

**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, FEBRUARY 13, 2002
LITTLE RIVER BAND COMMUNITY CENTER**

**OPEN SESSION
MINUTES**

The Little River Band of Ottawa Indians held a meeting at the Little River Band Community Center on February 13, 2002. Following are the minutes of that meeting.

I. Opening Prayer

The Tribal Council engaged in silent prayer.

II. General Business

A. Call To Order:

The regularly scheduled Tribal Council meeting of Wednesday, February 13, 2002, was called to order at 10:02 a.m.

B. Roll Call

C. Bennett – Present	C. Fisher – Present	T. Kleeman – Present
L. McCatty – Absent	P. Medahko – Present	S. Parsons – Present
E. Porter – Present	P. Ruiter – Present	J. Sam – Present

Quorum established.

McCatty was absent due to illness.

Others Present: Kathleen Block, Leatrice Castonia, JoAnne House, Lee McCaslin, Pat Morris, Bobbi Jo Thomas, Bill Willis

C. Approval of Agenda

MOTION TO APPROVE THE AMENDED AGENDA AS PRESENTED; by Fisher; support by Ruiter.

Roll Call

C. Bennett – Yes	Fisher – Yes	T. Kleeman – Yes
L. McCatty – Absent	P. Medahko – Yes	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – Yes	J. Sam – Yes

Motion carried (8-0-0-1)

D. Tribal Council Minutes: 12/19/01

12/19/01

MOTION TO APPROVE THE MINUTES OF DECEMBER 19, 2001; by Porter; support by Kleeman.

Roll Call

C. Bennett – Yes	Fisher – Yes	T. Kleeman – Yes
L. McCatty – Absent	P. Medahko – Abstain	S. Parsons – Yes
E. Porter – Yes	P. Ruitter – Yes	J. Sam – Yes

Motion carried (7-0-1-1)

E. Public Comment Period

Thomas presented a list of employees and queried about their salaries. Sam stated salary ranges could be provided but not individual salaries. House stated salary information should come from the Human Resources Department. Thomas inquired about salaries of Council members. Parsons informed her she could see a copy of the Resolution which established Council member's salary. Parsons stated Block would have a copy of that Resolution.

Discussion was held regarding Tribal Council members attendance at the Spring Membership meeting.

Thomas asked the Tribal Council members if they felt they had assisted the Tribal members during the past year. Council members responded, at this time, they have not accomplished everything they want to do. However, they do feel they have made an excellent beginning in getting programs started. Fisher stated the up-coming census will assist the Council in making decision of where the greatest needs are. Parsons stated, in his opinion, the new Assistance Program would be very helpful to Tribal members. Davis reported dollar amounts expended on various programs. Davis reminded those in attendance that in addition to the various programs the Helping Each Other plan distributed 1.5 million dollars directly to the membership. Davis stated, in his estimation, during the context of the past 2 ½ years with the new source of revenue the Council had done a very good job in helping Tribal members.

Thomas queried if the Tribal Council members felt they spent wisely the money received from government funding and casino money. Some council members responded there were specific programs they would like to see changed or improved. Also, Council members felt decisions were made in good conscience.

Brenda Hyma arrived at 10:51 a.m.

Sam stated due to Federal laws the decisions of Tribal Council were hindered because the Tribal Council was restricted in what they could put in place. Sam reminded those in attendance the revenue from the Casino was governed by the Indian Gaming Regulatory Act.

Thomas stated many Tribal people were still living in poverty status. Medahko stated, in her opinion, part of the problem was the fact that Tribal members were proud people and often would not ask for help. Therefore, Tribal Council had no way of knowing of their needs. Fisher stated, in his opinion, there was no one correct answer but a combination of answers that need to be put in place and given time that will happen. Davis cited some regulations that must first be met prior to any cash distribution to the members. There was a lengthy discussion regarding how Tribal member might better be served. Porter thanked Thomas for bringing her questions and concerns to the meeting.

I. Continuing Business

A. Grants & Contracts

Bussey stated the Northwest Michigan Government Alliance Meeting will be next week and queried if any of the Council members were going. Bussey and Shepard plan to attend. The meeting will be in Glen Arbor.

B. CMT Business

1. Tax Exempt Budget Presentation and Tribal Council Approval for SBR and Water

Willis stated a preliminary budget was done for SBR and water the estimated cost was \$3.5 million. More recently a more accurate budget was compiled, not included was \$500,000 grant from HUD, which could be deducted from \$1.4 M excess. Willis asked for acceptance of this Resolution. Sam asked for an explanation of aqua aerobics. Willis stated this was a processing portion. Fisher stated there is \$75,000 in contingencies.

Sam asked that the loan total, total budget and numbers be included in the record. Sam stated combined total budget was \$4,714,622.00 and the number actual represented is \$4,641,101.15. Total loan amount was \$3,600,000.00 and short fall was \$1,141,191.15.

**MOTION TO APPROVE RESOLUTION # 02-0213-01,
APPROVING CAPITAL BUDGET FOR LITTLE
RIVER BAND COMMUNITY WATER SUPPLY AND
WASTE WATER TREATMENT FACILITIES**

PROJECT FOR PURPOSES OF THE TAX-EXEMPT LOAN; by Kleeman; support by Bennett.

Roll Call

C. Bennett – Yes	Fisher – Yes	T. Kleeman – Yes
L. McCatty – Absent	P. Medahko – Yes	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – Yes	J. Sam – Yes

Motion carried (8-0-0-1)

2. Resolution of Approval for Trellis – Bulletin #42

Willis stated the requested trellis must be completed within a given time frame, therefore, he believes it was in the best interest to issue a change order to Cunningham-Limp who initially proposed a bid. Willis asked that a change order be issued to Cunningham-Limp which would be an expenditure from the FF&E under the surveillance line item.

MOTION TO APPROVE RESOLUTION # 02-0213-02, AUTHORIZING THE CONSTRUCTION MANAGEMENT TEAM TO EXECUTE BULLETIN NO. 42 AND TO PROCESS CORRESPONDING CHANGE ORDERS TO THE DESIGN/BUILD AGREEMENT WITH CUNNINGHAM-LIMP COMPANY AND APPROVING A MODIFICATION TO THE CAPITAL BUDGET FOR THE LITTLE RIVER BAND CASINO RESORT EXPANSION PROJECT TO RE-ALLOCATE \$126,160 FOR THIS PURPOSE; by Fisher; support by Porter.

Roll Call

C. Bennett – No	Fisher – Yes	T. Kleeman – No
L. McCatty – Absent	P. Medahko – Yes	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – Yes	J. Sam – No

Motion carried (5-3-0-1)

MOVE TO AMEND THE PREVIOUS MOTION APPROVING RESOLUTION #02-0213-02 TO INCLUDE AFTER THE WORDS “TO RE-ALLOCATE \$126,160 FOR THIS PURPOSE” WITH A REVISION TO THE SIXTH WHEREAS INSERTING A SEMI COLON AFTER EXPANSION AND STRIKING THE FOLLOWING VERBAGE AND INSERTING “AND”; by Sam; support by Porter

Roll Call

C. Bennett – No	Fisher – Yes	T. Kleeman – No
L. McCatty – Absent	P. Medahko – Yes	S. Parsons – Yes

E. Porter – Yes	P. Ruiter – Yes	J. Sam – Yes
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Motion carried (6-2-0-1)

3. Restaurant Name Change – Discussion

Porter stated there was a restaurant in Cadillac by the name of “Blue Heron” which was the name proposed for the fine dining area at the Casino. Discussion was held regarding various solutions to the potential problem of having the two restaurants in the same area with the same name. Sam suggested naming the Restaurant “The Heron.”

MOTION TO CHANGE THE “BLUE HERON” RESTAURANT TO “THE HERON”; by Kleeman; support by Porter.

Roll Call

C. Bennett – Yes	Fisher – Yes	T. Kleeman – Yes
L. McCatty – Absent	P. Medahko – Yes	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – Yes	J. Sam – Yes

Motion carried (8-0-0-1)

Fisher stated the sign was blue. It was decided that the sign would remain blue.

II. Old Business

A. Authorizing the Tribal Ogema, or in the Absence of, the Tribal Council Speaker to Execute an Agreement with Design Plus for Civil Engineering at the Little River Station Store

Sam provided Davis with a copy of the most recent Resolution. Davis stated these services were necessary to get the area ready for construction. This was not included in the original bid from Design Plus. In order to move forward with the construction more services were needed and Design Plus could provide them at a reasonable rate.

MOTION TO APPROVE RESOLUTION # 02-0213-03, AUTHORIZING ADDITIONAL SERVICES BY DESIGN PLUS, INC. UNDER THE SCOPE OF THE AGREEMENT FOR ARCHITECTURAL SERVICES FOR THE LITTLE RIVER STATION STORE IN AN AMOUNT NOT TO EXCEED \$16,500; by Kleeman; support by Porter

Roll Call

C. Bennett – Yes	Fisher – Yes	T. Kleeman – Yes
L. McCatty – Absent	P. Medahko – Yes	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – Yes	J. Sam – Yes

Motion carried (8-0-0-1)

V. New Business

A. Consideration of Adoption for Amendments to Utility Ordinance #01-500-05

Sam stated there were two modifications amending Section 2.01 under the adoption by which we would incorporate the Resolution here that would amend those and adding the following sections at the recommendation of Steve Sainsbury, Utility Department Director. Adding 7.04 category interceptors and 7.05 interceptor maintenance. A memo was forwarded to Tribal Council members inquiring if a work session would be needed on this item with a deadline date. Having received no response the items were placed on the Agenda.

MOTION TO APPROVE RESOLUTION # 02-0213-04, CONSIDERATION OF ADOPTION FOR AMENDMENTS TO UTILITY ORDINANCE # 01-500-05 TO INCLUDE THE REQUIREMENTS FOR CERTAIN INTERCEPTORS; by Fisher; support by Ruiter.

Roll Call

C. Bennett – Yes	Fisher – Yes	T. Kleeman – Yes
L. McCatty – Absent	P. Medahko – Yes	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – Yes	J. Sam – Yes

Motion carried (8-0-0-1)

B. Cancellation of Saturday, April 20, 2002 Tribal Council Meeting

The Tribal Council meeting scheduled for April 20, 2002 was cancelled in lieu of the Spring Membership Meeting being held the same day.

MOTION TO APPROVE RESOLUTION # 02-13-05, CANCELLATION OF SATURDAY, APRIL 20, 2002 TRIBAL COUNCIL MEETING; by Kleeman; support by Medahko.

Roll Call

C. Bennett – Yes	Fisher – Yes	T. Kleeman – Yes
L. McCatty – Absent	P. Medahko – Yes	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – Yes	J. Sam – Yes

Motion carried (8-0-0-1)

VI. Concluding Business

A. Next Meeting Date(s) – February 16, 2002

B. Public Comment Period

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 OPEN SESSION; by Ruiter; support by Sam.

Roll Call

C. Bennett – Yes	C. Fisher – Yes	T. Kleeman – Yes
L. McCatty – Absent	P. Medahko – Yes	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – Yes	J. Sam – Yes

Motion carried (8-0-0-1)

This portion of Open Session was adjourned at 11:58 a.m.

MOTION TO GO INTO OPEN SESSION; by Kleeman, support by Medahko

Roll Call

C. Bennett – Absent	C. Fisher – Yes	T. Kleeman – Yes
L. McCatty – Absent	P. Medahko – Yes	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – Yes	J. Sam – Yes

Motion carried (7-0-0-2)

Council reconvened Open Session at 4:30 p.m. There were no items to be placed in Open Session from the Closed Session.

MOTION TO ADJOURN; by Sam; support by Kleeman

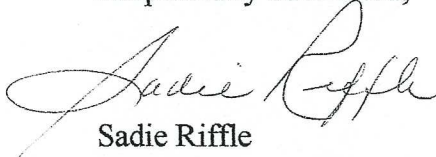
Roll Call

C. Bennett – Absent	C. Fisher – Yes	T. Kleeman – Yes
L. McCatty – Absent	P. Medahko – Yes	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – Yes	J. Sam – Yes

Motion carried (7-0-0-2)

Meeting adjourned at 4:35 p.m.

Respectfully Submitted,


Sadie Riffle
Transcribing Assistant


Janine Sam
Tribal Council Recorder

