger said they are representing their interests in Washington, D.C. and working very hard to pull the burden to providing services off the Tribe's funding and put it where it belongs on the trust responsibility of the Federal Government. Burger said she is an ardent supporter of that and she is a staunch advocate of that notion and she appreciates the opportunity to be there on behalf of her people.

Speaker Johnson asked if there was anything else under Legislative Update.

Councilor Burger said one more thing that she almost forgot. Burger said well something that they needed to have happen here and she doesn't know if it is good to bring up or not because it might bring something else up. Burger said this mandate that was under the Affordable Care Act for employers to do reporting and this was a huge concern for Tribes in general because the fines, Tribes are not exempt from the fines, and the fines are pretty substantial for not having reporting in order. Burger said this was one issue that Tribes and Labor agreed on and they got that reporting requirement pushed back to the beginning of 2018. Burger said that is another two years of planning to be able to make that reporting and is something that they will have to do because it is going to be mandated but it gives them two years to plan to get it implemented for real. Burger said she is real happy about that. Burger reiterated that the fines are pretty stiff for not doing it.

Speaker Johnson asked if there was anything else under Legislative Affairs.

Councilor Medacco said he was going to bring up, since no one else wants to touch the subject, he guessed but after years of litigation and everything else.....

Speaker Johnson said before they go with that he would like to do a quick recess for about five minutes and talk to Shayne Machen because there is some discussion about this so at this time he is going to call a recess.

Tribal Council recessed at 10:29 a.m.

Tribal Council reconvened at 10:31 a.m.

Roll Call #9

J. Riley - Present	J. Burger- Present	F. Medacco- Present
S. Crampton - Present	G. DiPiazza- Present	M. Wabindato -Present
R. Wittenberg-Present	V. Johnson - Present	S. Lewis - Present

Quorum established.

Speaker Johnson apologized to his colleague Councilor Medacco for calling that recess was he had the floor and he is going to turn the floor back over to him.

Councilor Medacco said he was just going to bring up the recent ruling in the 6th Circuit about the Kelsey Case. Medacco said he was asked to see if Shayne Machen could just give a brief description about that ruling.

Shayne Machen, Attorney, said yesterday the 6th Circuit released an opinion that was from the Tribe's perspective a complete victory for the Tribe in that the Kelsey-Pope Case. Machen said what it affirmed was Tribal Sovereignty Rights that Tribes across the country already knew that they had and the Tribe also believes it is a victory for Native women along with their rights and protection. Machen said Norbert Kelsey has 14 days to file a petition for rehearing and then

he will have time after that if he chooses to go to the Supreme Court. Machen said what she had advised Tribal Council to do is limit their discussion, disclosure, conversation to basically what she just said and nothing more to protect appellate rights that Kelsey has and to protect any response that they would have to give in response to his appellate rights.

Speaker Johnson said Chi Miigwech for that insight and he appreciates it and again he wanted to thank Councilor Medacco because he knows a lot of people out there are concerned about what is going on. Johnson said at least now they have a benchmark of their position right now and what they have to do for the next 14 days. Johnson reiterated that again he wanted to thank everybody for being patient and understanding.

Councilor Crampton said he just wanted to go back encapsulate for the membership what has transpired up to this date and without going outside the bounds. Crampton said originally Norbert Kelsey had prevailed in his case against the Tribe and they appealed that process and now they prevailed. Crampton said there is still enough processes as Shayne Machen had stated for Norbert Kelsey and an opportunity for him to appeal. Crampton said it is not over yet.

C. Public Comment Period

Councilor Lewis said she just wanted to say that world travelling nephew, Akisa Milk, moved back home and she just wanted to say welcome home.

Lee Mc Caslin, Tribal #0748, said he is really enjoying his time back here. Mc Caslin said usually he is sitting looking at Tribal Operations and going through all the committees back home. Mc Caslin said this is his home. Mc Caslin said getting on to the Public Safety part and this is going to be two parts. Mc Caslin said he ran into an incident on the 24th of December and called Public Safety for a little entailed back-up. Mc Caslin said trained by the Michigan State Police a long time ago that went with his security clearance when he worked for a different Tribe. Mc Caslin said from the 24th and he got no confirmation from their Public Safety until the 4th of January so when they are on vacation they are on vacation he guessed. Mc Caslin said it involved an Elder and Domestic Violence. Mc Caslin said it didn't get out of hand because it was controlled but just to bring that forth. Mc Caslin said when they call somebody and the response was nine days later which is what he wanted to share in the first part. Mc Caslin said the second part is he doesn't get around these commission meetings enough and he can when he gets there. Mc Caslin said he was looking at their new building here and it is adjacent to a hydrogen sulfite well that sits adjacent to here. Mc Caslin said it is probably the most deadliest gases on the planet and it is breaking down. Mc Caslin said when they are thinking about this walk way, he went to a commission meeting, all the way around here and asked if they were prepared in that area. Mc Caslin said they use these American Flags on top of their drilling rigs as wind

socks so they know which way to run. Mc Caslin said adjacent to that well probably like that, they know, if it is blowing this way they need to run both ways this way. Mc Caslin said time is breaking down and their trunk line is already been laid out and it is people that have been here before them which are these drilling companies. Mc Caslin asked if they were giving them the right information and do they have monitors that they are going to allow to be put there. Mc Caslin said there are all kinds of things to be aware of. Mc Caslin said if they see or smell that rotten eggs in the morning here 50 parts will start the break-down. Mc Caslin said 50 parts per billion so it is really a light, right, per billion. Mc Caslin said at a 100 parts they become intoxicated, at 500 parts per billion it takes life. Mc Caslin said if they see somebody and they smell that rotten eggs and somebody is down they don't want to rush right in there which is their first impulse to see what is wrong with them. Mc Caslin said the qualified people to get here to control that will be coming from a different state or a state of being. Mc Caslin said so that is the second part that he wanted them to think about when they are thinking about that walk way and they are out there walking. Mc Caslin said if they see that 911 sign on a river it is possibly that there is a pipeline that has already went through it, they know, they are there to bring awareness, right, where are they going to find a pay phone now only at a bus station. Mc Caslin said that is all he has.

Ogema Romanelli said he can address the first concern because that is the first that he heard of it about the nine day response time. Romanelli said he can address that with Public Safety and if Lee Mc Caslin would like to get with him sometime later this week or first part of next week maybe they could talk about it, if he would like. Romanelli said on the Natural Resource and the well concerns he thinks they have Natural Resources Department and a Natural Resource Commission who both could be monitoring or looking at the concerns that he put forward.

Councilor Crampton said about the hydrogen sulfite and asked Lee Mc Caslin if he had any documentation of the levels that are being released because it does occur naturally. Crampton said human activities produce it and animal waste produce it. Crampton said he has facts about a well that is actually leaking that would be helpful to see it.

Lee Mc Caslin said when it comes from a Niagren Well like that one over there it naturally occurs but not like that its more.....

Speaker Johnson said to Lee Mc Caslin said he is going to have to come up to the mike because he knows that their Recorder won't be able to pick it up his voice on here and he wants to make sure it is documented.

Lee Mc Caslin said alright this is an actual well that is being produced, right.

Councilor Crampton said yes.

Lee Mc Caslin said when he gave him a copy of that DVD, right, and _____. Mc Caslin he just got a new print where it will break-down into segments like that and Councilor Crampton can play any part that he would like. Mc Caslin said it is the well casings, the failures, because that is a 25 year old well. Mc Caslin said those are some of the first wells when he was a kid that he was putting in. Mc Caslin said as far as hydrogen sulfite it is real super dangerous and when they are in a controlled atmosphere they have two crews on location, a safety.....first response team and then a company man with a flare gun. Mc Caslin said if anything was to go wrong and everything it is to be lit off to start a fire, they know, to ___ life and everybody going and consulting. Mc Caslin said they shoot that flare in to start that fire. Mc Caslin said what makes it different than any other well is that most wells can be a natural occurrence, ten pounds per square foot which is the way that force them down, the gas down to keep it controlled, their ___ gas. Mc Caslin said their hydrogen sulfite is a pound.....or two times that which is time and a half, time and a half, okay. Mc Caslin said from ten pounds to twenty-four pounds per foot it is like sitting a concrete all the way down to the bottom of that hole and this here if they get it on their clothes.....and in the old days they were told to go bury that.....to go bury their clothes. Mc Caslin said if they dig those clothes up today there is enough in there to kill them _____. Mc Caslin said those old plastic bags that might be found might have old rig clothes in it that has been in that area.

Councilor Crampton said he guessed his question is are they talking about the potential for a leak or an actual leak.

Lee Mc Caslin said an actual.....if it was to leak.

Councilor Crampton said so a potential.

Lee Mc Caslin said a potential and it is right there, he means, right at the breaking point of their gasket material or concrete breaking-down.....all these wells are getting real old here in the State of Michigan. Mc Caslin said some of these contractors that he worked for would rerun pipe, old old pipe, anything that they could retrieve out.....how does he know where that pipe came from. Mc Caslin said it was Adams.....they used the most junkiest casing that they could use.....the cheapest because the money was out again. Mc Caslin said it is pretty serious around here because that is their airline. Mc Caslin said their neighbors don't let them know because he got lost down here on Washington Street and went to the Hydro Tractor Plant there just to look and that is probably a trunk line that runs down by their water line. Mc Caslin said he doesn't know where their schematics are for that well. Mc Caslin said so their trunk line.....any of these parts that are elbowed off like that.....it is so corrosive it breaks down, right, and they used nine and five on that one over there which is a little heavier pipe but it doesn't go where all their fittings and everything else where it needs to lead to. Mc Caslin said every time there is a turn they create a possibility of a wash out

which can spray and this gas will stay low.....it doesn't evaporate in the air and stays low so that it is just like, they know, steam on a lake but they won't see it. Mc Caslin said he is trying to answer that question because it is right there.

Councilor Crampton said to Lee Mc Caslin that he already answered the question, he means, he is explaining what the gas is and he thinks they know what it is but he was just asking if there was an actual leak or just the potential of a leak.

Lee Mc Caslin said okay it is a potential because/and the older it gets the more potential it becomes.

The purpose of closed session is to discuss business matters considered privileged or confidential involving consideration of bids/contracts, pending legal issues, and/or personnel matters.

MOTION TO ADJOURN THE FIRST OPEN SESSION; by Medacco;
supported by Burger.

Roll Call #10

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

The meeting was adjourned at 10:45 a.m.

VIII. Open Session

The Council reconvened in Open Session at 12:03 p.m.

MOTION TO GO BACK INTO OPEN SESSION; by Medacco;
supported by Wabindato.

Roll Call #11

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

A. Items moved from Closed to Open Session

**MOTION TO MOVE CLOSED SESSION ITEMS C.3 AND C.5;
MOTION, ROLL CALL AND VOTE, RESOLUTION NUMBER TO
OPEN SESSION;** by Riley; supported by Medacco.

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion.

Roll Call #12

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

The following items were moved from Closed Session to Open Session.

**MOTION TO APPROVE RESOLUTION # 16-0106-004,
RATIFICATION OF KYLE WHYTE CONTRACT;** by Burger;
supported by Riley.

Speaker Johnson asked if anyone was going to abstain from the vote.

Roll Call #C-3

R. Wittenberg - Yes	S. Crampton - Yes	G. DiPiazza - Yes
V. Johnson - Yes	F. Medacco - Yes	J. Riley - Yes
J. Burger - Yes	M. Wabindato- Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

**MOTION TO APPROVE RESOLUTION # 16-0106-005,
APPROVING TRIBAL OGEMA'S EXECUTION OF AGREEMENT
WITH CONSILIUM STAFFING;** by Medacco; supported by Burger.

Speaker Johnson asked if anyone was going to abstain from the vote.

Roll Call #C-5

R. Wittenberg - Yes	S. Crampton - Yes	G. DiPiazza - Yes
V. Johnson - Yes	F. Medacco - Yes	J. Riley - Yes
J. Burger - Yes	M. Wabindato- Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

This concludes the items moved from Closed Session to Open Session.

IX. Adjourn

MOTION TO ADJOURN THE MEETING; by Riley; supported by
Medacco.

Roll Call #13

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
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S. Crampton - Yes	G. DiPiazza- No	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (8-1-0-0)

The meeting was adjourned at 12:04 p.m.

Respectfully Submitted,

Grace A. Hendler
Transcribing Assistant

Joseph Riley II,
Tribal Council Recorder