

APPROVED
12/18/02



LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, JUNE 5, 2002
LITTLE RIVER BAND COMMUNITY CENTER

OPEN SESSION
MINUTES

The Little River Band of Ottawa Indians Tribal Council held a meeting at the Little River Band Community Center on June 5, 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:

The regularly scheduled Tribal Council meeting of Wednesday, June 5, 2002, was called to order by Speaker Parsons 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.

Others Present: Jo Anne House, Kathleen Block, Archie Martel, Matthew Stratton, Pat Morris, Leatrice Castonia, Candace Chapman, Joan Spalding, Mark Dougher, Richard Sprague

C. Approval of Agenda

Recorder Sam asked to amend the agenda by adding the following items under the Closed Session: Personnel, #1-Receipt of Report; under Bids and Contracts, add item #10-Chex Contract.

MOTION TO APPROVE AGENDA AS AMENDED; 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)

D. Tribal Council Minutes

3/27/02

There were revisions made to the minutes from last week. Sam informed the Council that changes to the minutes resulted in more specific details rather than a brief overview of items presented were now represented by the minutes. Sam stated the clarifications were included in response to Tribal members' comments regarding the minutes published in the newsletter.

MOTION TO APPROVE THE TRIBAL COUNCIL OPEN SESSION MEETING MINUTES FOR WEDNESDAY, MARCH 27, 2002; by Porter; supported by Fisher.

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)

4/3/02

McCatty questioned the roll call vote on page 5 of 11 and believes she voted no on this item.

MOTION TO POSTPONE THE MINUTES OF April 3, 2002 UNTIL THE NEXT MEETING; by Sam; supported by Porter.

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)

4/10/02

**MOTION TO APPROVE THE TRIBAL COUNCIL
 REGULAR MEETING MINUTES FOR WEDNESDAY,
 APRIL 10, 2002; 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)

5/18/02

**MOTION TO APPROVE THE TRIBAL COUNCIL
 REGULAR MEETING MINUTES FOR SATURDAY,
 MAY 18, 2002; by Porter; supported by Ruiter.**

Roll Call

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

Motion carried (7-1-1-0)

E. Public Comment Period

Matthew Stratton asked if there is any update regarding the Tribe's intent with respect to the four acres (Indian Village Rd) or the National Forest Trust property that can be announced yet. Stratton asked the possibility of the Tribe doing a repository for the possession of eagle feathers much like the Navajo Nation and the Grand Traverse Band. Stratton voiced his opinion that the Tribe managing a repository is an important step for the Tribe's sovereignty. Sam responded that Stewart Dunsmore, prior to his illness, was working to move forward with completing the necessary paperwork with the Federal Government for Little River Band to have a repository for eagles, hawks, and other species. Sam noted the intent was to bring the repository issue before the Council when completed. Archie Martel confirmed that Dunsmore was working on this project before he took ill. Stratton voiced his opinion that the repository project needs to be followed up by someone else. Stratton asked that Council appoint someone to look into this and have a repository. Speaker Parsons asked how the Grand Traverse Band regulates this through Jack Chambers, spiritual leader for GTB. Stratton indicated if a person finds an eagle or feather and doesn't report it, the potential fine is \$150,000 and face ten years in prison. Stratton reviewed the process that could be implemented for any eagle found by a member. Stratton recommended that the eagle

would be reported to Natural Resources, then Natural Resources contact U.S. Fish and Wildlife. U.S. Fish and Wildlife does an investigation to see if the bird was harmed, if not, the investigation is closed. Natural Resources then turns the eagle over to the spiritual leader. The spiritual leader would then give it to the individual that found the eagle. Stratton noted that feathers could be handled in a similar manner. The feather is turned over to Natural Resources. Natural Resources conducts an investigation to determine there was no dead eagle in that area. Natural Resources gives the feather to the spiritual leader. The spiritual leader gives it to the person that originally found the feather. Stratton stated a permit needs to be issued for eagles or feathers that are found.

Stratton asked how the minutes are prepared with respect to transcribing the public comment section. Sam noted that the member's last name is included to indicate who is speaking. Sam responded that public comment is not included verbatim, but with enough detail that a reader can determine the speaker and the issue they are commenting on. Sam noted that members do have the right to submit a written statement for the record, which would be included in the minutes without edit or modification. Sam stated the minutes are subject to the review and adoption of Council. The minutes are the official record of Council meetings, but only after a vote of the Council upon approval. Sam noted that as the Recorder, it is her responsibility to prepare the record, but that Council members are the ones that adopt the record, and they can make corrections. Sam recommended that any individual wishing to make a statement for the record that is to be represented verbatim should prepare the statement in writing and submit to the Council, for inclusion in the minutes.

Stratton stated the open house for the new casino is June 19th for Tribal members and wondered why members could not gamble at that time as before with the interim casino opening. Speaker Parsons stated this is an opportunity for all Tribal members, regardless of age, to view the casino without violation of the Gaming Ordinance.

Chapman asked if the Tribal member day will be announced. Ruitter stated cards are being sent to all Tribal members and she had just received her card today. Speaker Parsons stated there will be a larger grand opening later in August because of the short notice for the soft opening.

Richard Sprague raised concerns with the Tribal Court. Sprague spoke of foreign judgments and voiced his disappointment in the enforcement of foreign judgments. Sprague recommended that the Tribe outreach to other court systems, to ensure that Tribal Court Orders and Judgments are treated as valid by other court systems. Sprague stated that there was an oversight by the Tribal Court to enforce judgment on his specific domestic case, which has had a negative impact on him regarding his minor child.

Sprague commented on a separate issue with respect to employment issues at the Tribe's casino. Sprague stated Tribal members were excluded from responsibility and leadership positions, as well as other American Indians. Sprague voiced his opinion that they're not granted higher positions, with the excuse provided that members are not moved up due to skill levels.

Bridgett Cole arrived at 10:41 a.m.

Sprague urged Tribal Council to enforce sovereignty at the casino. Sprague asked the Council to address the lack of opportunity for Tribal members and other Native Americans at the casino. Speaker Parsons urged Sprague to speak with him regarding employment issues at the casino.

Sprague spoke of casino employees who are locked into schedules and would like to attend language camp. Porter stated she disagreed with Sprague's assumption that the Council is not informed about issues. Porter noted that Council does know about some of the problems at the casino and assured that the Council is concerned. Porter stated that in some cases, the membership does not always know all the facts involved in an employment issue. Medahko stated she and Speaker Parsons both worked at the casino. Medahko stated Tribal employees are reluctant to share their feelings of how they are treated at the casino. Medahko stated Tribal members contact her weekly or biweekly and everything that is brought to her is taken seriously and addressed with Council. Medahko does do a walk through at least once a week at the casino in case any of the Tribal members need to speak with her.

Sprague queried about the Management Company. Medahko stated we do need the Tribal people in the top management positions. Stratton told about his interview for a position at the casino. He stated the interview cost the casino about \$1,700 in travel expenses. While in the interview he talked about his education and experiences; he had gone to school for 16 years, taught at colleges, held leadership positions in the military and leadership positions outside the military. At the end of Stratton's interview, he was offered a dealer position. Stratton said he had more education and experience than the Human Resources director who interviewed him. Fortunately, Stratton stated Pam Medahko, worked with the Government to find a position he was qualified for. Stratton stated people think of the Tribe as a corporation and not as a Government anymore. Stratton stated the Little River Band is more than just the casino. The Tribe is a culture, the language, the people—not the money portion of it. It's important that we make that separation that the casino is our business—we own that business, but it's not our culture. Stratton stated we need to get back on track of taking care of our people, elders and those that cannot take care of themselves.

Katie Glocheski arrived at 10:50 a.m.

Chapman asked when the Management Company at the Casino would be leaving and are the things in place to assume that position. Kleeman stated the contract lasts until 2003. Speaker Parsons stated that Council is working very closely with the Management Company especially on the Training and Compliance issues. Parsons commented that the Tribe should be able to take over after the Management Company is terminated in 2003. Porter stated the Management Company did back us financially to get this casino. Medahko stated she takes a pro-active approach at the casino. Medahko does follow-up with Jim Dolan as to why Tribal members are not hired. Katie Glocheski stated someone needs to step in and the Management Company needs to hire Tribal members and should have been shadowing from day one. Ruitter stated we need the people to come and tell Council what is wrong at the casino and they need to step up and speak because Council is attempting to address issues based on hearsay right now. Speaker Parsons welcomed any member to speak to any Council members regarding employment at the casino.

Sprague stated you do not need to have a "victim" to see something is going on, and that circumstantial evidence would indicate there is something going wrong with the Management Company. Porter stated there have been contacts made and the leadership program has been implemented. Ruitter stated the Council is working on the employment issues at the Casino. Sam stated that she will not vote to keep the Management Company or renew the contract once the term is up. Sam stated that she believes the Casino has members employed that will be able to fill the roles of senior management, and there may be a learning curve experienced during transition, but that she supported placing Tribal members in those positions.

Chapman asked if the Management Company is making themselves irreplaceable jobs. House stated that not all directors at the Casino will be gone after the Management Contract is terminated. House stated cannot have a Tribal member take a position of a person who is currently in a position. House stated the Management Company hired people for us (the Tribe). House stated there is job security in positions at the Casino. Glocheski stated that there were Tribal members who were told they were no longer in the management training at the Casino, and that Tribal members were being passed over for promotions and training.

Matthew and Levi Stone arrived at 11:15 a.m.

Fisher stated the Management Company has been informed that they will not be there after the contract is up and they are aware of that. Cole stated Tribal members who have been attending college have had obstacles put

in their way and placed on 2nd or 3rd shift. Medahko disagreed with Jo Anne House and her comments regarding the Management Company. Medahko did agree with Chuck Fisher's comments. Porter stated that some Tribal members are stepping on each other at the casino.

Levi Stone asked for incentive and assurance for the membership to start preparing themselves for those types of positions and ensure the positions would be worthwhile for them and to benefit the membership and families. Speaker Parsons stated there is a leadership development program at the Casino just for that reason. Parsons stated there are built in stronger measurements for the leadership program.

Sprague stated there is a real issue regarding the employment at the casino. Porter stated steps have been taken. Sprague stated he believes that the reports that are being submitted to the Business Board are still coming from the Management Company. Spalding stated she believes steps have been put in place. Spalding recommended an enforcement provision be put in place because reviewing reports is not doing it. Spalding asked to put in place a negative fine for enforcement of the policies. Speaker Parsons stated it is hard to encapsulate the whole picture. Parsons stated there is an Indian Preference Ordinance later in the agenda that also addresses some of these concerns that has recently been enacted.

Levi Stone stated there is a stigma of Indian people and presumes that the Management Company is primarily white. Stone asked to look at the problem at that level. Stratton stated he is glad the Council is actively listening and inviting the membership to speak with Council members. Stratton stated that Council is doing the best job they are elected to do and should be commended for taking that step. Stratton stated he tries not to be angry with people but rather be angry at the system.

Matthew Stratton left at 11:38 a.m.

Cole informed the Council that two seniors graduating that are participating in the Tribe's GPA contest. Cole announced that there are currently two members who have grade point averages of 4.2 and 4.3. These Tribal members have been accepted to between 7 and 9 different colleges. Cole announced that one senior has been accepted at Dartmouth College. Cole stated there are a lot of different Tribal members who are graduating from various schools. Cole stated these seniors have overcome all of the obstacles that have been put in their way. Medahko asked if could recognize descendants GPA's. Cole stated if descendants want to submit their GPA they can do that. Medahko asked if the GPA's are acknowledged in the newsletter. Cole stated there will be some acknowledgement. Porter asked if Chapman could put these acknowledgements in the newsletter.

III. Continuing Business

A. Grants & Contracts

1. Indian Community Development Block Grant

Bussey thanked Mark Dougher for his work on this grant. Bussey stated these are very complex grants to write. Dougher stated the Tribe has been successful in receiving this grant in the past. Dougher stated the purpose of the grant in the amount of \$500,000 for construction of the water tower for water supply for the casino and the housing project. Dougher stated there is a procurement policy in place. McCatty stated that on page 1, fourth whereas at the end should be "and", 2nd whereas on 3rd page is not clear. House stated it would be clearer if read, "will be used to implement the grant" and on the end of page 3, have it read "The Tribal Council further agrees that neither the Band". McCatty and House were both commenting on the resolution to approve, and not the grant itself.

MOTION TO APPROVE RESOLUTION # 02-0605-01, APPROVAL TO SUBMIT A GRANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR AN INDIAN COMMUNITY DEVELOPMENT BLOCK GRANT FOR COMMUNITY WATER STORAGE AND DISTRIBUTION SYSTEM AND AGREEING TO THE ASSURANCES REGARDING COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA), HUD ENVIRONMENTAL COMPLIANCE RESPONSIBILITIES, AND OTHER REQUIREMENTS ASSOCIATED WITH ACCEPTANCE OF THOSE BLOCK GRANTS, AS CORRECTED; by Porter; supported by Ruiter.

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)

2. Bulletproof Vest Partnership Grant

a. Resolution for approval

Dougher stated the resolution for budget appropriation will be on the agenda for next week. Dougher stated this resolution is for \$2,621.50 and was an on-line submission and did not require an on-line resolution at that time. The

Department of Justice Assistance has approved this grant for Little River and a resolution for the budget modification will be forthcoming next week.

MOTION TO APPROVE RESOLUTION # 02-0605-02, BULLETPROOF VEST PARTNERSHIP GRANT; by Kleeman; supported by Porter.

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)

b. Resolution for budget modification

This item will be forthcoming on next week's agenda.

Dougher gave an update on the U.S. Fisheries Trust application from a month ago. Dougher thanked Marty Holgren and other staff members for their work on this grant.

B. CMT Business

1. Artwork Update

Fisher stated the CMT met yesterday with a possible art consultant. Fisher indicated people who made initial contact with the Tribe to submit art for placement in the casino will be considered. Fisher stated the CMT is prioritizing some of the areas within the Casino, to ensure that adequate décor is placed in high volume areas.

2. FF&E Update

Fisher stated there is some confidential information related to the FF&E budget, which will be addressed in Closed Session. Fisher stated McNally International, who Provisions recommended for delivery and set-up of equipment, are on site and are working very closely with Provisions on very tight time lines. Fisher stated this is a very coordinated process. Fisher stated the CMT is trying to close down the FF&E related purchases. Fisher stated most of the ordering for the materials for the FF&E budget have been accomplished.

3. Interim Casino Space

Fisher stated bringing this forward for direction from Council. Fisher stated this involves the south end of the Interim Casino for training space for the Little River Casino and for the Gaming Commission. Speaker Parsons asked Fisher the status of the courtroom. Fisher stated it is in referenced to the space of the "unassigned space." Fisher stated the Gaming Commission needs secure storage and would be using the vault at this time. Fisher stated it would need to be designed into the plans. Sam stated the resolution clearly sites the "expansion area" and not speaking to the vault area. McCatty asked about the last whereas on the first page that spoke of the \$250,000 that was part of the capital budget and asked if that was for allowance for the whole Interim Casino or just that portion for the training area and Gaming Commission. Fisher stated the \$250,000 was for the part of the Casino that allows for the training area and the Gaming Commission. McCatty stated the correct plans were not attached as the resolution pertains to. McCatty asked if Cunningham-Limp has guaranteed not to go over the \$250,000. Fisher stated that was correct. House recommended that the "now it therefore it is resolved", read as follows, "renovations to the expansion portion to the Interim Gaming Facility as agreed to between Casino Operations and the Gaming Commission not to exceed \$250,000" and deleting the rest of the resolve. McCatty asked when the work is going to begin because she has a concern with finishing the main resort first before beginning renovation to the Interim Casino. Fisher stated the work would not begin until sometime next week and does not see a problem with this.

Sprague inquired about plans for the Interim Casino. Speaker Parsons stated had spoke with the Ogema earlier this year and would like to keep the area open for possible membership meetings and other things like this. Porter raised concern with having so many drawings done for the Gaming Commission space and the cost associated with that.

**MOTION TO APPROVE RESOLUTION # 02-0605-03,
APPROVING THE UTILIZATION OF THE
EXPANSION AREA WITHIN THE INTERIM
CASINO FOR TWO SEPARATE AND DISTINCT
PURPOSES, I.E., 1) A TRAINING CENTER FOR
THE LITTLE RIVER CASINO RESORT, AND 2)
OFFICES AND STORAGE SPACE FOR THE
LITTLE RIVER BAND'S GAMING COMMISSION –
APPROVAL WILL ALLOW THE CMT TO INFORM
CUNNINGHAM-LIMP TO PROCEED WITH THE
SCHEDULED RENOVATIONS TO THIS**

PARTICULAR AREA, A PROJECT WITHIN THEIR ORIGINAL SCOPE OF WORK, AS AMENDED; by Porter; supported by Fisher.

Roll Call

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

Motion carried (5-4-0-0)

IV. Old Business

A. Adoption of Natural Resource Commission By-Laws

This item was postponed. Speaker Parsons stated there were concerns regarding the by-laws complying with the Natural Resources Ordinance. Parsons stated the by-laws are in the process of being corrected and will come back to Council in a week or so.

MOTION TO REMOVE ADOPTION OF NATURAL RESOURCE COMISSION BY-LAWS; by Kleeman; 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)

V. New Business

A. Approving Budget Modification to the Trap Net Operations 2002 Program Budget in the Conservation Department to Authorize Expenses Associated with Securing Dockage for Commercial Vessels

Martel introduced Matthew and Levi Stone who will be working within the Commercial Fishing Program. Martel stated this was not put in the program budget. Levi Stone the information contained in the packet is not a binding contract. Sam raised question of who is responsible. Martel stated Tribe will own that piece of dock. Stone stated will be their responsibility. Bennett had question regarding budget. Martel stated this is requesting \$5,000 for lease of the space and adding on 20+ space of dockage.

Ruiter asked how big the dock is. Martel stated the dock is 6 foot wide and approximately 20 feet long.

McCatty stated the resolution # needs to be inserted in the fourth whereas.

**MOTION TO APPROVE RESOLUTION # 02-0605-04,
APPROVING BUDGET MODIFICATION TO THE TRAP
NET OPERATIONS 2002 PROGRAM BUDGET IN THE
CONSERVATION DEPARTMENT TO AUTHORIZE
EXPENSES ASSOCIATED WITH SECURING DOCKAGE
FOR COMMERCIAL VESSELS; by McCatty; supported by
Medahko.**

Roll Call

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

Motion carried (6-3-0-0)

House stated there is a confidential contract in the packets that needs to be removed from the packets and the file.

B. Approving Budget Modification to the Commercial Fishing Education, Training and Development Program Budget in the Natural Resource Conservation Department to Authorize Expenses Associated with Leasing the Trap Net Vessel for Use by Tribally-licensed Fishers.

Martel stated Council has signed an agreement for leasing the trap net vessel but the expenses associated with that were not passed. Martel stated there were savings of approximately \$57,800. The lease agreement is for \$2,500 a month and a lease for 7 months and asking to have \$17,500 allocated for this purpose. Ruiter questioned the wage for training and the captain. Martel stated this is a wage for training for Commercial Fishing. Martel stated this is pay for a 12-week period and would get paid even if paid for the fish. Ruiter clarified that the fishers would be paid even if not on the water. Martel stated this is correct. Kleeman asked if the boat was running now. Martel did not answer with a clear affirmative response. Castonia had a question regarding the nets. Martel stated the trap nets are leased back to the Tribal fisherman. Chapman asked how arrived at the wage. Martel stated is based on a 40-hour workweek. Charles Matson, who is the fishing consultant, stated it takes years to learn the trap net operation. Martel stated this is to give the Tribal fisherman a “boost” to enter commercial fishing. Sam queried how many positions were available when the Commercial Fishing Program was adopted. McCatty stated there were six positions. Sam asked if there were recruitment efforts for these positions. Porter stated there has been many hours put through on this item. Martel stated the Stone brothers could break off at some time. McCatty stated this program was set up in February. McCatty stated we need to make applications for admittance to the program, to the Department who make recommendations to the Commission. McCatty

stated fourth whereas needs to have the resolution number included in this resolution.

**MOTION TO APPROVE RESOLUTION # 02-0605-05,
APPROVING BUDGET MODIFICATION TO THE
COMMERCIAL FISHING EDUCATION, TRAINING AND
DEVELOPMENT PROGRAM BUDGET IN THE NATURAL
RESOURCE CONSERVATION DEPARTMENT TO
AUTHORIZE EXPENSES ASSOCIATED WITH LEASING
THE TRAP NET VESSEL FOR USE BY TRIBALLY-
LICENSED FISHERS; by McCatty; supported by Medahko.**

Roll Call

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

Motion carried (7-2-0-0)

Artel Martel, Matthew Stone, Levi Stone and Charles Matson left at 1:05 p.m.

C. Summer Youth Employment Project

McCatty stated in the last whereas it reads “seeking funding from the Tribal Council” and is confusing. House suggested removing “from the Tribal Council” from the whereas. Sam suggested adopting the program separately from the budget appropriation. House suggested in the “now therefore be it resolved” read as follows, “by this resolution approves the Summer Youth Program as proposed, and hereby appropriates an amount of \$20,340 from the General Fund to the Tribal Court in order to implement this Program for 2002. Sam asked that in the future these items be adopted by separate resolutions, one approving the program and one approving the money to fund the program. McCatty asked if the Youth Coordinator position has to be posted. McCatty asked that this position be posted. Sam stated could take a second motion to send a communication to the Tribal Court, Dan Bailey, asking for a review of the hires report to ensure to comply with the Tribal Human Resource’s policies and direct that this position be posted in compliance with those policies. House stated that the personnel manual predates does include the Tribal Court and are under the personnel manual. House stated following up with the Tribal Court to do a posting is an important step. Chapman stated that she was told that Tribal Court does not have to abide by the policies and procedures and there was nothing set that requires the Court to follow Council adopted procedures. Discussion ensued regarding background checks for anyone working with children. Sam suggested language be added to mandate that background check be completed for the coordinator.

MOTION TO POSTPONE THIS ITEM UNTIL THE NEXT AGENDA PENDING RECEIPT OF THE INFORMATION FROM THE OGEMA AND HUMAN RESOURCES; by Sam; supported by Porter.

Roll Call

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

Motion carried (8-0-1-0)

McCatty asked who abstained. Speaker Parsons stated that Elaine Porter abstained.

D. Authorizing Release of Judgment Fund Monies Held in Trust

Kleeman asked about a person who turned 21 in July 2001. Speaker Parsons stated Enrollment does need to receive a request for these funds and was done so until now.

MOTION TO APPROVE RESOLUTION # 02-0605-06, AUTHORIZING RELEASE OF JUDGMENT FUND MONIES HELD IN TRUST FOR CERTAIN MINORS REACHING THE AGE OF MAJORITY; by Kleeman; supported by Porter.

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)

E. Adoption of Amendments to Indian Preference In Employment Ordinance Regarding Reporting and Certifications

Chapman asked if this would require Indian Preference in all contracts and spoke specifically of Bayshores hiring a secretary. Speaker Parsons stated this would need to listed specifically in a contract. Fisher stated the Bayshores secretary is an employee of Bayshores. Sprague asked if Council can check if Tribal preference was used. Sprague asked if the Management Company reports that to the Council and if not, they should.

Sam read from the Ordinance that requires the Human Resource Department to provide reports to the Tribal Council and the Ogema to ensure the Ordinance was complied with. Indian Preference Ordinance, ordinance #02-600-02, section 5, its certification and reporting section.

It's broken down between the Tribal operation, which means the government operation, and the enterprise, which is the casino. The requirements are that the Human Resource Department director shall report to the Council and the Ogema on a monthly basis the total number of employees and the breakdown of employees each in their separate categories. They have to report on the new hires for the prior month and the breakdown of employees in their separate categories. Also report each interview, the number of applicants and the breakdown in their separate categories. Sam stated what Indian Preference category a person fell in would need to be identified. Sam stated the Ogema and Council will be reviewing the reports of all applicants. Sam noted that Council have received detailed reports from the Casino of applicants and includes a supervisor sign off. Sam reiterated what Spalding spoke of earlier regarding enforcement of the ordinance with possible fines.

House stated the amendments in this ordinance is intended to be numbers and whether or not the systems are working. The reporting is intended to tell the Council and Ogema if they are doing the hiring correctly. House stated the Council could narrow down by this reporting and give an overview of reporting. McCatty stated the implementation date in the resolution is listed as June 1st and believes it should read tomorrow's date, June 6th. McCatty asked that this also be shared with the membership. Sam stated she is handling this through newsletter updates from Council. Sam stated to House that these are minimum requirements under the Ordinance. Sprague asked if membership could be involved in a peer review program to ensure that Tribal Preference is being enforced. Porter stated there are some confidential employment records and this would be against the law.

**MOTION TO APPROVE RESOLUTION # 02-0605-07,
ADOPTION OF AMENDMENTS TO INDIAN
PREFERENCE IN EMPLOYMENT ORDINANCE
REGARDING REPORTING AND CERTIFICATIONS;** by
Kleeman; supported by Ruiter.

**MOTION TO AMEND THE PREVIOUS MOTION TO
CHANGE THE IMPLEMENTATION DATE FROM JUNE 1,
2002 TO JUNE 6, 2002;** by McCatty; supported by Sam.

Sprague stated Tribe needs to take authority and control of the Indian Preference Policy.

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 – No	J. Sam – Yes

Motion carried (8-1-0-0)

**MOTION TO APPROVE RESOLUTION # 02-0605-07,
ADOPTION OF AMENDMENTS TO INDIAN
PREFERENCE IN EMPLOYMENT ORDINANCE
REGARDING REPORTING AND CERTIFICATIONS
WITH AMENDMENT OF CHANGING THE
IMPLEMENTATION DATE FROM JUNE 1, 2002 TO
JUNE 6, 2002;** by Kleeman; 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)

VI. Concluding Business

- A. Next Meeting Date(s) – June 12, 2002**
- B. Public Comment Period**

Chapman asked about Lisa McCatty voting no on the minutes of 5/18/02 and Tammy Kleeman abstaining. Kleeman stated she abstained as she was not at the meeting. Kleeman asked Chapman why she is asking this information. Chapman stated she is building a report for Bob Davis and also to inform the membership. McCatty stated she voted no because she did not have that set of minutes and that is why she voted no.

Chapman asked Bennett why she voted no on the bulletproof vests. Bennett responded that until the public safety department has more authority she does not see the reason or need for the vests.

Chapman asked the reason Kleeman, Ruiter, McCatty and Bennett voted no on the interim casino expansion project. Sam asked Chapman if she was also going to ask Council members why they voted yes on certain topics. Sam voiced concern regarding Chapman questioning only specific Council Members to clarify reasons for why they voted no. Sam noted further that when questioning votes for or against items, each Council member should be allowed to respond, rather than putting one or two people on the spot, which appeared very unfair. Bennett clarified that she finds no fault in the way that the police department runs. Speaker Parsons raised his concern with an attachment to a perceived idea or rumor, and has a concern with where that takes the issue. Medahko stated if the

questioning of votes comes from a directive from Bob Davis it would be appropriate to send someone in Chapman's place and would like the questions to be asked across the board to all Council Members. Chapman stated she would like some clarification on that issue also from Davis. McCatty asked that Chapman ask the questions of voting directly after the voting takes place. Speaker Parsons stated would like Chapman to meet with Davis regarding directives. Porter asked that a report be generated from Chapman of how things are perceived by her as Council submits minutes for the newsletter. Chapman stated she trying to present to Davis a referral system of phone calls she receives for the appropriate parties they concern. Sam asked that Chapman refer phone calls to Kathleen Block or Sadie Riffle regarding any Council issues. Sam stated matters of this nature regarding reasons for voting, or if there are other issues of concern to the membership, items that Council needs to formally address and is not a matter for Operations to answer, but the Council should answer those items directly. Sam is concerned about a "staff person" requesting information regarding a "no" vote rather than as a "Tribal member." McCatty stated that she does not totally agree with what Fisher says regarding the Gaming Commission space. Sprague stated Chapman should be able to write whatever she wants. Spalding stated she agrees with Sam of having all nine Council members polled of their votes. Chapman stated that her job title has changed and now she is Newsletter Coordinator. Speaker Parsons stated that Chapman gets direction from the Director of Operations.

McCatty asked about the Youth Business Camp and what the enrollment is at this time. Cole believes there is 12 spots officially taken and others who have interest.

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 – 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 2:05 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,


~~Sadie Riffle~~ Kathleen Block
Transcribing Assistant


Janine Sam
Tribal Council Recorder