



**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, MAY 8, 2002
LITTLE RIVER BAND COMMUNITY CENTER**

APPROVED
11/13/02

**OPEN SESSION
MINUTES**

The Little River Band of Ottawa Indians Tribal Council held a meeting at the Little River Band Community Center on May 8, 2002. Following are the minutes of that meeting.

I. Opening Prayer

The Tribal Council engaged in a silent prayer.

II. General Business

A. Call To Order:

Speaker Parsons called the meeting to order at 10:10 a.m.

B. Roll Call

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

Quorum established.

Also present: Jo Anne House, Kathleen Block, Marty Holgren, Stephanie Ogren, Mark Dougher, Ken LaHaye, Pat Morris, Gary Markowski, Sheri Hunt, Dan Shepard, Jessica Burger

C. Approval of Agenda

Porter asked to add a number #2 under Personnel in Closed Session.

**MOTION TO APPROVE AGENDA WITH ADDITION OF #2
GAMING COMMISSION UNDER PERSONNEL IN
CLOSED SESSION; by Kleeman; supported by Medahko.**

Roll Call

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

Motion carried (9-0-0-0)

D. Tribal Council Minutes

3/13/02

MOTION TO APPROVE THE MARCH 13, 2002, TRIBAL COUNCIL OPEN SESSION MINUTES; by Porter; supported by Ruiter.

Roll Call

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

Motion carried (9-0-0-0)

3/20/02

MOTION TO APPROVE THE WEDNESDAY, MARCH 20, 2002, TRIBAL COUNCIL OPEN SESSION MINUTES; by Medahko; supported by Porter.

Roll Call

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

Motion carried (8-0-1-0)

E. Public Comment Period

No public comment.

III. Continuing Business

A. Grants & Contracts

1. Approval of Great Lakes Sturgeon Research and Rehabilitation Project Grant

Dougher stated Holgren drafted this proposal to the U.S. Fisheries Trust. Dougher stated this grant is in line with the grant strategy. Sam asked if the grant is funded by State or Federal dollars, or Foundation money. Holgren stated it is a Foundation Grant. Parsons stated the correct amount is \$71,660. Sam asked if a waiver of immunity is required as condition of the grant. Dougher stated there would not.

**MOTION TO APPROVE RESOLUTION # 02-0508-01,
APPROVAL OF GREAT LAKES STURGEON
RESEARCH AND REHABILITATION PROJECT
GRANT; by Fisher; supported by Kleeman.**

Roll Call

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

Motion carried (9-0-0-0)

**2. Approval of Roads Inventory and Current
Roads Construction Priority List**

Shepard stated this is an annual item that is done through the BIA, and the Tribe needs to send an updated construction priority list of roads on the reservation.

Phillip Memberto arrived at 10:19 a.m.

Ruiter asked about Custer Cemetery Road. McCatty had corrections in the last whereas to add “wishes to submit an Indian Reservation Roads Inventory and Construction Priority List to establish the road needs.”

**MOTION TO APPROVE RESOLUTION # 02-0508-02,
APPROVAL OF ROADS INVENTORY AND
CURRENT ROADS CONSTRUCTION PRIORITY
LIST, WITH CHANGE IN LAST WHEREAS TO ADD
“WISHES TO SUBMIT” AND CHANGE “ROADS”
TO “ROAD”; by Porter; supported by Kleeman.**

Roll Call

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

Motion carried (9-0-0-0)

3. FYI - Circle of Flight Update

Dougher stated the Circle of Flight was originally submitted for \$36,000 back in November. Dougher stated the BIA has come back approving the project in the amount of \$15,000. Dougher indicated the plan will be revised to meet the budget limitation. Dougher noted the original scope of work will not be completed with the amount that was approved. Ogren stated a graduate

student was going to work 40 hours a week and now 50% of this will come from the grant and 50% will come from the water quality grant. McCatty asked if the \$15,000 will be used in the 18-week period. Ogren stated most of it will be but Knee may be doing some equipment purchase with this grant. Ogren speculated the grant will probably not be used in the 18-week period. Porter asked if the Tribe was provided a reason for the decrease in the award amount. Ogren stated she was told it was because of budget cuts.

B. CMT Business

1. FYI - FF&E/Provisions Update

Fisher stated the FF&E portion of the casino expansion project is divided into books A through D. Fisher stated all of the items have been ordered and there are a few items that are projected not to be available for the soft opening, but are not essential for opening, such as a coffee table. The office furniture for the Administrative offices and areas referred to as the "back of the house" ordering has been completed and those materials should be available within 16 days.

2. Approval of Adding Tile to Public Bathrooms at Little River Casino Resort

Fisher stated the materials were provided to the Tribal Council earlier. Fisher informed the Council the CMT recommends additional work be authorized for the public restrooms, to move forward with ceramic tile installation. Fisher stated the Council members did visit this area and also concurred with the CMT that tile is needed for these areas. Fisher stated there has been a memo provided detailing this transaction with Cunningham-Limp. McCatty stated she is not approving any more costs and wanted Fisher to know that. Fisher stated Cunningham-Limp has a tile allowance that allows them to handle this project. Sam believes the tile installation in the public restrooms was in the scope of work with Cunningham-Limp and would like the contract to be reviewed. Sam believes there is an argument this work is included in the original scope of work. Fisher is asking for a motion to approve the tile work, which is included in the packet to be sent by the Tribal Council Recorder.

MOTION TO NOTIFY CUNNINGHAM-LIMP TO APPROVE THE PLACEMENT OF TILE ON THE WALLS WITHIN THE RESTROOM AREAS AT THE LITTLE RIVER CASINO AND RESORT AS RECOMMENDED BY THE CMT AND THE

**INFORMATION SUBMITTED BY THE CMT,
FURTHER THE CMT WILL REVIEW THE SCOPE
OF WORK TO DETERMINE IF THE TRIBE HAD
STANDING ON THE TILE BEING INCLUDED IN
THE BASIC CONTRACT; by Sam, supported by
Kleeman.**

Roll Call

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

Motion carried (9-0-0-0)

**3. Bulletin #56 – Approval of redesign fees for the Interim Casino
in the amount of \$10,670**

Fisher stated there are two separate pieces of information related to this matter, one is the resolution and the other is the backup materials. Fisher stated there were some redesign costs for the Gaming Commission and the training center for the casino. Parsons clarified this is coming out of the contingency line of the project budget. Fisher stated the resolution reflects this increases the guaranteed maximum price and this needs to be stricken from the resolution. McCatty asked the original amount approved for the remodel of the interim casino. Fisher stated he is unsure of that amount. Sam stated she does not approve of the Gaming Commission occupying areas, such as the vault on the main floor in the interim facility, and believes the Tribe has an opportunity to make this a possible non-smoking gaming facility or another venture. Bennett stated she had a concern the two casinos are connected and what the cost would be to tear down any interior construction if necessary. Fisher stated there is only one permanent wall that would need to be removed if need be. Porter stated this space is needed and keep the other issue in the back of our minds. McCatty would like to have a temporary wall clarified. McCatty believes temporary walls are cubicles. Fisher stated a temporary wall is not load bearing and is relatively permanent. Ruiter stated once you let someone into the area then other people will want to be there. Shepard stated he would like to see a meeting with the Tribal government regarding potential uses for the interim casino.

Joan Spalding arrived at 10:51 a.m.

Alice Symanski arrived at 10:51 a.m.

MOTION TO APPROVE RESOLUTION # 02-0508-03, AUTHORIZING THE TRIBAL OGEMA, OR IN THE ABSENCE OF, THE TRIBAL COUNCIL SPEAKER TO SIGN THE CHANGE ORDER RELATED TO BULLETIN #56 TO BE PROCESSED BY THE CONSTRUCTION MANAGEMENT TEAM TO PROVIDE PAYMENT IN THE AMOUNT OF \$10,670 FOR THE REDESIGN OF THE EXPANDED AREA IN THE INTERIM CASINO TO ACCOMMODATE THE TRAINING NEEDS OF THE PROPERTY AND THE OFFICE NEEDS OF THE GAMING COMMISSION, AND APPROVING PAYMENT FOR THESE SERVICES THROUGH THE PROJECT'S CONTINGENCY LINE, LIMITED TO THE ADDITIONAL SQUARE FOOTAGE OF THE NEW ADDITION AREA; by Sam; supported by Fisher.

Roll Call

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

Motion failed (3-6-0-0)

MOTION TO APPROVE RESOLUTION # 02-0508-03, AUTHORIZING THE TRIBAL OGEMA, OR IN THE ABSENCE OF, THE TRIBAL COUNCIL SPEAKER TO SIGN THE CHANGE ORDER RELATED TO BULLETIN #56 TO BE PROCESSED BY THE CONSTRUCTION MANAGEMENT TEAM TO PROVIDE PAYMENT IN THE AMOUNT OF \$10,670 FOR THE REDESIGN OF THE EXPANDED AREA IN THE INTERIM CASINO TO ACCOMMODATE THE TRAINING NEEDS OF THE PROPERTY AND THE OFFICE NEEDS OF THE GAMING COMMISSION, AND APPROVING PAYMENT FOR THESE SERVICES THROUGH THE PROJECT'S CONTINGENCY LINE, LIMITED TO THE ADDITIONAL SQUARE FOOTAGE OF THE NEW ADDITION AREA AS PRESENTED WITH; by Porter; supported by Fisher.

Roll Call

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

Motion failed (3-6-0-0)

Fisher stated the resolution states the Tribe would be paying for redesign work that has already been done and needs to be taken care of. Fisher indicated the adoption of the resolution would imply Cunningham-Limp would go forward with implementation of those plans. Porter noted the need to determine where storage of important documents is going to be kept in a secure area. Sam stated both times it was not explicitly stated the guaranteed maximum price would not increase. Sam stated she does support the redesign of the expansion area and this is what was originally discussed, but objects to the spilling over to the vault area. Sam commented the Gaming Commission needs another building that would accommodate them. Bennett asked if there were blueprints done for the interim casino. Fisher stated the blueprints were made available to the Council at a work session. Bennett asked the cost of the blueprints. Fisher stated the total cost is \$10,670. Fisher stated he would bring blueprints to a work session for Council. Medahko stated this area was agreed on and there has been a status of changes on buildings and other options may be available. Porter stated there needs to be storage for the very sensitive items for the Gaming Commission. Fisher reminded the Council there is a timeline associated with this project. Fisher would like the work session scheduled as soon as possible. Ruitter asked where the tapes are kept now. Spalding stated the tapes are now kept in the surveillance department and are kept for three years. Spalding stated they need to be kept in a very secure area. Spalding noted the reason the tapes need to be in a secured location is because there is a possibility the tapes could be used for evidence at a later date. Bennett asked how many tapes are produced per year. Spalding stated the tapes are recycled for about six months for those not kept for medical or employment situations. House stated this resolution does not authorize making changes but simply recognizes the redesign costs. House stated this does not approve moving forward, but authorizes payment for the redesign work. House stated there are multiple options that can be taken: 1) subsequent motion until final determination is made by the Tribal Council for the direction of the interim casino; 2) another motion would need to be made by the Tribal Council to decide the outcome of the interim casino; and 3) make temporary storage for the vault by direction of the Tribal Council. Porter stated we need to approve this portion of the project. Bennett stated there are other options for Gaming and suggested a work session. Sam asked House if rental could be charged to the Gaming Commission by the Management Company. House stated she does not have information pertaining to this but will follow-up. Fisher stated he would like Council to do a feasibility study for a smoke-free casino. Fisher stated the property has reasons for this space for training needs. Porter stated this item is not a new item and has been discussed since the beginning. Spalding stated does not know if this would be included in the Management Contract and may not be included in the footprint. Ruitter stated we need a work session on this item. McCatty stated the \$10,670 is not correct as electrical and

plumbing should not be included in the amount. Fisher stated the \$10,670 is all design fees.

MOTION TO APPROVE RESOLUTION # 02-0508-03, AUTHORIZING THE TRIBAL OGEMA, OR IN THE ABSENCE OF, THE TRIBAL COUNCIL SPEAKER TO SIGN THE CHANGE ORDER RELATED TO BULLETIN #56 TO BE PROCESSED BY THE CONSTRUCTION MANAGEMENT TEAM TO PROVIDE PAYMENT IN THE AMOUNT OF \$10,670 FOR THE REDESIGN OF THE EXPANDED AREA IN THE INTERIM CASINO AND APPROVING THE OFFICE NEEDS OF THE GAMING COMMISSION, AND APPROVING PAYMENT FOR THESE SERVICES THROUGH THE PROJECT'S CONTINGENCY LINE, LIMITED TO THE ADDITIONAL SQUARE FOOTAGE OF THE NEW ADDITION AREA MODIFYING THE RESOLUTION AND STRIKING "INCREASE IN GUARANTEED MAXIMUM PRICE" AND ALSO IN THE BULLETIN REGARDING "INCREASE IN GUARANTEED MAXIMUM PRICE"; by Sam; supported by Porter.

Roll Call

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

Motion carried (6-3-0-0)

Spalding asked a Gaming Commission representative be invited to the work session. Bennett stated Council needs to discuss this among Council themselves. Sam stated she is not in support of closing a work session, as there is no reason for the Gaming Commission not to be there.

IV. Old Business

V. New Business

A. Conservation Resource Alliance Funding Request

McCatty stated NRC approved Resolution # 02-0505-02. McCatty stated Ogren is available for any questions. Ogren stated the Conservation Resource Alliance is a non-profit organization for the Watershed Group. Ogren stated they bring agencies together for the habitat. Ogren stated a funding request from the Alliance has been made for \$50,000, requesting a grant from the Tribe.

**MOTION TO APPROVE RESOLUTION # 02-0508-04,
APPROVING A MODIFICATION TO THE FISCAL YEAR
2002 TRIBAL GOVERNMENT OPERATING BUDGET TO
INCLUDE A SUPPLEMENTAL APPROPRIATION IN THE
AMOUNT OF \$50,000 FROM THE U.S. v MICHIGAN
GREAT LAKES FISHERIES TRUST FUND TO FUND A
GRANT TO THE CONSERVATION RESOURCE
ALLIANCE FOR FISH HABITAT RESTORATION
PROJECTS BELOW FIRST BARRIER DAMS ON
RIVERS/STREAMS; by Porter; supported by Kleeman.**

Sam stated she couldn't support this resolution as the Michigan Sportfishing group is listed as one of the agencies this organization supports, and the Sportfishing group opposed the Tribe's fishing rights in U.S. v. MI.

Roll Call

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

Motion carried (6-3-0-0)

B. Approval of 1855 Wetland Management Plan

McCatty stated this allows the Tribal Ogema to negotiate an agreement with Inter-Tribal Council of Michigan. Sam stated in the second to last whereas wanted to make it clarified the resolution is not limited to 1855 reservation. House asked Sam for clarification if her question is pertaining to the reservation or the wetland management area. House did not see a problem with the whereas. Ogren stated the professional services under this agreement will be paid for out of grant money.

**MOTION TO APPROVE RESOLUTION # 02-0508-05,
AUTHORIZING THE TRIBAL OGEMA, OR IN THE
ABSENCE OF, THE TRIBAL COUNCIL SPEAKER TO
NEGOTIATE AND EXECUTE A PROFESSIONAL
SERVICES AGREEMENT WITH INTER-TRIBAL
COUNCIL OF MICHIGAN, INC. TO PREPARE A
WETLAND MANAGEMENT PLAN FOR THE BAND'S 1855
RESERVATION (CUSTER AND EDEN TOWNSHIPS IN
MASON COUNTY); by McCatty; supported by Kleeman.**

Roll Call

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

Motion carried (9-0-0-0)

C. Acceptance of First Quarter Report to the BIA

Ogren and Holgren left at 11:37 a.m.

MOTION TO ACCEPT THE BIA REPORT FOR THE FIRST QUARTER DATED APRIL 30, 2002; by Fisher; supported by Medahko.

Roll Call

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

Motion carried (8-1-0-0)

D. Resolution Authorizing an Agreement with Ralph Nichols Enterprises, LTD, for Dale Carnegie Leadership Training

McCatty asked if 40 people have signed up. Hunt stated there are 44 people signed up. Medahko asked if the training is only for Tribal members. Hunt stated all of the people are Tribal and casino employees. Sam stated the funding was budgeted and the second item is authorizing the expenditure.

MOTION TO APPROVE RESOLUTION # 02-0508-06, AUTHORIZING AN AGREEMENT WITH RALPH NICHOLS ENTERPRISES, LTD, FOR DALE CARNEGIE LEADERSHIP TRAINING; by Porter; supported by Kleeman.

Roll Call

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

Motion carried (7-1-1-0)

E. Approval of Expenditure by Professional Development Department

MOTION TO APPROVE RESOLUTION # 02-0508-07, APPROVAL OF EXPENDITURE BY PROFESSIONAL

**DEVELOPMENT DEPARTMENT FOR \$40,000; by Porter;
supported by Kleeman.**

Roll Call

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

Motion carried (8-1-0-0)

McCatty asked if we could have a revote on this item as Porter is enrolled in the Dale Carnegie Class and should have abstained. Parsons asked House for a legal opinion on this item. House restated Parsons' question as if a Councilor is enrolled in a class.

Sam asked for legal opinion in writing regarding the membership assistance program if Council members would be eligible. Parsons stated this is a direction of the Speaker.

F. Adoption of Gaming Ordinance # 02-400-01, and Repeal of Gaming Ordinance #97-400-01

McCatty would like clarification why this was split into two ordinances. House stated the ordinance adopted in 1997 created and identified the qualification of a gaming operation. House stated Gaming Commission basically had two issues in regards to membership on the commission, 1) ability to find people who would sit on that entity, 2) find people for that entity given the qualifications to be a member in that entity. House stated this was an extension of the 6-month period for moving from 5 to 3 members for that commission. House stated those actions needed approval by the NIGC for legality of the actions that were taken. House stated because of this (legal department) contacted the legal counsel for the NIGC if needed to send to the NIGC for approval. House stated after recontacting them for reauthorization of the 6-month emergency and the option was to have or not have a regulatory agency within the gaming ordinance. House stated this was brought to the Tribal Council and at that time this was a valid area to go in. House stated the documents were prepared and presented to the Tribal Council. House stated this makes only the Gaming Ordinance needs NIGC approval and not the Gaming Commission Ordinance. Sam stated in the revised ordinance on page 7, 9.04b "class II or III". House stated IGRA is strange in its application and citation is correct and is class III in accordance with the compact, both class II and III for license. Sam stated on page 13 about licensing judges, etc. Sam asked about 10.05 or 10.06 regarding issuing of gaming licenses – the regulatory body had the discretion if the Tribal member is ineligible, the Gaming Commission had the ability to go ahead and approve a license anywhere for a Tribal member. Sam is not finding that information. House stated his is a gaming compact issue and is of higher authority than

the gaming ordinance. House stated this is in the governmental agreement in the gaming compact. House did not recall it being in the gaming ordinance. Spalding stated it is in the ordinance under 10.06d.

MOTION TO APPROVE RESOLUTION # 02-0508-08, ADOPTION OF GAMING ORDINANCE, # 02-400-01, AND REPEAL OF GAMING ORDINANCE, # 97-400-01; by Porter; supported by Kleeman.

Roll Call

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

Motion carried (7-2-0-0)

G. Adoption of Gaming Commission Ordinance, #02-400-04

Sam asked if the ordinance could reflect at least 3 members but no more than 5. House stated the wording recognizes the reality of today. House stated this was discussed at the work sessions and this was not placed in the ordinance. House stated this was taken from the Gaming Ordinance and remove restrictions in a more timely manner. Spalding stated this ordinance is to make flexibility more available. Spalding stated this will be identified in the by-laws. Sam indicated on page 5 under letter (e), had a question regarding resort employees and commissioners living in the same household. Sam stated there was a past issue of having a relative working at the gaming operations and the gaming commission. Sam does not believe this was in the original ordinance. House stated the December 12 version does state the same as in the new version.

MOTION TO APPROVE RESOLUTION # 02-0508-09, ADOPTION OF GAMING COMMISSION ORDINANCE, #02-400-04; by Porter; supported by Medahko.

Roll Call

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

Motion carried (8-1-0-0)

H. Request for Temporary Liquor License for Little River Casino Resort for Special Outside Event

MOTION TO APPROVE RESOLUTION # 02-0508-10, APPROVING TEMPORARY LIQUOR LICENSE FOR LITTLE RIVER CASINO RESORT FOR SPECIAL

**OUTDOOR EVENT ASSOCIATED WITH THE CHARITY
GOLF OUTING SPONSORTED BY THE RESORT;** by
Medahko; supported by Porter.

McCatty asked if there was a revised resolution stating where the event was to be held. Sam stated she did find that information in the resolution.

Roll Call

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

Motion carried (9-0-0-0)

I. FYI - Condition of Barn on Custer Parcel

McCatty stated it was mentioned to look into restoring the barn. McCatty stated Shepard was instructed to follow-up by the Ogema. Shepard informed the Council the barn is a safety hazard. Shepard stated the Ogema has given him the verbal go ahead to put out to bid to take the barn down. Ruiter stated there have been people who asked about the wood and she does not want the wood burned. Shepard stated the barn would not be burned but would be a possibility to sell the wood. Shepard suggested using the Construction Company to handle this. Sam asked for process that will be utilized for bidding on this project and how materials will be made available to the public. Sam would like this worked out before this comes back to the Council. Medahko asked the wood not be sold and Tribal members should be allowed to receive this wood.

**MOTION TO HAVE TRIBAL COUNCIL DECLARE THE
BARN AND RELATED STRUCTURES ON THE CUSTER
PROPERTY BE CONDEMNED, AND THE TRIBAL
OGEMA AND PLANNING DEPARTMENT BE DIRECTED
TO IDENTIFY THE PROCESS FOR REMOVAL OF THE
CONDEMNED STRUCTURE FOR RESTORATION OF
THE LANDS AND DISPOSITION OF THE MATERIALS IN
CONNECTION WITH CONDEMNED BARN;** by Sam;
supported by Kleeman.

Roll Call

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

Motion carried (9-0-0-0)

Council recessed at 12:22 p.m.

J. Appropriation of Funds for Commercial Fishing

McCatty stated LaHaye is here for any questions.

MOTION TO APPROVE RESOLUTION # 02-0508-11, APPROVING BUDGET MODIFICATION TO THE FISCAL YEAR 2002 OPERATING BUDGET FOR THE TRIBAL GOVERNMENT AND APPROPRIATING \$76,000 FROM THE US v MICHIGAN "FISHERIES TRUST" FUND TO THE GENERAL FUND TO BE ALLOCATED TO START-UP COSTS FOR THE COMMERCIAL FISHING PROGRAM IN THE CONSERVATION DEPARTMENT; by Sam; supported by Porter.

Sam had concern with running an enterprise through a department. LaHaye stated this is to outfit the boats. Parsons stated this is part of a training component, as a point of clarification.

Roll Call

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

Motion carried (9-0-0-0)

K. Approval of Truck Purchase for Commercial Fishing

MOTION TO REMOVE THIS ITEM FROM THE AGENDA; by McCatty; supported by Kleeman.

Sam informed LaHaye this item would need to be brought forward again as a new agenda item. Parsons stated we do need the Ogema's signature to bring this item forward.

Roll Call

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

Motion carried (9-0-0-0)

Sam suggested the Council make a request from Accounting for the balance left in the Fisheries Trust. McCatty stated she has that report and can be viewed in Closed Session.

House informed the Council Bennett asked her to respond to resolution #02-0508-03 regarding design expenses. A question regarding the rules of order has been raised by Councilor Bennett. House instructed Bennett she

needs to state an objection and bring back next week. Bennett's objection is the Council acted on a resolution three times with two times failed.

Bennett did object to Resolution #02-0508-03. House stated the motion stands unless the rules of order prohibit it. Parsons stated the CMT is in a holding pattern at this time. McCatty asked if this was in Robert's Rules. House stated she will render an opinion. McCatty stated books were bought for the whole Council and wanted anyone with books to bring them forward. Parsons stated Recorder Sam will bring the Robert Rules next week. Sam stated she would not have made the motion unless she believed it was in accordance with meeting procedures.

VI. Concluding Business

- A. Next Meeting Date(s) – May 15, 2002**
- B. Public Comment Period**

McCatty wanted to state for the record she voted against the Dale Carnegie Contract because there were not funds in the budget for this expenditure. Sam stated she voted due to representation from Administration that this was a budgeted item.

The purpose of closed session is to discuss business matters considered privileged or confidential, involving consideration of bids/contracts, pending legal issues, and/or personnel matters.

MOTION TO ADJOURN OPEN SESSION; by Kleeman; supported by Ruiter.

Roll Call


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

Motion carried (8-0-0-1)

This portion of Open Session was adjourned at 12:49 p.m.

Council reconvened in Open Session. There were no items to be placed in Open Session from the Closed Session. The meeting was adjourned at 2:59 p.m.

Respectfully Submitted,


Debbie Fischer
Temporary Transcribing Assistant


Janine M. Sam
Tribal Council Recorder