



LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COUNCIL  
REGULAR MEETING  
WEDNESDAY, MARCH 7, 2001  
LITTLE RIVER BAND COMMUNITY CENTER

OPEN SESSION

AMENDMENTS (added 11/5/02)

II. GENERAL BUSINESS

A. Call To Order

Correction: Add to Minutes.

Meeting called to order at 1:13 p.m. on Wednesday, March 7, 2001.

B. Roll Call

Correction: Add Roll Call to Minutes

Tammy Kleeman-Present	Lisa McCatty-Present	Elaine Porter-Present
Joan Spalding-Present	Janine Sam-Present	Connie Waiter-Present
Carol Bennett-Present	Kathy Berentsen-Present	Charles Fisher-Present

Quorum established. 9-Present, 0-Absent

C. Consent Agenda

Approval of Agenda

Correction: Add Motion, Roll Call and Results to Minutes.

**MOTION TO ACCEPT THE AGENDA AS PRESENTED.**

Motion by Janine Sam, supported by Tammy Kleeman.

Lisa McCatty-Yes	Elaine Porter-Yes	Joan Spalding-Yes
Janine Sam-Yes	Connie Waitner-Yes	Carol Bennett-Yes
Kathy Berentsen-Yes	Charles Fisher-Yes	Tammy Kleeman-Yes

Motion carried. 9-Yes, 0-No, 0-Abstain, 0-Absent

D. Approval of Minutes

Correction: Add Motion, Roll Call and Results to Minutes.

**MOTION TO APPROVE FEBRUARY 12, 2000 TRIBAL  
COUNCIL OPEN MEETING MINUTES.**

Motion by Janine Sam, supported by Connie Waitner

Elaine Porter-Yes	Joan Spalding-Yes	Janine Sam-Yes
Connie Waitner-Yes	Carol Bennett-Yes	Kathy Berentsen-Yes
Charles Fisher-Yes	Tammy Kleeman-Yes	Lisa McCatty-Yes

Motion carried. 9-Yes, 0-No, 0-Abstain, 0-Absent

Correction: Add Motion, Roll Call and Results to Minutes.

**MOTION TO APPROVE JANUARY 10, 2001 TRIBAL  
COUNCIL OPEN MEETING MINUTES.**

Motion by Connie Waitner, supported by Elaine Porter

Joan Spalding-Yes	Janine Sam-Abstain	Connie Waitner-Yes
Carol Bennett-Yes	Kathy Berentsen-Yes	Charles Fisher-Yes
Tammy Kleeman-Yes	Lisa McCatty-Yes	Elaine Porter-Yes

Motion carried. 8-Yes, 0-No, 1-Abstain, 0-Absent

Correction: Add Motion, Roll Call and Results to Minutes.

**MOTION TO APPROVE MARCH 3, 2001 TRIBAL COUNCIL  
SPECIAL OPEN MEETING MINUTES.**

Motion by Elaine Porter, supported by Tammy Kleeman

Janine Sam-Yes	Connie Waitner-Yes	Carol Bennett-Yes
Kathy Berentsen-Abstain	Charles Fisher-Yes	Tammy Kleeman-Yes
Lisa McCatty-Yes	Elaine Porter-Yes	Joan Spalding-Yes

Motion carried. 8-Yes, 0-No, 1-Abstain, 0-Absent

found 3-17-03  
in file db.

Approved June 27 / 6-for-3ab-stentia



**LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COUNCIL**

**REGULAR MEETING WEDNESDAY, MARCH 7, 2001.**

**OPEN SESSION**

**MINUTES**

**I. OPENING PRAYER**

THE TRIBAL COUNCIL ENGAGED IN THE SERENITY PRAYER.

**II. GENERAL BUSINESS**

**A. CALL TO ORDER:**

THE REGULARLY SCHEDULED TRIBAL COUNCIL MEETING OF WEDNESDAY, MARCH 7, 2001 WAS CALLED TO ORDER AT 1:13 P.M.

**B. ROLL CALL**

C. BENNETT – PRESENT	T. KLEEMAN – PRESENT	J. SPALDING - PRESENT
K. BERENTSEN – PRESENT	L. McCATTY – PRESENT	J. SAM – PRESENT
C. FISHER – PRESENT	E. PORTER – PRESENT	C. WAITNER - PRESENT

QUORUM ESTABLISHED (9-0-0-0)

**OTHERS PRESENT:**

RICHARD SPRAGUE, MATT STRATTON, JOANNE HOUSE, JOHN BUSSEY, PAT RUITER, PHIL MEMBERTO, BILL BROOKS, ART DBRES.

**C. APPROVAL OF AGENDA**

**MOTION TO APPROVE THE AGENDA; BY JANINE SAM, SUPPORT BY TAMMY KLEEMAN.**

**ROLL CALL**

C. BENNETT – YES	T. KLEEMAN – YES	J. SPALDING - YES
K. BERENTSEN – YES	L. MCCATTY – YES	J. SAM - YES
C. FISHER – YES	E. PORTER – YES	C. WAITNER - YES

Motion carried (9-0-0-0)

**D. APPROVAL OF MINUTES**

**TRIBAL COUNCIL MEETINGS FOR APPROVAL:**

DISCUSSION WAS HELD ABOUT THE MINUTES FOR APPROVAL AND THE MINUTES FOR REVIEW BY COUNCILORS.

**FEB. 12, 2000 TRIBAL COUNCIL MINUTES.**

**MOTION TO APPROVE THE FEBRUARY 12, 2000 TRIBAL COUNCIL MINUTES; BY JANINE,SUPPORT BY: CONNIE WAITNER.**

ROLL CALL

C. BENNETT – YES	T. KLEEMAN – YES	J. SPALDING - YES
K. BERENTSEN — YES	L. MCCATTY – YES	J. SAM - YES
C. FISHER – YES	E. PORTER – YES	C. WAITNER - YES

Motion carried (9-0-0-0)

**JAN. 10, 2001 TRIBAL COUNCIL MINUTES.**

DISCUSSION WAS HELD ABOUT NAME CORRECTIONS THAT NEEDED TO BE MADE. CAROL QUESTIONED A VOTE ON PAGE 3, THE SECOND ROLL CALL, WHERE NO VOTE WAS RECORDED FOR HER. IT WAS EXPLAINED THAT SHE WAS NOT CALLED UPON FOR THIS VOTE . OTHER VOTES WERE ALSO QUESTIONED AS TO WHY INDIVIDUAL COUNCILORS HAD NO VOTE RECORDED. IT WAS NOTED THAT THE VOTES IN QUESTION, THAT COULD NOT BE DETERMINED, WERE NOT COUNTED IN THE FINAL ROLL CALL RESULTS LISTED ON THE MINUTES. OTHER AREAS WERE DISCUSSED THAT DID NOT CONTAIN A VOTE FOR COUNCILORS. LISA MCCATTY EXPLAINED THAT THERE WAS NOT A VOTE RECORDED FOR THOSE INDIVIDUALS, NOR COULD A VOTE BE HEARD ON THE RECORDING.

**MOTION TO APPROVE THE JANUARY 10, 2001 REGULAR TRIBAL COUNCIL MINUTES; BY CONNIE WAITNER, SUPPORT BY ELAINE PORTER.**

ROLL CALL

C. BENNETT – YES	T. KLEEMAN – YES	J. SPALDING - YES
K. BERENTSEN — YES	L. MCCATTY – YES	J. SAM - ABSTAIN
C. FISHER – YES	E. PORTER – YES	C. WAITNER - YES

Motion carried (8-0-1-0)

**MARCH 3, 2001 TRIBAL COUNCIL MINUTES**

A FEW ITEMS WERE NOTED THAT NEEDED TO BE CAPITALIZED WITHIN THE MINUTES. KATHY ASKED THAT IT BE NOTED UNDER THE ROLL CALL VOTE THAT SHE WAS ABSENT, BUT THAT SHE HAD SHARED WITH THE SPEAKER AND FOUR OTHER COUNCILORS THAT SHE HAD A PRIOR COMMITMENT.

**MOTION TO APPROVE THE SATURDAY, MARCH 3, 2001 SPECIAL TRIBAL COUNCIL MINUTES; BY ELAINE PORTER, SUPPORT BY TAMMY KLEEMAN**

ROLL CALL

C. BENNETT – YES	T. KLEEMAN – YES	J. SPALDING - YES
K. BERENTSEN – ABSTAIN	L. MCCATTY – YES	J. SAM - YES
C. FISHER – YES	E. PORTER – YES	C. WAITNER - YES

Motion carried (8-0-1-0)

**TRIBAL COUNCIL DRAFT MINUTES FOR REVIEW:**

- SEPTEMBER 13, 2000.**
- DECEMBER 9, 2000.**
- DECEMBER 27, 2000.**
- JANUARY 3, 2001.**
- JANUARY 20, 2001.**
- FEBRUARY 14, 2001.**
- FEBRUARY 17, 2001.**
- FEBRUARY 21, 2001.**

TRIBAL COUNCILORS WERE ASKED TO REVIEW THE DRAFT MINUTES AND COMMENT ON THEM. IT WAS NOTED THAT SOME COUNCILORS DID NOT RECEIVE ALL OF THE DRAFT MINUTES AS OF THE MEETING.

**E. PUBLIC COMMENT**

MATT STRATTON DISCUSSED VIDEO TAPING TRIBAL COUNCIL MEETINGS FOR DISTRIBUTION TO THE MEMBERSHIP. A TEST MEETING WAS SUGGESTED. IT WAS FURTHER SUGGESTED BY LEGAL COUNSEL THAT THIS PROCESS BE GRANTED THROUGH RESOLUTION APPROVAL. ALSO A POLICY OF PROTOCOL TO DETERMINE IF WE ARE GOING TO ALLOW THESE TAPES TO THE PUBLIC, OR JUST THE MEMBERS. A FURTHER SUGGESTION WAS RECOMMENDED THAT RELEASES WOULD NEED TO BE SIGNED, WITH DOCUMENTATION OF WHAT THE TRIBE WOULD BE CONSENTING TO. CONCERNS WERE RAISED ABOUT THE PROTECTION OF THE TAPES SO THAT THEY WOULD NOT BE REPRODUCED WITHOUT THE CONSENT OF THE TRIBE.

**III. GRANTS & CONTRACTS BUSINESS. (JOHN BUSSEY).**

**A. ROADS TRAINING & PLANNING GRANT.**

JOHN BUSSEY PROVIDED AN EXECUTIVE SUMMARY AND RESOLUTION TO THE TRIBAL COUNCIL. THE PROPOSED BIA GRANT WAS FOR BIA ROADS TRAINING & PLANNING GRANT AND DID NOT REQUIRE A TRIBAL MATCH. KATHY BERENTSEN NOTED THAT THE CERTIFICATE OF ADOPTION ON THE RESOLUTION CONTAINED AN ERROR.

**MOTION TO PASS RESOLUTION 01-03-07-01 WITH THE AMENDMENT UNDER THE CERTIFICATE OF ADOPTION SO THAT IT WILL READ MARCH 7 2001; BY KATHY BERENTSEN, SUPPORT BY TAMMY KLEEMAN.**

ROLL CALL

C. BENNETT – YES	T. KLEEMAN – YES	J. SPALDING - YES
K. BERENTSEN — YES	L. MCCATTY – YES	J. SAM - YES

C. FISHER – YES	E. PORTER – YES	C. WAITNER - ABSENT
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Motion carried (8-0-0-1)

CONNIE WAITNER WAS TEMPORARILY UNAVAILABLE FOR THE ROLL CALL, BUT NOTED UPON HER RETURN THAT SHE WAS ALSO IN FAVOR OF THIS GRANT.

**B. LONG RANGE TRANSPORTATION GRANT.**

JOHN BUSSEY PRESENTED THE LONG RANGE TRANSPORTATION GRANT PROPOSAL TO THE TRIBAL COUNCIL. JOHN BUSSEY NOTED THAT THIS COVER PART OF THE PLANNING STAFF WAGES. THE GRANT APPLICATION IS MADE TO THE BUREAU OF INDIAN AFFAIRS LONG RANGE TRANSPORTATION PLANNING. JOHN BUSSEY SAID THAT THE GRANT APPLICATION MUST BE SUBMITTED BY THE 16<sup>TH</sup> OF MARCH AND WOULD BE AWARDED BY SEPTEMBER. JOHN BUSSEY CLARIFIED TO COUNCILORS THAT THIS WAS NOT A SURE THING, IT WAS JUST A REQUEST FOR THE GRANT.

**MOTION TO PASS RESOLUTION 01-03-07-02 LONG RANGE TRANSPORTATION PLANNING, WITH THE CORRECTION OF 2000 UNDER THE CERTIFICATE OF ADOPTION; BY KATHY BERENTSEN, SUPPORT BY TAMMY KLEEMAN.**

ROLL CALL

C. BENNETT – YES	T. KLEEMAN – YES	J. SPALDING - YES
K. BERENTSEN — YES	L. MCCATTY – YES	J. SAM - YES
C. FISHER – YES	E. PORTER – YES	C. WAITNER - YES

Motion carried (9-0-0-0)

**C. LANGUAGE GRANT.**

JOHN BUSSEY PRESENTED THE PROPOSAL THE THE TRIBAL COUNCIL, REQUEST FOR THREE YEARS. JOHN BUSSEY EXPLAINED THAT IT MAY BE APPROVED FOR THE FIRST YEAR WITH PROBABLE FUNDING FOR THE SECOND YEAR, OR FUNDED FOR ALL THREE YEARS. KATHY BERENTSEN BROUGHT UP THAT IF THE TRIGGER EVENT GOES INTO EFFECT, THE TRIBE MAY NOT HAVE THE FUNDS TO MATCH TO THIS GRANT. JANINE SAM INFORMED KATHY BERENTSEN THAT WE HAVE MONEY FOR THE LANGUAGE IN THE YEAR 2001 BUDGET. KATHY BERENTSEN NOTED THAT THAT DOES NOT COVER THE OTHER TWO YEARS. JOHN BUSSEY SAID THAT IF WE CANNOT MEET THE WATCH FOR THE GRANT, THAT WE COULD TURN BACK THE GRANT. JOAN SPALDING EXPLAINED FOR THOSE PRESENT THAT THE TRIGGER POINT HAD TO DO WITH CASINOS AGAINST GAMBLING LAWSUIT AND THAT THE TRIGGER POINT IS SOME THEORETICAL POINT IN THE FUTURE AT WHICH IT COMES TO THE SUPREME COURT.

**MOTION TO APPROVE RESOLUTION 01-03-07-03 SUBMITTING ANA GRANT APPLICATION FOR OTTAWA LANGUAGE PRESERVATION; BY JANINE SAM, SUPPORT BY ELAINE PORTER.**

ROLL CALL

C. BENNETT – NO	T. KLEEMAN – NO	J. SPALDING - YES
K. BERENTSEN – NO	L. MCCATTY – YES	J. SAM - YES
C. FISHER – YES	E. PORTER – YES	C. WAITNER - YES

Motion carried (6-3-0-0)

IV. OLD BUSINESS

A. RESOLUTION APPROVAL OF DEDICATING CERTAIN TRIBAL LANDS AS TRIBAL POWWOW GROUNDS AND FOR CULTURAL PURPOSES.

PHIL MEMBERTO PRESENTED THIS ITEM TO THE TRIBAL COUNCIL ALONG WITH A MAP AND A RESOLUTION. JOAN SPALDING SAID THAT THE RESOLUTION NAMED THE TRIBE AS THE LITTLE RIVER BAND OF ODAWA INDIANS, AND THAT IS NOT WHAT WE ARE NAMED. THE INTENT WAS TO SET ASIDE THE CURRENT AREA USED FOR THE POW WOW AS THE PERMANENT PLACE FOR CULTURAL PURPOSES.

**MOTION TO APPROVE RESOLUTION 01-03-07-04 DEDICATING CERTAIN TRIBAL LANDS AS TRIBAL POWWOW GROUNDS AND FOR CULTURAL PURPOSES; BY JANINE SAM, SUPPORT BY TAMMY KLEEMAN.**

ROLL CALL

C. BENNETT – YES	T. KLEEMAN – YES	J. SPALDING - YES
K. BERENTSEN — YES	L. MCCATTY – YES	J. SAM - YES
C. FISHER – YES	E. PORTER – YES	C. WAITNER - YES

Motion carried (9-0-0-0)

V. NEW BUSINESS:

A. AUTHORIZING RELEASE OF PERCAPITA FUNDS HELD IN TRUST FOR CERTAIN MINORS REACHING THE AGE OF MAJORITY IN FEBRUARY, 2001. (KIM ALEXANDER).

JOAN SPALDING ASKED BILL BROOKS IF THERE WAS A NEW RESOLUTION FOR THIS ITEM. LISA MCCATTY SAID SHE HAD A NEW RESOLUTION WITH THE NAME CHANGE, BUT IT DID NOT CONTAIN THE APROPRIATE DATES IN THE CERTIFICATE OF ADOPTION.

**MOTION TO POSTPONE THIS ITEM UNTIL NEXT WEEK; BY JANINE SAM, SUPPORT BY TAMMY KLEEMAN.**

ROLL CALL

C. BENNETT – YES	T. KLEEMAN – YES	J. SPALDING - NO
K. BERENTSEN – YES	L. MCCATTY – YES	J. SAM - YES
C. FISHER – NO	E. PORTER – NO	C. WAITNER - NO

Motion carried (5-4-0-0)

**B. PURCHASE OF VEHICLE. (A.L. DEBRES). TO INCREASE FLEET TO INCREASE PATROL SERVICES.**

ART DEBRES STATED THIS PURCHASE WAS PART OF A RESOURCE GRANT THAT WAS AWARDED FOR THE YEAR 2001. TAMMY KLEEMAN ASKED ART DEBRES ABOUT THE GRANT WHICH WOULD PURCHASE THE VEHICLE, AND IF THERE WAS A TRIBAL MATCH OF FUNDS FOR THE GRANT.. THERE WAS A TRIBAL MATCH OF ABOUT \$4,000. FOR THE PURCHASE OF THE PROPOSED VEHICLE. BILL BROOKS EXPLAINED THAT THE REASON THIS ITEM WAS ON THE AGENDA WAS BECAUSE OF A POLICY THAT IF AN ITEM IS OVER 2500, IT MUST COME BEFORE THE TRIBAL COUNCIL. KATHY BERENTSEN ASKED WHO WOULD BE USING THIS VEHICLE, FOR PATROL, TRANSPORTATION OF PRISONERS, CONSERVATION, WHAT WAS THE NEED FOR THIS VEHICLE. ART DEBRESSAID THIS WOULD BE FOR PATROLING. CAROL BENNETT ASKED ART DEBRES TO CLARIFY THE PAPERWORK WHICH WAS SUBMITTED TO THE COUNCIL ON THE PRICE OF THE VEHICLE, WHICH LISTED A TOTAL DELIVERED PRICE OF \$26,199.40 FOR A 2001 TAHOE . ART EXPLAINED THAT THE GRANT WAS UP TO 30,000, BUT THE TRIBE MUST PAY 25%. JANINE SAM ENLIGHTENED THE COUNCIL TO THE FACT THAT THE SCRIBBLE ON THE AGENDA REQUEST , WITH AN ARROW POINTING TO IT, WAS IN FACT THE SIGNATURE OF APPROVAL FOR THIS PURCHASE BY BOB GUENTHARDT, THE OGEMA.

**MOTION TO APPROVE THE PURCHASE; BY JANINE SAM, SUPPORT BY CONNIE WAITNER.**

ROLL CALL

C. BENNETT – YES	T. KLEEMAN – YES	J. SPALDING - YES
K. BERENTSEN — YES	L. MCCATTY – YES	J. SAM - YES
C. FISHER – YES	E. PORTER – YES	C. WAITNER - YES

Motion carried (9-0-0-0)

**C. PURCHASING A SNOWMOBILE. (A.L. DEBRES). TO PURCHASE A SNOWMOBILE TO PATROL THE PROPERTY THAT WE OWN BECAUSE OF ACCESSIBILITY.**

ART DEBRESS PRESENTED THE AGENDA ITEM TO THE TRIBAL COUNCIL. ART PROVIDED THE COUNCIL WITH BIDS FOR DIFFERENT SNOWMOBILES. ELAINE PORTER ASKED WHY THIS WAS BEING PURCHASED AT THIS TIME OF THE YEAR. JANINE ASKED WHY WE WOULD BE PURCHASING A 1998 VEHICLE, AND IF THERE WAS DOCUMENTATION THAT THE VEHICLE WAS IN GOOD CONDITION BASED ON THE MILEAGE OF THE MACHINE. ART DEBRES SAID THAT THIS OLDER MODEL WAS ACTUALLY A BETTER MODEL TO NOT OVER HEAT. IT WAS NOTED THAT THE MILEAGE OF THE SNOWMOBILE WAS NOT LISTED ON THE PAPERWORK PROVIDED. JANINE SAM ASKED IF THERE WAS A DISCLOSURE FROM THE PRIVATE INDIVIDUAL THAT KNOW ONE IN ADMINISTRATION IS AFFILIATED WITH THIS PERSON.



JANINE SAM FURTHER STATED THAT SHE WANTED TO ENSURE THAT THIS WAS NOT JUST A FRIEND WHERE TRIBAL FUNDS WERE GOING TO BE USED TO PURCHASE THE VEHICLE. KATHY BERENTSEN STATED THAT SHE BELIEVED A NEW SNOWMOBILE COULD BE PURCHASED FOR THIS PRICE WITH WARRANTY. CONNIE WAITNER STATED THAT SHE WAS ALSO CONCERNED ABOUT PURCHASING USED, THAT WE MAY BE INHERITING SOMEONE ELSE'S PROBLEMS. CONNIE WAITNER FURTHER SAID THAT SHE UNDERSTOOD THE PURCHASE WAS NECESSARY FOR ALL THE LAND WE HAVE, BUT THAT WE SHOULD BE ABLE TO SHOP AROUND AND FIND SOMETHING NEW. ELAINE PORTER SUGGESTED THAT THE ITEM BE PURCHASED EARLY IN THE FALL. JOAN SPALDING ASKED WHO LOOKED AT DIFFERENT SNOWMOBILES. ART SAID THAT HE SUBMITTED THREE BIDS AND ALSO HAD TWO OTHERS. ART WAS ASKED IF HE HAD ANY RESPONSE TO THE STATEMENTS OF COUNCILORS. ART DEBRES STATED THAT IF THE COUNCIL WAS WILLING TO BUDGET MORE, HE HAD NO OBJECTIONS TO BUYING NEW., ALSO THAT THE AMOUNT BUDGETED FOR A SNOWMOBILE HAD BEEN SOMEWHAT CONSERVATIVELY LOW.

**MOTION TO REMOVE THIS ITEM FROM THE AGENDA; BY TAMMY KLEEMAN, SUPPORT BY LISA MCCATTY.**

ROLL CALL

C. BENNETT - YES	T. KLEEMAN - YES	J. SPALDING - NO
K. BERENTSEN - YES	L. MCCATTY - YES	J. SAM - YES
C. FISHER - NO	E. PORTER - YES	C. WAITNER - YES

Motion carried (7-2-0-0)

**MOTION TO REQUEST THAT THE DIRECTOR OF PUBLIC SAFETY RECONSIDER HIS SUBMISSION FOR APPROVAL OF A SNOWMOBILE PURCHASE, WITH A CONFLICT OF INTEREST STATEMENT TO ACCOMPANY ANY PURCHASES BY PRIVATE INDIVIDUALS AND ASSURANCES OF QUALITY OF THE MACHINERY IF IN DEED IT WOULD BE A USED VEHICLE; BY JANINE SAM, SUPPORT BY CONNIE WAITNER.**

ROLL CALL

C. BENNETT - YES	T. KLEEMAN - YES	J. SPALDING - NO
K. BERENTSEN - YES	L. MCCATTY - YES	J. SAM - YES
C. FISHER - YES	E. PORTER - YES	C. WAITNER - YES

Motion carried (8-1-0-0)

**D. RESOLUTION APPROVING APPROPRIATION OF \$15,000.00 FOR MEMBERSHIP DUES IN THE NATIONAL INDIAN GAMING ASSOCIATION (NIGA) AND APPOINTING THE TRIBES REPRESENTATIVES TO NIGA. (OGEMA).**

JOAN SPALDING ASKED BILL BROOKS IF HE WOULD SPEAK ON THIS ITEM. BILL BROOKS DISCUSSED WHAT NIGA WAS, WHAT THEY ARE ACTIVE IN, AND THE MEMBERSHIP TO NIGA. BILL BROOKS SAID THAT THE RESOLUTION PRESENTED DESIGNATED THE OGEMA, COUNCIL SPEAKER, AND COUNCIL

RECORDER AS THE TRIBES' MEMBERS. KATHY BERENTSEN ASKED WHEN THAT DECISION CHANGED, BECAUSE SHE BELIEVED THAT JANINE SAM AND CHUCK FISHER HAD BEEN INTERESTED. CAROL ASKED WHO HAD SUGGESTED THE CHANGE. JOAN SPALDING SAIS THAT IT HAD BEEN DISCUSSED AT AGENDA REVIEW. KATHY BERENTSEN SAID THAT SHE HAD BEEN AT AGENDA REVIEW, AND SHE BELIEVED CHUCK FISHER AND JANINE SAM WOULD BE DESIGNATED ON THE RESOLUTION. LISA MCCATTY ASKED JANINE SAM AND CHUCK FISHER IF THEY DESIRED TO BE THE NIGA REPRESENTATIVES. TAMMY KLEEMAN ASKED WHY THE YEARLY MEMBERSHIP DUE HAD GONE UP SINCE THE LAST TIME IT HAD BEEN ON THE TRIBAL COUNCILS AGENDA. JANINE SAM SAID THAT THE DUES AARE BASED ON THE REVENUE OF THE TRIBES CASINO, AND THAT IS WHY THE AMOUNT HAS GONE UP.

**MOTION TO APPROVE RESOLUTION 01-03-07-05 APPROVAL OF MEMBERSHIP IN THE NATIONAL INDIAM GAMING ASSOCIATION, NIGA, APPOINTING REPRESENTATIVES TO NIGA, AND APPROVING A BUDGET MODIFICATION IN THE AMOUNT OF \$15,000.00 TO APPROPRIATE GENERAL REVENUE FUNDS FOR MEMBERSHIP IN THE NATIONAL INDIAN GAMING ASSOCIATION; BY CONNIE WAITNER, SUPPORT BY JANINE SAM.**

ROLL CALL

C. BENNETT – YES	T. KLEEMAN – YES	J. SPALDING - YES
K. BERENTSEN – YES	L. MCCATTY – ABSTAIN	J. SAM - YES
C. FISHER – YES	E. PORTER – YES	C. WAITNER - YES

Motion carried (8-0-1-0)

**E. RESOLUTION ESTABLISHING INTERIM AUTHORITY FOR APPOINTMENT OF ALTERNATES TO THE ELECTION BOARD. (OGEMA).**

THE REQUEST WAS SUBMITTED BY THE OGEMA, BOB GUENTHARDT. THE TRIBAL COUNCIL DISCUSSED THAT THERE WERE TWO DIFFERENT RESOLUTIONS FOR THIS ITEM. PAGE TWO CONTAINED CHANGES ORR QUALIFICATIONS TO BE AN ALTERNATE. JOAN SPALDING STATED THAT THIS RESOLUTION WOULD ESTABLISH A MEANS FOR THE APPOINTMENT OF ALTERNATES TO THE ELECTION BOARD. IT WAS NOTED THAT ONE OF THE ELECTION BOARD MEMBERS HAD EXCUSED THEMSELVES BECAUSE OF THE INVOLVEMNET OF A SISTER IN THE ELECTION. LISA MCCATTY ASKED WHY BOB GUENTHARDT DID NOT JUST REPLACE THE ELECTION BOARD MEMBER THAT HAD A CONFLICT. JOAN SPALDING SAID THAT AT ANY POINT ANY ONE OF THE MEMBERS COULD HAVE A CONFLICT. LISA MCCATTY ASKED WHY THE RESOLUTION STATED THAT A PERSON COULD NOT BE A BOARD MEMBER IF THEY WERE AN EMPLOYEE OF THE TRIBAL COUNCIL, AND WHY WAS THAT ANY DIFFERENT THEN EMPLOYEES OF THE GOVERNMENT. BILL BROOKS SIAD THAT THEY DIFFERENCE WAS THAT THE EMPLOYEES OF COUNCIL, EMPLOYEES OF ELECTED OFFICIALS, ARE MOE CLOSELY INVOLVED IN THE AFFAIRS OF GOVERNMENT .

LISA MCCATTY MADE A MOTION TO AMEND THE RESOLUTION; UNDER THE QUALIFICATIONS OF AN ELECTION BOARD ALTERNATE; SECTION 1B, END THE SENTENCE AFTER "THE TRIBAL COUNCIL", AND STRIKE OUT "OR EMPLOYED BY THE TRIBAL COUNCIL"; UNDER C, AFTER "IS NOT A MEMBER OF THE TRIBAL COURT", STRIKE OUT, "OR EMPLOYED BY THE TRIBAL COURT". NO SUPPORT WAS OFFERED.

PAT RUITER ADVISED THE TRIBAL COUNCIL THAT ONLY THREE ELECTION BOARD MEMBERS HAD TO BE PRESENT TO VOTE, THEREFORE TWO COULD BE ABSENT AND THEY WOULD STILL HAVE A QUORUM.

MOTION TO APPROVE RESOLUTION 01-03-07-06 APPROVING INTERIM AUTHORITY FOR THE APPOINTMENTS OF ALTERNATES TO THE LITTLE RIVER BAND OF OTTAWA INDIANS ELECTION BOARD; BY CONNIE WAITNER, SUPPORT BY ELAINE PORTER.

ROLL CALL

C. BENNETT - NO	T. KLEEMAN - NO	J. SPALDING - YES
K. BERENTSEN - NO	L. MCCATTY - NO	J. SAM - YES
C. FISHER - YES	E. PORTER - YES	C. WAITNER - YES

Motion carried (5-4-0-0)

**F. APPOINTMENT OF JOHN ROSS AS ALTERNATE TO THE TRIBAL ELECTION BOARD.**

THIS ITEM WAS SUBMITTED BY THE OGEMA, BOB GUENTHARDT. JANINE SAM STATED THAT SHE DID NOT HAVE A LETTER FROM THE OGEMA NOMINATING MR. ROSS, NOR DID SHE HAVE A STATEMENT FROM THE THE INDIVIDUAL DISCLOSING IF HE IS RELATED TO ANY OF THE CANDIDATES. JOAN SPALDING SAID THAT THE TRIBAL COUNCIL HAD JUST ADOPTED A RESOLUTION WHICH OUTLINED THE QUALIFIATIOIONS TO BE AN ALTERNATE. JANINE SAM REPLIED THAT YES THOSE WERE THE QUALIFICATIONS, BUT THAT IT DID NOT LIST WHAT WOULD EXCLUDE AN INDIVIDUAL FROM BEING A MEMBER; BUT THAT IT DID PRECLUDE AN INDIVIDUAL IF THEY HAD AN IMMEDIATE FAMILY MEMBER RUNNING FOR OFFICE. JANINE SAM FURTHER STATED THAT SHE DID NOT HAVE ANY DOCUMENTATION ABOUT THE CANDIDATE TO ANSWER THESE QUESTIONS FOR CERTAIN. KATHY BERENTSEN ASKED A PROCEDURAL QUESTION ACCORDING TO THE PROCEDURES ORDINACE; SHE QUESTIONEDWETHER BILL BROOKS COULD BE PRESENTING THIS ITEM AS HE WAS NOT THE OGEMA, NOR A TRIBAL MEMBER.

MOTION TO APPOINT JOHN ROSS AS AN ALTERNATE TO THE TRIBAL ELECTION BOARD; BY CONNIE WAITNER, SUPPORT BY ELAINE PORTER.

ROLL CALL

C. BENNETT - NO	T. KLEEMAN - NO	J. SPALDING - YES
K. BERENTSEN - NO	L. MCCATTY - NO	J. SAM - YES
C. FISHER - YES	E. PORTER - YES	C. WAITNER - YES

Motion carried (5-4-0-0)

**G. MOTION AUTHORIZING PAYMENT OF MEETING STIPENDS AND MILEAGE FOR JOHN ROSS PERIOD BETWEEN NOVEMBER 1, 2000 THROUGH THE DATE HE IS FORMALLY APPOINTED AS AN ALTERNATE. (OGEMA).**

THE TRIBAL OGEMA PLACED THIS ITEM ON THE AGENDA TO PAY AN INDIVIDUAL FOR ATTENDANCE AT A MEETING PRIOR TO APPOINTMENT. JANINE SAM SAID THAT SHE WAS NOT IN FAVOR OF PROVIDING STIPENDS TO AN INDIVIDUAL TO SERVE IN A CAPACITY THAT DIDN'T EXIST UNTIL WE JUST CREATED IT. JANINE SAM FURTHER STATED THAT SHE FELT THIS ITEM WAS WITHIN THE OGEMAS AUTHORITY TO PAY OR NOT PAY THIS PERSON FOR ATTENDING., AND THAT THE TRIBAL COUNCIL DID NOT NEED TO APPROVE THIS ITEM. BILL BROOKS SAID THAT SINCE TRIBAL COUNCIL MEMBERS ARE PRIMARILY THE CHECK SIGNERS, THAT THE OGEMA WANTED TO BRING THIS TO THE COUNCIL SO THAT IT WAS NOT DENIED FOR A SIGNATURE. KATHY BERENTSEN SAID THAT IN THE PAST SHE HAS DENIED TO SIGN CHECKS FOR MR. ROSS AS AN ELECTION BOARD MEMBER, AND THAT SHE WAS CONCERNED ABOUT THE LINES OF COMMUNICATION BECAUSE IF IT HAD NOT BEEN FOR A TRIBAL COUNCIL MEMBER BEING THERE TO SIGN THE CHECK, IT WOULD NOT HAVE BEEN REALIZED, AND HE WOULD HAVE BEEN PAID ALL ALONG WITHOUT THE PROPER POLICIES IN PLACE. JANINE SAM SUGGESTED THAT THE TRIBAL COUNCIL NOT TAKE ANY ACTION ON THIS ITEM. JOAN SPALDING REMINDED THE TRIBAL COUNCIL THAT AT THE TIME THE OGEMA SUBMITTED ELECTION BOARD MEMBER NOMINATIONS, HE ALSO NOMINATED JOHN ROSS AS AN ALTERNATE, AND THAT THE TRIBAL COUNCIL STALLED ON APPROVING THAT BECAUSE OF THE LACK OF PROVISIONS FOR THIS IN THE CONSTITUTION, AND ALSO BECAUSE THE TRIBAL COUNCIL WAS REVIEWING THE ELECTION ORDINANCE. LISA MCCATTY STATED THAT THE TRIBAL COUNCIL HAD DENIED THE NOMINATION OF AN ALTERNATE, AND THAT THE OGEMA MUST NOT HAVE BEEN INFORMED OF THAT ACTION, BUT BECAUSE COUNCIL DENIED APPOINTMENT OF ALTERNATES THEREFORE THERE WAS NO PROVISIONS. TAMMY KLEEMAN SAID THAT SHE HAD NOTHING TO LET HER KNOW IF JOHN ROSS WAS RELATED TO ANY OF THE CANDIDATES, BUT THAT THERE WERE 33 CANDIDATES RUNNING FOR THE COUNCIL. JANINE SAM ASKED IF SHE COULD READ A LETTER THAT SHE WAS DRAFTING FOR CONSIDERATION BY THE COUNCIL TO REFER THAT MATTER BACK TO THE OGEMA. THE COUNCIL DID NOT TAKE ACTION TO APPROVE OR DENY MILEAGE FOR MR. ROSS AS YOU HAVE IN THE PAST PAID MILEAGE AND RELATED EXPENSES FOR ELDER TO PARTICIPATE IN FUNCTIONS OF THE STATE COUNCIL BELIEVES THAT YOUR DECISIONS REGARDING THIS SPECIFIC MATTER WOULD NOT REQUIRE A SUBSEQUENT ACTION BY COUNCIL. WE FURTHER RECOMMEND THAT YOUR OFFICE DEVELOP GUIDELINE FOR THE PAYMENT OF MILEAGE AND EXPENSES ON BEHALF OF TRIBAL ELDERS AND/OR ANYONE ELSE SERVING IN CAPACITY OF THE TRIBE.

**MOTION TO REFER THIS MATTER TO THE TRIBAL OGEMA WITH THE LETTER THAT WAS JUST READ INTO THE RECORD, AND THAT COUNCIL NOT TAKE ACTION ON THIS AGENDA ITEM; BY JANINE SAM, SUPPORT BY TAMMY KLEEMAN.**

ROLL CALL

C. BENNETT – YES	T. KLEEMAN – YES	J. SPALDING - YES
K. BERENTSEN — YES	L. MCCATTY – YES	J. SAM - YES
C. FISHER – YES	E. PORTER – YES	C. WAITNER - YES

Motion carried (9-0-0-0)

**H. INSURANCE BENEFITS FOR TRIBAL COUNCILORS.**

THIS WAS AN ITEM THAT WAS ADDED TO THE AGENDA AT THE AGENDA REVIEW. KATHY BERENTSEN SAID THAT THE BUDGET DID INCLUDE WITHIN THE FRINGES LINE AMOUNTS TO COVER THE INSURANCE. ALSO THAT THE BENEFITS EFFECTIVE DATE WOULD START ON THIS DATE, COUNCILORS WOULD JUST HAVE TO SIGN UP WITHIN 30 DAYS. KATHY BERENTSEN FURTHER STATED THAT THIS PACKAGE WOULD COVER HEALTH, VISION AND DENTAL, WITH NO PREEXISTING CLAUSE, AND OIF WE PASS THE RESOLUTION TODAY, IT GOES IN EFFECT TODAY, WETHER YOU SIGN UP A WEKK OR TWO FROM NOW, AS LONG AS ITS WITHIN THE 30 DAYS. IT WAS STATED THAT IT WOULD NOT INCLUDE 401K. DISCUSSION WAS HELD ABOUT THE 401K. JOAN SPALDING NOTED THAT LISA MCCATTY STATED THEY ALREADY HAD 401K. JANINE SAM ASKED ABOUT THE CONFLICT OF INTEREST PROVISIONS IN THE CONSTITUTION THAT WOULD EXCLUDE A MEMBER FROM VOTING ON THIS ITEM. JANINE SAM STATED THAT SHE HAS HAD HEALTH PROBLEMS WITH PROCEDURES SCHEDULED THIS WEEK, AND THAT SHE DID BELIEVE THAT WAS A CONFLICT OF INTEREST. THE TRIBAL COUNCIL FURTHER DISCUSSED THE CONFLICT OF INTEREST.

**A CONFLICT OF INTEREST HAS BEEN DISCLOSED BY JANINE, ON THE ITEM BEFORE US, WE WILL TAKE A ROLL CALL VOTE ON WETHER COUNCILOR SAM MAY VOTE ON THE MATTER.**

JOAN SPALDING FURTHER SAID THAT IF YOU SAY YES, JANINE MAY NOT VOTE, SHE MUST ABSTAIN.

ROLL CALL

C. BENNETT – NO	T. KLEEMAN – NO	J. SPALDING - YES
K. BERENTSEN — YES	L. MCCATTY – YES	J. SAM - ABSTAIN
C. FISHER – YES	E. PORTER – NO	C. WAITNER - YES

Motion carried (5-3-1-0)

**MOTION TO APPROVE RESOLUTION 01-03-07-07 PROVIDING INSURANCE BENEFITS TO TRIBAL COUNCILORS; BY JANINE SAM, SUPPORT BY TAMMY KLEEMAN.**

ROLL CALL

C. BENNETT – ABSTAIN	T. KLEEMAN – YES	J. SPALDING - YES
K. BERENTSEN — YES	L. MCCATTY – YES	J. SAM - ABSTAIN
C. FISHER – YES	E. PORTER – YES	C. WAITNER - YES

*Motion carried (7-0-2-0)*

**I. AMENDING THE TRUST RESOLUTION FOR THE DONTZ FARM PARCEL.**

**BILL BROOKS SPOKE ABOUT THE ISSUE OF PLACING PIECE OF PROPERTY IN TRUST, AND ALSO AMENDING THE LEGAL DESCRIPTION TO DO SO.**

**MOTION TO APPROVE RESOLUTION 01-03-07-08 AMENDING THE LEGAL DESCRIPTION OF DONTZFARM PARCEL B AND TRUST FOR ACQUISITION REQUEST; BY ELAINE PORTER, SUPPORT BY TAMMY KLEEMAN.**

ROLL CALL

C. BENNETT – YES	T. KLEEMAN – YES	J. SPALDING - YES
K. BERENTSEN — YES	L. MCCATTY – YES	J. SAM - YES
C. FISHER – YES	E. PORTER – YES	C. WAITNER - YES

*Motion carried (9-0-0-0)*

**VI. CONCLUDING BUSINESS**

**A. NEXT MEETING DATE**

**TRIBAL COUNCIL REGULAR SESSION MARCH 14, 2001**

**B. PUBLIC COMMENT**

**NO PUBLIC COMMENT WAS OFFERED AT THIS PORTION OF THE AGENDA.**

- **JOAN SPALDING NOTED FOR THE RECORD THAT THERE WILL BE A CLOSED SESSION TODAY TO DISCUSS BUSINESS MATTER INVOLVING BIDS/CONTRACTS AND LITIGATION MATTERS, AND PERSONNEL MATTER.**

**VII. ADJOURNMENT OF OPEN SESSION**

**MOTION TO ADJOURN OPEN SESSION; BY TAMMY KLEEMAN, SUPPORT BY JANINE SAM.**

ROLL CALL

C. BENNETT – YES	T. KLEEMAN – YES	J. SPALDING - YES
K. BERENTSEN — YES	L. MCCATTY – YES	J. SAM - YES
C. FISHER – YES	E. PORTER – YES	C. WAITNER - YES

*Motion carried (9-0-0-0)*



**LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COUNCIL**

**REGULAR MEETING WEDNESDAY, MARCH 7, 2001.**

**RETURN TO OPEN SESSION**

**MINUTES**

*THIS IS THE PORTION OF THE LITTLE RIVER BAND OF OTTAWA INDIANS TRIBAL COUNCIL  
REGULAR MEETING OF WEDNESDAY, MARCH 7, 2001, FOLLOWING THE CLOSED SESSION  
PORTION OF THE AGENDA.*

**RETURN TO OPEN SESSION**

**MOTION TO RETURN TO OPEN SESSION; BY JANINE SAM, SUPPORT BY TAMMY  
KLEEMAN.**

**ROLL CALL**

C. BENNETT – ABSENT	T. KLEEMAN – YES	J. SPALDING - YES
K. BERENTSEN — YES	L. MCCATTY – YES	J. SAM - YES
C. FISHER – YES	E. PORTER – YES	C. WAITNER - YES

***Motion carried (8-0-0-1)***

**ADJOURNMENT**

**MOTION TO ADJOURN; BY JANINE SAM, SUPPORT BY TAMMY KLEEMAN.**

**ROLL CALL**

C. BENNETT – ABSENT	T. KLEEMAN – YES	J. SPALDING - YES
K. BERENTSEN — YES	L. MCCATTY – YES	J. SAM - YES
C. FISHER – YES	E. PORTER – YES	C. WAITNER - YES

***Motion carried (8-0-0-1)***