

Approved 6/24/20

**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, MAY 6, 2020
LITTLE RIVER BAND
VIA TELECONFERENCE**

**OPEN SESSION
MINUTES**

The Little River Band of Ottawa Indians held a meeting at the Little River Band Government Center on May 6, 2020. Following are the minutes of that meeting.

I. Opening Prayer

Gary DiPiazza, Tribal Elder, offered the Opening Prayer.

II. General Business

A. Call to Order

The regularly scheduled Tribal Council meeting was called to order at 10:02 a.m.

B. Roll Call #1

T. Guenthardt -Present	C. Champagne -Present	D. Corey -	Present
S. Crampton - Present	G. DiPiazza - Present	R. Pete -	Present
R. Wittenberg- Present	D. Lonn - Present	S. Lewis -	Present

Quorum established.

Ron Pete said for Kathleen please state who is on the line.

Others Present: Ogema Larry Romanelli, Bill Willis, Brad Pringle, Elise McGowan-Cuellar – ULD, Rebecca Liebing, Jamie Friedl, Susan Thull, Jessica Steinberg, Chelsie Densmore, Jason Cross – Director of Family Service, #2231, Karen Love - #2494, Kathleen Bowers

C. Approval of Agenda

MOTION TO APPROVE THE AGENDA WITH NO CORRECTIONS AND NO ADDS, NO ALTERATIONS FOR WEDNESDAY, MAY 6, 2020 AGENDA; by DiPiazza; supported by Lonn.

Ron Pete asked if there is any further discussion. Is anybody going to abstain?

Roll Call #2

T. Guenthardt -Yes	C. Champagne -Yes	D. Corey -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	R. Pete -	Yes
R. Wittenberg-Yes	D. Lonn - Yes	S. Lewis -	Yes

Motion carried (9-0-0-0)

D. Tribal Council Minutes

III. Continuing Business

A. Grants & Contracts

- 1. Request for a Food and Nutrition Service (FNS) supplemental appropriation, used for the Food Distribution Program on Indian Reservations (FDPIR) equipment upgrades and facility improvement needs related to the preparation, prevention, and response to COVID-19**

Councilor Lonn asked if this is the Commodities Program.

Speaker Pete responded that I believe so, yes.

Lonn said I would like to know what kind of improvements they are going to make.

Pete believes we went through a work session on this. Bill Willis are you there. Are you here to represent this?

Bill Willis responded, no I am not familiar with this item. I think this was brought forward by Lyle, I'm not sure.

Pete asked if Lyle is on.

Lonn said I have not seen this and if we are going to give a 20% match I would like to know what they are doing.

Pete said this we went through a work session on this.

Lonn said I don't remember a work session.

Pete said well we did.

Councilor Champagne said I don't remember anything on this either.

Councilor Wittenberg said I don't either.

Councilor Lewis asked if Kathleen can get a hold of Lyle and have him call in.

Kathleen Bowers said I will see if I can get a hold of him.

Lewis said we will just have to wait a minute.

Lonn said I'm sorry I interrupted you Ron but I don't remember anything on this.

Pete said this is for the equipment upgrade I believe in the food area. There was a possibility that would have to have a 20% match and that wasn't guarantee to have a 20% match. There was a possibility of a waiver of the 20% match. I do remember this but I can't put my hands right on it right now. Just see if you can get Lyle.

Recorder DiPiazza said I sent him an email.

Bowers said I did as well.

Jessica Steinberg said I have a question. What is the total request for this grant if the event that we do need a 20% match.

Speaker Pete said when we discussed that, you know what Jessica, please forgive me I don't remember what it was. Shall we just do a point of order and skip this right now so maybe we can get a hold of Lyle. I hope to get a hold of him by the time this session is done.

Lyle Dorr joined the meeting.

Dorr said I sent the information to Ken LaHaye as well.

Speaker Pete asked Lyle if you know what we are discussing.

Dorr responded no, I just got on.

Pete said this is under Grants & Contracts #1, Request for a Food and Nutrition Services asking for a supplemental appropriation, used for the Food Distribution Program on Indian Reservations (FDPIR) equipment upgrades and facility improvement needs related to the preparation, prevention, and response to COVID-19.

Can you please explain this? I do know we discussed this at one time.

Dorr said right, I don't know if Ken is on or not but this is a supplemental finances that the Food Nutrition Program is supplemental to them. There is \$100,000,000 total but \$50,000,000 is set for what this grant is for. There is \$50,000,000 set aside for equipment and facility improvements to assist with anything COVID connected. Preparedness, future addressing of it, whatever. So this gives us an opportunity, if you have the budget in front of you, we went through and identified everything, this grant comes out to just short of \$250,000, will pay for the additions of instead of 100 foot a 120 foot building. I had put out for four different grants to foundations and all of them came back as negative and not supporting it. Some were verbally supportive of it but they didn't have the money to put forward at the time. This would pay for the extension and also pay for fiberoptic cable and I had talked to George about that connection that we would need for the higher speed there. It will pay for all of the security stuff. So if you go through that budget it will pay for the freezers because we can expand the capacity of our ability to store food so it is all explained due to COVID stuff. We had two weeks to get this in so we have until next week but I can get it in this week. Then we will know by May 25th, I think, whether we have it or not. They have the money; they are just going to make decisions on this stuff and it looks very promising if we go forward with it. One question to answer to you guys is there is a match. We are putting in for a waiver of half of that so instead of a 20% match we are asking if we can do 10%. We already have the money available to put towards the match, there is no additional money that we have to put forward from Council or anybody else. But I didn't want to put the full 20% in because the COVID stuff, we need to save some of the money that we have so that is why it was recommended putting in a waiver so it is about \$25,000 match instead of \$50,000 match for this grant.

Lonn said okay, I have a question. I remember it now when we were able to meet face to face but at that time there was nothing mentioned in there about COVID, it was just upgrading it to a bigger place then what was first projected as well as the freezers and everything but there was nothing mentioned in there about response to COVID-19. I don't understand opening and making a building bigger and having different kinds of freezers is connected to COVID. That is what I am saying. I remember this now but nothing was mentioned about COVID during that time period.

Lyle Dorr said the COVID-19 didn't exist when we first started talking about this. Ron and everybody we have talked about the size to plan for 120 foot long building but we were making sure we had enough to do that. Based on the Public Safety Garage cost, it is about \$85 square foot and we have enough to do the 100 foot building but what we have talked about with the extra space, this will allow us to do more things for our members, possibly if Ken is on he can talk to this one, a food bank, which is not food distribution it is for members who maybe don't hit the threshold for food nutrition program but a food bank would help members at times like this. That is what this will allow with this extension, we will have more room to house our own food for members and be able to give out to the members in a time of need like this. We are saying that we are preparing for the future and if this happens, we have the space to respond to the needs of the members to distribute food. That is what this is.

Speaker Pete said Lyle we did talk about the freezer space and that we would be able to store more food for something like this if this happens. Because you know the freezer space would be more than adequate then if we did this.

Councilor Lonn said what would be the match. You said you thought we could get away with 10%. What is 10% of what we have to pay.

Lyle Dorr responded \$45,000. We are looking, it is just short of \$250,000 total. The building extension is \$136,000 is what that would be and the rest of the stuff comes out to whatever \$100,000 worth of freezer space, security stuff, the fiber optic cable is \$20,000 but it fits within this grant application request is for.

Lonn said that makes sense. I'm done.

Councilor Champagne said Lyle I'm remembering this now but like Diane said it wasn't COVID-19 that you put forward. I thought (inaudible) for you to apply for this grant already. What is this here for now.

Lyle Dorr responded no, you approved for me to apply for foundations for money and that is going to be provided a match for back when for those. That is why I am saying . . . this money came out 10 days ago, 2 weeks ago and it is related to COVID-19, the coronavirus. All the different federal agencies are getting all this extra money to do something with the COVID issue. Food nutrition supplement they got \$50,000,000 per tribe to spend on

their food distribution programs to expand their space if they needed or to improve their internet services or whatever to help Tribal members in the future deal with the COVID crisis or something similar is available right now but we only have 2 weeks to make that decision and apply for it and they will take our request, they will look at it, and if it all qualifies they may fund it or they may just fund part of it but all these things appear to fit within what they are saying they will fund. If they do, then the entire project would be paid for after it is done. We should have enough money to . . . the extension covered because the other foundation is going to provide us any money so instead of a 100 foot building we will have 120 foot long building. Then you can do a food bank for members.

Jessica Steinberg, Tribal citizen #0148, said she had just a couple of questions. Lyle, I'm sorry I didn't hear your . . . as I was calculating the request of \$250,000, the 20% match is 50 but we are actually looking at a \$25,000 match for this grant.

Lyle Dorr said right. We are putting in for a waiver which you can do. The waiver is based upon the financial impact that the tribe is going through right now because of the COVID crisis. So they may not give to us but they probably will. I will be surprised if they don't. I think we need to save where we can save. So I am thinking we will put in the waiver so instead of \$50,000 it would be a 10% match at \$25,000.

Steinberg said I have a follow-up to that. Are you looking at the \$25,000 match because this is coming through the Food Nutrition Services – are you looking at that match using other federal grants or are we looking at that match coming from Tribal appropriation.

Dorr said the Council had already approved a match for going after a foundation grant so we already have that so it is out of our funds towards the project so it is already here and we already have that. I still don't want to use the whole \$50,000.

Steinberg said I just have one last question, sometimes the USDA requirement don't allow a food bank to reside in the same physical space as a commodity food program. Have we secured that assurance that the USDA won't have an issue with the food bank being in the same physical space as the commodities food program.

Dorr said in talking with Ken and I don't know if he has made it on yet or not . . .

Ken LaHaye said I'm on Lyle. I can answer that.

Dorr said yeah, thank you.

LaHaye said what it is, is the food bank gets . . . it can be in the same building but it has to have a barrier and with the way that we are building the building there is going to be a wall that separates our USDA foods and everything and we will have . . . once we get everything up and running and we see fit that we can do the food bank it will be put in the back of the building behind the wall so it is kept separate from the USDA food.

Steinberg said thanks Ken for answering that. Thank you.

Pete asked if anyone else has questions of either Lyle or Ken.

**MOTION TO APPROVE RESOLUTION # 20-0506-121,
REQUEST FOR FOOD AND NUTRITION SERVICES
FNS SUPPLEMENTAL APPROPRIATION USED FOR
THE FOOD DISTRIBUTION PROGRAM ON INDIAN
RESERVATIONS FDPIR EQUIPMENT UPGRADE
AND FACILITY IMPROVEMENT NEEDS RELATED
TO THE PREPARATION, PREVENTION AND
RESPONSE TO COVID-19 ; by Lewis; supported by Lonn.**

Steinberg said just as a matter of probably housekeeping because of the appropriations law that the tribe has in place even though Lyle has the approved supplemental or excuse me the approved match for those foundation grants, I think you are going to have to do another resolution approving the match for this particular grant to keep it consistent with appropriations law of the tribe and probably Bill or Steve can kind of confirm that. It is usually earmarked for a specific purpose and kind of need to redirect it towards the other purpose that you are going to use it for.

Speaker Pete asked if Bill or Steve want to opine on that or ULD.

Lyle Dorr responded that he can speak to it as well. We also have Shakopee funds which are non-federal that we can use in the mix but we already have the contingency funds which are not, the contingency funds are not specifically slated as a match. I stated them as a match when I went to the federal amount for the other foundation grant but it didn't state that those funds were specifically a match, they are contingency funds. We also have the Shakopee funds that we could use for this as well. So we are in a good place I believe.

Steinberg said thanks Lyle. I wasn't necessarily questioning whether or not you have the match but it is a matter of housekeeping for auditing purposes. I just wanted to bring that up.

Dorr said no, I agree and that is a good point. Just identify it and use the term as match but actually those funds were contingency funds is how that resolution was written in the past.

Rebecca Liebing asked Ron if you would like me to address it. If it is not approved in the budget yet it would need to be approved. It could be a budget modification under 10% which does not require a resolution.

Speaker Pete asked now if there is any further discussion.

Roll Call #3

T. Guenthardt -Yes	C. Champagne -Yes	D. Corey -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	R. Pete -	Yes
R. Wittenberg-Yes	D. Lonn - Yes	S. Lewis -	Yes

Motion carried (9-0-0-0)

B. Budget Modifications

- 1. Acceptance of contract funds from the Department of Health and Human Services - Elder Meals Program and approving a modification to the Operating Budget MB2020-___ in the amount of \$122,900**
 Acceptance of funds.

Jason Cross stated this is a regular year cycle for this grant, the grant we have had for probably 10 years. We renew it every 3 years. This is the regular Elders Meals Program Grant for that program.

MOTION TO APPROVE RESOLUTION # 20-0506-122, ACCEPTANCE OF CONTRACT FUNDS FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES – ELDER MEALS PROGRAM AND APPROVING A MODIFICATION TO THE OPERATING BUDGET MB2020-026 IN THE AMOUNT OF \$122,900; by Lonn; supported by Corey.

Speaker Pete asked if there was any further discussion. Is anyone going to abstain?

Councilor Crampton asked if you could re-clarify the title for me.

Speaker Pete asked Crampton if you are asking me which amendment is approving. It is acceptance of contract funds from the Department of Health and Human Services – Elders Meal Program and approving a modification . . .

Crampton said I just wanted you to repeat the motion but if that is the motion then I’m good.

Pete said I believe that was the motion but I forget to made the motion.

Councilor Lonn said I did.

Pete said Diane Lonn made the motion and Dave Corey supported it. Are you all set Shannon?

Crampton said I’m good, thank you.

Pete asked if there was any further discussion. Is anyone going to abstain?

Roll Call #4

T. Guenthardt -Yes	C. Champagne -Yes	D. Corey -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	R. Pete -	Yes
R. Wittenberg-Yes	D. Lonn -	Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

2. Acceptance of contract funds from the U.S. Department of Interior- Bureau of Indian Affairs and approving a modification

to the Operating Budget MB2020-___ in the amount of \$1,160,423

Acceptance of funds.

Bill Willis said I am the one to represent this. This award represents modification #4 to the 2020 Self Governance Compact with the Bureau of Indian Affairs. We projected that we were going to receive \$2,944,171, and this award brings us up to \$2,728,935, which is almost 92% of what we projected.

Pete asked if there is any further discussion.

MOTION TO APPROVE RESOLUTION # 20-0506-123, ACCEPTANCE OF CONTRACT FUNDS FROM THE U.S. DEPARTMENT OF INTERIOR – BUREAU OF INDIAN AFFAIRS AND APPROVING A MODIFICATION TO THE OPERATING BUDGET MB2020-027 IN THE AMOUNT OF \$1,160,423; by Lonn; supported by DiPiazza.

Jessica Steinberg said I have a question for Bill. What scope of work was attached to these funds?

Bill Willis said, let me check real quick. Willis responded right protection.

Steinberg said okay Bill thank you.

Speaker Pete asked if there was any discussion. Is anybody going to abstain?

Roll Call #5

T. Guenthardt -Yes	C. Champagne -Yes	D. Corey -	Yes
S. Crampton - Yes	G. DiPiazza -	Yes	R. Pete - Yes
R. Wittenberg-Yes	D. Lonn -	Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

- 3. Acceptance of contract funds from the Department of Health and Human Services – Low Income Home Energy Assistance Program (LIHEAP) and approving a modification to the Operating Budget MB2020-___ in the amount of \$2,211**
 Acceptance of funds.

Bill Willis said I can represent this. These funds are basically additional funds that we received in regards to the Low Income Energy Assistance Program for 2020.

Councilor Lonn said adding this money in how much do we have for LIHEAP.

Willis responded said it has been an accumulative grant award since 2008 which is \$176,417. I'm not sure when the program started really.

Lonn asked Jason Cross how many have used this program, roughly an idea.

Jason Cross said not right off hand. I would have to go to my file but quite a few. We have been pretty aggressive on this one over the last three years because we have been getting increasingly more money so we have moved also into the (inaudible) portion of the program, which we were never able to do before. It does serve just the nine county area as the grant allows it. Quite a few. Linda and Amber make really good efforts to reach out to those in the community outside of the Manistee area to get more members enrolled.

Lonn said that is based upon your income right?

Cross responded yes it is.

Lonn said thank you so much.

Willis said I want to follow up on a question Diane asked. This program budget actually started in October 1, 2019. So we are well into the budget.

Pete asked if there is any further discussion with Bill or Jason.

MOTION TO APPROVE RESOLUTION # 20-0506-124, ACCEPTANCE OF CONTRACT FUNDS FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES – LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) AND APPROVING A MODIFICATION TO THE OPERATING BUDGET MB2020-028, IN THE AMOUNT OF \$2,211 ; by Lonn; supported by Guenthardt.

Roll Call #6

T. Guenthardt -Yes	C. Champagne -Yes	D. Corey -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	R. Pete -	Yes
R. Wittenberg-Yes	D. Lonn -	Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

C. Approval of Budgeted Expenditure

IV. Old Business

A. Approving an Amendment to Emergency Assistance and Relief Payment Program of 2020

This item was postponed at the 4/29/20 Tribal Council Meeting pending a work session. Tribal Council has reviewed updated financial information including the potential for the temporary closure of the Little River Casino Resort to continue requiring a suspension in the May stimulus payment until future funding can be secured.

**MOTION TO APPROVE RESOLUTION # 20-0506-125,
APPROVING AN AMENDMENT TO EMERGENCY
ASSISTANCE AND RELIEF PAYMENT PROGRAM OF
2020;** by Lonn; supported by Corey.

Speaker Pete asked if there is any discussion.

Councilor Crampton said there should be. We had a lengthy discussion on it and I think the members all know where this stands. Everybody knows where the issue stands. I just wanted to reiterate that I got a call from Judy Nickerson this morning and said she wanted to remind all of Council that she is highly behind this and thinks that Council should stand behind its work.

Speaker Pete said I am agreeing with Shannon that this thing has been discussed on numerous, twice already.

Councilor Lewis said for clarification, this is the one that Diane brought forward (inaudible). It says Diane Lonn but I just want clarification and that this is the one to stop May payment correct?

Speaker Pete said this is the one that Diane brought forward last week and we postponed it. Okay Sandy.

Lewis said just for the record I wanted clarification on that. Okay, thank you.

Councilor Champagne said I would like to make a comment. I know we had long discussions on this and I do not intend to make this long again, but I want to make a comment that a lot of our outlying members get nothing from the tribe except the little per cap payment and this has helped a lot of our members and I've had calls and people keep asking are we getting the May because that will really help us with our utilities and (inaudible). I just feel that we are (inaudible) of our members and I can't, I can't support something like this. Thank you.

Jessica Steinberg, Tribal Citizen #0148, said I am looking at the resolution that appropriated the funding of \$1,905,000 to support this particular action that was passed back in April. I was wondering if that dollar amount was a supplemental appropriation to support both payments when that was adopted.

Speaker Pete said this is how I can answer you on that. Okay, the approving of the budget modification to approve the funds was

never voted on. So if that was the answer you are looking for that is the one I can give you.

Steinberg said Mr. Speaker I am looking at a resolution #20-0403-099, and I am looking at the signature page and it was voted 9-0-0 and on 4/3, actually 4/13 the Ogema ratified it. So I'm kind of in a bit of a quandary here, if it is going to go to members assistance tribal activities so my question was, was the dollar amount in that particular supplemental appropriation for the entire payment for both April and May or was it just for the April payment.

Councilor Lonn answered that it was just for the April payment. Maybe Bill can answer that.

Pete asked if there were any further comments.

Councilor Crampton said yeah, I would kind of like to hear that answer from Accounting too.

Pete asked if Bill is still on, or Steve. Shannon I am not getting an answer from either one.

Crampton said I know and that is kind of the problem that we are having here. I think Council needs to tighten up on several things. We need to make sure that the people who can answer these questions are here for the meeting and that we should probably sit down and reinstitute agenda reviews. We haven't had them in a while. These things are kind of coming at us and independently studying them. I don't know if the membership is aware of this. The Council is kind of independently studying them without the advantage of agenda review.

Pete said Shannon I 100% agree with you. As a matter of fact on my drive into Muskegon I was thinking about that this morning. So what I am going to do is have, if you would Kathleen, would you please start scheduling our agenda review at 1:00 p.m. on Friday.

Kathleen Bowers answered Friday or Monday.

Pete said I'm sorry, on Monday. That is when we normally have it right?

Bowers responded yes, I will go ahead and put those back on the schedule.

Pete said Monday at 1:00 for agenda review okay. I would just really like to talk about these things too so it seems like we could get a lot more out of the way at one of those meetings.

Bowers responded, okay, I will do that.

Ogema Romanelli said I didn't realize Bill was off the call I know they are doing some auditing work but I think one of those two need to be called and get on the line. If you can give me a couple of minutes I will call them or Kathleen.

Kathleen Bowes said I can email them right now.

Ogema Romanelli said let me try to call. Give me a couple of minutes.

Pete said let's take a couple of minute break, is that okay?

Jessica Steinberg said Mr. Speaker did you suspend the meeting until you get one of those accountants on the phone.

Pete said I am suspending, I am temporarily suspending the meeting until an accountant can come on the phone because I do have an agenda, I do have an item that has already been seconded and got to vote on it. Right now, for our membership and for some certain Councilors that want to talk to Bill or Steve. I am suspending it for a few minutes.

Steinberg said thank you Mr. Speaker.

Ogema Romanelli said to Ron that I just got a hold of Steve and he is calling in. He should be on within a minute.

Speaker Pete said thank you Larry.

Romanelli said sure. I'm not sure what happened to Bill.

Steve Wheeler joined the teleconference meeting.

Pete said Shannon you had a question for Steve I think.

Councilor Crampton said actually it was Jessica's question.

Pete said I'm sorry, Jessica so ahead.

Jessica Steinberg said thank you Mr. Speaker. I'm looking at Resolution #20-0403-099, which is the supplemental appropriation for the Emergency Assistance and Relief Payment Program and the amount is \$1,905,000. When I look at the Now Therefore It Is Resolved the Tribal Council of the Little River Band of Ottawa Indians hereby approves the modification to the operating budget for the Tribal Government for Fiscal Year 2020 to include an appropriation of \$1,905,000 from the Unrestricted Fund Balance to fund the Emergency Assistance Relief Payment Program. I am asking about the appropriation and if that budget modification funded only the April payment or was that the entire program. This modification there is nothing (inaudible) it is only for one month. It says it funds the entire program. Did it fund the program?

Steve Wheeler responded that the \$1,905,000 I believe was the amount for the April 13th payment. The amount of the payment ended up being \$1,903,500.

Steinberg said \$1,903,500.

Steve Wheeler said the total amount for the 4/13 payment yes.

Steinberg said well I guess I am pretty confused because the way that this modification is written in there is nothing that (inaudible) that this is a one month or identifies that it is for any of the months, it says it funds the program. So I think this is going to be a little problematic from an auditing standpoint going forward. I'm sure that the budget modification should have been earmarked only for the April payment if that is the case. It is pretty clear.

Wheeler said I didn't draft the resolution. I'm not sure who did.

Crampton said can I answer that. That was part of the problem. It was either Bill or ULD, I don't think it was ULD, I think it was Bill that brought it forward.

Julie Wolfe, Tribal member #1062, asked if you can read exactly what amendment is being proposed being changed. I think all we have right now is the title to a resolution.

Lewis said can I read it Ron. The title, Approving the Amendment of Emergency Assistance Relief Payment Program of 2020, and then under that, under the title, it says this item was postponed from 4/29/20, Tribal Council Meeting pending a work session. Tribal Council has reviewed updated financial information

including the potential for temporary closure of the Little River Casino Resort to continue requiring the suspension of the May stimulus payment until future funding can be secured.

Bill Willis joined the teleconference meeting.

Wolfe said so the amendment that you are proposing to the resolution is to suspend the May payment is what it clearly states. That is the only amendment to it.

Pete said the last sentence of it is the May stimulus payment until future funding can be secured.

Chelsie Densmore said I think what she is asking is the wording of the actual amendment. The actual amendment that you are proposing. You guys are reading the agenda, how is it actually changing the wording on the resolution I think is what she is asking.

Pete said I don't have that paperwork in front of me so I need some time. Diane do you have it or something. This would be.

Lonn said I am looking for it right now. I have it.

Pete said my computer is giving me some trouble today.

Lonn said okay, what I am adding is basically it says whereas Tribal Council has received updated financial information including the potential for the temporary closure of the Little River Casino Resort to continue and whereas where tribal funds are not projected to be increased by distribution due to the loss of revenue during closure. Now Therefore It Is Resolved that the Tribal Council of Little River Band of Ottawa Indians hereby amends the Emergency Assistance & Relief Payment Program of 2020 to suspend the May stimulus payment until the Tribal Council can verify adequate funding to maintain essential services of the government during the partial closure and operating capital to re-open the resort and ensure the fund distributions and funding to the tribal government. It Is Further Resolved that Tribal Council will continue to monitor the situation with regular financial meetings to determine if future stimulus payments are available. That is the thing that I added. Thank you. That is the amendment that I did.

Pete said okay.

Lonn said I just read the part on the page.

Wolfe said what as your last statement.

Lonn said I just added the last to the bottom.

Wolfe said I have the same statement that I made in the work session to be on record for the Tribal Council Meeting (inaudible) work session on it in there. This is a challenging time for all members and its, and we are all facing unknown right now and our families need help and we need to get it sooner than later. Many needs such as rent, food, utility payments and other household and living expenses are going unmet as many deal with income loss because of this COVID-19 pandemic. I believe many Little River Band Tribal Members are in desperate need of financial assistance with this coronavirus outbreak. The response by our Little River Band Government public health (inaudible) cannot simply be to stabilize the casino. Please address the individual needs of our people. I fall onto the Little River Band of Ottawa Indians Tribal Council to immediately enact the May payment of the Emergency Assistance & Relief Payment Program of 2020 including the 0 to 17 enrolled Tribal members. Thank you.

Speaker Pete asked Chelsie were you finished. I didn't know if you were done.

Chelsie Densmore said actually I did have one follow-up question for Diane and I am obviously not (inaudible) of the amendment so I am trying to remember the specific verbiage you used but I think I heard you say until the funding is secured. So does that mean that if you guys vote yes on this amendment and the amendment goes through does that mean that you are guaranteeing the May payment eventually?

Lonn said it all depends on what the, if we get more money and continually we are looking at our financial situation because as Julie said we don't know what the future is going to bring. We don't know if we are going to be open by the end of May. We are getting some money but until, until we can really get adequate funding this, I would just like to not do the May one. We have to make sure that we have money for the essential services like you know the Family Services, the Member Services, and different things like that, that are still open to our people. So um.

Chelsie Densmore said yes, I was on the phone call yesterday and listened to everybody. I guess I was just, the verbiage sounds like, like if I was thinking like specific to the verbiage it says until like

how Shannon had put shall whatever and that is how it kind of (inaudible) until sounds like you are requiring a May payment. I could be wrong because I'm not looking at the amendment.

Pete said Chelsie I am interpreting it wrong because it says May payment until future funding can be secured. I do know right now that our cash, COVID-19 is continuing to research funding and funding that is going to be becoming available and things like that. It is not necessarily that, the way that I read this thing, that we are definitely going, because it says until future funding can be secured. That is how I am interpreting this Chelsie. I think, I believe I am agreeing with you that it is not necessarily out the door but this amendment right now prohibits it from being funded right now. Does that answer your question Chelsie or not?

Chelsie Densmore said so my understanding is if you um, if the amendments happen, then this will be completely cancelling the May payment, correct, with the potential that it could go through but not the requirement or the promise of Council actually having a May payment. If this goes through you would not have to do any May payment whatsoever but if you chose to do a May payment you wouldn't have to do another resolution.

Pete said in essence I think that maybe we would have to and I don't know if there is anyone here that might correct me on this because if we would do a payment for the end of the month or do something you know throw whatever we can at the wall, it would be that because the suggestion was also put up by the Ogema that we would include children. I think that would have to be another resolution that would be put forward to include the children. That is my interpretation of it okay.

Councilor Lewis said okay, I love the English language, the play on words. Ah, you know, the thing is, it's really twisted. You know, we, I'm going to say Shannon brought forward for April/May payment on the resolution. Some how this resolution ended up on the agenda. I don't remember having a work session on it. Um, but, yeah, it is basically what I'm getting out of it is that is that it is saying is that this resolution is cancelling May. English language. That's what I'm getting from that. You know, somehow this resolution is overriding a resolution that has already been passed by a group of 9. So yeah, it's yeah, kind of twisted. It is my understanding and correct me if I'm wrong, basically it is cancelling out May until further work session regarding funding. Therefore pushing that until probably the end of May by the time you get any relief. You know, whether or not you have lights,

food, their rent paid, etc. You know, we are going to have a lot of people out there just hanging on a limb. The list goes on.

Pete asked Sandy if you are done.

Gary DiPiazza asked if there were any Tribal members that wanted to be in the cue before me.

Bernadene Crampton said okay there was already a work session yesterday on this because I was listening most of the time. I don't know how many work sessions are needed when it was already passed. The resolution that Diane put forward would stop paying it to everybody for May. Like Sandy says, leave everybody on a limb. I'm done.

Recorder DiPiazza said the original resolution that #20-0403-100, page 3 where it says relief funds, the following level of relief funds shall be made available to members in the area impacted caused by the Corona 19 global impact on a one time basis only unless further funding is directed and approved by Tribal Council resolution. I don't think that anybody said that we aren't going to do what we can, you know, at a later date. Um, that even in the original work session if I am not mistaken from day one even on this resolution everybody needed to go back and look at, look at our financials to see where we stand. But that is how it states in the original resolution, a one time payment unless it comes back in front of Tribal Council to approve a resolution to allocate the funding. I'm done.

Jamie Friedl said thank you Mr. Speaker, #4744, I just want to go back to the original resolution where it says it does say one time payment but it does say shall be paid in April and shall be paid in May. We totally all understand that. Tribal Council has always been for the people, we never wanted to take away from the people so if we pass this resolution you are taking away from the people. I am not in agreement with that you know. We have to be for the people. This is what you guys put yourselves into that job for. That's, you know, a lot of our Tribal members need this payment and they are looking for this payment. Yeah there are other aspects to getting food and everything else but you know you have already said shall and shall, it doesn't say we shall go back and look at our books. So we just need to get on this, pay the payment, get over it and get over the hump. Thank you.

Councilor Wittenberg said I know when this first come up and I mean initially first come up that it was brought forward suggested

of \$1,000 payment and in the conversation at that time then it broke down from \$1,000 to \$500 in April, \$500 in May. Now we turn around and someone brought forward to shut the May down. (Inaudible) do that and trying to (inaudible) and in my mind that oh well, when the funds come in then we will turn around and we'll look at them and then maybe yes, maybe no. That is the way I see it. So, that is what I got to say on that. I would, I am not for this (inaudible) a lot of our members do need it. (Inaudible).

Councilor Champagne said I agree with Sandy in regards to some of our people are sitting out on the end of a limb. Well, to the extent that some of them have already fallen off of that limb. I know that there are quite a few of us people that work in the industry for food and beverage and housekeeping and that and they haven't had a job in a long time. They need all the money they can get to help them to just survive. And we don't do a lot for our people outside the Manistee or nine county area. I am in support of giving our people every opportunity to survive this epidemic and I know that in my area that I represent the people, I've heard from them, I know people who are having a lot of family members who have gotten sick with trying to deal with that alone. Now, we are going to take away what we said we shall do. I just don't agree with that. That puts a bad color on all of us. Thank you.

Speaker Pete asked if there is anyone else in the cue.

Councilor Crampton said well I have to agree with Sandy, Cindy, Cynthia and Ron but my point would be a little bit more severe. We promised this to the people. This amendment is coming at the eleventh hour. Some people who work on budgets, who work on paycheck to paycheck to paycheck, have already counted on this because we told them that we would by a vote, a unanimous vote. Taking this away at the eleventh hour not only looks bad, it is bad, not only to our people but to other tribes. We have gone through, to play this game that the funding is not there when we have gone through two work sessions and already established that it is there, it is there. The decision you are trying to make is whether you want to keep paying salaries at the casino or pay the people. It goes to the people. I'm sorry that's your job. This is, this is just outrageous. The wording in the body of the resolution we are about to talk about were to stop today or vote on today it is not valid. We have already established that during a work session. I don't see how anybody can vote on this. And you might want to take a look back at how many one time incentive payments to the employees we have given out. I think it was like 9, 10, 11, one time payments. I'm good.

Pete said Shannon are you finished.

Crampton responded yes.

Pete said okay, thank you Shannon.

Speaker Pete said I'm just going to drop one word in here because this is the third time we have been over this. I don't want, I want everybody a chance to say what we can but at the end of the day I have a motion on the floor and we still have to vote on it. Is there any further discussion?

Crampton responded yes, this is Shannon. Nothing personal at all, this is consistent with Tribal law, Mr. Speaker I believe you are conflicted on this issue.

Pete said okay, I don't believe I am conflicted. I have no clue where you are that I am conflicted on this issue.

Crampton said in the body of the resolution, in the body of the resolution it says a consideration with closure of the casino.

Pete said I don't recommend, I don't recall anybody at the casino that works for me. I thought they worked for the General Manager and the oversight is the Ogema. I don't have to have anything to prove that they work for me and I would tell you that there is a whole bunch of people in the Tribal Council that have relatives and other people working at the resort so I'm not going, I'm not going to even consider that in my vote.

Crampton said I am just making a point of law. You don't have to consider it as the Speaker, I am just raising the law.

Pete said okay, so raised. After that comment, is there any more comments on this.

Crampton said yes, there is supposed to be a call, a vote on your conflict and Council is supposed to go around and take a vote on whether they believe you are conflicted or not.

Pete said just because I have been accused of a conflict doesn't mean, does that mean that I'm going to ULD, does there have to be a call for me to have a vote on this.

Lonn said that is crazy.

Rebecca Liebing said I believe that the person who is, I believe the process if you look in the Procedures Ordinance, this is Rebecca, is that if a person believes they have a conflict they can poll Tribal Council to see if Tribal Council agrees that they have a conflict. I don't think it is enacted by another Council member. (Inaudible).

Crampton said are you saying that we can't raise a point of conflict, that another Council member can't raise a point of conflict.

Liebing said you did raise a point of conflict and he didn't believe he had one. Under the Procedures Ordinance I believe it is his option to poll Council to see if they agree with him.

Crampton said okay, okay. If that is your interpretation then we will go with that.

Liebing said I don't have the law memorized Shannon. I'm pretty sure that is correct. We have had people saying before . . .

Pete said I'm sorry but I'm going to interrupt that here, you know what if people think that I have a conflict and I'm saying that there is nobody there that works for me, I didn't hire any of them (inaudible) and if other people that don't have relatives that work at that casino I am going to do a poll. If anybody thinks that I have a conflict in voting on something like this then should be just go ahead and take a vote on it. I would just like to get this thing done. If someone has a conflict on it please, ULD help me, do I have to have somebody take a motion on this.

Jessica Steinberg wanted to make a comment. Jessica Steinberg, ID #0148, said Mr. Speaker I am going to suggest that since there is no exemption in the Emergency Relief Act as written for Tribal Council or the Ogema to receive a payment that you would be treated as all of the Tribal members, that all of you might be conflicted because this is a monetary gain issue for all of you.

Pete said after all I think everybody on Tribal Council did receive that monetary payment the first time around. Is that correct?

Crampton said that is correct. And under relief everybody has to get a check. Whether you are the president or not, that is provided as a relief. Now, if you want to turn that down voluntarily you can. Now if you were just voting for your family member yes there would be a conflict but the Constitution says for the tribe as a

whole above (inaudible) This is for all the members so there is no conflict.

Pete said then it appears I don't have a conflict on it.

Crampton said I was just raising my point. It doesn't have to be (inaudible). You don't have to ask for comments. I was raising my . . .

Pete said thank you Shannon. Is there any further discussion on this?

Jessica Steinberg said I have one more if I may please. I do think that you have a consideration in a couple respects. One is I have to agree with Jamie Friedl's interpretation of the way the Relief Fund Payment language is written. While it says a one time only basis, the second section A. very clearly directs a payment shall be made in April and a payment shall be made in May. The other issue that I have is with the resolution that appropriated the supplemental funds to support this effort. That resolution suggests that the dollar amount was for the entire program. I think there is a tremendous amount or at least a significant amount of clean up that needs to be done on both of these matters. You have an issue before you to vote on and that is the amendment. Frankly, I think the bigger issue is to look back at that resolution appropriating the funds and really see that you said that this funds the entire program. We have a shortfall. There is nothing in here that defines that dollar amount with the specific payment. That is going to be an audit finding. I'm sure your CFO can discuss that with you and verify what I am telling you.

Pete said thank you Jessica. Do we have anything else on this.

Crampton said I just want to add to that because I don't want that to inhibit anybody to vote right now is that when you look back it yes, it could be an issue because there is no certification for the other funds. What you are doing is taking one program and split it up into two payments. It happens all the time. The language is not invalid there. But you have already had your shortfall (inaudible) . . . funding for the second quarter (inaudible).

Pete asked if there is anyone else?

Roll Call #7

T. Guenthardt -No	C. Champagne -No	D. Corey -	No
S. Crampton - No	G. DiPiazza - Yes	R. Pete -	Yes

R. Wittenberg-No	D. Lonn -	Yes	S. Lewis -	No
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Motion failed (3-6-0-0)

B. Appropriation Funds for Expenditures during the 2nd Quarter of FY2020 in Accordance with Section 5.07 of Budget & Appropriations Act of 2013

This item was postponed at the 4/29/20 Tribal Council Meeting. Quarterly Appropriations of Funds.

Pete asked if I can get a motion on that.

DiPiazza said it is a resolution I'm sorry.

Speaker Pete said yes it is, funds, do I have to read it again.

MOTION TO APPROVE RESOLUTION # 20-0506-126, APPROPRIATION FUNDS FOR EXPENDITURES DURING THE 2ND QUARTER OF FY2020 IN ACCORDANCE WITH SECTION 5.07 OF BUDGET & APPROPRIATIONS ACT OF 2013; by DiPiazza; supported by Lonn.

Speaker Pete asked if there is any further discussion.

Councilor Crampton said if we look back at the minutes because I think the last time this issue was before us it was pending a work session because there were some outstanding issues. If we went by the Budget and Appropriations Act we would have adopted this by the 1st or we should be preparing to do it by the 1st. And um, there is supposed to be a list, a question of whether this was impacting all gaming proceeds or a portion coming from the General Fund. Under I think 5.8 of the Budget and Appropriations Act under subsection b. it says that most of the sources, I think the source is supposed to be identified, the funding sources. The funding sources are identified. My question would be are or is any amount of this coming from Tribal funding.

Pete asked who wants to speak on that I couldn't hear.

Recorder DiPiazza said I think Bradley is on the line.

Bradley Pringle said I'm here but I don't, I get the numbers from Bill Willis and he doesn't break down where those numbers are actually coming from. Bill is on the line.

Crampton said whoever put this resolution forward cited the Budget and Appropriations Act, the Budget and Appropriations Act under 5.08 says that all the sources shall be identified.

Pringle said I wrote it up, that's correct. So Bill or Steve are either one of you still on the phone.

Bill Willis said I am on the line.

Crampton said okay, the question would be, is any, is any of this coming from Tribal funding.

Bill Willis said that is not really a straightforward answer and part of the reason is because the tribe through ordinary practices funds the government up front and gets reimbursed monthly for a portion of the estimated distribution from the casino. For example, the tribe appropriates the 1st quarter in December. That was three months' worth of funding yet we didn't receive any money from distribution from the casino until around February 20th, and that was only 1/3 of the initial appropriation. So the answer isn't really that simple. But this, but this appropriation basically represents 1/4 of the estimated distribution and then 1/4 of the tribal supplement that was anticipated in the budget, which was \$1,655,535. So basically the appropriation for the second quarter represents, like I said, 1/4 of distribution and supplement plus 1/4 of the per cap payments that were anticipated in the budget.

Crampton said see that's my problem is that we are anticipating. We are anticipating but there was no funding source. And um, under the Budget and Appropriations Act I think there is a clause in there right towards the start that says that funding will be, ah, it will be funded due to availability of funding. If we are not getting income that is my problem. I want to know exactly what we're funding out of tribal coffers and members should know and Tribal Council Members should know.

Jessica Steinberg said this question is probably more for Mr. Willis with regard to supplemental appropriations to fund the second quarter. Being that we don't have a revenue stream in operation at this particular time, my question would be did the casino distribution in February fund enough money to cover this, the first and second quarter of operations for the Tribal government or have there been significant shortfalls with that distribution from the projected budget.

Willis said that is probably more a question for Steve Wheeler but I don't know that he is on the line.

Steve Wheeler said I am on the line. To answer your question, yeah, we received a distribution from January and February and that help fund, absolutely helped fund the first quarter. Keep in mind there are other funding sources also with program revenue, budget, or grant revenue, etc.

but really the bottom line to all this is Council, there is an approved budget for 2020 the Council has approved. Until there is a different approved budget, that is what the budget is and that is what the appropriation should be. If there was a different budget presented and approved then the appropriation would be different. But that is not the case today. The case is that there is an approved budget for 2020 and that is what stands. We can't say anything different.

Jessica Steinberg asked to do a follow-up question. January, February distribution helps to fund the first quarter so the supplemental appropriation was made out of existing tribal unrestricted funds to make up that balance. And this is going into the second quarter so the funding source, I understand exactly what you saying Steve, you know, I worked really well with you on this budget issue, but um, so, so at this time to make the second quarter appropriation are these funds being appropriated out of unrestricted funds balance.

Steve Wheeler said I would say that they are being allocated out of the tribe's tribal funds, yes, you know, we can't obviously used restricted funds for a different purpose for what they were intended for so, yes it is all tribal funds. Whenever the money comes in the door it is tribal funds, it is not restricted in nature by resolution or a grant. I'll say again there is a budget in place and until that budget is changed that is what it is.

Steinberg said thanks Steve that clears it up. I just have some concerns about, however we call it, we know the restricted fund balance is grants and other sources that are directly attached that may or may not fit in with how the funds and the budget were created. So I think, you can't move funds around and you can't use them for any other purpose (inaudible) so I am really, really, going to emphasize that this budget issue needs to be explored very quickly and thoroughly. And I'm sure you are doing that.

Wheeler noted that I will say this. You know those restricted funds and grant funds, you know, I can attest that they are all being used for their proper use, I mean, we make sure of that on a daily basis.

Al Metzger, #890, said this is just basically a question for Steve, so what you are saying is that we are now operating on a budget that was passed in October and there hasn't been a contingency made due to this situation of COVID-19. So we, it sounds like we still are operating for the next seven months or so, the rest of the year on the predicted budget that was approved by Council and the Ogema. Is that correct? And also, there gonna, to appropriate any other funds the budget would have to be revised. Is that correct?

Wheeler said I will answer those questions separately. So, are we operating on the budget that was adopted in 2019 for 2020, yes we are. There has been one budget adopted and passed and that is what we are operating under. Unless there is a different budget put forth or adopted that is what we are operating under, the original budget. Secondly, it is not necessary, we appropriate funds or accept funds for use throughout the year from various granting agencies. Those are ran through Council as accepting grant funds and an appropriation to the budget when we use them. If we were to review or resubmit an amended 2020 budget with different funding or different revenue sources or different revenue amounts then that would be the median that changes it. I hope that answers your question.

Metzger said somewhat. So, um, what is our estimated loss been the last two months now and has that been taken into consideration of the yearly budget.

Wheeler said I am aware of where we are at but the other thing to know here is that we applied for CARES Act funding through the federal government, the Office of Self Governance, sends us some funding, so there are other funding sources that are going to help us through this interim period until the enterprise is up and running. You know, those things are happening almost on a daily basis. We are hearing about more opportunities for funding, we are receiving funding, we are applying for funding. Right now I am watching the cash balances daily and you know and utilizing grant revenue to the best that I can, and so far so good.

Pete asked if there were any further comments on this.

Crampton said my original question was, was the postponement from the last Council meeting pending a work session. Was that motion that was passed by Council, was that motion that was passed by Tribal Council did that state pending a work session because that has not happened. There are several things that we need to explore here and the presumption, I'm kind of shocked, the presumption or (inaudible) I don't know if somebody is trying to say that we are stuck to the budget because we adopted the budget. That is (inaudible) if that is coming from accounting. Because the Budget and Appropriations Act under, let me find it here, under 4.02 Funding availability. Unless specifically stated in the appropriation, all expenditures by tribal government operations (inaudible) fund availability.

Pete said somebody needs to mute their phone because I can't even understand Shannon. I can only hear every other word.

Crampton said maybe we need to boot them. Can we boot them on the call?

Pete said yeah, can we boot them.

Lewis said yeah, if somebody is not talking they should mute.

Crampton said I am going to review what I just said. I'm sorry. I apologize to those of you that actually heard what I said. What I was saying is my original question to Council was when we postponed this last Wednesday, was the postponement voted on by Council pending a work session that has not happened. Secondly, I'm really kind of disappointed that if that is the presumption from accounting that we are stuck to the budget that we adopted, 4.02 of the Budget and Appropriations Act funding availability, unless it is stated in the appropriation, all expenditures by tribal government are subject to funding availability. We are not tied to anything. If there are no funds available, that's (inaudible). Now when you go on to 5.8 there are whole list of things that the CFO has to initiate. One of them identifying all the funding by source. It sounds like we have a huge amount of questions on this. I would like to stick to the original. We don't have agenda review, I don't know how these things are happening, they keep getting brought forward, this, this is not (inaudible).

Pete said I don't mean to interrupt you; did I interrupt you.

Crampton said no, no, no, go ahead.

Pete said you know what it is remise on my part ever since we started this phone stuff that I didn't, I didn't think about that. So, Kathleen has already put us on for agenda review every Monday at 1:00. So what my suggestion would be for this is maybe to be put, do I already have a motion to accept, a motion on the floor for this.

Crampton said I think we had one since last Wednesday that hasn't been followed.

Pete noted what I would like to say is let's put this on Monday's agenda review to go over it then.

Wittenberg said support.

Pete said I can't make the motion.

**MOTION TO POSTPONE UNTIL FURTHER REVIEW ON
AGENDA REVIEW ON MONDAY; by Crampton;**

DiPiazza said there is a motion to approve and it was supported. I will retract my motion.

Pete said Gary you said you would retract your motion and whoever supported it can they retract their support.

Lonn said I will.

Pete said Diane thank you.

Pete said Shannon did I hear you write are you making a motion to move this to agenda review on Monday . . . Gary help me.

DiPiazza said to postpone it.

Pete said to postpone it until Monday, Shannon, are you making that motion.

Crampton said if I need to. I think we adopted a motion last Wednesday that we were going to postpone this pending a work session.

Pete said Shannon would you just make that motion to postpone this until Monday's work session.

MOTION TO POSTPONE THIS ITEM UNTIL AGENDA REVIEW ON MONDAY; by Crampton; supported by Wittenberg.

Speaker Pete asked if there was any further discussion.

Kathleen Bowers said the motion last time was just to postpone. I looked it up.

Pete said okay.

Bowers said sorry.

Pete said do we need to take a vote on this Gary.

Recorder DiPiazza said yes you do.

Roll Call #8

T. Guenthardt -Yes	C. Champagne -Yes	D. Corey -	Yes
S. Crampton - Yes	G. DiPiazza -	Yes	R. Pete - Yes
R. Wittenberg-Yes	D. Lonn -	Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

V. New Business

A. Approval of 30 day posting of Gaming Enterprise(s) Board of Directors Act of 2010

Approval of 30 day posting for public comment.

Pete said is that you Gary that put that on or is that the Ogema put that on.

Recorder DiPiazza said it was brought forward by the Ogema, I did the agenda portion or request on it because like I said we are all trying to work the best we can with what we have working with us. It is not real difficult not being in the office trying to do all these things. That is all I'm going to say on it.

Councilor Lewis said this is also another one that shouldn't it go for agenda review.

Ogema Romanelli said if you want to do an agenda review that's fine. I brought forward . . . part of the problem here was that this was worked on before this whole coronavirus took effect. As a matter of fact when some court papers came through I felt there was a need to recreate or put something forward with the Board of Directors. We were working on it and had it pretty much finalized even before the virus but then with the offices being closed and this has been going on for the last six weeks I thought it was time to bring this forward. Again, if you want, I think the 30 day comment, I mean if this is something you want to do that's fine. If you want a work session I guess we can do that too. But it has been pending for quite a while. So I will go along with whatever Council decides they want to do.

Pete said is there any motion on this or is there a motion to postpone this for a work session.

MOTION TO POSTPONE THE 30 DAY GAMING ENTERPRISE(S) BOARD OF DIRECTORS ACT, PENDING A WORK SESSION; by Lewis; supported by Wittenberg.

Speaker Pete asked if there was any further discussion.

Councilor Crampton said I support this, the motion, but there are some even bigger factors that we need to discuss as a Council. We need to contact Big Fire. Right at the time that this motion is being brought forward, this resolution is being brought forward, the courts are shut down so there is no remedy for Council to file an injunction. There is also, the Ogema is aware, that the court was shut down and (inaudible) . . . by Deb Miller. There are also considerations on how this impacts the open court

case right now, an open court case, due process is not just the first round, it is also includes an appeal process (inaudible).

People were talked in the background that was inaudible.

Pete said who keeps talking, I can't even hear who is in the cue. Okay, at any rate, I'm going to get in the cue right now. I also feel that this thing, that Larry has every right to approve this thing. On the other side of it, I will also approve a work session on this. If a work session also (inaudible) to the Board of Directors Act I think I should have the right to be in that work session. And so, I will support this for postponing it. Is there any further discussion on it? Is anybody going to abstain?

Roll Call #9

T. Guenthardt -Yes	C. Champagne -Yes	D. Corey -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	R. Pete -	Yes
R. Wittenberg-Yes	D. Lonn - Yes	S. Lewis -	Yes

Motion carried (9-0-0-0)

VI. Concluding Business

A. Next Meeting Date(s) - Wednesday, May 13, 2020

B. Ogema Weekly Status and Business Update

Ogema Romanelli said there has been a lot of discussion and everybody, it is going on 12. I just wanted to say there were discussions now of the timing of reopening the government and the timing of reopening the resort. We are taking our cues from both, well all of the federal, the state, other tribes, and our tribal (inaudible) to find out what and when is the best time to do this. There are many reasons or variables that go along with this. I can tell you that just today the tribes' received their CARES Act statement which is the major one from CARES. We received ours. I don't know what the exact amount is but I think it is above \$3,000,000. It was based on per capita. So there are other tribes that have a lot more per capita and would get a lot more money. I don't know what the exact figure is and that came (inaudible) and that came in just before this phone call.

Pete said Larry can I interrupt you. Whoever is talking in the background can they please hang up or stop. Thank you.

Romanelli said we are trying to do it the best looking out for everyone and looking out for our financial picture. Those two things are key. I know and I'm sure everybody knows there won't be a right time, it will either be too fast or too slow or too much or too little, we know that. But we are

going to take all of those things that we can, put it into place and make the decisions on when is the best time to do so. I continue to have meetings with the resort, with the government staff and I really appreciate the groups of people that are working on this on both sides. They are putting in a lot of work. I am also in contact with the other chiefs and the other tribes and with the state of Michigan and the Governor's Office. So we are going to make some decisions. We also have to make a decision right now for the stay in shelter. We have been going along with what the governor requests and requires because we want to, well, we want to try to get along, however, there are times where we have the right and the ability to change the course because of our sovereignty. At this point I think we are choosing right now to continue to go with what the Governor is looking for. The stay in shelter or stay at home thing ends on May 15th and at that time we will have to make a decision what we are doing with that as well. There are several things that play into that and I can tell you that the resort is making all the necessary changes to reopen. We have taken some cues from Las Vegas who did an extensive with I think it was the WIN project casinos and others. So we are taking all kinds of precautions for that and we will do what is in the best interest of this tribe, members and our patrons. For the government, same thing. We have to get back to work at some time. On both of those I think it will be in phases. I think, I'm pretty sure that the resort isn't going to open fully and just open the doors and go back to where we were. And the same way with the government. It is just going to have to be in phases. We also have to understand, then again, the payment was voted on I guess that we are not through this yet. We have no idea what the exact timing is, no one does. And we need to make sure that we stretch both our money and our, you know, put everything into the mix. Hopefully, sooner than later. I think that a lot of small businesses are going to go out of business because of the length of time that this is taking. And again, there are other businesses, ours included, and we have just more than the resort. We have our Odeno project, which will start moving again construction wise because what the Governor put forward should start construction again. That is going very well. I think they are like three or four houses in the midst of being sold again. So, we don't know how this is going to affect the real estate market with new home sales but we have other things that are going on as well. We are just taking it all into consideration, doing the best we can and I believe that with the staff that we have and the people that are in place, we are going to make the best decisions for this tribe. I want to step back and there is a lot of questions and a lot of concerns with our accounting and our CFO, our auditing, our budgets and everything else, I have to tell you, that this CFO and this accounting department has had unqualified reports every year that I have been as Ogema. For those of you that don't know what unqualified means, there was no major findings with our audit. So sometimes it is frustrating when we continue to question what we are doing. I think that, and I don't mind the

questions, and I don't mind people looking at the information, but sometimes it feels like it is getting projected as we are not watching what we are doing. I think that for the most part we are. I don't mind more eyes on it but they do a good job. They do a really good job and I don't like to put doubt in people's minds that there is something going on that isn't or that somebody is not watching the books. I can tell you that they spend many hours going over those facts and those figures. The budget that we have in place, and Steve said it very well, is the budget that we have in place. It was put forward for the 2020 budget. Does it need to be amended, yes it does. You know, the people that need to do that will get working on it. Now we have a reforecast, a tentative reforecast budget but all those things have to be put together but I just wanted to speak on behalf of our accounting department. I think they do a hell of a good job. They are working. They are putting in a lot of hours. I think with that I'm good. I wish everybody to stay safe and we will go forward.

Pete said you too Larry and thank you. Are there any questions for the Ogema?

Lonn said I have a question. With that CARES amount of money that we have gotten, where do you put it. Just in the General Fund?

Romanelli responded yes, it goes directly there I believe. I don't think there is a lot of stipulations on it. This is only part of it which I think is the largest share of it. What they did is they divided it into several ways of paying this out. The first one, and again there is the question with the Alaskan Native Corporations and whether they should share in it or not. So what they did is set aside 20%, don't hold me to these exact numbers here, but say they held back 20% and paid out 80% of the total \$8,000,000,000 and they did it in phases. The first phase was to go to per capita. I think they estimated about \$5,000,000 Native Americans. If you do the math, I had done the math and I didn't tell anybody because I wasn't sure my math was all there because we didn't know what they were going to use. They used the Housing Block Grant fund numbers that they had. So it was pretty close. It came up to like say, on the high side of \$3,000,000. And so, that is the first phase. The second phase has to do with how many employees you have. I think the third one is how are you negatively affected by this coronavirus. So there will be other monies coming forward not as big as this. You know 3 1/2 million dollars or whatever it is sounds like a lot of money but you have to remember this last payment of \$500 is close to 2 million dollars. So, going forward I want everybody to please be aware that you know that the doors aren't open yet and the per caps will be diminished and greatly for the next couple of quarters unless something happens. Then going forward, if we are only operating at say half capacity at the resort. The per caps only come from some of the monies from the resort. So if we are working at

half capacity I want everybody to clearly understand that those per capita payments are going to be greatly affected over the next we don't know how long. Thank you. I probably gave you more information than you asked for but thank you.

Councilor Lonn said she has another question then. I know Dr. Wever has been working on some grants or whatever for the clinic and that. How is that going? Have we heard anything?

Ogema Romanelli responded yes. Part of the funding came through and it is not only money it is the PPE or the equipment. It is equipment and then there is funding as well. I think he got the \$80,000 and then there are a couple of other things that he is going after. We are looking good but I don't know that we have actually received it yet, but yes. Then we have the other, there are other people looking for other monies. We have an actual task force that is looking into trying to recover whatever monies we can and we are looking at all options. This one from the CARES Act was the big one but there are other pots we are looking at to try and sustain us and help us recoup.

Lonn said okay, thank you.

Pete asked if there were any more questions of the Ogema.

Jessica Steinberg said I have a couple of questions if I may. Ogema Romanelli I know that you are working with the resort and while we are down with the physical games process has there been substantial progress made with our potential for on-line gaming. That is the first question. I guess the second one, and I know you have folks working on the budgeted forecast and hopefully a new budget proposal to amend the 2020 budget but I heard you very clearly talking about a half, approximately ½ of the projected revenue from our enterprise resort. In the 2020 proposal it was about \$24 million. Are you going to issue a statement I hope soon to talk about how that is going to impact the programs that are totally funded by our enterprise revenue? Thank you.

Ogema Romanelli said as far as the on-line gambling yes, we are making substantial progress. There was a lot of work that was done, again, when this all came to be, the timing of everything couldn't have been worse for timing. But our Unified Legal Department and some outside attorneys and our resort and some other people from the government side all worked together to make sure that we got everything in place that we could. Overall, they worked very hard and we got to a point where we are trying to push that forward. We are asking the state to help push that forward because that is another source of revenue that really won't be too affected by this, by people congregating for example. That is another option. So

we are making some good progress on there. Hopefully we can get some final answers shortly.

Romanelli responded regarding the new budget. The new budget, and again, and I just say 50% is a significant amount. There are those things that grants cover. There are things that aren't covered by grants if that is what you are talking about being totally funded by the resort. Yes, there are a number of meetings and the types of meetings that I have been holding, were holding, very from day to day. Right now we are looking at the possibility of re-opening the resort. Again, that is going to determine if that 50% goes up a little bit or down. If we are talking about September even or I hate to say this, (inaudible), but even in two or three weeks in one direction or another can make that fall. If we are looking at 12 ½ million now, if we get delayed several more weeks we could count that at 9 or 10 million that is how crucial it is. Yeah, then we have to look at, and this is where it all comes into, the fact is, I don't mean to keep going back to this but when you send 1 ½ million that is going to have to be factored into the fact that how fast we have to open. We may have to open sooner because our funds won't go quite as far. Now the 3 million that we just got in will assist obviously. But all those factors are going to change whether we say well we better open a couple of weeks earlier to recoup some money or whatever. I know I am kind of going on here but I really want people to understand that all of that plays in. So, an answer to your question yes, the on-line gaming is going forward good. We are looking at a new budget and we are going to have to do that. What I was going to say and I will finish up this, is that we will have groups of people that will look at the different options that we have. If we get the (inaudible) down there too much obviously unemployment and laying people off but we also have to look at services. We have to look at what kind of services we are providing and able to provide. We may have to lessen some services. The amounts of money that is in there obviously may have to be looked at so we may have less for certain services. We also have to look at the employment part of it and we have to look at, you know, all those different things. I know that cost sharing, for example, combining the, for example, HR Department, IT or whatever you want to call it, has been talked over at nauseum for long before I even became Ogema. There was even a report that was done on the HR Department and it never took place. Do we have to relook at that, well I think we can, you know. There are a number of factors. But to cut your budget in half is pretty huge. We know that travel and training is going to be all but non-existent. We are going to go by webinars and such. I'm not going to keep going but that is where we are at. Thanks for the question.

Pete asked if there were any further questions for the Ogema.

Steinberg said I have one follow-up. I appreciate all of the information Ogema Romanelli. I looked at the 2020 budget that was presented at the hearing and I don't have the updated but I am assuming it is pretty close but there were other supports in there as well like the gaming tax and the taxing authority that is supported significantly some of our programs like Members Assistance so I just, you know what, I offered my assistance and I know you have a lot of really capable folks looking at it but when I was Tribal Manager we worked with this type of a situation before. I did do kind of a quick and dirty on it, some of this stuff, and would be happy to share that with your accounting staff if that would be okay with you.

Romanelli responded sure.

Pete asked if there is any other follow-up for the Ogema.

Councilor Crampton said I still have a question for Larry. Um, a few meetings ago, I don't recall which one, you informed Council that on the IT failures and actually going on started in January, at that time I asked you if you could provide Council with a report with everything that we have lost, retained or recovered. How is that coming?

Romanelli said it is coming along pretty good. It is slower than I hoped for, for a couple of reasons, As you know we brought in an outside company and I think, and I don't have the date in front of me, but it has probably been about five weeks, six weeks, that Council approved the contract. That company is now starting their overview or whatever you want to call it audit of the IT system along with George and our IT people. So they are just now getting started with some of it. There have been some things that have been looked and changed but for a full report I think we are going to have to wait for this company to finish their work. They said it was going to take about four to five weeks. I think they started at the beginning of this week so we may still be a month out before we find out what really what all was affected. But, no, it is being looked at. We had another group come in and work with the emails. You know, we are all finding little things that were affected so it is a big problem or was a big problem, still a big problem and I think it is going to take three or four weeks. Hopefully sooner because I kind of, because I talked them into trying to push forward and letting them know the severity of the problem. So if they can cut it down by a week or even two I would appreciate it and they are aware of that. So, yes we are still working at it.

Crampton responded thank you.

Pete asked if there is anything else for the Ogema.

C. Legislative Affairs Update

Councilor Crampton said I just wanted to report on ya, I've been talking with some individuals on the CDC and I raised the (inaudible) I asked them what was the cure that we had for the (inaudible) virus, which the answer was there is no cure. My next question was do we know if COVID is transmitted by blood or pathogen, which sent off a whole shockwave and I am still waiting for an answer back from them. Um, I was also discussing the impact upon Native Americans and everybody is watching out in the Navajos right now. There are being disseminated. This looks like it actually impacting races separately and different levels. So it actually a lot being considered and we need to stay on top of this. I am trying the best that I can but I think that Mr. Wever has a good handle on it. We really need to watch this. There are so many unknown factors. When we talk about reopening, yes the federal government is (audible), the state and other tribes but we have a ruling at Little River that we might want to reconsider because of precarious liability position.

Speaker Pete asked are you finished Shannon.

Crampton responded yes.

Pete said this morning I saw at 5:00 o'clock this morning, um, Gun Lake had a big advertisement, not an advertisement they had reporters down there having them go through and they are talking about reopening and they are going through all of their processes of what they are going to do. There wasn't a date, it wasn't anything like that but they had something very big on the Grand Rapids station about reopening too. In Grand Rapids, is a heck of a lot more devastated than we are here along the lake, especially north. I am thinking, I am hoping, I am trusting that the Ogema is on top of that and our General Manager is that they are getting the training and everything else that they do in order for us once we do get a green light that we can reopen and reopen as soon as we possibly can, safely. At any rate, that is my only legislative affairs update on the casinos down here.

Speaker Pete asked if anyone else has a legislative affairs update.

Ogema Romanelli said I just want to respond that, for example, if every other tribal casino opened in the state next week, that would play a part on what we do as well. Because we could be devastated financially as well. Both parts have to be fully vetted and looked at. Thank you.

Pete said correct.

D. Public Comment Period

Jessica Steinberg, #0148, had a comment in regard to some of the discussion about the opening. One of the things that I can see on regional television here northwest corner, Bay Mills is advertising heavily, not with the opening date but about, um, gee we miss you, we can't wait to see you, we hope to see you soon. Um, that might be a marketing strategy going forward since I haven't seen a whole lot of ads from Little River about that. But that might be a marketing strategy that can be passed along for consideration. That is all I have.

Pete said little follow-up to that I have seen a lot of billboards down here that were thanking the people and it was the right thing for us to do and stuff from Little River Casino.

Ogema Romanelli responded yes.

Pete said there are a lot of them down here that are, at the, that say, we had to close but that was the right thing to do for the safety of our patrons and our staff.

Ogema Romanelli said there was a commercial that was being produced as well along those lines for Little River.

Speaker Pete said thank you Larry.

Councilor DiPiazza said I do have a comment. I don't know if it is public or whatever, it doesn't matter, anyways, like we tried the ZOOM meeting yesterday and had a crash failure. Some of that was my fault for where I am located. I have no, my internet is just terrible. Most of the time I can't even get a cell phone call in until I leave the premises other than going in the office and running the ZOOM meeting. So next Wednesday we are still planning on doing the ZOOM so this way we can cut out the background noise and have a little better control of the comments and what is going on. That will be posted on the Tribe's website. It should be later today. There will be a meeting request going out. So actually I can't do that from where I'm at because of the internet situation here. So it will be done through the IT Department because it is not feasible where I am at. So anyways, that will all be put out and also if something does happen again we will revert back to this number so if people want to make a note of that. That is all I have.

Lonn said I have a comment. I've had IT, I had my computer here at my home and I've had IT over twice in the last, what was it yesterday or the day before, twice, they are having problems with me getting on to ZOOM. I don't understand it. So I will put another HELP desk in again and have them come over and try and figure out what is going on. They don't know why.

DiPiazza said there are phone numbers that will accompany that to call in and be on the phone on that ZOOM which will be just phoning in and you won't have video.

Lonn said right.

DiPiazza said I don't know what to tell you. I am not coming over to your house and fixing anything.

Lonn said I don't want you over to my house.

Councilor Lewis said myself I'm good with the phone situation. It seems to me that there is plenty of Tribal members that, you know, are aware to call in. I think the only situation we have with the phone is just that if you are not talking, then you should be on mute. So, that's it.

Pete asked if there is any more further comment in 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 END FIRST OPEN SESSION; by Lewis; supported by Champagne.

Speaker Pete asked if there was any further discussion. Is anybody going to abstain?

Roll Call #10

T. Guenthardt - Yes	C. Champagne - Yes	D. Corey -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	R. Pete -	Yes
R. Wittenberg- Yes	D. Lonn - Yes	S. Lewis -	Yes

Motion carried (9-0-0-0)

The meeting was adjourned at 12:13 p.m.

VIII. Open Session

MOTION TO GO BACK INTO OPEN SESSION; by Corey; supported by Wittenberg.

Roll Call #11

T. Guenthardt - Yes	C. Champagne - Yes	D. Corey -	Yes
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S. Crampton - Yes	G. DiPiazza - Yes	R. Pete -	Yes
R. Wittenberg- Yes	D. Lonn -	Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

Entered second open at 1:11 p.m.

A. Items moved from Closed to Open Session

MOTION TO MOVE RESOLUTION # 20-0506-126, MOTION AND ROLL CALL ONLY; by DiPiazza; supported by Guenthardt.

Roll Call #12

T. Guenthardt - Yes	C. Champagne - Yes	D. Corey -	Yes
S. Crampton - Yes	G. DiPiazza -	Yes	R. Pete - Yes
R. Wittenberg- Yes	D. Lonn -	Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

The following item was moved from Closed to Open Session.

MOTION TO APPROVE RESOLUTION # 20-0506-126, RATIFICATION OF EMPLOYMENT CONTRACT WITH CHERYL LOUBERT, PHYSICIAN FOR HEALTH SERVICES DEPARTMENT; by DiPiazza; supported by Guenthardt.

Roll Call

R. Wittenberg – Yes	S. Crampton - Yes	G. DiPiazza –	Yes
D. Lonn - Yes	D. Corey –	Yes	C. Champagne – No
T. Guenthardt - Yes	R. Pete -	Yes	S. Lewis - No

Motion carried (7-2-0-0)

This concludes the items moved from Closed to Open Session.

IX. Adjourn

MOTION TO END SECOND OPEN; by Guenthardt; supported by Lewis.

Speaker Pete asked if there was any discussion or if anyone was going to abstain.


Roll Call #13

T. Guenthardt - Yes	C. Champagne -Yes	D. Corey -	Yes
S. Crampton - Yes	G. DiPiazza -	Yes	R. Pete - Yes
R. Wittenberg- Yes	D. Lonn -	Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

The meeting was adjourned at 1:13 p.m.

Respectfully Submitted,


Kathleen Bowers
Transcribing Assistant


Gary Di Pizza,
Tribal Council Recorder