



**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
EMERGENCY MEETING
FRIDAY, MAY 22, 2020
LITTLE RIVER BAND
VIA TELECONFERENCE**

**OPEN SESSION
MINUTES**

The Little River Band of Ottawa Indians held an emergency meeting via teleconference on Friday, May 22, 2020. Following are the minutes of that meeting.

I. Call to Order

The Tribal Council meeting was called to order at 11:01 a.m.

II. Roll Call

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

Quorum established.

Others Present: Ogema Larry Romanelli, Connie Waitner, Shelly Memberto, Dawn McGrady, Elise McGowan-Cuellar, Steve Wheeler, Rebecca Liebing, Kathleen Bowers

III. Open Session

A. Adopting the Emergency COVID-19 Tribal Business Interruption Grant Program

Speaker Pete said this emergency meeting was called to discuss just this one item, Adopting the Emergency COVID-19 Tribal Business Interruption Grant Program. What I am going to do, if it is okay with Rebecca from our meeting yesterday, Rebecca I would just like to have you explain this to us again. Thank you.

Rebecca Liebing believes everyone has the documents and basically what this is, is a grant program, similar to how the federal government has been bailing out different businesses through the CARES Act funding. As we all know, Indian casino resorts were not available, or eligible, for any funding that the federal government has so far released directly. The CARES Act funding

they did give to the tribe so as soon as they gave out guidance we started conferring with our attorneys, the Sonosky law firm in Washington D.C., to see what we could do with these funds. We have been different guidance on what we can do with these funds. One of the things that we can do with these funds is create a grant program with the tribe, use our sovereignty, create a grant program similar to how the feds do grant programs, and do a business interruption grant to supplement funds to the Resort. Now not every single kind of expense is eligible for these kinds of funds. The resort will have to fill out an application for this grant program and they will have to track how they spend the money. Also, just so Council knows, the resort has filed an insurance claim for business interruption but it has not been approved and we are not hopeful that it will be but if it is and they receive any funds, those funds will be paid back to the tribe in a form of paying back the grant. That is written right into the program. The EDC would also be eligible for this grant program. It applies to all of the businesses that are fully owned by the tribe. I will just open it up for questions now.

Recorder DiPiazza said hold on Ron. You still need a motion to go into this emergency which I will make. My apologies.

MOTION TO HAVE THIS EMERGENCY MEETING AT 11:00; by DiPiazza; approved by Guenthardt.

Ron Pete asked if there was 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 -	Absent	S. Lewis - Yes

Motion carried (8-0-0-1)

Councilor Wittenberg said my question is with not only the casino but I understand the EDC can be or want or care to however one wants to call it, be part of this money that come in. So my question is concerning with the casino and the EDC what are both of them asking for. Thank you.

Liebing answered Ron Wittenberg and said neither one of them have filled out applications because the grant program isn't approved yet right so we can't have them fill out an application. My understanding from the resort is that they are asking for

\$3,000,000 is what they would need. The EDC has not put forward any numbers but right now I am just using the \$3,000,000 number in the program. It can be funded with more as we get more money from the CARES Act we can move it to fund this program if we need to. When they fill out their application they are going to identify what their needs are but the estimate that we got from accounting was \$3,000,000.

Wittenberg said thank you.

Pete asked if there was anyone else that needs to get into this cue.

Councilor Crampton said this would be for Rebecca. So you know there are certain parts that we are going to be able to do and be reimbursed pretty much with a guarantee which would be the EDC and small business which is what it was intended for. Then you can tell us right now that everything that we are passing right now is the \$3,000,000 coming out of tribal coffers is going to be guaranteed to be reimbursed.

Liebing said it is not coming out of tribal coffers.

Crampton responded oh.

Liebing responded that this is the CARES Act funding that we just received this past week that 3.6 million dollars.

Crampton said . . . a tiny resting spot, I understand that. But I want to make sure that, if, this is the money that we are being, is this money, are we going to have to pay this back if it is not justifiable.

Liebing said there are no guarantees in life but we have (inaudible) this program as much as we can with outside counsel. They have identified and defined what they believe will be expenditures that are going to be approved. In addition to that Shannon they are recommending that accounting on the government side track every bit of expenditure that we have related to COVID so even if at some point in the future they think some funds were not appropriately used we will have like more than what they have given us, that is the plan anyways. So I mean there is no promises but this is about as good as we can get. They were pretty confident that this program was going to be okay because when you look at tribal casinos there is really no other option for them. This seems like the logical place and basically they are saying like okay you identify and you do a program that is legitimate. They have to fill out an application, they have to track their expenses, we can audit

it. We require documentation and we run it just like any other agency would run a grant. It just comes from the tribe to the entity. That is about as good of a guarantee that we can get. There are no guarantees in life but this is, this is about the best that we can get.

Crampton said yeah but this is nothing against you, just a comment, there is another source that we did not explore and that was fine tuning the costs of that casino during the down time, which we did not do. Every argument was made in the world that we did have money, we didn't have funds, we got the money, we got the funds, it is just now we are looking at we might incur more costs and we haven't fine-tuned the costs of that casino. (inaudible)

Liebing said I don't want to get in a fight about that. I think there are still lots of cost saving measures that we are going to need to implement at the government and at the casino but like for the rest of this year right. If the casino re-opens or when the casino re-opens there is no guarantee that the revenue is going to be at the same level. I don't think that work is remotely done. This business grant is not alleviating the resort from that pressure. You, as Tribal Council, still have the power regarding their reforecast budget and regarding their 2021 budget. This doesn't take any of that away. In terms of doing the work to reduce costs, that all can still be taken care of.

Crampton said I don't want to sound like we are micromanaging and I don't care what they do over there as long as they are going to profit and get their numbers. What I am talking about is (inaudible) is the money that has to be cut back in the casino. That is where my concern is. If they do everything that they promise and it comes with the money, there is no problem. Right now we are looking at in that last . . . I am really having trouble with the last, with the first (inaudible), the last two weeks we were looking at. (inaudible) I believe we made \$1,000,000 or \$2,000,000 in two weeks so I don't believe that (inaudible) is right and I don't think that some of this going through right now is absolutely correct and covering up management's back so I will probably be voting no. I'm done.

Speaker Pete said what they will be doing, I do know that Shelly is on the line and that Dawn is on the line and they would know how to track this penny for penny to make sure this thing comes over to the government right. At the end of the day if the Casino has made the announcement that they were going to open up next week, June 1st, and they are also going to open up on Friday as a soft opening

for this weekend. At the end of the day if the casino is not opened up and all of our competitors up there are opening up, is this the place where we need to do this money, it is going to be one thing . . . we have all kinds of time to finish this. This emergency call is about passing this amendment. It is about nothing else right now. So in the meantime this is about the COVID-19 Business Interruption Grant Program. Pete asked if I have any support for this.

Councilor Corey said support.

Recorder DiPiazza told Pete that you need a motion, a number and all that, it is 150. Do you want me to make the motion Dave?

MOTION TO APPROVE RESOLUTION # 20-0522-150, ADOPTING THE EMERGENCY COVID-19 TRIBAL BUSINESS INTERRUPTION GRANT PROGRAM; by DiPiazza; supported by Corey.

Speaker Pete asked if there was any further discussion regarding this amendment. Hearing no further discussion is anybody going to abstain?

Roll Call #3

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

Motion failed (4-4-0-1)

DiPiazza said the resort doesn't get any money and we will have to appropriate something Wednesday.

Crampton said on the agenda that was loud so yes, the casino can reforecast and bring some other numbers over. This is not the end so . . .

Guenthardt said so we won't open the casino and the tribal members won't get per cap now.

Crampton said that is a lie. If you want to put that out there that is fine. That is a lie. That is a lie.

Guenthardt said we talked about everything yesterday.

Crampton said we weren't supposed to talk about anything on this other than the agenda.

Ron Pete said I'm going to hang up and everybody have a good weekend.

DiPiazza said you have to close the meeting out. Is anybody left.

IX. Adjourn

MOTION TO CLOSE THE MEETING; by Guenthardt; supported by DiPiazza.

Councilor Lewis asked if we have 6. Do we have a quorum? We have to have a quorum.

Wittenberg said I'm here.

Lewis said so that is 5 of us so we need one more.

Lewis suggested messaging them to call back because we can't close it without a quorum.

Ogema Romanelli said you have to close out the meeting.

Pete said I haven't. I'm sorry I haven't closed out the meeting.

Lewis asked Gary if he can message everyone to come back or what.

Wittenberg said you are going to have to.

Lewis said we don't even have a quorum to close it, we are going to have to stay on the phone until we get enough people.

Pete said I thought we lost so I just left it that's all.

Guenthardt said they don't want to open the casino to pay per cap for our tribal members.

Conference call ended and some Councilors reconnected.

Kathleen Bowers said isn't it though if you don't have a quorum the meeting is over. That is the other option. You have to do a roll call just to establish there was no quorum.

Roll Call #4


T. Guenthardt -Absent	C. Champagne -Absent	D. Corey - Absent
S. Crampton - Absent	G. DiPiazza - Yes	R. Pete - Yes


R. Wittenberg-Yes	D. Lonn -	Absent	S. Lewis -	Yes
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No quorum established (4-0-0-5)

Meeting ended at 11:27 a.m.

Respectfully Submitted,


Kathleen Bowers
Transcribing Assistant


Gary Di Piazza,
Tribal Council Recorder