



Little River Band of Ottawa Indians

PO Box 314

Manistee MI 49660-0314

TRIBAL COUNCIL MEETING MINUTES JULY 1, 1996

I. GENERAL BUSINESS

The meeting was called to order by Bob Guenthardt at 6:30 p.m. Roll Call: Jerry Koon, Bill Memberto, Margaret Chandler, Steve Parsons, Kathy Berentsen, Bob Guenthardt. Absent: Bonnie Kenny who called and said she couldn't make it. Staff Present: Diane Lonn, Tammy Carter, Bill Willis, Jay Sam, Chris Holz, Yvonne Parsons, Bill Brooks, Barb Wheeler. Staff Absent: Mark Dougher and Denise Pieczynski.

ADOPTION OF AGENDA. Under Old Business would like to add (A) have Jim Magnuson from IHS give us a run down of the construction program for well & septic, (B) policy regarding Council Members to be employed, (C) 4th of July Parade, (D) Traditional Meal. Under New Business add (F) Consideration of new Constitution, (G) Resolution to authorize Inter-Tribal to act on Tribe's behalf in contracting with USDA for purposes of administering commodities foods program (food bank), (H) Resolution for Education Coordinator to apply for a library grant. Moved by Bill to accept the agenda with the changes, seconded by Jerry, all in favor, 1, (0) opposed. Motion carried.

ADOPTION OF MINUTES. Kathy made motion to accept minutes as is. Margaret seconded, all in favor, 1, (0) opposed. Motion carried.

FINANCIAL REPORT. Chris pointed out that the Pow Wow budget is ahead of the game at the moment. We know there are bills coming in but we also have cash taken in that hasn't been recorded yet. Budget wise it is looking really good. Chris said we'll break even and do better than that because there are no gate receipts in there at all. We sold around 50 tee shirts at the traditional meal and that has not been recorded yet. Bob mentioned about people off the street coming in to buy the tee shirts, moving really well. No other questions on the financial report. Kathy moved to accept the financial report that was presented to them. Jerry seconded, all in favor, 1, (0) opposed. Motion carried.

STAFF REPORTS. Bob said Mark was unable to be here because he is in Green Bay Wisconsin at a conference. All staff reports were typed up and in Council Members packets. Mark didn't have report in packet need one from him. Jerry made motion to accept staff written reports, supported by Margaret, all in favor, 1, (0) opposed. Motion carried.

Steve Parsons a new Council Member was introduced. He talked a little about himself. He lives in Ypsilanti which is near Ann Arbor. He works for the University of Ann Arbor. There he works as a Native American recruiter. He is also involved with a group called Michigan Indian Employment and Training.

INTRODUCTION OF GUESTS. Jim Magnuson from IHS, Harriett Moran from Inter-Tribal, Yvonne Parsons is the Education Coordinator, Bill Willis is the Planning & Development Coordinator, Jay Sam is the Tribal Court Administrator and the Video Project Coordinator. He has been contacting Michigan Indian Judicial Association and has been in contact with five separate court systems for court cases that are outstanding at the moment, is also involved with Pow Wow and Natural Resource.

II. OLD BUSINESS

WELL & SEPTIC. Jim Magnuson introduced himself and said he is an engineer with IHS office of Environmental Health and Engineering. He handed out a couple handouts showing some of the services that are offered to tribes and some of the programs that they are involved with. Primary their involvement is in regards to sanitation facilities for the bands and tribes. It's mainly in support of housing projects there are several programs they work with two of which IHS is a funding source. They have one construction project where they provide a sanitation facilities to some band members already started last fall and they just now are completing and they are gearing up now for another round of scattered sights. There is another project where they serve new housing projects where they provide water and sewer. They also work with HUD. They provide engineering support for those housing projects. They also work with EPA. Their office provides both direct and indirect engineering services to the band. Direct services would include engineering reports, soil test, sight evaluations, construction management on behalf of the tribe for protection projects. Help the band members obtain permits. Indirect engineering services would be on the lines of technical support for the band. They would be available to act as a technical advisory to the tribe say if they have a contract with an engineering services they could assist the band in dealing with that engineering outfit. As part of that indirect service they would provide technical assistance to home owners who are experiencing problems with well and septic they would make recommendations. He has come tonight to get an exposure to the band as to

the services that are available to their office. The second reason he is here is for the upcoming construction project there are some options as to how the band wants to administer the construction project. The last construction project was carried out under 638 contract where Grand Traverse Band administered the contract on behalf of the band. Again this is one option available to the Council. Public law 93-638 which authorizes the government IHS to contract with the tribe in caring out the construction projects. The band is the prime contractor with IHS and they would higher sub contractors to perform the actual work they would higher well drillers and separate septic system installers. If the band had a construction crew or company then that construction company could go ahead and do the work under this contract to make sure someone is there to oversee that the work is being done. Second option (B) the band to enter into a 638 contract with IHS in order to carry out this proposal. Third alternative is to construct the proposed project under an open market contract. Then with that arrangement IHS would contract with a prime contractor other than the band. For example, we would contract with a well driller who would in turn hire a sub-contractor for the installation of the septic systems. Under that option the IHS administers the total aspect of the construction project. There is very little effort required from the band in order to carry out the construction project. IHS would basically be responsible for everything. These are the three options available. Harriett Moran asked if someone from Grand Traverse, Dody Chambers, would be training a person from Little River so that next year the Little River Band would be trained and could just do their own contracts. Jim said he could go in and help set up and work with the tribal contact in order to get it (the program) running. It would be a valuable asset to the tribe to work with an Indian Band contact person such as the Grand Traverse Band. They have an established 638 construction program, and a successful one too. In turn, I think the Grand Traverse Band and IHS can assist in training the Little River Band. Bill Willis asked how long it takes and how far into the year construction continues working. Jim said they have worked as late as December and started in April or May depending on the weather. Mark made a recommendation to Bob and Bill Willis about contracting with Grand Traverse Band again this year, but have Bill Willis work with Dody on how to set up and run the project. Bill said he is currently getting together a list of the people who did not receive help last year and may still need it this year. Kathy thinks we are letting the membership down because we can't do it ourselves. We promised them (the members) we would learn how to do these things and we are letting them down. Jim said a construction program is a little more involved than other programs. There is a definite need for commitment by the band in order to set up on our own. It was agreed by all that it is a complicated and expensive process to take on alone. Bill Memberto said maybe we could come to a consensus with Grand Traverse Band as long as we had a finger in it, being involved in a sense is to learn about the management. The other thing is we don't get caught up and the interpretation of the rules say we cannot break forth our counters. Well & Septic

resolution #96-0701-01 moved by Bill Memberto and supported by Jerry, all in favor, 1, (0) opposed. Motion carried.

POLICY REGARDING EMPLOYMENT OF COUNCIL MEMBERS. Kathy was wondering if we needed a policy or something in writing. Bill Brooks said it is already authorized under personnel policy, but probably needs more clarification. Bill Brooks, Mark, and Chris were planning to spend time on revising the policies.

FOURTH OF JULY PARADE. Kathy said not everyone was aware that we were in the parade or where we were to line up. It was discussed that we were to line up at Home Furniture at 9:00 a.m. on July 4th.

TRADITIONAL MEAL. Kathy wanted to thank everyone who worked so hard. There was a lot of time and energy put into it. Bob said it was one of the nicest get togethers in a long time. Bob made the suggestion that we march in the 4th of July parade in Ludington too.

III. NEW BUSINESS

HEALTH BOARD LIST. Motion to add Trish Cross to the Health Board. Kathy motioned, seconded by Bill Memberto. All in favor, 1, (0) opposed. Motion carried. Bob Hardenburgh would like to be Natural Resource Commissioner. Motion moved by Bill Memberto, seconded by Kathy, all in favor, 1, (0) opposed. Motion carried.

LOW INCOME ENERGY ASSISTANCE AND COMMODITIES PROGRAM. Harriett gave out some hand outs on getting this program started. There are personal contacts on the hand outs and she said to take advantage of them they are there to help you. Each tribe is invited to join and work with Inter-Tribal or go independent. If we choose to go with Inter tribal, Harriett would have a contact person and they would tell the USDA the tribe wants to go with the Inter-Tribal program. That will start the ball rolling, the resolution of support. Then we start to figure out details. (i.e. warehouse location, how many positions, what kind of service area). Those kinds of questions need to be answered and sent to the USDA. The easiest way to get started is to come through Inter-Tribal and then branch out on your own if you want. They do training through the year with the participants on how and where to store the food so people don't get sick or diseases and die. Low Energy each tribe would get an allotment for the people. We then decide who is the neediest and start from there. The income checks are made out to two parties, the person (family) and the vendor. We also are responsible for knowing who got assistance, how much, the date they got it, and the vendor. This way we can keep track and make sure the money is used for assistance (energy). There also is a program called leveraging , and that is

using non-federal resources to help provide more help to your community. Low income resolution #96-0701-02. Motion moved by Bill Memberto, seconded by Margaret, all in favor, I, (0) opposed. Motion carried. Commodities Food Program resolution #96-0701-03. Motion moved by Steve Parson, supported by Bill Memberto, all in favor, I, (0) opposed. Motion carried.

CONTRACT FOR TRIBAL HEALTH SERVICES AND CHILD WELFARE COMMITTEE. We need a resolution approved so that we can request Grand Traverse Band contract with Little River Band to implement an interim Tribal Court System. Bill Brooks said that there are many Indian Child Welfare (ICW) cases and some appear to be appropriate for the tribe to begin to exercise its jurisdiction. If not the tribe is at risk of losing its children to the states probate court system. The idea is for Little River Band on an interim basis adopt the Grand Traverse Band children's code to provide the substitutive law for dealing with child welfare issues. (i.e. children being taken out of home, parental rights being terminated). The code also would establish the ICW committee. This committee would act on behalf of the tribe under the ICW Act which is a federal law which pre-amp's state law in the area of child welfare issues. Motion moved by Bill Memberto, supported by Kathy resolution #96-0701-04. All in favor, I, (0) opposed. Motion carried.

CONTACT WITH MICHIGAN INDIAN LEGAL SERVICES (MILS). We need the Council to approve a resolution to contract with MILS to work on child welfare cases. MILS specializes in ICW Cases. We need people to work that can respond to all the courts obligations. These people also need to work with the ICW Committee. Resolution #96-0701-05 moved by Bill Memberto, supported by Kathy, all in favor, I, (0) opposed. Motion carried.

CONSTITUTION. It's the same as what was mailed out except a few wording changes and typo's and some numbers added in some places. There is an addition of a veto policy in the case of the Ogema and the issue of budgetary matters which prevents the Council from changing the budget. Resolution #96-0701-06 moved by Kathy, supported by Bill Memberto, all in favor, I, (0) opposed. Motion carried.

LIBRARY GRANT TO HIRE LIBRARIAN. This is a request for support for the Education Committee and the Education Coordinator to apply for a FY96 Special Projects Grant under the library services for Indian Tribes and Hawaiian Natives Programs. Resolution #96-0701-07 moved by Bill, supported by Jerry, all in favor, I, (0) opposed. Motion carried.

AD HOC LAND ACQUISITION COMMITTEE. Jay wants members of any committee to join and two general tribal members. The committee needs to set the guidelines and write a program for the Land Acquisition Committee to work.

We will combine Land Acquisition and Management Committee. It will be important to get to work on this ASAP so the Government can't take land away. Add Diane to Ad Hoc Land Acquisition. Moved by Bill Memberto, seconded by Kathy, all in favor, 1, (0) opposed. Motion carried.

RESOLUTION TO HAVE DIANE SIGN CHECKS. Need a resolution to get Diane to sign checks. Bank is waiting for a resolution #96-0701-08 moved by Bill Memberto, supported by Steve Parsons, all in favor, 1, (0) opposed. Motion carried.

IV. CONCLUDING BUSINESS

Next meeting will be Monday, August 5, 1996. Motion to adjourn, moved by Bill Memberto to adjourn at 9:05 p.m.

Moved to closed session.