



**LITTLE RIVER BAND OF OTTAWA INDIANS**

**APPROVED**  
4-4-01

**TRIBAL COUNCIL**

1762 U.S. 31 South  
Manistee MI 49660  
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**ORIGINAL**

**REGULAR MEETING OF THE TRIBAL COUNCIL**  
**Open Session**  
**May 13, 2000**  
**Little River Band Community Center**

**I. Silent Prayer**

**II. General Business**

**A. Call to Order**

Meeting called to order at 1:03 p.m., on Saturday, May 13, 2000.

**B. Roll Call**

Members Present: Joan Spalding, Speaker; Charles Fisher, Recorder; Councilors: Kathy Berentson; Lisa McCatty; Elaine Porter; Janine Szplict; and Connie Waitner.

Members Excused:

Members Absent: Carol Bennett.

Others Present: Bob Guenthardt, Bill Brooks, Phil Memberto, Jessica Burger, Dan Broton, Bob Campeau, Bill Willis.

**C. Consent Agenda**

**1. Approval of Agenda**

*Summary: Discussion regarding amendments to the agenda.*

**MOTION TO ACCEPT THE AGENDA AS AMENDED by Connie Waitner,  
second by Kathy Berentson.**

**IV. New Business (Additions)**

F. Flag Issue.

G. Pepsi Scholarship.

H. New Enrollment Cards.

**VI. Closed Session (Addition)**

**B. New Business**

2. Personnel Matter

3. General Business (Remove)

Approval of Minutes:

5/1/00 Special Meeting

5/1/00 Closed Session

**Roll Call:**

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
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K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet -Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion Carries. (8-0-0-1).<sup>1</sup>

**2. Approval of Minutes.**

4/24/00 Regular Meeting:

*Summary: No discussion took place.*

**MOTION THAT THE TRIBAL COUNCIL MEETING MINUTES FROM THE REGULAR MEETING ON MONDAY, APRIL 24, BE ACCEPTED AS PRESENTED by Janine Szpliet, second by Don Koon.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet -Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion Carries. (8-0-0-1).

4/24/00 Closed Session:

*Summary: No discussion took place.*

**MOTION TO ACCEPT (4/24/00 CLOSED SESSION MINUTES) AS PRESENTED by Kathy Berentsen, second by Elaine Porter.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Abstain
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion Carries. (7-0-1-1).

**3. Manager Report.**

*Summary: Discussion regarding bringing on new Tribal Operations Director, and suggestion to add information regarding the purpose of meetings attended.*

**MOTION TO ACCEPT THE MANAGER'S REPORT by Elaine Porter, second by Don Koon.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet -Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion Carries. (8-0-0-1).

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<sup>1</sup> (Yes-No-Abstain-Absent)

**4. Attorney Report.**

*Summary: Discussion regarding verbal report, Election Board rules.*

**MOTION THAT THE COUNCIL ACCEPT THE ATTORNEY REPORT AS PROVIDED VERBALLY, WITH THE STIPULATION THAT HE PROVIDE A WRITTEN REPORT FOR THE FILE by Janine Szpliet, second by Elaine Porter.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion Carries. (8-0-0-1).

**5. Financial Report.**

*Summary: Discussion regarding when Dan Broton will be available.*

**MOTION TO TABLE (FINANCIAL REPORT) by Janine Szpliet, second by Lisa McCatty.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion Carries. (8-0-0-1).

**6. Department Reports.**

*Summary: Discussion regarding compliance review of grants.*

**MOTION TO ACCEPT THE DEPARTMENT REPORTS AS PRESENTED FOR FILING Elaine Porter, second by Kathy Berentsen.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion Carries. (8-0-0-1).

**MOTION THAT THE MINUTES REFLECT WHICH DEPARTMENTS TURNED IN REPORTS FOR THE MEETING by Janine Szpliet, second by Elaine Porter.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion Carries. (8-0-0-1).

The following Department Reports were noted as received:

Tammy Carter, Assistant Manager	Rhonda Czarneke
Donna Kosiboski	Cy Hill, Gaming
Martha Case	Candace Chapman
Public Safety	Kim Alexander, Enrollment
Natural Resources Department	Yvonne Parsons

**7. Committee/commission Minutes.**

*Summary: No discussion took place.*

**MOTION TO ACCEPT THE COMMITTEE, COMMISSION AND BOARD MINUTES AND PLACE THEM ON FILE by Connie Waitner, second by Elaine Porter.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion Carries. (8-0-0-1).

The following Committee, Commission & Board Minutes were noted as received:

Cultural Preservation Committee – March 14 and April 11, 2000

Election Board – March 21 and April 5, 2000

Gaming Commission – March 15 and April 5, 2000

Natural Resources Commission – April 5, 2000

Business Board – March 30, April 6 and April 27, 2000

Binojeeuk Commission – March 2000

Management Team – March 14, 2000

Enrollment Committee – April 19, 2000

**D. Introduction of Guests.**

No guests were noted in attendance.

**E. Public Comment.**

There were no public comments offered.

**III. Old Business**

**A. Approval of Expenditure for National Indian Justice Center “On-site” Training.**

*Summary: No discussion took place.*

**MOTION TO SEND THE TOTAL AMOUNT OF \$8,988.50 FOR THE TRAINING by Elaine Porter, second by Don Koon.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion Carries. (8-0-0-1).

**B. Authorizing the Tribal Ogema, or in His Absence, the Tribal Council Speaker to Execute Design Agreement with Cunningham-limp Company and Agreeing to Binding Arbitration and a Limited Waiver of Sovereign Immunity.**

*Summary: Discussion regarding sections 6.4 and 6.5 regarding jurisdiction, section 1.4.3 regarding timeliness, section 2.1.10 regarding insurance, and section 1.2.1 correction.*

**MOTION TO APPROVE RESOLUTION #00-0513-01, AUTHORIZING THE TRIBAL OGEMA, OR IN HIS ABSENCE, THE TRIBAL COUNCIL SPEAKER TO EXECUTE DESIGN AGREEMENT WITH CUNNINGHAM-LIMP AND AGREEING TO BINDING ARBITRATION AND A LIMITED WAIVER OF SOVEREIGN IMMUNITY, WITH THE CHANGES THAT WERE NOTED IN TODAY'S MEETING by Charles Fisher, second by Elaine Porter.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - No
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion Carries. (7-1-0-1).

**IV. New Business**

**A. Budget Amendment for Enrollment.**

*Summary: No discussion took place.*

**MOTION THAT THE ITEM BE TABLED UNTIL THE NEXT MEETING by Janine Szpliet, second by Connie Waitner.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion Carries. (8-0-0-1).

**B. Resolution Approval for Submission of ICDBG Grant Application for Tribal Housing Infrastructure.**

*Summary: Item presented for information only.*

**MOTION TO TABLE THE ITEM UNTIL THE MAY 22 MEETING by Kathy Berentsen, second by Elaine Porter.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion Carries. (8-0-0-1).

**C. Approval of Change in Cultural Preservation Committee Workplan.**

*Summary: Presentation given.*

**MOTION TO APPROVE THE CHANGES IN THE CULTURAL PRESERVATION COMMITTEE WORKPLAN by Connie Waitner, second by Elaine Porter.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion Carries. (8-0-0-1).

**D. Approval of Expenses Associated with IHS Software.**

*Summary: Brief presentation.*

**MOTION TO APPROVE THE PURCHASE OF IHS SOFTWARE IN THE AMOUNT OF \$9,753.00 by Connie Waitner, second by Kathy Berentsen.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion carries. (8-0-0-1).

**MOTION TO REMOVE FROM THE TABLE THE FINANCIAL REPORT THAT WAS POSTPONED EARLIER IN THE MEETING by Janine Szpliet, second by Kathy Berentsen.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion carries. (8-0-0-1).

**4. Financial Report.**

*Summary: Questions regarding the status of the first quarter's financial statements, and management fee issue.*

**MOTION TO ACCEPT FOR FILING THE FINANCIAL REPORT DATED MAY 13, 2000 FROM THE CONTROLLER by Janine Szpliet, second by**

**Elaine Porter.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion carries. (8-0-0-1).

**E. Approval of Costs Associated with National City Bank Building Renovations.**

*Summary: Discussion regarding plumbing, concerns expressed regarding Little River maintenance and Construction Company bidding and acting as General Contractor, process for obtaining three bids, and contracts.*

**MOTION THAT THE TRIBE GET THREE BIDS ON THE WORK THAT NEEDS TO BE DONE AT THE NCB BUILDING ON ALL SCOPES OF WORK FOR THE RENOVATIONS by Kathy Berentsen, second by Lisa McCatty.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - No

Motion carries. (7-1-0-1).

*For the Record:* Connie Waitner stated that the reason she voted "No" was because she didn't feel the motion was clear enough in regards to the specifics of the process.

*For the Record:* Janine Szpliet stated that the Tribal Council did not authorize any expenditures relating to the bank building and it is a direct violation of a Tribal Law, to spend money without a budget.

**MOTION TO WRITE A LETTER TO THE OGEMA REGARDING THE NCB BUILDING REQUESTING A CONTRACT WITH GENERAL CONTRACTOR AND AN APPROPRIATION REQUEST FOR FUNDS by Janine Szpliet, second by Kathy Berentsen.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion carries. (8-0-0-1).

**F. Flag Issue.**

*Summary: No discussion took place.*

**MOTION TO DIRECT THE BUSINESS BOARD TO FOLLOW THROUGH THAT THE TRIBE HAVE TWO STAFFS AT THE CASINO, WITH THE STARS &**

**STRIPES ON THE RIGHT AND THE TRIBAL FLAG ON THE LEFT by Kathy Berentsen, second by Lisa McCatty.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion carries. (8-0-0-1).

**G. Pepsi Scholarship.**

*Summary: Discussion regarding development of rules regarding Princess Contest.*

**MOTION TO PRESENT CULTURAL PRESERVATION COMMITTEE \$750 FROM THE PEPSI SCHOLARSHIP FOR THE PRINCESS CONTEST by Connie Waitner, second by Elaine Porter.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion carries. (8-0-0-1).

**MOTION THAT THE CULTURAL PRESERVATION COMMITTEE PREPARE A BUDGET FOR THE \$750 AND SUBMIT TO THE TRIBAL COUNCIL PRIOR TO USAGE by Joan Spalding, second by Janine Szpliet.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - No	L. McCatty - No	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion carries. (6-2-0-1).

**For the Record:** Kathy Berentsen said her reason for voting "No" was because the Cultural Preservation Committee can't get reimbursed for the \$250 of the crown.

**MOTION TO RECONSIDER THE MOTION by Joan Spalding, second by Janine Szpliet.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion carries. (8-0-0-1).

**Vote on Original Motion: "THAT THE CULTURAL PRESERVATION**



**COMMITTEE PREPARE A BUDGET FOR THE \$750 AND SUBMIT TO THE TRIBAL COUNCIL PRIOR TO USAGE"**

Roll Call:

C. Bennett - Absent	D. Koon - No	J. Spalding - No
K. Berentsen - No	L. McCatty - No	J. Szpliet - No
C. Fisher - No	E. Porter - No	C. Waitner - No

Motion Fails. (0-8-0-1).

**MOTION THAT THE PEPSI SCHOLARSHIP FUNDS, THAT IT BE REQUIRED THAT THE CULTURAL PRESERVATION COMMITTEE PROVIDE A DETAILED ACCOUNTING FOR THOSE FUNDS IN THE SAME MANNER THAT THEY PROVIDE THE CLOSE-OUT FOR THE POW WOW ON AN ANNUAL BASIS by Janine Szpliet, second by Kathy Berentsen.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion carries. (8-0-0-1).

**H. New Enrollment Cards.**

*Summary: No discussion took place.*

**MOTION THAT THE ITEM BE TURNED OVER TO THE ELDERS COMMITTEE FOR THEIR RECOMMENDATION ALONG WITH ANY RECOMMENDATIONS THAT INDIVIDUAL COUNCILORS WISH TO MAKE OR THE OGEMA ON THE DESIGN OF THE NEW TRIBAL ID CARDS AND THOSE RECOMMENDATIONS BE GIVEN TO THE TRIBAL REGISTRAR by Lisa McCatty, second by Connie Waitner.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion carries. (8-0-0-1).

**V. Concluding Business**

A. Public Comment.

*Summary: No discussion or comments.*

**B. Next Meeting Date.**

Work session: Monday, May 15, 2000 at 9:00 a.m.  
Tuesday, May 16, 2000

Regular Meeting: Monday, May 22, 2000 at 6:00 p.m.

The purpose of Closed Session is to discuss pending litigation and personnel matters.

**C. Adjournment of Open Session.**

*Summary: No discussion took place.*

**MOTION TO ADJOURN OPEN SESSION by Janine Szpliet, second by Charles Fisher.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Yes

Motion carries. (8-0-0-1).

**VII. Return to Open Session.**

**MOTION TO RETURN TO OPEN SESSION by Janine Szpliet, second by Elaine Porter.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Absent

Motion carries. (7-0-0-2).

**IX. Adjournment**

**MOTION TO ADJOURN by Janine Szpliet, second by Elaine Porter.**

Roll Call:

C. Bennett - Absent	D. Koon - Yes	J. Spalding - Yes
K. Berentsen - Yes	L. McCatty - Yes	J. Szpliet - Yes
C. Fisher - Yes	E. Porter - Yes	C. Waitner - Absent

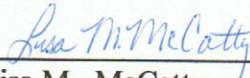
Motion carries. (7-0-0-2).

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Minutes Transcribed/Drafted by: \_\_\_\_\_

Approved as Drafted/  
Approved as Corrected  
Date:

Respectfully Submitted,

  
\_\_\_\_\_  
Lisa M. McCatty,  
Tribal Council Recorder

*Approved 4-4-01*