



**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, JANUARY 17, 2001
LITTLE RIVER BAND COMMUNITY CENTER**

OPEN SESSION

AMENDMENTS (added 10/30/02)

II. GENERAL BUSINESS

C. Consent Agenda

Approval of Agenda

Motion: To accept the agenda as presented.

Correction: Per tape, the actual motion was:

**MOTION: TO ACCEPT THE AGENDA AS PRESENTED
WITH CHANGES.**

Correction: Motion was made by Lisa McCatty (not Connie Waitner)

Correction to Roll Call: L. McCatty-Yes

(7-1-0-1 correct in minutes, motion still carried)

IV. NEW BUSINESS

J. Appointment to the Cultural Preservation Committee.

**Motion: To appointment Matt Stratton to the Cultural Preservation
Committee.**

Correction to Roll Call: C. Waitner-Yes

(8-0-0-1 correct in minutes, motion still carried)



Little River Band of Ottawa Indians
 PO Box 314
 Manistee MI 49660-0314
 (616) 723-8288

DRAFT

**TRIBAL COUNCIL MEETING OPEN SESSION
 MINUTES**

**Regular Session
 Wednesday, January 17, 2001, 1:00 p.m.
 (Held at the Little River Band Community Center)**

It should be noted that the agenda for the meeting of the Little River Band of Ottawa Indians Tribal Council scheduled for January 17, 2001 was reviewed on January 16, 2001 without changes. Joan Spalding offered a smudge prior to the silent prayer. The minutes will follow the outline provided by the agenda, which appears in **Bold** throughout the minutes for this meeting. Additionally, the Roll Call Record results also appear in **Bold** throughout the minutes.

I. SILENT PRAYER

A silent prayer offering was made prior to beginning the meeting.

II. GENERAL BUSINESS

A. CALL TO ORDER

Joan Spalding, the Tribal Council Speaker called the meeting to order at approximately 1:19 p.m.

B. ROLL CALL

Charles Fisher, the Tribal Council Recorder proceeded with the Roll Call with the following results.

Roll Call Results:

**C. Bennett – Present
 C. Fisher – Present
 L. McCatty – Absent
 J. Spalding – Present
 C. Waitner – Present**

**K. Berentsen – Absent
 T. Kleeman – Present
 E. Porter – Present
 J. Szpliet – Absent**

With seven Tribal Council Members of the Little River Band of Ottawa Indians present for the meeting, a quorum was established. It should be noted that while Janine Szpliet did not answer the Roll Call, she did arrive shortly after the meeting began, at approximately 1:25 p.m.

C. CONSENT AGENDA

APPROVAL OF AGENDA

There was considerable discussion related to the agenda, which resulted in a small number of changes. Item "E", New Business was removed from the agenda due to the results of legal review. (This will be added to the Tribal Council Agenda for the next meeting). It was also noted that, at the last meeting, the Tribal Council approved the permanent addition of a "Grants and Contracts" section (under General Business). Because this was not on the agenda for this meeting, this was also added (This was added as Item E, General Business).

There was also a discussion related to the Draft Strategic Plan that was included in the Tribal Council packet, but not as an agenda item. In the discussion related to this matter, it was originally thought that this should be included on the agenda. In fact, this was added to New Business as Item "J", however, on further discussion, it was subsequently removed from the agenda.

Connie Waitner made a motion to approve the agenda as amended, which was supported by Tammy Kleeman. This motion was withdrawn shortly after it was made because there was continued discussion regarding the content of the agenda.

Another agenda-related issue that was raised was the matter of the Cultural Preservation Committee appointment. A committee representative indicated that he thought agenda items that were tabled would automatically be placed on the next Tribal Council agenda. It was noted that while this is the norm, it was thought by the Recorder that the Tribal Council was expecting something from legal regarding this and that the matter therefore was not placed on the agenda. This consideration was added to the Tribal Council Agenda (as "J" in New Business – after the removal of the previously added "J", i.e., Strategic Action Plan Discussion).

There was one additional item place on the Tribal Council Agenda: this was a personnel matter, which was added to the Closed Session Agenda as Item "D". In the discussion related to this addition, there was a question as to what this matter involved. Joan Spalding, the requester for the addition, declined to answer indicating that an answer might be a possible violation of confidentiality.

With the above changes, and no further discussion regarding the agenda, a motion was made to adopt the agenda as amended. This occurred as follows:

Motion: To accept the agenda as presented.
Motion by: Connie Waitner
Support: Tammy Kleeman

Roll Call Voting Results:

K. Berentsen – Absent
T. Kleeman – Yes
E. Porter – Yes
J. Szpliet – No
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 OPEN SESSION COUNCIL MINUTES

December 9, 2000 (Revised)

December 12, 2000 (Revised)

December 27, 2000, Special Meeting, Open Session

Note: Closed Session Minutes Scheduled for Review
in the Closed Session.

The above listing represents the minutes available for review and/or approval. It was again noted that a "For the Record" statement that was made did not appear in the minutes. Additionally, the minutes did not include any mention of the accounting software corruption problems. There were also questions related to the attendance of one of the Tribal Council members at one of the meetings above. Also, the "revised minutes" statement pertaining to the minutes so specified above was also questioned. It was also noted that one of the closed session minute sets contained an error – related to sovereign immunity. With this, it was noted that closed session minutes would be reviewed in the closed session.

It was suggested that the tapes related to these meetings needed to be reviewed. This suggestion was subsequently turned into a motion. Details related to this follow:

Motion: That the December 9th, December 12th and December 27th Tribal Council Minutes be reviewed by another Councilor – other than the one who has reviewed them to date.

Motion by: Lisa McCatty

Support: Janine Szpliet

Roll Call Voting Results:

K. Berentsen – Absent

T. Kleeman – No

E. Porter – Yes

J. Szpliet – Yes

C. Bennett – Yes

C. Fisher – Abstain

L. McCatty – Yes

J. Spalding – No

C. Waitner – Yes

Results: Motion passes: 5 for, 2 opposed, 1 abstain and 1 absent.

D. PUBLIC COMMENT

Public Comment was invited. This was limited to matters related to the Leadership Program. The topic was discussed at some length. It was noted by a tribal member that getting health insurance and getting paid for 40 hours per week was part of the original concept.

(It should perhaps be noted, in the way of a brief history, that this matter came before the Tribal Council on the January 10, 2001 agenda. The internship was approved in this meeting, but not in the manner expected by Education, or the intern. Readers are directed to the minutes of January 10, 2001 meeting for details related to the program's implementation.)

It was noted in the discussion that a subcommittee was formed and that this has to be done as a program (internship program) and not as a job.

It was noted that this was originally approved a couple of years ago and noted as well that the original documents were available. However, it was also noted that what was before the Tribal Council was not the same as that that was originally approved.

It was generally agreed that this did need review and it was thought that the committee would be making recommendations. It was further suggested that Education be involved. It was also suggested that perhaps this was a program that could be turned over to Professional Development. Joanne House expressed a willingness to review the committee's work.

In the course of the discussion, various details related to the approval were noted, i.e., that it was approved as a part-time position (not as a full-time position). It was further noted that benefits for the student (intern) were not approved even though money was in the budget for this consideration, as well as for full-time wages.

As previously indicated (above), there was a general agreement that matters related to the Leadership Program should be reviewed by the committee established for this purpose. It was further indicated that this should be done as soon as possible. It was noted by the Committee Chair that approved minutes would need to be available to get this completed in a timely manner.

No other issues were brought forward in the Public Comment portion of this Tribal Council Meeting.

III. OLD BUSINESS

A. DISCUSSION AND DECISION RE: PAYMENT OF FEES AND EXPENSES OF PENINSULA LEGAL SERVICES FOR WORK RELATED TO THE ELECTION BOARD. (Election Board & Bill Brooks).

There was considerable discussion related to this particular agenda item. (It should be noted that Kathy Bowen from the Election Board was in the audience when this discussion occurred and, in fact, was a participant in the discussion at various points in time).

It was noted that there were two agenda requests (and two sets of related informational materials) that pertained to this agenda item, i.e., one was prepared for the packet prior to the related resolution was developed and another submitted by Bill Brooks that did contain not only the related resolution, but also a more extensive breakdown of the Peninsula Legal Services billing.

Kathy Bowen, the Election Board representative present, was asked directly if the Election Board had approved payment for these services and it was indicated that the Election Board had approved it. Kathy also acknowledged that she realized that the fees seemed high but also indicated that there have been a lot of issues (such as the recall).

In the discussion, it was clearly indicated that one of the primary concerns related to these services being provided by Peninsula Legal Services to the Election Board involved the fees related to travel. It was estimated that about one-third of the total bill was for travel.

It was asked if there was a 30-day notice requirement in their contract and there was also some discussion about terminating the contract at this point in time.

This led to a discussion that involved the cutting back of legal services from Peninsula. It was noted that their involvement with the Election Board was expected to lessen over time. It was also noted that while there have been issues that have been addressed; there are still some matters that remain. Among the outstanding matters were 1) rules and regulations were needed for the upcoming election and 2) a new voter registration process would be involved.

Also, in the discussion, it was recommended that we continue to retain the services of Peninsula Legal Services through the completion of the April election. It was noted that there are likely to be legal issues and it was thought that Peninsula's continued services would keep possible legal issues to a minimum.

It was suggested, as an alternative to Peninsula's Election Board related legal services, that an in-house attorney could provide essentially the same services. There was a concern expressed about a possible conflict if Election Board legal services were to be provided by an in-house (tribal) attorney. The use of a local law firm (which would reduce or eliminate travel costs) also came forward as a suggestion in this area of discussion. Related to this was the mention of the fact that it would likely be difficult for another attorney (or firm) to step into the process at this point in time.

The discussion returned to the need to do something about the costs associated with the cost of Election Board legal services through Peninsula Legal Services. It was noted that Peninsula Legal Services should not be utilized to provide training to the Election Board. It was mentioned that there is a need to finalize the projects that Peninsula is currently involved with.

On behalf of the Election Board, Kathy indicated that the Board would not be comfortable letting Peninsula Legal Services go or even providing notice. She went on to say the Peninsula Legal Services has been very valuable and part of the process. She did acknowledge that the Board is aware that their legal services cost a lot of money but stated again that the Board does need their help, that things are always coming up, and that there is still a ways to go.

The matter of travel costs was again raised and discussed. The need to otherwise meet the Election Board's need for legal assistance was discussed as well. There was a mention of the need to trust the attorneys we have.

Having phone conferences with Peninsula Legal Services was also mentioned as a way to reduce travel costs. It was indicated that this would be considered. Alternative legal services were further discussed and there was a mention of Mr. John Ross.

The discussion turned to the billing itself. It was noted that there were two sets of information received by the Tribal Council related to this matter when the matter of stipends was raised. It was noted that these expenses were related to all the time required of the Election Board at the time the recall petitions were being dealt with.

It was also noted that the bill from Peninsula Legal Services was not correct, i.e., if the individual costs indicated in the bill were added, there is approximately a \$4,000.00 discrepancy between that total and the total indicated by Peninsula Legal Services to be the total.

With this disparity, there was a motion to refer this back to the Election Board to straighten out the billing. This occurred as follows:

Motion: To refer this back to the Election Board to straighten out the billing.
Motion by: Kathy Berentsen
Support: Lisa McCatty

Roll Call:
K. Berentsen – Yes
T. Kleeman – Yes
E. Porter – Yes
J. Szpliet – Yes
C. Bennett – Yes
C. Fisher – No
L. McCatty – Yes
J. Spalding – No
C. Waitner – No

Results: Motion passes:
6 for, 3 opposed, 0 abstain and 0 absent.

It should be noted that there was a description of the way it was thought would straighten out the billing. This was described twice, once before the motion and once afterward. It was indicated that the billing be separated by months and that the totals be provided for all the months. For example, prepare the billing for June's fees and expenses and indicate the total; then, proceed through all the months involved until the process was complete.

FOR THE RECORD. In the course of the discussion above, Elaine Porter indicated "For the Record" that the Tribe's bills should be paid".

IV. NEW BUSINESS

A. RESOLUTION AUTHORIZING RELEASE OF PER CAPITA FUNDS HULD IN TRUST FOR CERTAIN MINORS REACHING THE AGE OF MAJORITY IN JANUARY 2001. (Kim Alexander).

It was noted that this request was the standard request that came before the Tribal Council to handle the trust fund. It was also noted that the second page of the Resolution did not have a page number. It was indicated that this was the result of a formatting error, i.e., that what belonged as the heading on page two was located at the bottom of page one. With this discussion, a motion was made to approve Resolution #01-0117-01 authorizing the release of per capita funds held in trust for certain minors reaching the age of majority in January 2001.

Motion: To Approve Resolution #01-0117-01 authorizing the release of per capita funds held in trust for certain minors reaching the age of majority in January 2001.
Motion by: Janine Szpliet
Support: Lisa McCatty

Roll Call: Please see the next page for the voting record related to this agenda item.

Roll Call:

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

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

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

B. SECURING POWWOW GROUNDS AS PERMANENT LOCATION FOR TRIBE'S GATHERING. (Cultural Preservation Committee – Phil Memberto).

It was noted at the outset of the presentation that this did not involve either a motion or resolution. This is to say that, essentially, this was presented as an informational agenda item. There was a packet of information related to this subject that was shared with the Tribal Council and this was reviewed. The property involved was identified with a map that was included. The need to formalize and finalize this was discussed. It was noted that informal boundaries (for the powwow) did exist and that what was represented in the materials that were made available reflected the informal boundaries. There seemed to be general support for the need for advancing this consideration. A written description was requested which would assist in moving this along. Additionally, it was suggested that the property description be modified so as to NOT include any frontage along U.S. 31. It was indicated that by the Cultural Preservation Committee representative making the presentation that this would be done and brought back to the Tribal Council.

There was no action required on the part of the Tribal Council at this point in time.

C. SECURING FUNDS FOR TOP SOIL AND TO HYDROSEED DANCE ARENA AND SPECTATOR AREA (POWWOW GROUNDS). (Cultural Preservation Committee – Phil Memberto).

It was noted that the consideration was limited to the dance arena and spectator area of the powwow grounds. It was also noted that two bids had been received for this work. The bids were not made available to the Tribal Council although they were discussed, noting big differences in the costs quoted, \$3,200 vs. \$13,000 (the smaller of the quotes did not include adding a water well). There was also a fair amount of discussion that was related to fitting this into the budget (such as a supplemental appropriation, taking a portion of the total from the Cultural Preservation Committee budget and other portions from other budgets, as well as using the capital improvement budget). The discussion concluded with a motion to refer this matter back to the Cultural Preservation Committee (for a recommendation).

Motion: To refer this back to the Cultural Preservation Committee (for a recommendation).

Motion by: Janine Szpliet

Support: Elaine Porter

Roll Call:

K. Berentsen – Yes
T. Kleeman – Absent
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.

D. INCREASE ELECTRICAL SUPPLY (AMPERAGE) AT THE POWWOW GROUNDS. (Cultural Preservation Committee – Phil Memberto).

Prior to discussion of this Tribal Council agenda request, there was a motion to deny. Lisa McCatty made this motion. There was no support from another Tribal Council member; consequently, the motion died for lack of support.

There was no written information available to the Tribal Council that pertained to this agenda item and related discussion was limited and general in nature. This matter was referred back to the Cultural Preservation Committee as indicated in the motion that follows:

Motion: To refer this back to the Cultural Preservation Committee for three bids and a % or dollar amount that the Cultural Preservation Committee can put into the project and the % or dollar amount remaining for the Tribal Council to put in.

Motion by: Kathy Berentsen

Support: Lisa McCatty

Roll Call:

K. Berentsen – Yes
T. Kleeman – Absent
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.

E. RESOLUTION RATIFYING THE DESIGN-BUILD CONTRACT WITH DEVERE CONSTRUCTION COMPANY TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR THE RENOVATIONS TO THE DOWNTOWN OFFICE BUILDING OF THE LITTLE RIVER BAND OF OTTAWA INDIANS (FORMERLY THE NATIONAL CITY BANK BUILDING). (Bob Davis).

It was noted that this agenda item had been removed from the Tribal Council's agenda. There was no action taken on the part of the Tribal Council related to this matter. It perhaps should be noted that a new contract with DeVere Construction Company for the above noted services is expected.

- F. RESOLUTION AUTHORIZING THE TRIBAL OGEMA, OR IN HIS ABSENCE, THE TRIBAL COUNCIL SPEAKER, TO EXECUTE A CONSTRUCTION AGREEMENT WITH CUSTOM SHEET METAL & HEATING, INC. FOR HEATING AND AIR CONDITIONING (HVAC) RENOVATIONS TO THE DOWNTOWN OFFICE BUILDING OF THE LITTLE RIVER BAND OF OTTAWA INDIANS (FORMERLY, THE NATIONAL CITY BANK BUILDING). (Bob Davis).**

There was some discussion related to the recommendation of Custom Sheet Metal & Heating, Inc. for the heating and air conditioning renovations to the downtown office building. This area of discussion also noted that we were trying to move away from referring to this as the bank building/downtown office building.

At this point in the meeting, there was also a discussion about the total dollar amount approved for all of the renovations. It was noted that it was not known how much of the total has been expended to date but that the project was well within the original appropriation of \$520,000.00. At this point in the discussion, there was a request for a project status report (just an estimate of the project costs to this time).

The discussion also involved the question as to whether this was actually a construction agreement with the Tribe or whether it was intended that DeVere Construction, in its construction management services, supervise the work provided by Custom Sheet Metal & Heating. It was noted that Custom Sheet Metal & Heating would essentially be a subcontractor and that DeVere would handle all subs. With this being the case, it was noted that the Resolution related to this consideration was not correct.

There was some discussion about postponing this to the next meeting as well as the need to get people on the job. At about this time in the discussion, it was also noted that the Resolution involving the Advantage Electric Construction Agreement (the next agenda item) work at the downtown office building was also incorrect – for the same reasons.

- G. RESOLUTION AUTHORIZING THE TRIBAL OGEMA, OR IN HIS ABSENCE, THE TRIBAL COUNCIL SPEAKER, TO EXECUTE A CONSTRUCTION AGREEMENT WITH ADVANTAGE ELECTRIC FOR ELECTRICAL RENOVATIONS TO THE DOWNTOWN OFFICE BUILDING OF THE LITTLE RIVER BAND OF OTTAWA INDIANS (FORMERLY, THE NATIONAL CITY BANK BUILDING). (Bob Davis).**

It was noted that the agenda request was for the execution of a construction agreement with Advantage Electric. However, they would be working under DeVere (subcontractor), i.e., they would have the same relationship as Custom Sheet Metal & Heating.

Following the above discussion, there was a motion to approve the subcontracts with both Custom Sheet Metal & Heating and Advantage Electric to be included in the new contract with DeVere Construction. It was also noted that the approximate bids related to these subcontracts were: Advantage Electric (\$71,000 - approximately) and Custom Sheet Metal & Heating (\$93,500 - approximately). The Roll Call Record reflects the following:

Motion: To approve the subcontracts with both Custom Sheet Metal & Heating and Advantage Electric to be included in the new contract with DeVere Construction.

Motion by: Kathy Berentsen

Support: Tammy Kleeman

Roll Call:

K. Berentsen - Yes

T. Kleeman - Yes

E. Porter - Yes

J. Szpliet - No

C. Bennett - Yes

C. Fisher - Yes

L. McCatty - Absent

J. Spalding - Yes

C. Waitner - No

Results: Motion passes:
6 for, 2 opposed, 0 abstain and 1 absent.

It should perhaps be specially noted that the above motion included agenda items "F" and "G" (Little River Band of Ottawa Indians Tribal Council Agenda - January 17, 2001).

H. RESOLUTION AUTHORIZING THE TRIBAL OGEMA, OR IN HIS ABSENCE, THE TRIBAL COUNCIL SPEAKER, TO EXECUTE A AGREEMENT WITH DOMERS CONSTRUCTION TO INSTALL WATER TAP FOR THE DOWNTOWN OFFICE BUILDING OF THE LITTLE RIVER BAND OF OTTAWA INDIANS (FORMERLY, THE NATIONAL CITY BANK BUILDING). (Bob Davis).

The discussion related to the above agenda item involved the fact that the City (of Manistee) had street problems on Poplar Street (near the bank building or downtown offices). The street was currently torn up and presented the opportunity to have some of the needed fire suppression system work completed at a nominal cost (would not have to tear street up again and make subsequent repairs).

It was noted in the discussion that the cost of having the water tap installed at this time would be \$3,260.00. It was also noted that Domres would be doing the work at this price. It was further noted that the cost associated with this work would be deducted from the fire suppression system work needed for this building that will be coming before the Tribal Council for approval in the near future.

It was also noted FOR THE RECORD that conditions surrounding this matter justified the fact that three bids were not obtained to handle this matter.

This was approved by Resolution (#01-0117-02) in accordance with the following noted motion and vote:

Motion: To Approve Resolution #01-0117-02 Authorizing the Tribal Ogema, or in his absence, the Tribal Council Speaker, to Execute a Construction Agreement with Domres Construction to Install Water Tap for the Downtown Office Building.

Motion by: Carol Bennett
Support: Elaine Porter

Roll Call:

K. Berentsen – Yes
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:
9 for, 0 opposed, 0 abstain and 0 absent.

I. APPOINTMENTS TO THE GAMING COMMISSION (Tribal Ogema & Bill Brooks).

At the outset of the discussion related to this agenda item was the matter of whether this involved an appointment to an un-expired term. It was noted that Jo Anne House had not written an opinion regarding the Gaming Commission appointments (which would have a bearing on the answer to this). It was noted that although she had looked at the related materials, the report was not ready at this point in time. There was also mention of the fact that NIGC (National Indian Gaming Commission) approval was necessary.

There was also a discussion as to the status of the Gaming Commission appointments. Initial appointments were included in the discussion as were subsequent appointments. The appointment to vacancies provision in the Ordinance was also a subject of discussion.

Details related to the appointments to the Gaming Commission of Tom Guenthardt, Sue Schultz, Millie Biers and Valerie Chandler were also discussed. It was again noted that Jo Anne House was not ready with her report.

There was a motion to table this agenda item – pending the receipt of a legal opinion from Jo Anne House. The Voting Record indicates the following:

Motion: To Table Pending Receipt of a Legal Opinion from Jo Anne House.

Motion by: Joan Spalding
Support: Elaine Porter

Roll Call:

K. Berentsen – No
T. Kleeman – No
E. Porter – Yes
J. Szpliet – No
C. Bennett – No

C. Fisher – Yes
L. McCatty – No
J. Spalding – Yes
C. Waitner – Yes

Results: Motion Fails:
4 for, 5 opposed, 0 abstain and 0 absent.

After the motion above failed, it was asked if there were any other motions. With this, there was a motion to approve the appointment of Michael Schrader to the Gaming Commission. Lisa McCatty made this motion: Tammy Kleeman offered support. Related to this consideration, the Roll Call Record reflects the following:

Motion: To Appoint Michael Schrader to the Gaming Commission.
Motion by: Lisa McCatty
Support: Tammy Kleeman

Roll Call:

K. Berentsen – Yes	C. Fisher – No
T. Kleeman – Yes	L. McCatty – Yes
E. Porter – Yes	J. Spalding – No
J. Szpliet – No	C. Waitner – Yes
C. Bennett – Yes	

Results: Motion Passes:
6 for, 3 opposed, 0 abstain and 0 absent.

It was noted FOR THE RECORD (by Joan Spalding) that she was not opposed to Mr. Schrader filling the position but did not believe that this was done correctly.

There was a subsequent action on the part of the Tribal Council related to this consideration, i.e., before leaving this area of discussion, there was a motion that Jo Anne House provide a legal opinion regarding the validity of the appointments to the Gaming Commission in accordance with the Gaming Ordinance. This is detailed in with the following:

Motion: That Jo Anne House provide a legal opinion regarding the validity of the appointments to the Gaming Commission in accordance with the Gaming Ordinance.
Motion by: Janine Szpliet
Support: Tammy Kleeman

Roll Call:

K. Berentsen – Yes	C. Fisher – Yes
T. Kleeman – Yes	L. McCatty – Yes
E. Porter – Yes	J. Spalding – Yes
J. Szpliet – Yes	C. Waitner – No
C. Bennett – Yes	

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

J. **APPOINTMENT TO THE CULTURAL PRESERVATION COMMITTEE.** (Phil Memberto & the Cultural Preservation Committee). This agenda item was added as a result of the discussion related to the Tribal Council Agenda that occurred when this was approved earlier in the meeting.

At the outset of the related discussion, it was clarified by the Cultural Preservation Committee that they were going by existing policy. It was also noted that the appointment of Matt Stratton did not violate the current policy, i.e., that they do have people outside the service area on the Committee.

The discussion of this agenda item was limited, as it had also been discussed earlier in the meeting. It was clarified that this was a two-year appointment.

The related motion and voting record are recorded as follows:

Motion: To Appoint Matt Stratton to the Cultural Preservation Committee.

Motion by: Connie Waitner

Support: Elaine Porter

Roll Call:

K. Berentsen – Yes

T. Kleeman – Absent

E. Porter – Yes

J. Szpliet – Yes

C. Bennett – Yes

C. Fisher – Yes

L. McCatty – Yes

J. Spalding – Yes

C. Waitner – No

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

At this point, the meeting moved on to the Concluding Business portion of the meeting.

V. CONCLUDING BUSINESS

A. PUBLIC COMMENT

Public Comment was limited to a somewhat brief discussion of the Trust Money. It was reported that there is a difference in the amounts from last year and this year. It was thought that this money was in CD's and that there should not have been such a change. It was suggested that Dan Broton be approached for a definitive answer to this.

B. NEXT TRIBAL COUNCIL MEETING DATE (S)

Regular Session: Wednesday, January 24, 2001

Regular Work Session: Tuesday, January 23, 2001

In addition to the Tribal Council meeting dates noted above, the Tribal Council Meeting on Saturday, January 20, 2001 was also noted.

VI. ADJOURNMENT OF OPEN SESSION

At this point in the meeting, it was approximately 4:15 p.m. It was announced that there would be a brief recess and that the meeting would reconvene in the Conference Room (located in the Little River Band Community Center) for the Closed Session portion of the meeting.

NOTE: TRIBAL COUNCIL CLOSED SESSION AGENDA ITEMS ARE LIMITED TO LITIGATION MATTERS, BUSINESS/CONTRACT MATTERS AND/OR PERSONNEL ISSUES. CLOSED SESSION MINUTES WILL ALSO BE APPROVED IN CLOSED SESSION MEETINGS OF THE TRIBAL COUNCIL.

ADDITIONAL NOTE: As a point of clarification, it should perhaps be noted that the voting records reflected in the minutes are correct. There were various points in the meeting with various Tribal Council Members were not present for the votes related to some of the items of the day's agenda.

APPROVED MINUTES

CHARLES FISHER
Tribal Council Recorder