

APPROVED
5/8/02



**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, MARCH 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 March 13, 2002. Following are the minutes of that meeting.

I. Opening Prayer

The Tribal Council engaged in a silent prayer.

II. General Business

A. Call To Order:

The regularly scheduled Tribal Council meeting of Wednesday, March 13, 2002, was called to order at 10:03 a.m.

Parsons stated that Sam was ill and McCatty would be serving as recorder. Kleeman also notified the Council that she was ill.

B. Roll Call

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

Quorum established.

Others Present: Kathleen Block, Leatrice Castonia, Candace Chapman, Jo Anne House, Gary Markowski, Pat Morris, Matthew Stratton, Bobbi Jo Thomas

C. Approval of Agenda

McCatty stated she received official notification from Katie Glocheski regarding Tammy Carter's resignation from the Enrollment Commission.

**MOTION TO ADOPT THE AGENDA WITH THE
ADDITION OF ITEM D. ACCEPTANCE OF
RESIGNATION FROM TAMMY CARTER AND DECLARE
VACANCY ON THE ENROLLMENT COMMISSION;** by
McCatty; supported by Porter.

Roll Call

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

Motion carried (7-0-0-2)

Lee Sprague, Brian Medacco and Linda Wissner arrived at 10:07 a.m.

E. Public Comment Period

Stratton queried why a background check was necessary in order to serve on the Enrollment Commission. House explained the use of the information when filling a vacancy on a Commission. Porter stated it would depend on which Commission you were applying for as to how detailed the background check would be. Medacco stated he had seen the form and thought a background check was a positive endeavor. Parsons stated he was not aware of the situation as to if the form was actually in use. Stratton again requested a summary form.

Dan Shepard arrived at 10:25 a.m.

Shepard had issues with properties that have been closed. There was discussion of closing a National Forest trail. Ruiter stated this was coming from Natural Resources. Shepard stated 40% of state and national forest were being closed. Castonia asked if this road was taken care of. Porter stated it was a seasonal road.

Bob Davis arrived at 10:28 a.m.

Phillip Memberto arrived at 10:29 a.m.

Davis stated the National Forest trail was discussed at the last Natural Resource Commission meeting. Davis stated it would be quite an extensive undertaking to reroute the path. The plans were to move the path or trail and he believes this would be politically incorrect. Davis stated his personal opinion was that Public Safety and Natural Resources should be managing the properties rather than just closing them off. McCatty stated these lands were closed over a year ago and we did not have the resources to monitor the land, however, more officers were available at this time. She suggested contacting the Director of the Public Safety Department to formally notify the Council if he believes his department could patrol that area at the present time.

Shepard asked if closing properties could be brought to the public comment period before it was done. House stated this was one way but the question was this may not be a Tribal Council issue but a Natural Resource Commission. Medacco asked if the Commission could close the land before coming to Council. House stated properties were closed unless specifically named open. House stated may be an easement and may be able to do something with it. Parsons asked if Council would be the ultimate decision maker for closing land. House stated this may not necessarily be true. House stated that not necessarily were all regulations for Commissions approved by Tribal Council. The issues of approval of Tribal boundaries were also discussed.

John Bussey and Jessica Burger arrived at 11:00 a.m.

III. Continuing Business

A. Grants & Contracts

1. Energy Grant Consideration

Bussey stated this item was brought before Council last week. This would require a Tribal match of \$50,000. Bussey was requesting formal support of this action. Bennett asked about tribal match. Bussey clarified that it was not a dollar for dollar match. Sprague stated it was a required 20% match. Fisher asked for best form of commitment for this project. Sprague stated he was looking for a motion by the Council to proceed with the grant process. Sprague stated would come back with a Resolution for the grant to be submitted to the Department of Energy.

Bridgett Cole arrived at 11:17 a.m.

MOTION FOR THE ECONOMIC DEVELOPMENT TO MOVE FORWARD AND APPLY FOR THE ENERGY GRANT WITH A TRIBAL MATCH OF APPROXIMATELY \$50,000; by Porter; supported by Ruiter.

Roll Call

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

Motion carried (6-1-0-2)

B. CMT Business

1. Status Update of Artwork for the Casino Expansion

Fisher stated there was a committee in place and there will be a meeting on March 23, 2002, for the committee to review the art. Fisher stated he had a brief meeting with the interior designer and does have the drawing that demonstrates where the art was to be located. There will be a preview of the art which coincides with the drum feast. Fisher stated there were a lot of areas that need to be discussed by the committee regarding approximately 600 pieces of art.

IV. Old Business

V. New Business

A. Consideration/Approval of Indian Preference Ordinance

House stated this was the first step in the revision of the personnel manual. There was a lot of regulations from the Human Resource office that will be needed. McCatty asked what revisions have been made to the Ordinance. House stated the section 5.03 the Native American area had been altered. McCatty asked about 4.06, first sentence, should read "section 4.04" not section "4.03". House stated this was correct.

MOTION TO APPROVE RESOLUTION # 02-0313-01, THE ADOPTION OF THE INDIAN PREFERENCE IN EMPLOYMENT ORDINANCE, #02-600-02 AND REPEAL OF EXISTING INDIAN PREFERENCE POLICIES IN THE TRIBE'S PERSONNEL MANUAL by Fisher; supported by Ruiter.

Sprague asked if the previous resolution was in effect for 90 days. Parsons stated this was correct.

Roll Call

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

Motion carried (6-1-0-2)

B. Consideration/Approval of Appointment of Arthur DeBres to the Cultural Preservation Committee

This was a two year term beginning March 13, 2002 and ending March 13, 2004.

**MOTION TO APPROVE THE APPOINTMENT OF
ARTHUR DEBRES TO THE CULTURAL PRESERVATION
COMMITTEE; by Fisher; supported by Porter.**

Roll Call

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

Motion carried (7-0-0-2)

**C. Approving the Purchase of a 2002 Dodge Passenger Van for the
Education Department during Fiscal Year 2002 in the amount of
\$25,064.00**

Parsons stated this appeared to be in order and was already included in the Education budget. Bennett asked who would be driving this vehicle. Davis stated people from the Education Department and they will need to obtain a chauffeur license. The vehicle would be managed and licensed like a GSA vehicle, log mileage, check keys in and out and purpose of use.

**MOTION TO APPROVE RESOLUTION #02-0313-02,
APPROVING THE PURCHASE OF A 2002 DODGE
PASSENGER VAN FOR THE EDUCATION DEPARTMENT
DURING FISCAL YEAR 2002 IN THE AMOUNT OF
\$25,064.00 FROM ACCOUNT #4002-000-1609, THE
EDUCATION BUDGET OF THE SPECIAL REVENUE
FUND; by Porter; supported by Bennett.**

Roll Call

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

Motion carried (7-0-0-2)

**D. Acceptance of Resignation of Tammy Carter from the
Enrollment Commission and Declare Vacancy**

**MOTION TO ACCEPT THE RESIGNATION
SUBMITTED BY TAMMY CARTER AND DECLARE
VACANCY ON THE ENROLLMENT COMMISSION;
by Medahko; supported by Ruiter.**

Fisher asked that a “thank you” be sent to Tammy Carter for her help on the Enrollment Commission.

Roll Call

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

Motion carried (7-0-0-2)

VI. Concluding Business

- A. Next Meeting Date(s) – March 16, 2002 & March 20, 2002**
- B. Public Comment Period**

Ruiter stated if Council was going to acknowledge contributions for one person, as in the case of Tammy Carter, they should be consistent and do for all. Plans were to send cards to new Tribal members and that was not done.

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; supported by Porter.

Roll Call

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

Motion carried (7-0-0-2)

This portion of Open Session was adjourned at 11:45 p.m.

Council reconvened in Open Session at 4:13 p.m.

MOTION TO GO INTO OPEN SESSION; by Fisher, supported by Ruiter

Roll Call

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

Motion carried (7-0-0-2)

**MOTION TO MOVE ART BUDGET AND CONTRACTS
RESOLUTIONS 02-0313-03,04,05 AND 06 WITH ROLL CALL
VOTES; by: Fisher, supported by Porter**

Roll Call

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

Motion carried (7-0-0-2)

**MOTION TO APPROVE RESOLUTION #02-0313-03,
APPROVING A MODIFICATION TO THE CAPITAL
BUDGET FOR THE LITTLE RIVER CASINO RESORT
EXPANSION PROJECT TO RE-ALLOCATE \$400,000.00
FROM THE PRE-OPENING PROGRAM LINE TO THE
FURNITURE, FIXTURES AND EQUIPMENT LINE FOR
ACQUISITION OF ARTWORK TO BE DISPLAYED IN
THE RESORT FACILITY ; by Porter; supported by McCatty.**

Roll Call

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

Motion carried (6-1-0-2)

**MOTION TO APPROVE RESOLUTION #02-0313-04,
AUTHORIZING THE TRIBAL OGEMA, OR IN THE
ABSENCE OF, THE TRIBAL COUNCIL SPEAKER TO
EXECUTE A SALES ORDER WITH SODAK GAMING AND
CONSENTING TO HAVE DISPUTES ARISING UNDER
THAT AGREEMENT RESOLVED BY BINDING
ARBITRATION IN ACCORDANCE WITH SECTION 4 OF
ADDITIONAL TERMS AND CONDITIONS TO THAT
SALES ORDER; by Porter; supported by Fisher.**

Roll Call

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

Motion carried (7-0-0-2)

**MOTION TO APPROVE RESOLUTION #02-0313-05
AUTHORIZING THE TRIBAL OGEMA, OR IN THE
ABSENCE OF, THE TRIBAL COUNCIL SPEAKER TO
EXECUTE A PURCHASE AGREEMENT WITH
ARISTOCRAT TECHNOLOGIES, INC. AND
CONSENTING TO HAVE DISPUTES ARISING UNDER
THAT AGREEMENT RESOLVED BY BINDING
ARBITRATION IN ACCORDANCE WITH SECTION 6 OF
THE ADDENDUM TO THAT PURCHASE AGREEMENT;
by Porter; supported by Fisher**

Roll Call

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

Motion carried (7-0-0-2)

Atronic

**MOTION TO APPROVE RESOLUTION # 02-0313-06
AUTHORIZING THE TRIBAL OGEMA, OR IN THE
ABSENCE OF, THE TRIBAL COUNCIL SPEAKER TO
EXECUTE A SALES/SECURITY AGREEMENT WITH
ATRONIC AMERICAS, LLC AND CONSENTING TO
HAVE DISPUTES ARISING UNDER THAT AGREEMENT
RESOLVED BY BINDING ARBITRATION IN
ACCORDANCE WITH THE AMENDED DISPUTE
RESOLUTION PROVISIONS DESCRIBED ON PAGE 3 OF
THAT SALES/SECURITY AGREEMENT; by Porter;
supported by Medhko**

Roll Call

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

Motion carried (7-0-0-2)

MOTION TO ADJOURN; by Ruiter, supported by Fisher

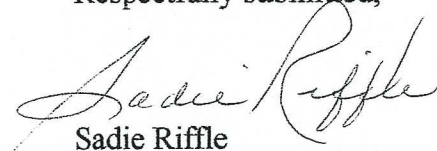
Roll Call


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

Motion carried (7-0-0-2)

The meeting was adjourned at 4:15 p.m.

Respectfully submitted,


Sadie Riffle
Transcribing Assistant


Jarine M. Sam
Tribal Council Recorder