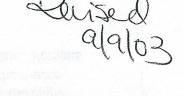


LITTLE RIVER BAND OF OTTAWA INDIANS TRIBAL COUNCIL REGULAR MEETING WEDNESDAY, AUGUST 7, 2002 LITTLE RIVER BAND COMMUNITY CENTER





OPEN SESSION MINUTES

The Little River Band of Ottawa Indians held a meeting at the Little River Band Community Center on August 7, 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, August 7, 2002, was called to order at 10:08 a.m.

B. Roll Call

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

Quorum established.

Others Present: Jo Anne House, Kathleen Block, Dan Shepard, Matthew Stratton, Sheri Hunt, Tina Vaquera, John Bussey, Matthew Stone, Levi Stone, Pat Morris, Leatrice Castonia, Richard Sprague

Speaker Parsons stated that Pamela Medahko is not in attendance and is traveling on behalf of the Binojeeuk Commission.

C. Approval of Agenda

Ruiter asked to postpone Old Business Items D, E and F.

MOTION TO POSTPONE OLD BUSINESS D, E AND F; by Ruiter; supported by Kleeman.

Roll Call

Roll Call

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

Motion carried (8-0-0-1)

McCatty asked to add a New Business I - Reaffirmation Day Feast.

BUSINESS I – REAFFIRMATION DAY DINNER; by MOTION TO APPROVE AGENDA AND ADD NEW

Kleeman; supported by Porter.

Yes	- ms2 .l	Yes	P. Ruiter –	E. Porter – Yes
Xes	S. Parsons –	tnəsdA -	P. Medahko -	L. McCatty – Yes
Yes	T. Kleeman	Yes	C. Fisher –	C. Bennett – Yes

Motion carried (8-0-0-1)

Tribal Council Minutes °(T

70/61/9

2002, TRIBAL COUNCIL OPEN SESSION MINUTES; by MOLION TO APPROVE THE WEDNESDAY, JUNE 19,

Kleeman; supported by Porter.

Roll Call

				1100711.	
Yes	J. Sam –	nistedA	P. Ruiter –	es Yes	E. Porter
Yes	S. Parsons –	- Absent	P. Medahko -	ty – Yes	L. McCat
Yes	T. Kleeman –	nistedA	C. Fisher –	s∍Y − ti	C. Benne

Motion carried (6-0-2-1)

E. Public Comment Period

parcel at Indian Village and if there is anything new on this issue. Parsons repository paperwork is going through. Stratton asked about the 4-acre university through Brach University in Canada. Stratton stated the eagle program. Stratton stated everything would be housed here for the meet with the Education Committee and assist 10 individuals with this Anishinaabe Culture through an accredited college. Stratton would like to participants to obtain a Bachelors Degree in Education around the Stratton stated that he is investigating an opportunity that may enable training session on August 26 to August 30 – same format as before. Stratton stated that the National Indian Justice Center is returning for a

stated there is not as there was not a meeting with the Ogema yesterday because of scheduling conflicts.

Dan Shepard and Jon Anderson will be in attendance at the Manistee Township Hall for Township Meeting at 7:00 p.m. for issues with the water tower. Janine Sam asked if there was a resolution of support for the water tower application by the Council. Shepard stated the Ogema okayed this application. Sam noted that only the Tribal Council has the authority to waive the sovereign immunity of the Tribe under the constitution, and that subjecting the tribe to another jurisdiction, such as Manistee Township is not within the authority of the Ogema. Bussey asked if this could be processed later during this meeting. Shepard stated the permit process is a new process for the Tribe.

Matthew and Levi Stone informed Council that they were waiting on an anchor skiff to support the boat and the anchors themselvesand noted they experienced a few problems with the boat last week. McCatty asked what problems there were with the boat. Stone stated the Ceria had sat for at least a year; the gas tanks were not full which caused some problems. Stone indicated that all of the sludge was sucked into the fuel system and everything became completely gunked up, 400 gallons of fuel should be pumped out. The fuel tanks are being flushed and hopefully the boat will be delivered on Friday. It was noted that a mechanic did inspect the boat. McCatty asked how much longer the Stone brothers have to be in the training program. M. Stone replied they have six more weeks. Porter asked if they feel they will be ready to be on the water at the end of six weeks. Both participants stated they are hoping that will occur.

Parsons asked what were the main problems that they have encountered in this endeavor. Kleeman asked where the brothers do their work. Both Stones indicated that they built a dock at Big Blue and took it down to Ludington to install. Castonia asked if they would be done fishing after six weeks. Stone brothers stated that the brothers will be done with the training program but fishing will not be over. Stone stated that they would be looking into chub and whitefish fishing. Both Stones stated the main difficulty they encountered were administration delays. For example, if the purchasing agent was out, purchases were stalled, delaying their ability to fish. L. Stone suggested that the Tribal Council appoint a person to handle administration matters.

Sheri Hunt recommended that protocol be developed for activities or representation of the tribe by employees in the community. Recorder Sam recommended that it be done by resolution of the Council to ensure proper authorizations are in place, especially if sovereign immunity issues were in question.

Katie Glocheski arrived at 10:36 a.m.

did not appoint a designee or representative. McCatty stated the Council has approved some partnerships in the past but Sam stated this is another facet that needs to be included in this process. was a mechanism for representatives to report back to the Tribal Council. years later that could harm the Tribe, or its immunity. Hunt asked if there Tribe who was not authorized, that results in a question or action three individual. Sam stated that she would not want someone representing the the water tower to state that this is the belief of the Tribe and not an according to the Constitution. Sam suggested a resolution in support of be representing the Tribe, as he is the only person who can do this Executive Branch within a Tribal Structure. Sam stated the Ogema should used to working with the Tribal Councils and are not accustomed to an structure than any other Tribe in the State. Sam stated that entities are be necessary. Recorder Sam stated that Little River Band has different adopted regarding penalties. He regretted that suggestion but feels it may Stratton gave an example and believes some sort of legislation should be misconstruing information or position as a representative of the Tribe. Stratton stated there is not a document identifying the penalties for behalf of the Tribe. Parsons believed that this was a good thought. person should be able to attend but state that they are not speaking on Sprague stated he doesn't agree with John Bussey and believes that a Porter stated she agreed with Sam regarding the permit issue. Richard should appoint a community organization or other non-Tribal committee. participate in the Manistee Township Meetings. Bussey stated the Tribe that he has a letter from the Ogema stating Shepard has the authority to spoke with Shepard regarding this just a few minutes ago. Shepard stated authorized to act on the behalf of or represent the Tribe. Sam stated she Sam stated that the resolution would clarify which individuals would be

Matthew Stone, Levi Stone and Richard Sprague left at 10:52 a.m.

Shepard asked for a work session regarding this issue. Bussey asked if individuals would like to be included as delegates of the Tribe, please submit names to him and he will head up this project.

III. Continuing Business
A. Grants & Contracts

B°

CMT Business

1. Approval of Change Order #35 in the amount of \$10,210 to
Vec Engineering for HUD changes on SBR and Electrical
Design Changes

Fisher stated there was a \$3,300 reproduction fee that the CMT believes is a reimbursable expense and is not included in this amount.

MOTION TO APPROVE RESOLUTION #02-0807-01,
AUTHORIZING THE CMT TO EXECUTE A
CHANGE ORDER THAT INCREASES THE
CONTRACT AMOUNT WITH VEC ENGINEERING
BY \$10,210.00 FOR COSTS RELATED TO HUD
CHANGES ON THE SBR PLANT AND
ELECTRICAL DESIGN CHANGES, WHICH WERE
IDENTIFIED AFTER THE ORIGINAL CONTRACT
WAS APPROVED; by Porter; supported by Kleeman.

Sam asked for clarification of how HUD has the ability to come in and make changes. Fisher stated that we are making changes to HUD specifications.

Roll Call

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

Motion carried (8-0-0-1)

IV. Old Business

A. Approval of Personnel Manual

This item was forwarded to the Ogema's office for clarification during the 7/10/02 Tribal Council meeting. Adoption of the Personnel Manual was postponed from the 7/24/02 Tribal Council meeting and is pending work session before approval.

Parsons stated there was a work session on Monday with the Ogema regarding the Personnel Manual. Sam stated the manual has now been processed as an ordinance and not as a manual. Sam suggested leaving this in the form of a manual, as she is not in favor of approving this as an ordinance. Sam suggested that we reaffirm this as a Personnel Manual and not as Tribal law by ordinance. Parsons asked how this manual came before Council as an ordinance rather than a manual. Fisher stated Sam's view is important. Porter agreed. Parsons stated would need to delete ordinance reference throughout the document.

Sam stated in the fifth whereas she would like to read "the Tribal Council has adopted amendments to the Personnel Manual in 1996..." in the 7th whereas to read "... constitutional structure and appropriating.... and

delete "and not in the prior position of Tribal Manager". In the now therefore it is resolve delete "designates it as ordinance #02-600-01. and other changes on last page. Parsons stated it might be costly for Human Resources to make copies for all employees.

Stratton asked if "at will" was defined in a legal position. Stratton asked if a Tribal Council could clarify this with a definition. Stratton asked if a cultural piece be added to the Personnel Manual. Parsons stated it was not as this agenda item establishes a baseline document and the document will be revised at a later date.

McCatty asked in 6.7 – Holidays - strike the word "federal" and change September "28" to September "21".

BKENIONSTX STATED; py Sam; supported by Kleeman. CHANGES TO THE TRIBAL HOLIDAYS AS ORIDINANCE NUMBER AND REFERENCE AND IN THE PERSONNEL MANUAL STRIKING THE RESOLUTION DOCUMENT IN THE FIFTH WHEREAS, NOW THEREFORE IT IS DE OTTAWA INDIANS WITH FOUR CHANGES TO THE PERSONNEL MANUAL OF THE FIFTH WHEREAS, ADOPTING AND MAKING CORRECTIONS TO THE ADOPTING AND MAKING CORRECTIONS TO THE MOTION BOSONNEL BAND ADOPTING AND MAKING CORRECTIONS TO THE MOTION TO APPROVE AND ADOPTING AND MAKING CORRECTIONS TO THE MOTION #02-0807-02, RE-

Sam – Mes	Yes J.	P. Ruiter –	Yes	E. Porter –
Parsons - Yes	Absent S.	P. Medahko –	Yes	L. McCatty –
Kleeman - Yes	Yes T.	C. Fisher –	Yes	C. Bennett –
				KOII CAII

Motion carried (8-0-0-1)

B. Credit Card Authorization
These items were nostroned from the 7/24/02 Tribal Council meeting

These items were postponed from the 7/24/02 Tribal Council meeting pending a work session and scheduled for approval at the 8/14/02 Tribal Council meeting.

1. Amendment of List of Authorized Holders of Tribal Credit Cards to Add Jonnie J. Sam, II

2. Action Regarding Authorized Holders
of Tribal Credit Cards

Parsons stated information pertaining to this item has not yet been forthcoming.

MOTION TO POSTPONE; by Porter; supported by Fisher

Roll Call

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

Motion carried (8-0-0-1)

C. Acceptance of Financial Report Dated June 2002

This item was postponed from the 7/20/02 Tribal Council meeting pending a work session with the Ogema and Accounting. Parsons stated there was a work session yesterday with the CFO and Tribal Ogema. McCatty stated there were multiple requests to the CFO to explain representations in the financial report.

MOTION TO ACCEPT THE FINANCIAL REPORT DATED JUNE 2002, WHICH IS THE PERIOD MAY 1 THROUGH MAY 31, 2002; by McCatty; supported by Kleeman.

Roll Call

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

Motion carried (6-1-1-1)

Sam asked that a memo be written to the Tribal Ogema to include in the financial report a letter of financial condition of the Tribe. Sam suggested a monthly release be made to the membership of the financial condition of the Tribe. Parsons suggested discussing this with the Ogema at the meeting with him next week.

D. Request for Constitutional Amendments Regarding Election of Tribal Court Judges and Appellate Judges

This item was postponed from the 7/24/02 Tribal Council meeting pending a work session with Bob Hardenburgh.

E. Request for Constitutional Amendments Regarding Election of Members of the Election Board

This item was postponed from the 7/24/02 Tribal Council meeting pending a work session with Bob Hardenburgh.

if Tribal Court Judges, Appellate Judges and Election Board are Request for Constitutional Amendments Regarding Filling Vacancies E.

a work session with Bob Hardenburgh. This item was postponed from the 7/24/02 Tribal Council meeting pending

Handbook Re-Clarifying The Indian Preference Policy C. Approval of Amendments to the Little River Casino Resort Employee

a work session. This item was postponed from the 7/24/02 Tribal Council meeting pending

MOTION TO POSTPONE; by Kleeman; supported by Porter.

J. Sam – Yes	Yes	P. Ruiter –	Yes	E. Porter –
S. Parsons – Yes	Absent	P. Medahko –	Yes	L. McCatty –
T. Kleeman – Yes	Yes	C. Fisher –	Yes	C. Bennett –
BOTTOCO ISTOLICA	an in diversely	AUM CEN OF CHENA	au caesios pu	Koll Call

Motion carried (8-0-0-1)

Approval of Grant Compliance Officer Position .H

time and is planned for the FY2003 budget. stated a supplemental appropriation for this position is not needed at this Parsons stated there was a work session regarding this item. Parsons

Kleeman; supported by Porter. OF GRANT COMPLIANCE OFFICER POSITION; by MOLION TO REMOVE OLD BUSINESS H - APPROVAL

ensure compliance with grants that are received. Sam read a portion of the job description, which stated this person would The Council stated this position is needed and is not currently in place. Castonia asked if this position was needed and what this person would do?

L. McCatty –	
C. Bennett –	
Roll Call	

Motion carried (8-0-0-1)			- 118.1190i.dv. 1	20 Y
E. Porter – Yes	P. Ruiter –	Yes	- msS .U	Yes
L. McCatty – Yes	P. Medahko –	Absent	S. Parsons –	Yes
C. Bennett – Yes	C. Fisher –	Yes	T. Kleeman –	Yes

New Business

·A

Reaching the Age of Majority in October 2001 and July 2002 Release of Judgment Fund Monies Held In Trust for Certain Minors MOTION TO APPROVE RESOLUTION #02-0807-03, AUTHORIZING RELEASE OF JUDGEMENT FUND MONIES HELD IN TRUST FOR CERTAIN MINORS REACHING THE AGE OF MAJORITY IN OCTOBER 2001 AND JULY 2002; by Porter; supported by Kleeman.

Roll Call

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

Motion carried (8-0-0-1)

B. Approving Supplemental Appropriation For Newland Academy – Capital Improvements for FY2002 in the amount of \$50,000 from the General Fund

Following the purchase and as the building is utilized as temporary offices, there are some costs to preparing, cleaning and setting up the offices.

McCatty asked for clarification of the \$5,500 cost for mobile offices. Fisher stated this is for moving trailers to the Newland property. Fisher stated this would include water hook up to the trailer. McCatty clarified that the paperwork has not been processed yet for the trailer move. Fisher stated the paperwork was completed on Friday. Fisher stated this cost is to move two trailers to the property. Fisher stated Trailer 7 is moving to Newland and Trailer 8 is being moved to Maintenance and Construction Company at East Lake. Bennett stated she had heard that the water was contaminated at Newland. Glocheski stated she had heard the same thing from parents of kids who used to attend Newland. Glocheski had concern with using the trailer for Maintenance and Construction. Fisher stated the Construction Company would be conducting the work on the trailers.

Parsons clarified that the Maintenance and Construction Company would be paying for their trailer out of their own budget. McCatty still had a concern regarding the cost of moving the trailers. Fisher stated the cost was an estimate and has not been finalized. McCatty has concern with moving these trailers and the cost of hooking up water and electricity to them. Fisher stated that this has not been finalized if going to put in well and septic system. Sam recommends that this item be postponed, as the Tribal Ogema is not in attendance at this meeting. Glocheski asked if both trailers would be located at Big Blue. Fisher stated Trailer #8 will be utilized by the Maintenance and Construction Company and will be located on the south side on the cement pad at East Lake. Glocheski

stated that they would need to use bottled water as the water is contaminated. Sam stated bottled water is available in every office for the Tribe and having bottled water shipped in not necessarily an indication of contaminated water. Parsons asked that we postpone this item, he has a concern with the large contingency line item. Kleeman also had a concern with the contingency line item.

SEND KEPRESENATION FOR THIS ITEM; by Sam; WEEK'S AGENDA AND SEND NOTICE TO OGEMA TO MOTION TO POSTPONE THIS ITEM UNTIL NEXT

supported by Kleeman.

		(100)1.
J. Sam – Yes	P. Ruiter – Yes	E. Porter – No
S. Parsons – Yes	P. Medahko – Absent	L. McCatty – Yes
T. Kleeman – Yes	C. Fisher – Yes	C. Bennett – No

Motion carried (6-2-0-1)

C'

Roll Call

Approving Supplemental Appropriation for Conservation Department – Fall Feast in the amount of \$5,500

Conservation Department is requesting supplemental appropriation for expenses associated with conducting a Fall Feast.

McCatty stated the Natural Resource Commission is required annually to hold an informational meeting. McCatty stated there was not any money allocated for the Fall Feast. Glocheski asked what was so costly to hold this event. McCatty stated they paid for tents and paid someone to cook the food. Glocheski stated her sons cooked last year and did not make more than \$500. Ruiter would like to know if there were three bids for catering. Sam asked what account of the general fund the \$5,500 would be coming from. McCatty will investigate how the money was appropriated from last year. Bennett asked why so much money was spent for this event and would like documentation supporting that.

Ruiter had concern with renting tables and chairs for this event. Glocheski stated that there are old tables and chairs that were taken from the community center that are located at Big Blue. McCatty stated the event has already been published and should have been on the agenda last week and should possibly be approved this week. Ruiter stated if someone has something on the agenda should be here to represent the item.

NEXT WEEK; by Kleeman; supported by Sam. MOTION TO POSTPONE FALL FEAST ITEM UNTIL

Roll Call

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

Motion carried (7-1-0-1)

D. Approval of Appropriation of Funds for Squad Car Purchase

Kleeman stated she had a lot of questions regarding this item and no one is here to represent this item. Sam stated the Director of Public Safety submitted a budget last year, which did not include any further vehicles, which was submitted by the Ogema and approved by the Tribal Council during the budgeting process. McCatty stated that in the budgeting process the appropriate cuts were made. Sam stated the Tribal Ogema is not here to represent this item.

Janine VanRixel arrived at 12:04 p.m.

Phillip Memberto arrived at 12:06 p.m.

Fisher stated that the Council should update VanRixel on this item. Sam stated a current vehicle inventory was included in the Tribal Council packet and that 4 new pick-ups are included on this list. Glocheski stated there was a budget submitted and that some employees left and wondered what was happening with this money. VanRixel stated two officers were just hired under the COPS grant. Glocheski stated she has had a hard time finding any officers to help in locking or unlocking buildings. VanRixel stated that we currently have two road patrol officers who do only road patrol. VanRixel stated having a lot of problems with the Administration Building next door being left open after Public Safety previously locked a door. Van Rixel suggested having an 8 to 4 shift and a 12 to 8 shift. McCatty asked if the Chevy Tahoe is used for road patrol. VanRixel stated that it is not used for road patrol but is used by the Director when he is on call or when he needs to attend training. McCatty asked why GSA vehicles are not used for training. VanRixel stated the GSA vehicles are utilized also. Memberto agreed with McCatty regarding the GSA vehicles. Memberto stated that the Director does use the Tahoe vehicle other than just for work time and VanRixel can verify that. Memberto asked House what jurisdiction the Tribe has. House responded that the Speaker runs this meeting and that he needs to address him regarding this question. House stated the jurisdiction is based on very specific situations and is difficult to give a general response. Memberto stated we have no jurisdiction and he knows this first hand.

Sonny Skocleas arrived at 12:17 p.m.

Brenda Hyma arrived at 12:17 p.m.

Porter raised several questions to VanRixel regarding what vehicles are in use. Skocelas asked if it would be cheaper to hire a mechanic rather than purchase new vehicles. Skocelas stated he has had vehicles with 200,000 miles on them, and vehicle life can be extended with proper maintenance.

Kleeman. MOTION TO DENY PURCHASE OF SQUAD CARS FOR MOTION TO DENY PURCHASE OF SQUAD CARS FOR

Sam clarified that this motion would deny further expenditure for squad cars for the rest of this year.

				(1 1 1)) [., ,,
Yes	- ms2 .l	Yes	P. Ruiter –	Yes	E. Porter –
sə Yes	S. Parson	- Absent	P. Medahko –	Yes	L. McCatty –
sn - Yes	T. Kleem	Yes	C. Fisher –	Yes	C. Bennett –
30 f. s 0	P. L. L. L. L.	9/1.1 S O	. medieni Matanos	Constant District	Koll Call

Motion carried (6-1-1-1)

E

Prohibiting any check signers from signing a check that is payable to: (1) themselves; (2) an immediate family member, as defined in the personnel manual of the Tribe; or (3) a contractor/servicer, for a service that the check signer would personally benefit from

compromise the assets of the Tribe. check to have the ability to then sign that check, noting it would controls, because it is not appropriate to have a staff person that creates a from accounting signing checks would be a violation of proper internal from accounting sign the checks. Sam indicated that having a staff person for a check to be signed by the Council and recommends having someone electronic signatures all together. Skocelas stated he has waited for hours No Satty stated she would be bringing the issue of stopping use of McCatty if this resolution is for accounts payable and/or payroll checks. Glocheski stated the Council should not sign blank checks. Sam asked never signed checks that contain her name or someone related to her. supporting documents to the checks for signing". Porter stated she has another resolve that "request that the accounting department attach all signature provided better internal controls. Sam recommended adding sibling relationship to the Ogema, and felt that another Councilor's has refused to sign checks that the Ogema has signed because of her signers. McCatty explained the intent of this item. Sam stated that she McCatty stated elected officials have recently been designated as check McCatty stated accounting has stated routinely they were unable to locate Council members to sign checks, when in fact, members of Council are sitting right downstairs on the second floor. Fisher asked if we are sure there are not policies in place. Sam stated she is certain there is not.

House had suggestions to the resolution: backup documentation be included with each check; payroll checks excluded from this process; directed to create regulation regarding check signing processes and the conflicts and concerns within the next 60 days.

MOTION TO APPROVE RESOLUTION # 02-0807-04, PLACING RESTRICTIONS ON CHECK SIGNERS AS AMENDED, ADDING JO ANNE HOUSE'S ADDITIONS AS STATED ABOVE; by Kleeman; supported by Porter.

Fisher asked that need to understand the impact before pursuing this avenue.

Roll Call

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

Motion carried (7-1-0-1)

F. Authorizing an audit of Council Resolutions, to ensure that they have been executed by the Ogema

The Tribal Council has been granted the power to act by Resolution. To ensure that all Resolutions have been enforced and executed by the Ogema, requesting that an audit be performed, in connection with the Ogema.

McCatty is asking that a designee be chosen to do a random sampling audit of resolutions to ensure they were carried out. Sam believes this needs to be done but asked for clarification if only looking at resolutions that appropriate money. McCatty stated would take a random sampling from each type of resolution. Sam asked McCatty for a list of items that have not been carried out, as they need to be addressed immediately. McCatty stated she would provide that list.

MOTION TO APPROVE AUTHORIZATION OF AUDIT OF COUNCIL RESOLUTIONS, TO ENSURE THAT THEY HAVE BEEN EXECUTED BY THE OGEMA FOR FY2001 AND 2002; by Kleeman; supported by Ruiter.

Call	Roll

E. Porter – Yes	N. C. C. P.	P. Ruiter -	Yes	- ms2 .U	Xes
L. McCatty – Yes	f-can	P. Medahko –	Absent	S. Parsons –	Xes
C. Bennett – Yes		C. Fisher –	Yes	T. Kleeman –	Xes

Motion carried (8-0-0-1)

Sam asked to work with the legislative attorney on this project.

G. Committee Stipends

The Tribal Council adopted a Commissions Ordinance, with intent to also establish a Committee Ordinance. To date, the Council has not finalized amount of \$100.00 per meeting, up to four meetings per month, for each Commissioner. It appears, from the documentation attached, that Commissioner. It appears also been raised to the \$100.00.

meetings per month. resolution addresses committees at \$50 per meeting at a maximum of two commissioners represent the Tribe 24 hours a day. House stated this that committees have substantially less responsibility. House stated that perceived as these persons being employees of the Tribe. House stated committees being paid an hourly wage. Parsons stated this might be do not have the same authority to act. Skocelas recommended having the the commissions are given authority by the Tribal Council, but committees Glocheski stated she spends four to five hours at a meeting. Sam stated increased the amount. Skocelas stated no one is worth \$100 a meeting. mistakenly moved to Tribal Council budget that this is when accounting special meeting. Parsons believes when committee stipends were committee stipends. Fisher stated that the committee could ask for a receiving \$100 per meeting and is asking to establish an amount for removed. McCatty has documentation that Committee members are also McCatty stated this item was on the Council's agenda in June and was

COMMILLEES OF THE TRIBE; by Kleeman; supported by CLARIFYING AND SETTING STIPEND AMOUNTS FOR MOTION TO APPROVE RESOLUTION # 02-0807-05,

Roll Call

- ms2 .L	S. Ruiter – Yes J. S.	E. Porter – Yes F
S. Parsons –	S. Medahko – Absent S. P	L. McCatty – Yes
T. Kleeman –	C. Fisher – Yes T. K	C. Bennett – Yes
aice, november a self-service	report to the form of the three real African	KOII CAII

Motion carried (8-0-0-1)

Sam asked that a memo be sent to Ogema Sam asking for clarification on how the process occurred that Committees and Commissions were both paid the \$100 stipend.

H. Acceptance of Resignation from the Gaming Commission and Declare Vacancy

Porter stated that Al Medacco has resigned from the Gaming Commission and believed the Council had already been addressed. McCatty stated this has not been addressed yet. McCatty stated the Commissions Ordinance states that the Tribal Council no longer has to accept resignations from Commission. Bennett had a concern that the resignation letter had attached minutes. Porter had asked Block to show a copy of Medacco's resignation letter.

Sam stated commissions are subordinate bodies of the Council but the resignation is submitted to the Ogema and this does not make sense and believes this should be changed. Sam asked that Council revisit this area.

No action was taken on New Business H, as no action was necessary.

I. Re-Affirmation Day Dinner

McCatty stated a location has not been secured for this dinner. McCatty stated the deadline for the newsletter is Monday and would like to include this in the newsletter. McCatty is recommending having this dinner at the community center. Skocelas asked if we own the Casino and why we could not have the meal there. Parsons stated the plan was to actually have the Council fix the food and this cannot be done at the Casino. Sam stated the casino has the same public health code standards as any other restaurants. Porter stated she will not be able to help cook as much as she did last year. Ruiter stated she would not be able to help out as much this year also. Hunt stated she would not feel bad if the Council did not cook.

Sam asked that McCatty follow-up with the Casino to use the Conference Center for the Re-Affirmation Day dinner.

Leatrice Castonia and Pat Morris left at 1:13 p.m.

Sam asked to amend the agenda to include a posting for an associate judge and submitting resumes to the Court instead of the Ogema's office.

MOTION TO AMEND THE AGENDA TO ADD NEW BUSINESS J – COURT VACANCY POSTING; by Sam; supported by Kleeman.

Call	Roll

E. Porter – Yes	P. Ruiter – Yes	J. Sam –	Yes
L. McCatty – Yes	P. Medahko – Absent	S. Parsons –	Xes
C. Bennett – Yes	C. Fisher – Yes	T. Kleeman –	Yes
		121 111	7.1

Motion carried (8-0-0-1)

Tribal Court directly. the Ogema's office. Fisher stated another option of House was contacting the Sam also believes a letter should be sent to the membership and a memo sent to may qualify for. Glocheski believes the clerk position should have been posted. not being given the opportunity to apply for positions within the Tribe that they deal with personnel changes. Sam restated her concern that Tribal Members are stated these positions were never posted and the court should not be allowed to been broken out as a part time judge and a full time court administrator. Sam description of an Associate Judge/Court Administrator and this seems to have actions that could be taken with this item. Sam had a concern with the job received the newsletter stating the correction. House stated there are many Constitution. House recommended sending letters to the same people who Council needs to do. House states that this posting is not in line with the asked who oversees the Tribal Court. House stated there is very little that the involved in the selection and appointment process of another judge at all. Bennett in violation of the Constitution. Sam noted that the current judges are not receiving any resumes and that the Ogema should be made aware of this, as it is Sam voiced her opinion that there should be a prohibition on the Court from

Jessica Burger arrived at 1:25 p.m.

Sam asked that the legislative attorney draft a letter to the membership and upon completion of the draft, review it and send by courier to the Ogema and the chief justice to have a meeting. This needs to be done ASAP.

TO THE TRIBAL COURT; by Sam; supported by Kleeman. OF PERSONNEL AND HUMAN RESOURCES POLICIES DISCUSS CONSTITUTIONAL ISSUES REGARDING SPEAKER TO TRIBAL OGEMA AND CHIEF JUDGE TO SPEAKER TO TRIBAL OGEMA AND CHIEF JUDGE TO LETTER FOR THE MEMBERSHIP DELIVERED BY THE MOTION TO HAVE LEGISLATIVE ATTORNEY DRAFT AND CHIEF JUDGE TO LEGISLATIVE ATTORNEY DRAFT AND CHIEF JUDGE TO MOTION TO HAVE LEGISLATIVE ATTORNEY DRAFT AND CHIEF JUDGE TO MOTION TO HAVE LEGISLATIVE ATTORNEY DRAFT AND CHIEF JUDGE TO MOTION TO HAVE LEGISLATIVE AND CHIEF JUDGE TO MOTION TO HAVE LEGISLATIVE AND CHIEF JUDGE TO MOTION TO MOT

Roll Call

E. Porter – Yes	
	J. Sam – Ye
L. McCatty – Yes	S. Parsons – Ye
C. Bennett – Yes	T. Kleeman – Ye
-	T. Kleeman – Ye

Motion carried (8-0-0-1)

VI. Concluding Business

- A. Next Meeting Date(s) August 14 and 17, 2002
- B. Public Comment Period

No public comment.

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

11011 01011		
C. Bennett - Yes	C. Fisher – Yes	T. Kleeman – Yes
L. McCatty - Yes	P. Medahko – Absent	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – Yes	J. Sam – Yes

Motion carried (8-0-0-1)

This portion of Open Session was adjourned at 1:28 p.m.

MOTION TO GO INTO OPEN SESSION; by McCatty; supported by Ruiter.

Roll Call

C. Bennett – Y	Zes (C. Fisher –	Yes	T. Kleeman –	Yes
L. McCatty - Y	les I	P. Medahko –	Absent	S. Parsons –	Yes
E. Porter – Y	es I	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (8-0-0-1)

Open Session reconvened at 4:10 p.m.

I. Open Session

A. Items moved from Closed to Open Session

MOTION TO MOVE RESOLUTION # 02-0807-06 THROUGH 02-0807-09 WITH ROLL CALL VOTES; by Kleeman; supported by McCatty.

Roll Call

	and the second s				
C. Bennett –	Yes	C. Fisher –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Absent	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (8-0-0-1)

ILEWS WONED EBOW CLOSED TO OPEN SESSION:

Tax Negotiation Agreement Area

TRUST LANDS ON OR NEAR RESERVATION, AND IDENLIEVING LOCATION OF THE TRIBE'S **AUTHORIZING SUBMISSION OF MAP WOLION TO APPROVE RESOLUTION # 02-0807-06,**

CEOCKYPHIC DISTRIBUTION OF TRIBAL RESERVATION, TRIBALLY-OWNED FEE AND

MEMBERSHIL: ph Kleeman; supported by Ruiter.

Roll Call

				Control of the Contro	
oN	- ms2 .U	Yes	P. Ruiter –	Yes	E. Porter –
Yes	S. Parsons –	- Absent	P. Medahko –	Yes	L. McCatty—
səX -	T. Kleeman	Yes	C. Fisher –	oN	C. Bennett –

on V	575303614 35		on carried (6-2-0-1)
oN	- ms2 .U	Ruiter – Yes	E. Porter – Yes P.
Yes	S. Parsons –	Medahko – Absent	L. McCatty – Yes P.
səX -	T. Kleeman	Fisher – Yes	C. Bennett – No C.

J. Sodak	

by Kleeman; supported by Bennett.
SOVEREIGN IMMUNITY IN SUCH AGREEMENT;
VEREING TO A LIMITED WAIVER OF
ACREEMENT WITH SODAK GAMING, INC. AND
TO EXECUTE THE SODAK POKER LICENSE
VESENCE OF, THE TRIBAL COUNCIL SPEAKER
VILHORIZING THE TRI BAL OGEMA, OR IN THE
WOLION TO APPROVE RESOLUTION # 02-0807-08,

Xes P. Medahko - Absent S. Parsons – Xes L. McCatty – T. Kleeman - No Xes C. Fisher – Xes C. Bennett – Roll Call

P. Ruiter -

ON

Motion carried (5-3-0-1) ON E. Porter –

Netcom

FIBER OPTIC AND VOICE/DATA NETWORK THE NETCOM GROUP FOR INSTALLATION OF PROFESSIONAL SERVICES AGREEMENT WITH **VILHOBISING EXECUTION OF A** MOTION TO APPROVE RESOLUTION # 02-0807-09,

Xes

J. Sam -

CABLING FOR COST NOT TO EXCEED \$56,353.00; by Porter; supported by Kleeman.

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H-C	I B B B	4 .2	88

C. Bennett - N	No	C. Fisher –	Yes	T. Kleeman –	Yes
L. McCatty - N	No	P. Medahko –	Absent	S. Parsons –	Yes
E. Porter – Y	l'es	P. Ruiter –	No	J. Sam –	Yes

Motion carried (5-3-0-1)

THIS CONCLUDES THE ITEMS MOVED FROM CLOSED TO OPEN SESSION.
**RECORDER'S NOTE FOR THE RECORD: #02-0807-07 WAS NOT UTILIZED OR
ASSIGNED TO ANY ACTION ADOPTED BY COUNCIL, AND THEREFORE IS A VOID
RESOLUTION NUMBER.

MOTION TO AMEND THE AGENDA TO ADD THE FALL FEAST; by McCatty; supported by Porter.

Roll Call

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

Motion carried (5-3-0-1)

B. Supplemental Appropriation for the Natural Resources Department Fall Feast for FY2002 in the amount of \$5,499

McCatty stated last year's actual amount is attached to the new information. The person preparing food was paid \$1,500. McCatty stated the Community Center could not be used because it was so small. McCatty read through the proposal. Porter asked for clarification if the \$1,500 was for food and preparation. McCatty stated the \$1,500 was paid just to the person preparing the food. Ruiter asked to have copies made of the bills for Council's review. Sam stated that the Fall Feast was in the original budget submitted to us but was not in the budget that was approved.

MOTION TO APPROVE RESOLUTION # 02-0807-10, APPROVING SUPPLEMENTAL APPROPRIATION FOR NATURAL RESOURCES DEPARTMENT – FALL FEAST FOR FY2002 IN THE AMOUNT OF \$5,499 FROM THE GENERAL FUND AS AMENDED; by Porter; supported by McCatty.

Fisher is in favor of this endeavor but is not in favor of the way this was brought forward. Ruiter agreed with Fisher and asked to include receipts from prior years.

		(100)
oN - ms2.l	P. Ruiter – No	E. Porter – Yes
S. Parsons – Yes	P. Medahko – Absent	L. McCatty - Yes
T. Kleeman – Yes	C. Fisher – Yes	C. Bennett – Yes
gibour sienioures iocá	o and south broken and constitution	Roll Call

Motion carried (6-2-0-1)

Speaker Parsons asked that the Tribal Council liaison get copies of the invoices and check requests for last year's Fall Feast. House suggested a reconciliation sheet with the documentation attached. Sam disagreed that a reconciliation was needed, as she would recheck the figures anyway.

MOTION TO ADJOURN; by Kleeman; supported by Ruiter.

Motion carried (8-0-0-1)				
E. Porter – Yes	P. Ruiter –	Yes	J. Sam –	Yes
L. McCatty – Yes	P. Medahko –	Absent	S. Parsons –	Yes
C. Bennett – Yes	C. Fisher –	Yes	T. Kleeman	Yes
KOII CAII			CANADA PRO PRO CONTRACTOR	

Fall Seast for FY2902 in the

The meeting was adjourned at 4:32 p.m.

Janine Sam Tribal Council Recorder

Kathleen Block / Transcribing Assistant

Respectfully Submitted