



**Little River Band of Ottawa Indians**

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**APPROVED**

2/9/97

**LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COUNCIL MEETING MINUTES  
JANUARY 12, 1997**

**I. GENERAL BUSINESS**

**CALL TO ORDER.** Meeting was called to order at 12:00 p.m. at the 411 River Street office by Tribal Chairman Robert Guenthardt.

**ROLL CALL.** Roll call was taken by Chuck Fisher. Present: Robert Guenthardt, Kathy Berentsen, Chuck Fisher, Steve Parsons, Bill Memberto (arrived late). Absent: Jerry Koon. Tribal Attorney: Bill Brooks. Staff Present: Mark Dougher, Chris Holz, Tom Guenthardt, Jay Sam, Bill Willis, Tammy Carter, and Valerie Chandler (left early)

**ADOPTION OF AGENDA.** Mark stated an addition to the agenda under New Business, A. Timber Harvest on Tribal Land. The addition is a request from the Natural Resource Commission. Also, under Old Business, to add C. Adoption of Vocational Education programs. Under New Business, add E. regarding amending the Natural Resource code. Kathy stated that under Concluding Business, A. Next Meeting it should be noted about the work session scheduled for January 25, 1997. Moved by Kathy to accept agenda with the changes, seconded by Steve, all in favor, 1, (0) opposed. Motion carried.

**ADOPTION OF MINUTES.** Kathy questioned the resolution number changes under the Cultural Preservation Committee from the past meeting. She stated that there was another instance that was not mentioned and needs to be corrected. Moved by Steve to accept minutes with the correction, seconded by Chuck, all in favor, 1, (0) opposed. Motion carried.

**FINANCIAL REPORT.** Chris stated he had a chance to look at the budgets for the next four years. He said that the December-January budget should be better. Also, he will post the budgets on the wall if anyone wants to review them.

Chris then talked about the proposed budgeting all programs created for him and Mark to go over. Chris talked about the dollar amounts that the programs asked for and the quota amounts allowed for each program. He pointed out that on the first two pages of the budget packets, certain programs have "given" guidelines that they need to include in the budget such as if they have employees, they need to pay payroll taxes, fringe benefits and so forth. Last year, we applied for 30 percent fringe benefits but it worked out to 26.1 percent which is good because it would allow for a pension plan if the tribe wanted to do that. Chris then went on to explain other budgets such as Supplies which allows \$100 per employee per month even though not everyone spends that much. Kathy asked how accurate the \$100 a month per employee really is. Chris explained how he comes up with the figures and gave more examples (ie. Education program, ICWA program, etc.) Also included in the budget is money allocated for traveling whether it be for court, meetings, training, etc. Another issue stated was a stipend for people for attending all types of meetings since a lot of the committee members are the same ones always having to do work that needs to be done. It was suggested to allow \$25 no matter how many meetings were attended for the month, but it needs to be stated that if no meetings are attended, no money will be received. Chris explained more on the budget such as how he allocated \$1500 for each committee. He pointed out that the BIA budgeted us for \$654, 266 for the calendar year not including any money carried over from the previous year. Mark and Chris explained how we send in a budget proposal and the BIA has the choice of how much they will fund us for and what part of that goes to Administration, Committees, Health bills, Housing, etc. Chris talked about possibly purchasing a truck for Natural Resources to use. John Koon asked if the budget for Natural Resources would include money to hire a Biologist. Chris said that at the time there is no money set aside for that. Bill Brooks supported John on hiring a Biologist because one will be needed soon for various reasons. It was discussed that the budget includes money for three positions to be hired, which include a Grant Writer/Program Development person for Health and Human Services (two positions) and an Economic Development Specialist. Discussion followed concerning contracting Grant Writers so a Biologist could be hired.

Resolution 97-0112-01 is a resolution to allow the Tribal Council Treasurer to be a check signer. It was discussed if all five people (Bob Guenthardt, Diane Lonn, Kathy Berentsen, Tammy Carter, and Bill Memberto) should be left as check signers or to remove one of them. Moved by Kathy to keep all five as signers, seconded by Chuck, all in favor, 1, (0) opposed. Motion carried.

STAFF REPORTS. Moved by Steve, seconded by Bill to accept staff reports with no questions, all in favor, 1, (0) opposed. Motion carried.

INTRODUCTION OF GUESTS: Bob Hardenburgh, Jerry Guenthardt, Sonny Skocelas, John Koon, Tom Shepard, Katie Glocheski, Carol Bennett, Dale Chandler, Bob Compeau, Patricia Rouiter.

## II. OLD BUSINESS

ADMINISTRATIVE TEAMS. Teams were created to define goals and objectives. One of the teams is the Management Team which includes Bob Guenthardt, Mark Dougher, Tammy Carter, Bill Memberto, and Bill Brooks has been operating for several months. They review budgetary matters, help Bob in the preparation of the monthly agenda, and oversee the work of the other two teams. The Health and Human Services Team deals with CHS, Food Commodities, Indian Child Welfare, and Education. Another team is the Tribal Operations team which consists of Mark Dougher, Bob Guenthardt, Chris Holz, Bill Willis, Jay Sam, Tom Guenthardt, Diane Lonn, and Bill Brooks. The team will make sure everyone is on task, periodically review governing codes and policies pertaining to their area, and to go over committee procedures and personnel policies. Kathy was concerned that the people are on this team and that team and won't be able to give 100% to their specific job because they are tied up with the teams. Mark said that it has been noted that there isn't sufficient communication in the office and these teams are a step towards better communication by informing everyone on a bi-monthly basis. Moved by Bill, seconded by Steve, to approve of the Administrative teams, all in favor, 1, (0) opposed. Motion carried.

APPOINTMENT OF HOUSING COMMISSION. Mark stated that in the Housing Ordinance under Article 4, Sections 1A-1A, 3 says the board members may be appointed or re-appointed by the Tribal Council. In the December newsletter we solicited for members to sit on this commission for the appoint of five individuals. The individuals interested in the commission include: Jennifer Witkop of Traverse City, Shelly Kequom of Ludington, Lawrence Compeau of Ludington, Butch Lempke of Manistee, Jerry Guenthardt of Manistee, and Melissa Nummerdor of Manistee. Mark said it is necessary to appoint these people since George Gaasvig will be here the week of January 20<sup>th</sup> and will be working with the commission on organizing their structure and various policies and procedures which need to be approved by HUD in order for the tribe to be eligible for an allocation of housing units. However many units we receive will be distributed by a need basis for the people. Mark stated that the Housing Commission will decide the design of the homes and the variety of designs in the homes. They will also decide if the homes will be rental or home ownership or both, HUD will not decide on this. It was discussed to not recommend Butch

Lempke for the Commission because he travels a lot and would not be able to attend the meetings. It was discussed that all of the individuals be appointed for: one year (one person), two years (one person), three years (one person), and four years (two people) to serve on the Commission. The Tribal Council needs to set the guidelines for the appointment and time served of the individuals of the Housing Commission. Moved by Bill, seconded by Kathy, to appoint Jerry Guenthardt as Chairman with a four year term, Jennifer Witkop for a two year term, Shelly Kequom for a three year term, Lawrence Compeau for a four year term, and Melissa Nummerdor for a one year term, all in favor, I, (0) opposed. Motion carried.

VOCATIONAL EDUCATION ASSISTANCE PROGRAM. Kathy suggested tabling this discussion until later so all can have time to read and look over the information and then get with Yvonne if questions arise. Moved by Kathy, seconded by Bill, to table this until the February 9, 1997 Tribal Council meeting, all in favor, I, (0) opposed. Motion carried.

### III. NEW BUSINESS

TIMBER HARVEST ON TRIBAL LAND (INDIAN VILLAGE & ORCHARD LANDING). Mark stated that the Reality Specialist of the BIA (Michigan Agency) needed to come down and do a walk over of the land, he did a report and it stated that in Section 2 referencing to both parcels of land, "the timber in the stand is extremely dense and should be thinned as soon possible." It was discussed that if we are to thin out the trees, we need to be selective and careful in the decision and in the solicitation of bids. Mark suggested that Tom Guenthardt (Natural Resource Coordinator) go out with the loggers and make sure they are in accordance with our standards. It was pointed out that we need to decide if we are in favor of how much money we will get or how much we thin out the trees, or how much our concern is of the wildlife in the area. Discussion was lead into the difference between thinning out and selective cutting, concern for the wildlife, concern of machinery destroying other trees, etc. A suggestion was made that it be designated to a committee(s) to decide the benefits, cause and effects of the thinning out. Moved by Bill, seconded by Kathy, to let the Natural Resource Commission, with input of Land Use, to decide and report by to the Council in May on the status of this project, all in favor, I, (0) opposed. Motion carried.

RESERVATION RESTORATION PLAN. Jay Sam explained that there is a Reservation Restoration Plan with a mission statement attached which was worked on by the Land Use Committee. Jay said that the Land Use Committee is asking that the Council accept the plan as a 1<sup>st</sup> draft so the Committee can revise, add on and re-submit the plan at a later date. Bill Brooks then discussed

the BIA's role in the plan. He stated that we are doing this plan so the BIA will have an idea as to how much land we have for future needs. It was asked if there is a deadline we need to meet on the plan. Bill said no, but he would like to have the short-term goals for the land done by February. Moved by Bill, seconded by Steve, to accept the 1<sup>st</sup> draft of the plan, all in favor, 1, (0) opposed. Motion carried.

**HISTORIC PRESERVATION FUND GRANT FY 97.** Bill Willis explained that this would allow us to hire and train a person to help assist us in historic preservation. It would also allow us to purchase system software and equipment for the tribe in this area. The equipment would help us with the land acquisition in the four county area as well. The software would be able to show on a map Natural Resource features such as pine trees, oak trees, maple trees, etc. by highlighting it on the monitor. Moved by Kathy, seconded by Bill, to table the Historic Preservation Fund Grant until the February 25, 1997 work session, all in favor, 1, (0) opposed. Motion carried.

**AVAILABLE FUNDING FOR SANITATION SERVICES (WELL & SEPTIC) THROUGH IHS - FY 97.** Mark stated that two years ago we got funding for five households and this past year only four. Mark said he proposed to continue the program for 1997 and service hopefully 10 households. This proposed plan is for us to eventually get our own program and not go through the Grand Traverse Band. Moved by Bill, seconded by Steve, to accept Resolution 97-0112-02 for funding for sanitation services, all in favor, 1, (0) opposed. Motion carried.

**AMENDMENT TO THE NATURAL RESOURCES CODE.** Bill Brooks stated that with the current Ordinance, it states that any tribal member that hunts, traps, fishes, etc. on ceded territory must have in their possession a valid and current tribal license. It was also set by the Tribal Council that the Natural Resource Commission could give licenses to Elders and because of the way the Ordinance was written it essentially gives only Elders the right to hunt, fish, trap, etc. The proposal of the amendment is to give alternatives to the problem. Bill Brooks said he would recommend tabling this until a later date because he would like to go over the language/wording of the amendment. Discussion was then lead about the county service area and what the other tribes are doing about issuing licenses. Bill Brooks and Bob discussed the tribe's situation with legal issues concerning the hunting, fishing, trapping, etc. because a member was told that she could hunt, fish, trap, etc. and only needed to show her card if she was caught. It was then talked about the other tribes and their programs concerning the tribal licenses and about the legal status of the tribes under the Treaty needing to be upheld. Kathy pointed out that any tribal member who is out there hunting illegally is actually going against our own Ordinance. It was talked about having Tom Guenthardt, the Natural Resource Coordinator, not write anyone up for violation yet until things can be settled so legal action

doesn't take place yet. Moved by Kathy, seconded by Bill, to table the amendment to the Natural Resource Code until the work session, all in favor, I, (0) opposed. Motion carried.

#### IV. CONCLUDING BUSINESS

**NEXT MEETING.** Bob said the next meeting is Saturday, January 25, 1997 at 12:00 p.m. for a work session. Kathy mentioned that she had talked to Mark about being consistent with work sessions. The sessions have always been on a Sunday but it was changed to Saturday because of the understanding that it was Super Bowl Sunday. Kathy said that she feels the Council needs to keep their priorities set concerning getting information done for members versus watching a football game. Kathy pointed out that there was not a motion ever to change the date of the work session and would like to see it changed back to Sunday, January 26, 1997 at 12:00 p.m. Moved by Bill, seconded by Kathy, to change the work session date back to Sunday, January 26, 1997 at 12:00 p.m., all in favor, I, (0) opposed. Motion carried.

**ADJOURNMENT.** Meeting was adjourned at approximately 3:35 p.m. by consensus with no other business to be discussed.

1/29/97  
v.g.c.