



LITTLE RIVER BAND OF OTTAWA INDIANS

APPROVED

4-4-01

TRIBAL COUNCIL

1762 U.S. 31 South
Manistee MI 49660
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ORIGINAL

**REGULAR MEETING OF THE TRIBAL COUNCIL
Open Session
February 28, 2000
Little River Band Community Center**

I. Silent Prayer

II. General Business

A. Call to Order

Meeting called to order at 6:22 p.m. on February 28, 2000.

B. Roll Call

Members Present: Joan Spalding, Speaker; Charles Fisher, Recorder; Councilors: Carol Bennett; Kathy Berentsen; Lisa McCatty; Elaine Porter; Janine Szpliet; and Connie Waitner.

Members Excused: Don Koon.

Members Absent:

Others Present: William Brooks, Onlee Bowden, Frank Beaver, Phil Memberto, Chief Judge Daniel Bailey, Candice Chapman

C. Consent Agenda

1. Approval of Agenda.

Summary: Discussion regarding amending agenda.

MOTION TO ACCEPT AGENDA AS AMENDED, by Connie Waitner, second by Elaine Porter.

IV. New Business (Additions)

G. Addendum to Personal Services Agreement with Dr. Kittle.

H. Consideration of Gaming Commission Resolution GC-00-0216-01.

VI. Closed Session - New Business (Addition)

VI. Jurisdictional Issues.

III. OLD BUSINESS (Remove & Postpone until March 11, 2000)

A. Consideration for Contract Health Seminar for Health Board.

B. Consideration of Local Match for Dental Clinic Services Through Northwest Dental.

C. Decision on Allocation of Funds Remaining in Judgement Fund Account.

Roll Call:

| | | |
|--------------------|------------------|-------------------|
| C. Bennett - Yes | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - Yes | L. McCatty - Yes | J. Szpliet - Yes |
| C. Fisher - Yes | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (8-0-0-1).¹

Approval of Minutes.

February 12, 2000 - Regular Meeting Minutes

Summary: Discussion regarding motion under "Item I, Flag Issue;" amount of training; request to have roll call vote sheets attached to minutes; and request to amend motion on page 3 of the minutes that under the expansion of programs add the words, after the third line, prior to the word "Johnson O'Malley", "such as programs similar to."

MOTION THAT THE MINUTES BE AMENDED ON PAGE 3 AND THE THIRD PARAGRAPH UNDER STATEMENT ABOUT EXPANSION OF TRIBAL MEMBERS, THAT THE WORDS "PROGRAMS SIMILAR TO" BE INSERTED IN FRONT OF "JOHNSON O'MALLEY," by Janine Szpliet, second by Kathy Berentsen.

Roll Call:

| | | |
|--------------------|------------------|-------------------|
| C. Bennett - Yes | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - Yes | L. McCatty - Yes | J. Szpliet - Yes |
| C. Fisher - Yes | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (8-0-0-1).

MOTION THAT THE MINUTES FROM SATURDAY, FEBRUARY 12 REGULAR MEETING OF THE TRIBAL COUNCIL BE ACCEPTED AS AMENDED, INCLUDING THE ATTACHMENT OF THE ROLL CALL VOTE," by Janine Szpliet, second by Carol Bennett.

Roll Call:

| | | |
|--------------------|------------------|-------------------|
| C. Bennett - Yes | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - Yes | L. McCatty - Yes | J. Szpliet - Yes |
| C. Fisher - Yes | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (8-0-0-1).

SWEARING-IN CEREMONY - HOUSING COMMISSIONERS

Frank Beaver and Phil Memberto. Chief Judge Daniel Bailey administered the Oath of Office.

¹ (Yes-No-Abstain-Absent)

D. Introduction of Guests.

Onlee Bowden was introduced.

E. Public Comment.

Summary: The following questions, requests and concerns were raised during public comment. Questions regarding placement of United States flag and Little River Band flag. Discussion regarding lateness of newsletter as a result of computer problems. Discussion regarding per capita payments, and the affect on other benefits/services received. Discussion regarding Housing Commission employee and investigation. Discussion regarding medical bills being paid, and referrals to collection agencies as a result of untimely response to billing by clinic.

MOTION THAT THE HEALTH BOARD, CHUCK AND BILL BROOKS GET TOGETHER TO LOOK INTO THE COLLECTION AGENCY BILLS THAT HAVE BEEN SENT TO TRIBAL MEMBERS AND BILLS THAT NEED TO BE PAID FOR HEALTH SERVICES, by Lisa McCatty, second by Elaine Porter.

Roll Call:

| | | |
|------------------------|------------------|-------------------|
| C. Bennett - Yes | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - Abstain | L. McCatty - Yes | J. Szpliet -No |
| C. Fisher - Abstain | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (5-1-2-1).

MOTION THAT THE ORIGINAL MOTION THAT KATHY MADE BE REPEALED COMPLETELY OFF THE RECORD, by Janine Szpliet, second by Elaine Porter.

Roll Call:

| | | |
|------------------------|------------------|-------------------|
| C. Bennett - Yes | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - Abstain | L. McCatty - Yes | J. Szpliet -Yes |
| C. Fisher - Yes | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (7-0-1-1).

Summary: Discussion continued with questions regarding a training program for upper management level positions, Tribal and Indian preference in hiring. Discussion regarding North American Gaming management contract. Discussion regarding why reports (Manager, Committees, Financial) are not on the agenda.

III. Old Business

Item A, B, & C were removed to March 11, 2000.

D. Approval of Computer Purchase.

Summary: Discussion regarding the cost of the computer and the level of authorization.

MOTION TO AUTHORIZE THE APPROVAL OF A PURCHASE BY THE COMMUNITY DEVELOPMENT & PLANNING DEPARTMENT OF 1 COMPUTER

FOR CANDACE CHAPMAN IN AN AMOUNT NOT TO EXCEED \$3,000 PENDING VERIFICATION FROM ACCOUNTING OF THE ACTUAL COST AT THE NEXT MEETING by Janine Szpliet, second by Connie Waitner.

MOTION TO AMEND THE PREVIOUS MOTION, TO AUTHORIZE CANDACE TO PURCHASE A COMPUTER IN AN AMOUNT NOT TO EXCEED \$5,000 by Janine Szpliet, second by Elaine Porter.

Roll Call:

| | | |
|-------------------|------------------|-------------------|
| C. Bennett - Yes | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - No | L. McCatty - No | J. Szpliet - Yes |
| C. Fisher - Yes | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (6-2-0-1).

Vote on Main Motion as Amended.

Roll Call:

| | | |
|-------------------|------------------|-------------------|
| C. Bennett - Yes | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - No | L. McCatty - No | J. Szpliet - Yes |
| C. Fisher - Yes | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (6-2-0-1).

E. Consideration/approval of Purchase Agreement for "Vet Property" Adjoining Casino Property.

Summary: No discussion took place.

MOTION TO TABLE ITEM E, by Lisa McCatty, second by Kathy Berentsen.

Roll Call:

| | | |
|--------------------|------------------|-------------------|
| C. Bennett - No | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - Yes | L. McCatty - Yes | J. Szpliet - Yes |
| C. Fisher - No | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (5-3-0-1).

F. Resolution Approving "Blanket Waiver" under Section 9.3 of the Management Agreement.

Summary: No discussion took place.

MOTION ON THE TOP OF PAGE 2, TO ADD RESORT, AFTER THE FIRST WHEREAS STATES LITTLE RIVER CASINO," by Kathy Berentsen, second by Lisa McCatty.

Roll Call:

| | | |
|--------------------|------------------|-------------------|
| C. Bennett - Yes | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - Yes | L. McCatty - Yes | J. Szpliet - Yes |
| C. Fisher - Yes | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (8-0-0-1).

| | | |
|--------------------|------------------|-------------------|
| C. Bennett - Yes | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - Yes | L. McCatty - Yes | J. Szpliet - Yes |
| C. Fisher - Yes | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (8-0-0-1).

MOTION TO APPROVE RESOLUTION #00-0228-03, APPROVING AMENDMENT TO SECTION 4.4 AND 4.5 OF THE TRIBAL GOVERNMENT PERSONNEL POLICIES AS AMENDED, by Janine Szpliet, second by Connie Waitner.

Roll Call:

| | | |
|--------------------|------------------|-------------------|
| C. Bennett - Yes | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - Yes | L. McCatty - Yes | J. Szpliet - Yes |
| C. Fisher - Yes | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (8-0-0-1).

C. Consideration of Increase of Stipends for Tribal Committees and Commissions.

Summary: No discussion took place.

MOTION THAT THE CONSIDERATION OF INCREASING STIPENDS FOR TRIBAL COMMITTEES AND COMMISSIONS BE POSTPONED UNTIL THE MARCH 11 AGENDA, by Janine Szpliet, second by Elaine Porter.

Roll Call:

| | | |
|--------------------|------------------|-------------------|
| C. Bennett - Yes | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - Yes | L. McCatty - Yes | J. Szpliet - Yes |
| C. Fisher - Yes | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (8-0-0-1).

D. Amendment/designation of Authorized Holders of Tribal Credit Cards and Establishing Limits and Procedures for the Use of Such Cards.

Summary: No discussion took place.

MOTION TO TABLE by Connie Waitner, second by Janine Szpliet.

Roll Call:

| | | |
|--------------------|------------------|-------------------|
| C. Bennett - Yes | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - Yes | L. McCatty - Yes | J. Szpliet - Yes |
| C. Fisher - Yes | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (8-0-0-1).

E. Resolution Approving Statement of Fees and Expenses for Marc Slonim for Month of December 1999.

Summary: No discussion took place.

MOTION TO PASS RESOLUTION #00-0228-04, AUTHORIZING PAYMENT OF

FEES AND EXPENSES FOR JANUARY STATEMENT TO ZIONTZ, CHESTNUT, VARNELL, BERLEY & SLONIM by Kathy Berentsen, second by Janine Szpliet.

Roll Call:

| | | |
|--------------------|------------------|-------------------|
| C. Bennett - Yes | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - Yes | L. McCatty - Yes | J. Szpliet - Yes |
| C. Fisher - Yes | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (8-0-0-1).

F. Resolution Approving Ranking of Access Improvement Projects Recommended by the Natural Resources Commission.

Summary: No discussion took place.

MOTION ON PAGE 2 IN THE CERTIFICATE OF ADOPTION, THE RESOLUTION APPROVING THE RANKING OF ACCESS IMPROVEMENT PROJECTS RECOMMENDED BY THE NATURAL RESOURCES COMMISSION, FEBRUARY 2, 2000 BE AMENDED TO INCLUDE THE WORD BAND AFTER LITTLE RIVER BAND COMMUNITY CENTER AND IN VERY NEXT LINE, ON FEBRUARY AND THE DATE BE CHANGED FEBRUARY 28, 2000 by Janine Szpliet, second by Elaine Porter.

Roll Call:

| | | |
|--------------------|------------------|-------------------|
| C. Bennett - Yes | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - Yes | L. McCatty - Yes | J. Szpliet - Yes |
| C. Fisher - Yes | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (8-0-0-1).

MOTION TO ADOPT RESOLUTION #00-0228-05, APPROVING THE RANKING OF ACCESS IMPROVEMENT PROJECTS RECOMMENDED BY THE NATURAL RESOURCES COMMISSION by Connie Waitner, second by Kathy Berentsen.

Roll Call:

| | | |
|--------------------|------------------|-------------------|
| C. Bennett - Yes | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - Yes | L. McCatty - Yes | J. Szpliet - Yes |
| C. Fisher - Yes | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (8-0-0-1).

G. Third Addendum to Personal Services Agreement with Dr. Kittle.

Summary: No discussion took place.

MOTION APPROVING RESOLUTION #00-0228-06, TO APPROVE THIRD ADDENDUM TO PERSONAL SERVICES AGREEMENT WITH DR. KITTLE by Carol Bennett, second by Kathy Berentsen.

Roll Call:

| | | |
|--------------------|------------------|-------------------|
| C. Bennett - Yes | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - Yes | L. McCatty - Yes | J. Szpliet - Yes |
| C. Fisher - Yes | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (8-0-0-1).

H. Consideration of Gaming Commission Resolution.

Summary: No discussion took place.

MOTION THAT TRIBAL COUNCIL BY WRITTEN NOTIFICATION INFORM THE MANAGER OF ITS INTENT TO MOVE DIRECT SUPERVISION OF THE SURVEILLANCE DEPARTMENT UNDER THE GAMING COMMISSION AND ENTER INTO NEGOTIATIONS THAT WOULD ALLOW THAT TO HAPPEN IN AN EXPEDIENT A MATTER AS POSSIBLE by Janine Szpliet, second by Elaine Porter.

Roll Call:

| | | |
|--------------------|------------------|-------------------|
| C. Bennett - Yes | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - Yes | L. McCatty - Yes | J. Szpliet - Yes |
| C. Fisher - Yes | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (8-0-0-1).

V. Concluding Business

A. Public Comment

Summary: The following questions, requests and concerns were raised during public comment. Discussion regarding purchasing property in Cadillac. Discussion regarding the Tribal Council discussing credit cards. Discussion regarding start date for construction of the new Casino. Discussion regarding the Little River Maintenance and Construction Company.

B. Next Meeting Date

Regular Meeting: Saturday, March 11, 2000 @ 1:00 p.m.

The purpose of Closed Session is to discuss the consideration of bids/contracts. personnel matters and pending litigation issues.

C. Adjournment of Open Session.

MOTION TO ADJOURN OPEN SESSION by Janine Szpliet, second by Elaine Porter.

Roll Call:

| | | |
|--------------------|------------------|-------------------|
| C. Bennett - Yes | D. Koon - Absent | J. Spalding - Yes |
| K. Berentsen - Yes | L. McCatty - Yes | J. Szpliet - Yes |
| C. Fisher - Yes | E. Porter - Yes | C. Waitner - Yes |

Motion Carries. (8-0-0-1).

Minutes Transcribed/Drafted by: _____

Approved as Drafted/
Approved as Corrected
Date:

Respectfully Submitted,

Lisa M. McCatty
Lisa M. McCatty,
Tribal Council Recorder

Approved 4-4-01