



LITTLE RIVER BAND
OF OTTAWA INDIANS

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APPROVED

3-25-95

LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL MEETING
JANUARY 15, 1995

I. GENERAL BUSINESS

a. Call to Order. Meeting was called to order by Chairperson Dan Bailey, at 12:00 noon at the office.

b. Roll Call. Tribal Council members present: Daniel Bailey, Anne Avery, Kathy Berentsen, Bob Guenthardt, Marcella Leusby, Margaret Chandler. Absent: Bonnie Kenny. Connie Waitner proxy for Bonnie Kenny. Staff present: Diane Lonn, Ginger Johnson, Mark Dougher. Guest present: Jerry Guenthardt, Bill Brooks, Jim Adams, Elizabeth Roth, Jeff Parker, Valerie Ulmer, Frank Ettawageshik, Joseph Raphael, Sonny Skocelas, June Sam, Mary Oleniczak, Jerry Koon, Jonnie Sam Sr., Elizabeth Gonzales, Scott Brackett, Jeremy Wilson, David Schultz.

c. Adoption of Agenda. Motion was made by Anne to accept agenda without any revisions, seconded by Margaret, passed unanimously.

d. Adoption of Minutes. There are three copies of minutes included in the Tribal Council's packets. The minutes from October 18, 1994, are the final copy. The board has already approved them. There is also a copy of the minutes from the November and December board meetings. These minutes are not totally complete due to missed subjects on the tape. They will be finished for the next meeting. Bob made a motion to table the minutes until the next meeting, Kathy seconded, passed unanimously.

e. Financial Report. There was a copy of the months financial report included in the Tribal Council's packet. Dan questioned why the Jackpine Business Center bill was so high? We have been having a lot of letterhead and envelopes printed up, due to the large amounts of mail going out. Kathy also mentioned that the taxi money she received from her trip to New Mexico was not spent, and wanted to make sure that it was credited. Also Dan questioned why the dental insurance bill was listed separate from the regular health insurance. Mark told him that was because it was cheaper than Blue Cross. Anne made a motion to accept the financial report, seconded by Marcella, passed unanimously.

f. Staff Reports. There are two written staff reports in the Tribal Council's packets. Dan asked Ginger if she had anything to add to her staff report. No comments made. He then asked Diane if she had any comments about her staff report. Diane's comments are as follows. Diane said that she had 500 enrollment files complete at this time. She is also ready to submit a list of our members to

the BIA. Also she would like to get started sending out membership cards. Mark passed out a copy of the cover letter to the Tribal Council.

Bill suggested that we write to the Solicitors office and get a letter of opinion, on the 120 day limit. Is the 120 day limit from the time the bill was signed into law, or was it from November 2, 1994, the day that the technical amendment passed? Also, what purpose is the BIA going to use the membership list for? Will we be able to add more people on the list at a later date? We need to get confirmation of the meaning of the 120 day limit from the Solicitors office and from Anne Bolton. This list is only a interim list, not a final list.

Mark's oral staff report is as follows. The I.H.S. proposal was submitted, but it will be awhile before we hear anything. Kathy and Mark are going to the Saginaw Chippewa office on Wednesday to meet with Audrey Falcon, Health Director. They are going to discuss goals and objectives for our Tribal Management Grant. We had two I.H.S. representatives come to our office this last week. They were both in sanitation. They will be sending us some information. They said that I.H.S. has some funding to work with L.R.B.

There is a strategic planning workshop scheduled for the weekend of January 21 & 22, 1995, at Stronach Township Hall. Kim Epley, a planner, is coming here to work with us to help us to define our goals and priorities.

We are trying to get immediate needs funding from the B.I.A. to help us with travel expenses. There is a lot of good traing sessions going on right now, that we should be sending people to, but L.R.B. doesn't have the funding. We would like to appeal to the B.I.A. for \$10,000 to \$20,000.

Bob and Mark met with Bill Bobier and discussed various issues with him, including gaming. They asked Bill for support on gaming and with getting a compact with the governor's office.

Motion was made by Kathy to accept staff reports, seconded by Marcella, passed unanimously.

g. Public Comment. Dan introduced Buddy Rapheal, Chairman of the Grand Traverse Band of Ottawa and Chippewa Indians. Buddy discussed the proposal that Jeff Parker submitted. Buddy said that the proposal hasn't passed his Tribal Council yet, but that they were going to have a Tribal Council meeting the next Tuesday, and that this issue was on the agenda. Buddy thinks that the problem area is going to be the amount of five million dollars being awarded to each tribe. He thinks that a lot of the descendants are going to look at this unfavorably. We are going to have to submit somekind of distribution plan to the membership. He thinks that there is only a fifty percent chance that this proposal is going to go through. The Sault Ste. Marie Tribe will not go along with the proposal, because of the one quarter blood requirement. They believe that the payment should be based on membership rolls.

Buddy also wanted to caution us about sending a interim membership list to the B.I.A. They had problems with this when they first received federal recognition. They had to go through five years of litigation to get a clarification of the first membership list that they send in to the B.I.A. He mentioned that it was a good thing that they had good adoption criteria in their constitution, otherwise a lot of their people wouldn't of been able to enroll.

He also mentioned that they would be willing to share their personnel policies, grievance systems, payroll systems, etc. with us if we would like a

copy. Mark needs to send an official letter requesting these documents.

Bill Brooks wanted to introduce Jim Adams to the Tribal Council. Jim is a city lawyer from Traverse City. Bill has worked with Jim previously. Bill wanted to let us know that Jim is familiar with real estate and community transactions, and that he would recommend him to us.

Elizabeth Roth wanted to note that she has taken a new job and has left MILS. She said that she really liked working with the tribe and thought it was an honor.

Frank Ettawageshik also wanted to mention that the last time he was at a meeting here, Mike Daugherty was present. He just wanted to reflect for a moment on the efforts that Mike had made working with the tribes.

II. OLD BUSINESS

a. Audit report on the ANA Grant for '92, '93, & '94. Valerie Ulmer handed out packets to the Tribal Council containing the audit information. The letter in the packets named "Communications of Reportable Conditions of Management," is the same letter that was included with our audit. She said that basically our audit was good, except that we didn't have a good accounting system in place. She noted that in the letter she sent in with our audit that we didn't have a good system right now, but that we were working on that. We need to write a letter explaining that we are now working on getting a better accounting system up and running.

This audit only includes monies from the last three ANA Grants, nothing else, such as general fund monies, etc. She suggested that Loretta Staff use new forms when reporting to the Tribal Council on expenditures. She would like to see her use forms that includes more data, such as how much has been spent by line item for that grant year, etc. She suggested that we set up an accounting manual with different version dates on it. That way when we update the manual we just change the version date and make sure that everybody is using the same manual. The manuals should be approved by the Tribal Council.

b. Natural Resources Update. Anne mentioned that she will be attending a Great Lakes Fish & Wildlife Commission meeting in Lansing this Wednesday or Thursday coming up. She said that she will give a report of it at the next Tribal Council meeting.

c. Health Program Update. Kathy stated that she attended a I.H.S. Tribal Management Grant workshop in Albuquerque, NM. She thought that the workshop was very informative. She mentioned that a lot of research information needs to be collected, such as the health care needs of the tribe-particularly those members living in the service area. She also mentioned that I.H.S. thought it was very worthwhile sending the new tribes to this workshop training session, because of the hard work and effort that Kathy and Al Colby had put into it.

d. Update on Committee Formation. In the Tribal Council's packet is a list of the volunteers for the committees. This is not a complete list since there has not been a deadline set. The committee chairs need to contact the volunteers and interview them and make recommendations. There are certain criteria that was recommended for selecting committee members:

- 1 - have a cross section of families represented on each committee;
- 2 - have an elder & a younger person on each committee;
- 3 - only tribal members should be on the committees;
- 4 - the committees are only advisory to the Tribal Council.

As we receive more calls of volunteers for committees we will contact the committee chairs and update their lists. It was mentioned that even if you're not a member of the tribe, that person can still sit in on committee meetings, because other people might have some good ideas that the committees would like to hear.

Kathy made a motion to accept the four criteria for being a member of the committees, seconded by Marcella, six people approved, one person (Bob) dissented, passed.

e. Legal Issues Update. Stronach Township Donation Proposal. Bill stated that with the Stronach Township land proposal there are two problems, first they are stating for which purpose the Tribe is to use the land for, and second, a general concern - the land has to be put into trust. The Tribe can't accept donations of land that has conditions attached to it. When land is put into trust, the process is very long and detailed. When the Tribe eventually buys land, they should have it held by a third party until they are ready to put all of their land into trust at one time. We need to have compact between the Tribe and the State, plus go through the Dept. of the Interior before we can pursue gaming.

Consumers Power Update. Elizabeth reported that she had a nine hour conference call with the other parties involved in the Consumers Power settlement. The Tribes were invited to be involved in the dealings with the issues.

We would like to see language written into the settlement stating that the Tribe would have the option of buying certain parcels of land in Dickson and Brown townships at a lower price, if/when the parcels are to be sold. Elizabeth suggested that we draft a list of all the parcels of land in those two townships that are important to Little River.

Another important issue in this settlement is trying to get a seat on the Scientific Advisory Committee. Bill is drafting language now to avoid any one group having voting majority. It was brought up that the Tribes could propose intervention language. The Tribes haven't done this, but wanted to get their response.

Elizabeth asked the Tribal Council to make a motion for her and Mark to go through all of Little River's remaining case files with MILS, to see what their status was. Marcella made a motion for Elizabeth to go through the files with Mark, seconded by Margaret, passed unanimously.

III. NEW BUSINESS

a. Judgement Fund Distribution Plan. Jeff Parker, Chairman of the Bay Mills Indian Community, proposed a distribution plan to Little River's Tribal Council. This plan suggests that the Tribes that qualify for this judgement would each receive five million dollars.

The Tribes that are involved are the signatories of the 1836 treaty. They are planning that 20% of the money stays with the individual Tribes and the other 80% is used as per-capita payment, etc. He would like to see the plan introduced in Congress by the spring. Jeff would like to get resolutions of support from the other Tribes that are involved.

Frank questioned if they had a sponsor for this legislation? Apparently not at this time. Jeff said that is up to the Bureau of Indian Affairs to get the legislation to Congress.

Would we need a resolution of support from the NMOA for this legislation? Jeff said that he didn't know if NMOA would support this or not. Frank said that he didn't know if his Tribal Council would support this or not, but that it was on the agenda for the next Tribal Council meeting.

The Sault Ste. Marie Tribe doesn't support this distribution plan. They want the money distributed by per-capita, since they do not have a quarter blood membership criteria. Jeff would like to set a meeting with the four Tribes, Little River, Little Traverse, Grand Traverse, and Bay Mills to discuss the distribution plan further.

IV. CONCLUDING BUSINESS

a. Next Meeting. The next Tribal Council meeting was scheduled for February 12, 1995, at noon, at the office.

b. Adjournment. The motion was made by Bob to adjourn the meeting, seconded by Anne, passed unanimously. Time 3:50 p.m.

DRAFT

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MINUTES

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Guest present - Jerry Guenthardt, Bill Brooks, Jim Adams, Elizabeth Roth, Jeff Parker, Valerie Ulmer, Frank Ettawageshik, Joseph Raphael, Sonny Skocelas, June Sam, Mary Oleniczak, Jerry Koon, Jonnie Sam Sr., Elizabeth Gonzales, Scott Brackett, Jeremy Wilson, David Schultz.

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