



*Revised*  
*6/5/02*

**LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COUNCIL  
REGULAR MEETING  
WEDNESDAY, MARCH 27, 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 27, 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 27, 2002, was called to order at 10:08 a.m.

**B. Roll Call**

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

Quorum established.

Parsons stated he was notified Pamela Medahko was ill.

Others Present: Kathleen Block, John Bussey, Leatrice Castonia, Candice Chapman, JoAnne House, Al Medacco, Brian Medacco, Pat Morris, Stephanie Ogen, Dan Shepard, Matt Stratton, Bobbi Jo Thomas, Linda Wissner.

**C. Approval of Agenda**

Sam asked that the open and closed session minutes be postponed until the next meeting. Parsons stated Bob Davis requested New Business D be removed from the Agenda.

**MOTION TO APPROVE AGENDA AND TABLING OPEN  
AND CLOSED SESSION MINUTES AND REMOVING NEW  
BUSINESS D; by Kleeman; supported by Ruiter.**

**Roll Call**

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

Motion carried (8-0-0-1)

**D. Tribal Council Minutes**

Minutes were tabled until next meeting.

**E. Public Comment Period**

Bobbie Jo Thomas queried regarding frequency of interactions between the Tribal Council and the Ogema. Tribal Council member indicated weekly meetings are scheduled with the Ogema, some of which the Ogema does not attend. Thomas asked if Council members could all read the budget, which was presented monthly. All Council members responded in the affirmative.

Stratton asked if he could acquire a copy of the audited 2000 financial statement. John Bussey stated he was working on the indirect cost proposal and the 2000 audit was not completed at the current time. Also, Bussey stated the 2001 year was not closed out at this time.

Stratton stated the financial documents that were distributed at the membership meeting show a department may list the whole amount budgeted for wages but does not break down for each employee. Stratton stated, in his opinion, that could cause some people to misread the statement. Sam stated she would write a memo to accounting explaining what was requested by Stratton with some sort of narrative needed.

**III. Continuing Business**

**A. Grants and Grant Funds Budget Acceptance Approval of Water Quality Management Grant**

Bridgett Cole arrived at 10:37 a.m.

Bussey stated Stephanie Ogren completed most of work on this grant. Approval was requested for submission of a Water Quality Management Grant to the Environmental Protection Agency for a two-year period. The grant would fund a water study on the LRB 1855 Reservation. The grant for 2003 was for \$127,544.81 with in-kind match of \$12,732.32 and \$176,636.48 with an in-kind match of \$33,781.74 for 2004. The in-kind match would come from the BIA Conservation Budget. If approved the second year would have to be re-submitted and negotiated. The in-kind match was for Stephanie Ogren's salary and the vehicle used in her work.



Sam asked about water table. Ogren stated there was a quality assurance plan. Ogren stated she would speak with Sam regarding this.

**MOTION TO APPROVE RESOLUTION #02-0327-01,  
WATER QUALITY MANAGEMENT GRANT; by Kleeman;  
supported by Bennett.**

**Roll Call**

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

Motion carried (8-0-0-1)

Bussey stated in October he informed the Council he was attempting to obtain life time passes to Sleeping Bear Dunes for the membership. Bussey stated Sleeping Bear Dunes agreed and these passes should be ready for the membership meeting. Application for passes can be made through the Natural Resource Department. Bussey stated that if a child, who was a Tribal member, was adopted they would receive a pass for their adopted family.

Parsons responded regarding the COLA question, a 1.48% increase was passed by Council on September 12, 2001. Thomas asked what the percentage was based on. Parsons responded that the increase was a percentage of an individual's wage, based on the rate established by the Bureau of Labor and Statistics.

**B. CMT Business**

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

Fisher stated an art show was held last Saturday. Fisher stated photos were taken of the art and they will be reviewed on Friday at 1:00 p.m. with the Artwork Committee.

**2. Remote Cage Station Approval**

**a. Electrical**

Jessica Burger arrived at 10:48 a.m.

Fisher stated this had come back to Council as it was budgeted for in the operations budget. Fisher stated there would be construction requirements associated with this station. Fisher stated this involved minor changes to the bus waiting area along with electrical changes. The total for the change is \$11,920.00. Discussion was held regarding the difference in cost if the project was completed at a present time or at a later date. Also, what

effect it would have on the Casino operations if completed at a later date. Fisher stated this cage was contemplated at an earlier time and the cost of the machine for this area was budgeted for at \$180,000 in the FF&E budget.

**MOTION TO APPROVE RESOLUTION # 02-0327-02, AUTHORIZING THE CONSTRUCTION MANAGEMENT TEAM TO EXECUTE BULLETIN NO. 50 AND THE RELATED CHANGE ORDER TO PROVIDE FOR THE ELECTRICAL PREP WORK AND TO COMPLETE THE NECESSARY CONSTRUCTION MODIFICATIONS AT BUS DROP OFF ENTRY AREA TO ACCOMMODATE AN AUTOMATED THIRD CAGE, NOT PROVIDED IN THE BASE CONTRACT SCOPE OF WORK AT A COST OF \$11,920.00; by Fisher; supported by Kleeman.**

**Roll Call**

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

Motion failed (4-4-0-1)

**b. Construction**

**MOTION TO APPROVE # 02-0327-02, AUTHORIZING THE CONSTRUCTION MANAGEMENT TEAM TO EXECUTE BULLETIN NO. 50 AND RELATED CHANGE ORDER TO PROVIDE ELECTRICAL PREP WORK AT BUS DROP OFF FOR FUTURE THIRD CAGE, NOT PROVIDED IN THE BASE CONTRACT SCOPE OF WORK AT A COST OF \$6,380.00; by McCatty; supported by Bennett.**

**Roll Call**

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

Motion carried (5-3-0-1)

**IV. Old Business**

No “Old Business” items.



**V. New Business**

**A. Submission of Year-End Report for BIA Programs**

The Ogema had submitted year-end reports to BIA. Sam stated this was available for view by the membership. Parsons stated a copy of this report was available from Tribal Council or the Ogema's office. Kleeman stated she cannot accept this report as a lot of the information in this report is false. Bobbi Jo Thomas asked that this report be available at the membership meeting. Fisher stated that Parsons indicated he would pass the request on to the Ogema's office.

**MOTION TO ACCEPT FOR FILING THE YEAR-END REPORT FOR BIA PROGRAMS FOR FISCAL YEAR 2001 AS SUBMITTED BY THE OGEMA;** by Sam; supported by McCatty.

Porter stated that if the report was not available at the membership meeting, the report would be available at the Tribal Council office. McCatty stated Tribal Council members may not approve of what was contained in the report but would accept the report for filing. The validity of the report was discussed. Also, ramifications that would occur to the Tribe if the report was not accurate were discussed.

Sam stated that Kleeman used the word "false" in her statements, however, Sam felt "inaccurate" would be a better choice of words. Sam stated there were law enforcement officers listed in the report who were no longer with the Tribe. Sam stated she did have concerns with the report itself such as the Elders report listing a trip to Branson, Missouri and this was not grant money. Sam stated, in her opinion, anything funded by Tribal dollars should not be included in the BIA report. Parsons stated the report had already been forwarded to the BIA and Council had no input in the report. Fisher stated the Elders themselves were coordinating their own program. House stated that the Tribal Council was simply accepting a report as a process. If there were questions regarding the report, concerned parties could speak with the Ogema or with the individual departments. The information presented in the report was from the departments and was presented to the Ogema and if that information was not accurate then it needs to be discussed with the responsible department.

**Roll Call**

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

Motion carried (5-3-0-1)

**B. Approving the Purchase of a Public Safety Communication System**

Removed from agenda.

**C. Approval to Extend the Deadlines for Submission of By-Laws by Commissions**

Thomas asked why all Commission By Laws have not been completed. House stated this was adopted in November and Legal staff were not able to meet with the new Commissions until January. House stated she did not realize how many changes the Commissions would be making. House stated there were five entities, three of them have their by-laws substantially completed and could have been submitted next week together with amendments to creating ordinances. House asked if a request of additional time would be in the best interest for the Commissions via the two attorneys that work with these commissions. The Commissions and attorneys were in agreement an extension was necessary.

**MOTION TO APPROVE RESOLUTION #02-0327-03, EXTENDING THE DEADLINE FOR SUBMISSION OF BY-LAWS BY COMMISSIONS;** by Porter; supported by McCatty.

**Roll Call**

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

Motion carried (5-3-0-1)

**D. Authorizing Release of Judgment Fund Monies Held in Trust for Certain Minors Reaching the Age of Majority in March 2002**

Thomas asked if there was interest on this account and if the interest was also sent. Parsons stated this was correct.

**MOTION TO APPROVE RESOLUTION # 02-0327-04, AUTHORIZING RELEASE OF JUDGMENT FUND MONIES HELD IN TRUST FOR CERTAIN MINORS REACHING THE AGE OF MAJORITY IN MARCH 2002;** by Sam; supported by Porter.

**Roll Call**

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

Motion carried (8-0-0-1)



**VI. Concluding Business**

- A. Next Meeting Date(s) – April 6, 2002**
- B. Public Comment Period**

Brian Medacco responded to House’s answer to the BIA report that concerned parties should go to the departments. Medacco stated he believes individuals should go to the Ogema as it was his signature that was on the document, not the departments. Medacco stated the Ogema needed to be informed. Ruitter stated she was not aware of the \$100 for the Elders for fruit and knows for a fact that employees have been gone a long time that were included in the report as currently employed. McCatty stated the report indicated that 20 Elders received fruit.

*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 Kleeman; supported by Ruitter.

**Roll Call**

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

Motion carried (8-0-0-1)

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

**MOTION TO GO INTO OPEN SESSION;** by Sam, supported by McCatty.

**Roll Call**

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

Motion carried (6-0-0-3)

**MOTION TO MOVE RESOLUTIONS #02-0327-05 AND #02-0327-06 WITH ROLL CALL VOTE TO OPEN SESSION;** by Sam; supported by Porter.

**Roll Call**

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

Motion carried (6-0-0-3)

**MOTION TO APPROVE RESOLUTION # 02-0327-05  
AUTHORIZING THE TRIBAL OGEMA, OR IN THE  
ABSENCE OF THE TRIBAL COUNCIL SPEAKER,  
TO EXECUTE AN AGREEMENT WITH  
CUNNINGHAM-LIMP COMPANY FOR DESIGN  
AND CONSTRUCTION OF THE CASINO PIT  
TRELIS AGREEING TO A LIMITED WAIVER OF  
SOVEREIGN IMMUNITY IN THAT AGREEMENT  
AND SUPERSEDE RESOLUTION #02-0213-02  
REGARDING THIS ACTION;**

by McCatty; supported by Fisher .

**Roll Call**

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

Motion carried (4-2-0-3)

**MOTION TO APPROVE RESOLUTION #02-0327-06  
AUTHORIZING THE TRIBAL OGEMA , OR IN  
ABSENCE OF THE TRIBAL COUNCIL SPEAKER,  
TO EXECUTE TO PURCHASE PROFESSIONAL  
SERVICES AGREEMENT WITH AVVA FOR THE  
PURPOSE OF INSTALLATION OF THE SIGNS FOR  
THE CASINO PIT AT THE LITTLE RIVER CASINO  
RESORT AND TO HAVE DISPUTES RESOLVED IN  
THE TRIBAL COURT IN THE AMOUNT OF  
\$10,671.25. ; by Fisher; supported by Sam .**

**Roll Call**

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

Motion carried (5-1-0-3)



**MOTION TO ADJOURN;** by Fisher, supported by Bennett.

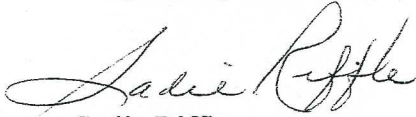
**Roll Call**

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

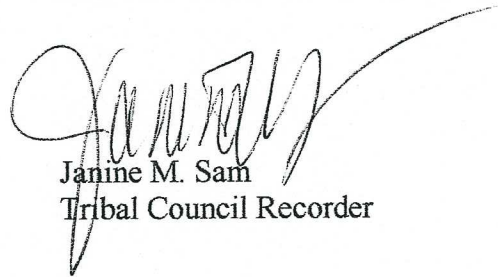
Motion carried (6-0-0-3)

Meeting adjourned – no time given.

Respectfully submitted,



Sadie Riffle  
Transcribing Assistant



Janine M. Sam  
Tribal Council Recorder