



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

March 11, 2000

Little River Band Community Center

I. Silent Prayer

II. General Business

A. Call to Order

Meeting called to order at 1:07 p.m., on Saturday, March 11, 2000.

B. Roll Call

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

Members Excused:

Members Absent:

Others Present: William Brooks, Dan Coates, Bill Willis, Bob Guenthardt, John Koon.

C. Consent Agenda

1. Approval of Agenda.

Summary: Discussion regarding amendments to the agenda. The agenda was approved with amendments.

MOTION TO APPROVE THE AGENDA AS AMENDED by Connie Waitner, second by Don Koon.

IV. New Business (Additions)

E. Appointment of Ad Hoc Committee of the Tribal Council.

F. Approval of Job Descriptions for Tribal Council Assistant and Tribal Council Secretary.

G. Approving Budget Modification in the Amount of \$87,291.18, Final Work for Casino Addition.

H. Authorizing the Tribal Ogema, or in His Absence, The Tribal Council Speaker to Execute Documents Necessary to Complete the Acquisition of the Rental Housing Units.

I. Payment of Expenses Associated with Tribal Council Activities to Individual Council Members.

J. Tribal Newsletter Mailing List.

K. Setting of Deadline for Ordinance Review and Establishing Work Sessions.

L. Reappropriating of Funds and Approval of Computer Purchase, Internet Line Hook-up,

Copy/fax/printer Machine for Tribal Council.

VI. Closed Session (New Business)

1. Personnel Matter.

Roll Call:

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

Motion Carries. (7-2-0-0).¹

2. Approval of Minutes.

2/28/00 Regular Meeting Minutes:

Summary: Discussion regarding correcting 'Saturday' reference to 'Monday,' 'Connie Fisher' corrected to 'Connie Waitner,' support of a motion under Item II, should be Elaine Porter, and to correct reference that Charles Fisher voted on an item on pages 3 and 13.

MOTION TO TABLE MINUTES UNTIL THE RECORD IS CHECKED ON THOSE ITEMS by Janine Szpliet, second by Connie Waitner.

Roll Call:

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

Motion Carries. (9-0-0-0).

3. Manager Report.

Summary: No discussion took place.

MOTION TO ACCEPT FOR FILING by Janine Szpliet, second by Don Koon.

Roll Call:

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

Motion Carries. (9-0-0-0).

4. Attorney Report.

Summary: Brief verbal report given.

MOTION TO ACCEPT FOR FILING THE ATTORNEY REPORT by Charles Fisher, second by Janine Szpliet.

Roll Call:

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

¹ (Yes-No-Abstain-Absent)

D. Introduction of Guests.

No guests were noted in attendance.

E. Public Comment.²

Summary: The following questions, requests and concerns were raised during the Public Comment period. Discussion regarding policies and procedures to get on the agenda, how do you get updates regarding the current activities of departments, what is the purpose of the Business Board.

III. Old Business

A. Consideration for Contract Health Seminar for Health Board.

Summary: No discussion took place.

MOTION TO REMOVE ITEM A by Joan Spalding, second by Connie Waitner

Roll Call:

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

Motion Carries. (7-2-0-0).

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

Summary: No discussion took place.

MOTION THAT CHUCK FISHER ASK FOR HELP OF DONNA AND BARB, TO COLLECT DATA AND INFORMATION NECESSARY SO WE CAN PROCEED FORWARD AT THE SATURDAY, APRIL 8 MEETING THIS CAN BE ACTED ON AND TAKEN CARE OF by Kathy Berentsen, second by Elaine Porter.

Roll Call:

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

Motion Carries. (5-4-0-0).

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

Summary: No discussion took place.

MOTION TO PASS RESOLUTION #00-0311-01, APPROVING BUDGET MODIFICATION OF OPERATING BUDGET FOR THE TRIBAL GOVERNMENT FOR FISCAL YEAR 2000 TO APPROPRIATE THE FUNDS REMAINING IN JUDGEMENT FUND ACCOUNT TO COMPLETE

² Technical difficulties arose during a portion of the Public Comment period and some discussion was not recorded.

SECOND DISTRIBUTION TO QUALIFIED TRIBAL MEMBERS IN ACCORDANCE WITH TERMS OF THE 80/20 DISTRIBUTION PLAN by Kathy Berentsen, second by Elaine Porter.

Roll Call:

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

Motion Carries. (9-0-0-0).

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

Summary: No discussion took place.

MOTION TO TABLE ITEM D by Joan Spalding, second by Charles Fisher.

Roll Call:

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

Motion Carries. (7-2-0-0).

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

Summary: No discussion took place.

MOTION TO INCREASE THE STIPENDS FOR THE TRIBAL COMMISSIONS IN THE AMOUNT OF \$400 THAT WAS PREVIOUSLY DISCUSSED AT A COUNCIL WORK SESSION by Kathy Berentsen, second by Elaine Porter.

Roll Call:

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

Motion Fails. (4-4-1-0).

F. 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 THAT THIS ITEM BE TABLED SINCE DAN BROTON IS NOT HERE by Joan Spalding, second by Charles Fisher.

Roll Call:

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

Motion Carries. (9-0-0-0).

IV. New Business

A. Legal Department Budget Amendment.

Summary: No discussion took place.

MOTION TO AMEND THE LEGAL DEPARTMENT BUDGET AS RECOMMENDED BY DAN BROTON by Charles Fisher, second by Don Koon.

Roll Call:

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

Motion Carries. (9-0-0-0).

B. Consideration of Legal Fees and Expenses for Election Board for Month of February 2000.

Summary: No discussion took place.

MOTION TO APPROVE THE LEGAL FEES FOR PENINSULA LEGAL SERVICES FOR ELECTION BOARD TO THE \$75,000 CEILING THAT WAS ORIGINALLY PROPOSED IN OUR ATTORNEY CONTRACT by Charles Fisher, second by Don Koon.

Roll Call:

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

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

C. Michigan Indian Legal Services Proposal for the Prosecuting Attorney Position.

Summary: No discussion took place.

MOTION THAT WE ASK HELEN ANN TO FURTHER DEVELOP A PRESENTATION FOR THE TRIBAL COUNCIL IN THIS REGARD by Charles Fisher, second by Don Koon.

Roll Call:

| | | |
|-------------------|------------------|-------------------|
| C. Bennett - No | 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. (6-3-0-0).

D. Consideration of Membership in the National Indian Gaming Association.

Summary: No discussion took place.

MOTION TO POSTPONE THIS ITEM UNTIL THE NEXT MEETING BY WHICH

TIME WE WILL HAVE CLARIFICATION FROM THE NIGA REGARDING WHAT OUR DUES WILL BE, ALSO PREPARING A BUDGET MODIFICATION AND APPROPRIATION REQUEST by Janine Szpliet, second by Charles Fisher.

Roll Call:

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

Motion Carries. (9-0-0-0).

E. Appointment of Ad Hoc Committee of the Tribal Council.

Summary: No discussion took place.

MOTION TO APPOINT JANINE SZPLIET, ELAINE PORTER, CONNIE WAITNER AND CAROL BENNETT TO AN AD HOC COMMITTEE FOR THOSE DUTIES AS OUTLINED BY Joan Spalding, second by Charles Fisher.

Roll Call:

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

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

F. Approval of Job Descriptions for Tribal Council Assistant and Tribal Council Secretary.

Summary: Discussion regarding explanation for specific elements of job description, changing from responsible for and assisting in completing an activity, who is responsible for supervising the assistant. Amendments included changing 'responsible' to 'assist' in Item #5. A brief recess was taken during discussion.

MOTION TO APPROVE THE JOB DESCRIPTION OF THE TRIBAL COUNCIL ASSISTANT AND SECRETARY AS AMENDED by Elaine Porter, second by Janine Szpliet.

Roll Call:

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

Motion Carries. (9-0-0-0).

G. Approving Budget Modification in the Amount of \$87,291.18, Final Work for Casino Addition.

Summary: No discussion took place.

MOTION TO TABLE THIS UNTIL THE BUSINESS BOARD CAN VERIFY THAT THESE ARE EXPENSES ASSOCIATED WITH THE CASINO ADDITION by Joan

Spalding, second by Kathy Berentsen.

Roll Call:

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

Motion Carries. (9-0-0-0).

H. Authorizing the Tribal Ogema, or in His Absence, the Tribal Council Speaker to Execute Documents Necessary to Complete the Acquisition of the Rental Housing Units.

Summary: Discussion regarding title to the property (Tribe or Commission), and regarding the action that was being authorized by the resolution.

MOTION TO ADOPT RESOLUTION #00-0311-02, AUTHORIZING THE TRIBAL OGEMA, OR IN HIS ABSENCE, THE TRIBAL COUNCIL SPEAKER TO EXECUTE DOCUMENTS NECESSARY TO COMPLETE THE ACQUISITION OF THE RENTAL HOUSING UNITS by Connie Wiatner, second by Elaine Porter.

Roll Call:

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

Motion Carries. (9-0-0-0).

I. Payment of Expenses Associated with Tribal Council Activities to Individual Council Members.

Summary: Discussion regarding the types of bills (phone, supplies, mileage), whether these were future or past bills, discussion about bringing a policy or process for adoption, suggestion that this matter be forwarded to a work session.

MOTION THAT A SPECIAL SUB-COMMITTEE BE APPOINTED, LISA MCCATTY AND KATHY BERENTSEN TO DRAFT GOVERNMENTAL POLICY REGARDING THE MEANS OF PAYMENT OF BILLS OR EXPENSES ASSOCIATED WITH GOVERNMENTAL DUTIES, INCLUDING THE INFORMATION THAT WAS PASSED AT THE LAST MEETING REGARDING TIMEKEEPING PROCEDURES FOR GOVERNMENTAL OFFICIALS by Janine Szpliet, second by Lisa McCatty.

Roll Call:

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

Motion Carries. (9-0-0-0).

J. Tribal Newsletter Mailing List.

Summary: Discussion regarding the newsletter not being received by all members, that mailings are not consistent as some households receive job postings, some do not, discussion about purposes of newsletters and other mailings, and development of a policy if the content or other status for the newsletter is going to change.

MOTION THAT WE TAKE NO ACTION AT THIS TIME by Connie Wiatner, second by Charles Fisher.

Roll Call:

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

Motion Carries. (7-2-0-0).

K. Setting of Deadline for Ordinance Review and Establishing Work Sessions.

Summary: Discussion regarding previous deadlines already published, identifying the next three ordinances for review.

MOTION THAT THE TRIBAL COUNCIL RECORDER PREPARE A SPECIAL MAILING TO THE TRIBAL MEMBERSHIP TO BE MAILED NO LATER THAN MARCH 25, INCLUDING NOTICE THAT THE DEADLINE FOR MEMBERSHIP COMMENT ON THOSE THREE ORDINANCES IS APRIL 15 AND PUBLICATION OF THE SPECIAL WORK SESSIONS ON APRIL 17, APRIL 19 AND APRIL 26 BE INCLUDED IN THAT NOTICE AS WELL by Janine Szpliet, second by Connie Waitner.

Roll Call:

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

Motion Carries. (9-0-0-0).

L. Reappropriating of Funds and Approval of Computer Purchase, Internet Line Hook-up, Copy/fax/printer Machine for Tribal Council.

Summary: Discussion about there being sufficient funds for this action, and the use of the computer and Internet and fax access, discussion about the Council meeting at offices.

MOTION THAT THE COUNCIL APPROVE THIS PURCHASE by Carol Bennet, second by Elaine Porter.

Roll Call:

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

Motion Fails. (3-6-0-0).

MOTION THAT A PROPOSAL BE DRAFTED FOR THE PURCHASE OF NINE COMPUTERS, NINE FAX MACHINES/PRINTERS, INSTALLMENT OF TELEPHONE LINES AND INTERNET SERVICE BE PREPARED FOR SUBMISSION AND APPROVAL TO BE INCLUDED WITH THE SECOND QUARTER APPROPRIATION AND ANY MODIFICATION TO THE BUDGET OR PAPERWORK BE COMPLETED BY THE TRIBAL ATTORNEY FOR CONSIDERATION AT THE NEXT MEETING by Janine Szpliet, second by Lisa McCatty.

Roll Call:

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

Motion Carries. (9-0-0-0).

V. Concluding Business

A. Public Comment.

Summary: The following questions, requests and concerns were raised during the Public Comment period. Discussion regarding comparison of Little River Band's services and proposals for service with other Tribes in Michigan, and development of new programs that assist all members.

B. Next Meeting Date

Work session: Monday, March 13 at 10:00 a.m. Strategic Planning
Regular Session: Monday, March 27 at 6:00 p.m.

The purpose of Closed session is to discuss personnel matters and pending litigation issues.

C. Adjournment of Open Session.

Summary: No discussion took place.

MOTION TO ADJOURN OPEN SESSION by Kathy Berentsen, second by Don Koon.

Roll Call:

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

Motion Carries. (9-0-0-0).

VI. Closed Session.

Due to the Confidential nature of information discussed in Closed Session, minutes of Closed Session are maintained separately, as provided for under Article IV, Sec. 6(d) of the Constitution of the Little River Band of Ottawa Indians, in order to protect the integrity and confidentiality of the information discussed.

VII. Return to Open Session

MOTION TO RETURN TO OPEN SESSION by Janine Szpliet, second by Kathy Berentsen.

Roll Call:

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

Motion Carries. (9-0-0-0).

VIII. Adjournment

MOTION TO ADJOURN by Carol Bennet, 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 - Absent |

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