

APPROVED

5/8/02



**LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COUNCIL  
REGULAR MEETING  
WEDNESDAY, MARCH 20, 2002  
LITTLE RIVER BAND DOWNTOWN OFFICES**

**OPEN SESSION  
MINUTES**

The Little River Band of Ottawa Indians held a meeting at the Little River Band Downtown Offices on March 20, 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 20, 2002, was called to order at 10:10 a.m. Sam stated recess would be called at 10:30 in recognition of the funeral services being held at the Community Center this day. Sam informed those present the Council would reconvene in the Dome Room at the Downtown office at 1:30 p.m. Sam stated Steve Parsons was out of town on business.

**B. Roll Call**

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

Quorum established.

Others Present: Kathleen Block, John Bussey, Bob Davis, Jo Anne House, Al Medacco, Bobbi Jo Thomas

**C. Approval of Agenda**

Fisher stated that CMT items were informational. Bussey requested that a Resolution be added under grants and contracts regarding the Inter-Tribal Council.

**MOTION TO APPROVE THE AMENDED AGENDA WITH THE ADDITION OF THE GRANTS AND CONTRACTS ITEM; by Kleeman; supported by Bennett.**

**Roll Call**

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

Motion carried (8-0-0-1)

**E. Public Comment Period**

Bobbi Jo Thomas requested some financial information be disseminated at the Spring Membership Meeting. Fisher reminded those in attendance the Spring Membership Meeting was the Ogema's meeting, however, the Council could pass the request on to the Ogema.

Davis stated the CFO has been personally attacked by Tribal members and he had informed the CFO that he no longer was required to attend the Membership meetings.

A. Medacco thanked Council for the gifts that were given at the Veteran's luncheon. A. Medacco stated the luncheon was well received and had press coverage.

**III. Continuing Business**

**A. Grants & Contracts**

**1. Workforce Investment Act Grant for Inter-Tribal Council**

Bussey stated he just received the paperwork for the Workforce Investment Act Grant the morning of the meeting and it was due in two days. Discussion was held regarding the provisions of the grant and how it would affect Little River. Council members express concern over the lack of time to research this grant. Some members felt they were not well enough informed to take action.

**MOTION TO APPROVE RESOLUTION #02-0320-01, WORKFORCE INVESTMENT ACT GRANT FOR INTER-TRIBAL COUNCIL WITH THE CHANGE OF THE PLACE OF MEETING TO THE DOWNTOWN OFFICES;** by Porter; supported by McCatty.

**Roll Call**

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

Motion failed (4-4-0-1)



Bussey asked the Council how he should respond to ITC. Sam stated she would have Bussey write a letter for Steve Parsons' signature stating the concerns of the Tribe with the operation of ITC.

**MOTION TO HAVE LETTER DRAFTED IN COORDINATION WITH JOHN BUSSEY TO BE SENT TO THE INTER-TRIBAL COUNCIL VOICING CONCERNS AND INFORMING THEM THAT THIS RESOLUTION WAS NOT PASSED BY THE TRIBAL COUNCIL;** by Sam; supported by Kleeman.

**Roll Call**

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

Motion carried (8-0-0-1)

Sam stated the Council would recess at 10:38 a.m. and would reconvene at 1:30 p.m.

Council reconvened from recess at 1:44 p.m. in the Downtown Office Building Dome Room.

Attendance: Parsons was the only Council member absent. Others in attendance: Kathleen Block, Bob Davis, Jo Anne House, Dan Shepard and Joan Spalding

**B. CMT Business**

**1. Status Update of Artwork for the Casino Expansion**

Fisher stated this was an informational item and would be on the agenda next week. Fisher stated the artwork committee was meeting on a regular basis. There would be an art show Saturday, March 23, at the Armory starting at 11:00 a.m.

**2. Plantworks Reconsideration**

Fisher stated this was brought to the Council a few weeks ago and involved the plants or trees that were scheduled to be placed in the Casino. Fisher stated this information would be before the Council next week.

**3. Third Remote Cage Station Reconsideration**

Fisher stated this was before Council a few weeks ago. Fisher stated Council had asked how much this third remote cage station would cost. The Business Board and the property were recommending going forward with this station. Fisher stated this

was being brought back to Council on the Business Board's recommendation. The cost involved in prepping the area was \$6,380.00. That was in the Casino budget and they were planning on this station. Fisher stated he would bring back consideration for approval next week regarding this addition. Sam stated her opposition to the remote cage station. Sam stated she was ill and did not attend the Business Board meeting but does not believe there was a quorum for the Business Board. Therefore this request could not be construed to be the recommendation of the Business Board. Sam stated this was the second time this had come back to the Council for approval and it was already rejected.

**IV. Old Business**

**A. Acceptance of Financial Report**

This was tabled from the March 16, 2002 Tribal Council meeting. Sam stated the statements were showing deficits and believes the reason was related to the Accounting software and not due to actual negative balances. Sam stated she would like to know when the Council would be receiving accurate statements from the accounting area.

**MOTION TO ACCEPT THE FINANCIAL REPORT FOR FEBRUARY 2002; by Porter; supported by Ruiter.**

**Roll Call**

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

Motion carried (7-0-1-1)

Sam stated her abstention was due to the fact she had been ill and therefore had not had an opportunity to review all of the material, as well as concerns about the representations made in the Financial Report.

**B. Acceptance of Attorney Report**

**MOTION TO ACCEPT FOR FILING THE ATTORNEY REPORT DATED FEBRUARY 2002; by Kleeman; supported by Medahko.**

**Roll Call**

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

Motion carried (7-0-1-1)



**C. Acceptance of Construction Management Team Report**

Fisher stated this report was tabled because of its length. Fisher stated there was financial information in this report and asked if this should be accepted in Open Session. Fisher believes there was too much confidential information contained in this document. Sam stated the change orders were done in Open Session. Fisher stated there were minutes with dollar figures for check requests listed. House stated that these were regularly accepted in Closed Session. House recommends moving the whole series from Closed Session to Open Session after the Casino was completed.

**MOTION TO MOVE THE ACCEPTANCE OF THE CONSTRUCTION MANAGEMENT TEAM REPORT TO CLOSED SESSION AND ALL FUTURE ACCEPTANCE OF THESE REPORTS IN THE CLOSED SESSION UNTIL THE END OF THE PROJECT;** by Fisher; supported by Porter.

**Roll Call**

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

Motion carried (5-3-0-1)

Fisher stated he would stamp these reports as confidential in the future.

**D. Acceptance of Little River Maintenance & Construction Board Report**

Fisher stated there was an additional summary update, however, he cannot locate the document. Fisher recommended Minutes be accepted at this time and the report acceptance be postpone until a later date.

**MOTION TO ACCEPT THE LITTLE RIVER MAINTENANCE & CONSTRUCTION BOARD MINUTES FOR THE MONTH OF FEBRUARY;** by Fisher; supported by Bennett.

**Roll Call**

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

Motion carried (7-0-1-1)

**V. New Business**

**A. Egghart & Associates Proposal/Engagement Letter**

Spalding would like to renew the agreement with Egghart for 2002. Spalding stated have been satisfied with Egghart and has done a lot of work with them. Spalding stated this is required for the NIGC. Sam asked if other auditors were checked for competitive pricing. Fisher remembered a past conversation that it may be better to keep Egghart Associates as a cost effective measure.

**MOTION TO APPROVE RESOLUTION #02-0320-01, AUTHORIZING THE TRIBAL OGEMA, OR IN THE ABSENCE OF, THE TRIBAL COUNCIL SPEAKER, TO EXECUTE AN ENGAGEMENT LETTER WITH EGGHART & ASSOCIATES TO PERFORM INTERNAL AUDITS OF LITTLE RIVER CASINO RESORT FOR FISCAL YEAR 2002; by Kleeman; supported by Bennett.**

**Roll Call**

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

Motion carried (8-0-0-1)

**B. Adoption of an Extension of the Emergency Action Affecting the Membership and Terms of the Gaming Commission For An Additional Six Month Period**

Sam stated this was needed because the Council had previously taken action to provide a temporary solution and that time was close to expiration. Spalding stated the reason temporary action was taken was because Ordinances were in the process of being separated. McCatty noted that on the 2<sup>nd</sup> to last whereas it should read “timely” rather than “time” in the last sentence.

**MOTION TO APPROVE RESOLUTION #02-0320-02, ADOPTION OF AN EXTENSION OF THE EMERGENCY ACTION AFFECTING THE MEMBERSHIP AND TERMS OF THE GAMING COMMISSION FOR AN ADDITIONAL SIX MONTH PERIOD, AS AMENDED; by Porter; supported by Kleeman.**

**Roll Call**

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

Motion carried (8-0-0-1)



**C. Resolution Dedicating Certain Tribal Lands Within the Mason County Reservation for Cemetery Purposes**

Sam stated this Resolution would set aside property for cemetery purposes. The Ogema would be developing the interim policy and rules for this. Shepard stated the area was adjacent to the Custer cemetery. McCatty recommended the burial mounds area be fenced. Sam asked if the Tribe would be selling burial plots. House stated that this was included in the Resolution that the Health Director will promulgate rules and regulations to approve permits authorizing burials on the lands dedicated for cemetery and related purposes.

**MOTION TO APPROVE RESOLUTION #02-0320-03, DEDICATING CERTAIN TRIBAL LANDS FOR CEMETERY AND RELATED PURPOSES;** by Kleeman; supported by Ruiter.

**Roll Call**

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

Motion carried (8-0-0-1)

**D. Adoption of Permanent Bereavement Benefit Program Ordinance # 02-700-03**

Davis stated the interim policy had expired and House was able to respond by taking the interim policy and adapting to current needs. Sam asked if at one time there had been a tiered benefit. The response was negative.

**MOTION TO APPROVE RESOLUTION #02-0320-04, ADOPTION OF PERMANENT BEREAVEMENT BENEFIT PROGRAM ORDINANCE, #02-700-03;** by Fisher; supported by Kleeman.

**Roll Call**

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

Motion carried (7-0-1-1)

**VI. Concluding Business**

- A. Next Meeting Date(s) – March 27, 2002**
- D. 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 Bennett; supported by Kleeman.

**Roll Call**

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

Motion carried (8-0-0-1)

This portion of Open Session was adjourned at 2:30 p.m.

**MOTION TO GO INTO OPEN SESSION;** by Kleeman, supported by Ruiter

**Roll Call**

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

Motion carried (7-0-0-2)

Council reconvened in Open Session at 4:20 p.m. There were no items to be placed in Open Session from the Closed Session.

**MOTION TO ADJOURN;** by Kleeman; supported by Ruiter

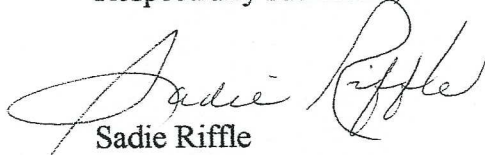
**Roll Call**

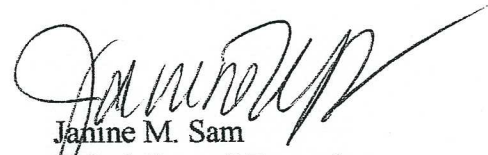
C. Bennett – Absent	C. Fisher – Yes	T. Kleeman – Yes
L. McCatty – Yes	P. Medahko – Yes	S. Parsons – Absent
E. Porter – Yes	P. Ruiter – Yes	J. Sam – Yes

Motion carried (7-0-0-2)

The meeting was adjourned at 4:24 p.m.

Respectfully submitted,

  
Sadie Riffle  
Transcribing Assistant

  
Janine M. Sam  
Tribal Council Recorder