



## Little River Band of Ottawa Indians

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**APPROVED**

5/18/97

### LITTLE RIVER BAND OF OTTAWA INDIANS TRIBAL COUNCIL MEETING MINUTES APRIL 13, 1997

#### I. GENERAL BUSINESS

A. CALL TO ORDER. The meeting was called to order at the 411 River Street office by Tribal chair, Robert Guenthardt, at 12:05 p.m.

B. ROLL CALL. Roll call was done by Kathy Berentsen. Present: Robert Guenthardt, Kathy Berentsen, Steve Parsons, Chuck Fisher, Bill Memberto, and Kim Kequom.

C. ADOPTION OF AGENDA. Bill B. had an addition under Old Business, letter C. Resolution to Authorize Execution of Revised Construction Management and Development Agreement. No other additions or deletions were made. Moved by Bill M., to accept the agenda, seconded by Kathy, all in favor (6), (0) opposed. Motion carried.

D. ADOPTION OF MINUTES. Kathy asked about page 3, B., under Old Business. She said that it talks about planning a meeting about the judgment fund. She thought we were going to do the four areas like the Constitution did and in there it only states one meeting in Manistee and one in Muskegon. Kathy wanted to know if that was correct. Bill B. said that it will be discussed at the membership meeting as a first step to go from there. Kathy also said that on page 7, the last sentence prior to Concluding Business, regarding the votes for the Council member appointed last month, there were three votes for Kim and one for Janine. Moved by Kathy, to accept the minutes with changes, seconded by Kim, all in favor (6), (0) opposed. Motion carried.

E. FINANCIAL REPORT. Chris said we received our first interest statement on our checking account and in approximately six weeks, we've had our money savings of \$4,204.00. Chris mentioned that last month we talked about funding for the pow wow and with this money, we should have no problem. He stated

that we did close on the Forest Clinic and we should move our entire staff to that location as soon as possible. Our credit with the bank on the Forest Clinic requires us to only pay interest on the first year. Chris said that our interest payments are going to be \$750.00-\$800.00 per month. We will be receiving \$500.00 per month from the medical lab downstairs so our net cost is about \$250.00 per month which is less than what we now pay for just the Health office (where Steve, Denise, Andrea, and Barb are located). Chris said we will be doing some remodeling at the Forest Clinic, in particular the sprinkler system. Right now we have no idea what that will cost. We also want to remodel the main lobby area. Moved by Steve, to accept the financial report, seconded by Bill M., all in favor (6), (0) opposed. Motion carried.

F. STAFF REPORTS. Kathy said that she likes the breakdown on Barb Thompson's report. Bob recommended that the reports be typed because they look better and everyone has access to a typewriter or computer. Moved by Bill M., to accept the staff reports, seconded by Steve, all in favor (6), (0) opposed. Motion carried.

G. INTRODUCTION OF GUESTS. Present: Elaine Porter, Daniel Ward, Joan Spalding, Jim Compeau, Janine Szpliet, Percy Compeau, Bob Compeau, Bob Hardenburgh, Carol Bennett, Mickey Wahr, Don Koon, Lavern Oren, Katie Glocheski, Dave Schultz, John Koon, Jonnie Sam, Mike Szpliet, June Sam, and Connie Waitner. Staff Present: Diane Lonn, Jay Sam, Chris Holz, and Tammy Carter. Attorney Present: Bill Brooks.

## II. OLD BUSINESS

A. TRIBAL COUNCIL APPOINTMENT. It was mentioned that an Elder would be a nice addition to the Tribal Council. Kathy then read a letter written to Bob from the Elders Committee recommending Don Koon to the Council. Bob read off the list of eligible applicants. These included Don Koon, Janine Szpliet, Bill Willis, Jim Compeau, Connie Waitner, Jerry Guenthardt, and Bob Hardenburgh. Kathy nominated Don because of the Elders' recommendation. Moved by Kathy, to appoint Don Koon to the Tribal Council, seconded by Chuck, all in favor (6), (0) opposed. Motion carried.

B. COMMITTEE PROCEDURE POLICY. Kathy asked if the committees are going to fill out both of the work plan sheets or have we decided which one we are going to use. Bill B. said he's not sure because Mark has been working with Helen Ann on this. Kathy asked who is going to decide on the present committees who goes and who stays. Bob said he didn't know. Bill B. said he suspects it will be a gradual process. Bill M. expressed his concern of how long before the policy takes effect and who is working on it. He also suggested that there be a work plan on this at the next meeting. Bill B. mentioned that each

committee chair should be there too. Bill M. said he would like the Management Team to come up with a work plan for the next meeting. Chuck said that on page 4, D., Section 3, the first line, he suggests that the word "Chairman" be placed in front of the word "Secretary." On page 5, Section 6, C., Chuck would like some clarification on that section. Moved by Bill M., to adopt the Committee Procedure Policy, seconded by Kim, all in favor (7), (0) opposed. Motion carried.

**C. RESOLUTION TO AUTHORIZE EXECUTION OF REVISED CONSTRUCTION MANAGEMENT AND DEVELOPMENT MANAGEMENT AGREEMENT.** Bill B. said that a couple of months ago the Council passed a resolution allowing Bob to execute the Management agreement. There were a couple of issues that still needed to be resolved. Since then, the attorneys for North American Gaming had one of their associates take the agreements to one of the compliance people at the National Indian Gaming Commission to talk about what is covered in those agreements. Based on the conversation, there were a number of changes that were recommended and some additional language but it doesn't change the substance of the agreement. It will be necessary though in order to get the agreement approved. There were also some additional provisions. Bill B. said that Tom Celani will be coming up here on April 21, 1997 with the revised Development Agreement and Management Agreement and they will be executed then. Moved by Steve, to pass Resolution #97-0413-01, Authorizing Tribal Chairman to Execute the Revised Construction Development Agreement and Management Agreement with North American Gaming Company and Agreeing to Limited Waiver of Tribal Sovereign Immunity in Such Agreements, seconded by Bill M., all in favor (7), (0) opposed. Motion carried.

### III. NEW BUSINESS

**A. CORRECTIONS TO MAY 2, 1996 TRIBAL ROLL THAT WAS SUBMITTED TO THE BIA.** Diane said that the Bureau of Indian Affairs sent her a list of corrections she had to make; such changes were in addresses, names, and birthdays. She has made all of the corrections. The corrections went back to the May 2, 1996 roll. She said that anyone signed up before May 2, 1996 will be able to vote for the Tribal Council. Moved by Bill M., to pass Resolution #97-0413-02, Authorizing Submission of Corrected Tribal Roll to the Secretary of the Interior, seconded by Chuck, all in favor (7), (0) opposed. Motion carried.

**B. PROPOSED GRIEVANCE PROCEDURE POLICY CHANGES.** Kim said that under 8.2 Grievance Defined, where it says, "The employee must show how the grievance directly affects him/her", the beginning of that is vague and would like some clarification there. Bob asked Chris if 8.2 could be re-worded. Chris explained why things were worded the way they were. Chuck asked about 8.3,

A. He wanted to make sure he understood that the employee has 10 working days after an incident to file a grievance. Chuck also asked about page 2, the steps to take a grievance to a higher level. He asked if the Council would be included in one of those steps. Chris said no, it would follow in line to the Tribal Manager or Personnel Director, then to the Tribal Ogema or Chairperson, then to the Tribal Court. Moved by Steve, to approve the proposed Grievance Procedure with changes, seconded by Bill M., all in favor (7), (0) opposed. Motion carried.

C. TITLES ON RESOLUTIONS. Bob said that this is already being worked on and it is a good idea.

D. MEMBERSHIP MEETING. Bob said he would like to meet with the Elders before the meeting to come up with a disbursement plan. Bob Hardenburgh asked if we are having a meeting down state instead of all of them up here. Discussion was lead on how meetings could be split and how other Tribes handle their meetings. Bill M. said he would like to see at the membership meeting some information on the target area of our Health services. It was suggested that all of the committees set up tables to answer questions like the last time. It was asked if we could get a P.A. system this time since it's so hard to hear in the hall. Bob said we will also talk about the docket money. He also said he will try to get North American Gaming to give an update on the casino. Bill B. brought up that there should be an update on the draft election rules. Someone mentioned there should also be a Constitution update as well.

E. EAGLE FEATHER DISTRIBUTION. Jay said he talked to the U.S. Fish and Wildlife and they said the only way to obtain any eagle feathers/parts is to have a proper permit. The application process calls for the person who wishes to have eagle feathers/parts to inform the repository so they can send them an application kit. The person then fills it out and sends it to the Bureau of Indian Affairs, who then sends it to Diane who certifies that they are a tribal member and sends it back to the BIA. Then the BIA sends it back to the applicant who then takes it to a tribal religious leader to sign that the feathers/parts will be used in an approved religious function. Jay said he came up with a system we can use to process the applications we currently have in the office. With no action alternative, we can say that the applications in effect will be denied because we have no sign-off by a tribal religious leader. The next proposed method is to have applicants fill out a form similar to one they already fill out stating what they want to use the feathers/parts for and have someone to sign-off stating that the applicant won't trade, sell, barter, or give the feathers/parts away. It would put something in the way of the Tribe being responsible if that person broke the law. Bob said he feels that if we had one religious leader, they may be imposing on other religions we have within the Tribe and therefore, isn't a good idea. Bob said he wouldn't have a problem signing-off as the Chairperson as long as the

person doesn't break the law. Jay said right now we have three applications. Moved by Bill M., to have our Tribal Chairperson to sign-off on applications for eagle feathers/parts to the repository, seconded by Steve, all in favor (7), (0) opposed. Motion carried.

F. FOREST CLINIC BUILDING UPDATE. Discussion was lead on the remodeling of the offices and the wiring of the computers and phone system. Chris then explained how we came about to buy the building for those who were unaware of the process. Chris said we are hoping for a target date to be in there by May 15, 1997. Bill M. talked about the issue of our health services opening up to people on Medicaid/Medicare to keep the doctor busy. It was discussed about having transportation available to tribal members who need to go to a doctor and cannot drive themselves there.

#### IV. CONCLUDING BUSINESS

A. MEMBERSHIP COMMENTS/PUBLIC COMMENTS. It was asked when anything would be done on the appointment of the Gaming Commission. Kathy said that Bill Willis and Connie Waitner were working on this. Connie said that there are five people interested in this and they plan on having another meeting regarding the Gaming Commission soon.

B. NEXT MEETING. Kathy said that the next meeting is on May 11, 1997, Mother's Day. Since the next meeting is on Mother's Day, it was decided to reschedule the meeting for May 18, 1997 before the membership meeting at 10:00 a.m.

C. ADJOURNMENT. Moved by Don, to adjourn the meeting at 2:20 p.m., seconded by Bill M., all in favor (7), (0) opposed. Motion carried.

D. CLOSED SESSION. The Tribal Council then went into closed session by consensus.

4/16/97--vc