



**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, MAY 22, 2002
LITTLE RIVER BAND COMMUNITY CENTER**

APPROVED
11/13/02

**OPEN SESSION
MINUTES**

The Little River Band of Ottawa Indians held a meeting at the Little River Band Community Center on May 22, 2002. Following are the minutes of that meeting.

I. Opening Prayer

The Tribal Council engaged in a special silent prayer.

II. General Business

A. Call To Order:

The regularly scheduled Tribal Council meeting of Wednesday, May 22, 2002, was called to order at 10:09 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.

Others Present: Jo Anne House, Jonnie Jay Sam, II, Robert Guenthardt, Matt Stratton, Mark Dougher, Jessica Burger, Israel Stone, Robert Hardenburg.
Recorder's note: Other attendees were not able to be identified due to illegible sign in.

C. Approval of Agenda

Closed Session, "E" Bids and Contracts, remove #1 Winter Conditions and remove #2 Budget Provisions from the agenda.

MOTION TO APPROVE AGENDA AS AMENDED; by Kleeman; supported by Porter.

Roll Call

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| 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. Selection of Tribal Ogema

Parsons stated that on Monday, May 20, 2002, the Tribal Council was in receipt of the formal resignation of Robert Guenthardt, current Tribal Ogema. According to the constitution, when there is less than 18 months remaining in the term of a sitting Ogema, the Tribal Speaker has the responsibility of nominating a candidate to fill that vacancy. The Tribal Council Speaker selects a nominee from a group of candidates interviewed and then the Tribal Council gives final approval on this nominee. When the Tribal Council first learned of the Ogema's resignation, a process was set in motion, as outlined by regulations adopted by the Tribal Council, which required the Council to solicit Tribal members to step forward as candidates for the Ogema position. Ten individuals responded and completed the interview process.

On behalf of the Tribal Council, Parsons gave a heart-felt thank you to all the individuals who stepped forward as candidates. A token of the Tribal Council's appreciation and respect was given to each of the candidates in alphabetical order.

Sam spoke about the process of selecting an Ogema. Her comments reflected Parsons' words in regard to the fine qualifications of the candidates. Sam spoke of the great responsibility and burden of Speaker Parsons in having to make the decision in selecting a nominee for the Tribe's Ogema. Sam spoke for herself and on behalf of the Tribal Council by giving tremendous support and gratitude to Parsons for his conduct as he made his selection. Sam informed the membership that it had been rumored the decision was already made and predetermined, but stated for the record that no one but Speaker Parsons knows the name of the nominee at this point. The Tribal Council presented gifts to Parsons. Porter, speaking for the rest of the Council, reiterated what Sam said. Parsons expressed his deep appreciation to the Council.

As Tribal Council Speaker, Parsons put forward the name to fill the vacancy of the office of the Ogema—Jonnie Jay Sam, II. Parsons requested a motion from the Tribal Council on that nomination.

MOTION TO CONFIRM SPEAKER PARSONS' APPOINTMENT OF JONNIE JAY SAM, II TO TAKE THE OGEMA POSITION FOR THE VACANCY; by Porter, supported by Kleeman.

Roll Call

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

Motion carried (6-1-2-0)

The newly appointed Ogema thanked the Council for their difficult choice and thanked all present for being there.

Parson again expressed his sincere appreciation to those who stepped forward as candidates. The approval process has been formalized, however, the actual swearing in of the Ogema will be tomorrow, May 23, 2002, at 11:30 a.m. in the Community Center. This was the decision Tribal Council made because many of the candidates had other responsibilities and could not attend today.

Medahko told a spiritual story that went with the gift chosen by the Tribal Council for the new Ogema. Medahko then presented the gift reflecting her story so the new leader will remember to take care of all of our people with a great heart.

The Tribal Ogema accepted the gift. He stated he would place the gift in his office to remember the story, to remember the meaning of the job of the Ogema, and to look out for all the people. He hoped to live up to the story and the gift.

Bob Guenthardt made a special presentation.

Parsons spoke of a gift to Bob Guenthardt from Tribal Council in recognition for all he has done. Medahko presented the gift to the resigning Ogema along with her and the other Council members' best wishes.

Recessed at 10:45 a.m. for a luncheon following the Ogema confirmation.

Reconvened at 11:50 p.m.

E. Public Comment

Parsons thanked everyone, including Kathleen Block, Saddle Riffle, Katie Glocheski, and June Sam, for their work in preparing the luncheon and for making it very special.

Matt Stratton spoke about an incident with the U.S. Forest Service, regarding an eagle Stratton had acquired, he found it in the woods. Stratton was read his rights and questioned about the incident. After answering few questions, Stratton refused to answer any more. Stratton was told it was up to Joe LaPorte and Jim Grabowski if prosecution would happen. Stratton questioned their authority, and queried if Tribal Police determine prosecution.

Parsons was unaware of the incident. Parsons stated the Tribe would have a new prosecutor coming on board in a couple of weeks. Bill Brooks is the official acting prosecutor until that time. Parsons assumed any action of that sort would need to be done, if not on his [Brook's] authority, certainly with his consultation. Parsons wasn't exactly sure of the process but it needed to be directed to the Ogema's office. Parsons offered to talk with Brooks to make sure he is aware of the circumstance.

III. Continuing Business

A. Grants/Contracts and Grant Funds Budget Acceptance

1. FYI – EPA Grant

Mark Dougher spoke about the Brownfield Demonstration Assessment Grant. The purpose of the grant is to evaluate the environmental condition of a property that was formerly used for industrial and there is evidence of contamination. At the time of the grant submission, it wasn't required that contamination be proven, but in this case, the Tribe had documented evidence of contamination preexisting on the property the Tribe owns in Eastlake. The purpose of this grant is to do an extensive environmental assessment to evaluate the property for potential redevelopment. A part of the grant will pay for contracting an environmental engineering firm to do that assessment. The total grant submission is for \$250,000. A component of the grant, the environmental assessment for the Eastlake property, is in the amount of \$200,000. The second component of the project is called a Greenspace Option, which is in the amount of \$50,000. The Greenspace Option is a separate assessment to determine if part of the property could potentially be suitable for other purposes, as an example, a park. This grant does not pay for the cost of the cleanup; if and when that would be the case, we would pursue funding or financing to pay for those costs.

Dougher continued to say, nationally there are only 30 of these grants awarded. Only four awarded in Michigan and only one tribe awarded this grant. We have the distinction of being the only tribe selected, in the entire United States. Dougher noted the City of Manistee also was selected for this grant for environmental assessment of the west shore of Manistee Lake. Most unusual for the federal government to award this grant twice in the same community. One factor, according to the EPA, was the support by the City of Manistee for the Tribe to receive this grant, and the Tribe's support for the City of Manistee.

Parsons congratulated the Grant Department for this accomplishment. Parsons reiterated the fact that we are the only

Tribe in the country to receive this grant, and also in the full amount. Parsons congratulated Dougher and the other staff members involved, including staff from Natural Resources and Economic Development.

2. FYI – Diabetes Grant

Dougher spoke about receiving a diabetes award. The grant award is for \$60,560. \$5-10,000 more than previous years. He congratulated Jessica Burger for substantially preparing that grant. Parsons offered his congratulations on their efforts.

B. CMT Business

1. FYI – Artwork Update

Fisher spoke with the consultant. He's hoping to bring objectivity to the selection process. Fisher stated this project needs to be moved along, hopefully, this coming week they'll be initializing the selection process. The Art Committee has made recommendations—a basket collection in the fine dining area and a basket collection in the gift shop. Fisher is looking at dedicating an area in the corridor for displaying Tribal art. Fisher is hoping to have a good art representation at the opening.

2. Bulletin #57 – Title work for bathroom in the amount of \$30,414.

Fisher stated that Cunningham-Limp is looking for approximately \$30,000 to complete this work. This would provide ceramic tile in 4 restrooms off the gaming floor. Their quotes and budget breakdown describing the project is in the meeting packet. Fisher brought to the Council's attention that the CMT is looking to the title allowance to pay for this, or part of this. Fisher stated it is CMT's recommendation that we continue to address the payment issue with Cunningham-Limp. Fisher is considering this an informational item at this point, although, Cunningham-Limp is looking for its approval. Fisher is expecting to bring back an adjusted recommendation from the Council that contains the up-to-the-minute information on its budget associated with this.

Parsons clarified by asking if Cunningham-Limp is looking for approval for the full amount they submitted. Fisher replied yes. Parsons wondered about the possibility of negotiating with Cunningham-Limp. Fisher replied he had opened that door with them. Fisher is hoping to discuss this in more detail in an update meeting on Friday.

Parsons clarified at this point that this is just an FYI for the moment and asked if specific action was required. Fisher replied no action, this is just an update on the project.

IV. Old Business

A. Approving Supplemental Appropriation for Pow Wow Grounds for Costs Associated with Constructing Bathhouse and Installation of Septic System (Capital Improvements)

1. Appropriation for Capital Improvements

MOTION TO APPROVE RESOLUTION #02-0522-01, APPROVING SUPPLEMENTAL APPROPRIATION FOR CAPITAL IMPROVEMENTS TO POW WOW GROUNDS FOR FY2002 IN THE AMOUNT OF \$52,465 FROM THE GENERAL FUND; by Sam; supported by Kleeman.

Roll Call

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|------------------|------------------|------------------|
| 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 Expenditure

Parsons moved to next week's agenda under "Old Business."

V. New Business

Parsons stated for the record there is no "New Business" in today's meeting.

VI. Concluding Business

A. Next Meeting Date(s) – Wednesday, May 29, 2002

B. Public Comment Period

No public comments made at this time.

Speaker Parsons informed the membership that the Council will be going into closed session, and 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 Sam; 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)

This portion of Open Session was adjourned at 12:34 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.

Respectfully Submitted,


Debbie Fischer
Temporary Transcribing Assistant


Janine Sam
Tribal Council Recorder
