



Approved 10/19/04

**LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COUNCIL  
REGULAR MEETING  
WEDNESDAY, AUGUST 21, 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 21, 2002. Following are the minutes of that meeting.

**I. Opening Prayer**

Sam stated that she will be acting Speaker today and Lisa McCatty will be acting Recorder as Stephen Parsons is traveling on Tribal business.

Robert Stone led the meeting with an opening prayer.

**II. General Business**

**A. Call To Order:**

The regularly scheduled Tribal Council meeting was called to order at 10:12 a.m.

**B. Roll Call**

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

Quorum established.

Others Present: Jo Anne House, Kathleen Block, John Bussey, Tina Vaquera, Steve Sainsbury, Pat Morris, Leatrice Castonia, Robert Stone, Sheri Hunt, Bridget Cole, Tresa Shawnoskey, Rick Sprague, Kevin Hunt.

**C. Approval of Agenda**

McCatty asked to strike Item C – Old Business until next week. Sam stated that this item remains postponed. Sam stated Old Business B would remain postponed as well.

**MOTION TO APPROVE AGENDA AS SUBMITTED;** by Kleeman; supported by Ruiter.

**Roll Call #1**

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

Motion carried (8-0-0-1)

**D. Tribal Council Minutes**

No minutes were presented at the meeting.

**E. Public Comment**

Robert Stone shared a concern with Tribal employees being at the courthouse when they should be at work. Sam stated she would send a memo to the Tribal Ogema regarding employees attending court during work time.

**III. Continuing Business**

**A. Grants & Contracts**

John Bussey stated the Tribe would be receiving the \$400,000 grant for the water tower.

Sheri and Kevin Hunt arrived at 10:20 a.m.

Bussey thanked Vanessa Buhs for her help in writing this grant.

Bussey spoke of an extension for the COPS grant from the Department of Justice.

Medahko asked the name of the grant, which gave the money for the water tower. Bussey responded it was the Rural Housing and Economic Development Grant.

McCatty asked what year the COPS grant was for. Bussey stated he was unsure at this time, as he did not have the documentation with him.

**B. CMT Business**

**1. Davis Construction Change Order in an amount not to exceed \$83,000 for electrical work for the SBR plant**

Fisher stated Steve Sainsbury was in attendance at this meeting to help explain. Sainsbury stated the disk filter is the last stage for the SBR plant.

Cy Hill arrived at 10:26 a.m.



Sainsbury explained the technical problems they are experiencing. Porter asked if this change order was for items that were not included in the original drawings. Fisher stated that is not true for everything, as some of the work was not covered in the drawings.

Tresa Shawnoskey and Bridget Cole arrived at 10:30 a.m.

Kleeman asked if this change order would increase the guaranteed maximum price. Fisher stated it would not. McCatty questioned if this work had already been completed. Fisher stated the work had not been completed as some of the work is still being identified. McCatty asked if any of the work had been completed. Fisher stated some of the work had been completed. McCatty had a concern with some of the work being completed before a change order was approved. Fisher stated they were in a situation where they had just missed a Council meeting and all of the information became available to them the next day and needed to proceed to complete the SBR plant. Sainsbury stressed the importance of having this work completed. Sainsbury stated a retaining wall needed to be built as soon as possible or would have had to stop the whole project. Bennett asked if there were experts handling this project. Sam stated Mr. Fisher had stated earlier that VEC Engineering was the company that was responsible for overseeing these things. Medahko stated her displeasure with this change order but will approve because it has to be done and that it does not increase the guaranteed maximum. McCatty asked if the CMT approved this expenditure. Fisher stated the CMT did approve this and that it may have been an oversight. Fisher stated the CMT was in favor of this last week. McCatty asked that documentation of the approval from the CMT be included on any future agenda requests. Bussey stated there was a \$500,000 grant for this plant and asked that this money not be mixed with Tribal funds.

Shawnoskey asked about ownership of the SBR plant. Fisher stated the Owner's Representative has been an overseer of this project and thanked Steve Sainsbury as he is really on top of the project as he is there for day-to-day happenings. Shawnoskey asked about the amounts that have been brought to the Council and if they have exceeded the Owner's Representative Contract. Sam stated the Owner's Representative is not to warrant the work of any workmanship on the property. Sam stated the owners representative is to oversee the project. McCatty asked that in the "Now therefore it is resolved" that the "described in the attachments" be stricken.

Sam suggested postponing this item because need two resolutions to handle this item.

**MOTION TO TABLE;** by Kleeman; supported by Medahko.

**Roll Call #2**

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

Motion carried (8-0-0-1)

**2. Regalia art consideration**

Fisher stated this was a matter before the CMT and we are now in receipt of a memo from the Cultural Preservation Committee. Fisher read the memo that was submitted by the CMT. Fisher stated the CMT was unable to reach a comfort level regarding this item. Sam does not dispute any of the persons involved in this proposal, however she does have a problem with mixing sacred things with commercial items. Sam stated her personal upbringing was to not display eagle feathers in a glass case. Sam stated her objection to items that are sacred being behind a glass case. Sam stated she was surprised by the letter of support from Cultural Preservation because of an earlier proposal for teaching culture at the Casino that the Cultural Preservation Committee was not in support of. Fisher stated he does not believe this needs to be resolved today. Sam believes it would be more appropriate to have regalia in a Cultural Preservation Center and not in the commercial industry. Shawnoskey stated there would be no real eagle feathers on the regalia but really good imitations will be used and that it would be noted on the plaque. Shawnoskey stated a previous teacher told her that if they were able to teach more outside people of what the Indian people are about there would be less ignorance. Shawnoskey had asked that this regalia be placed in the conference center. Shawnoskey did get a list of names from Cultural Preservation and it would be Tribal members with pictures taken in the regalia. Shawnoskey stated Gary Lewis is totally neutral on this proposal.

Pat Ruiter stated the check being cut on the assumption that the Council was going to ok it was wrong. Ruiter stated no one should ever assume that Council would pass something on a whim. Fisher stated that he approved that the check be processed. Fisher stated he has that check in his possession and it was processed on



the assumption that the CMT would approve. Shawnoskey stated the CMT did approve. Fisher stated the CMT had the authority to cut this check. McCatty stated that she spoke with another CMT member yesterday and he did not seem to be in favor of this. McCatty stated there is a very large membership and we should not be picking and choosing who will do this work. McCatty stated she would not be signing any further CMT checks, as the process is not being followed. McCatty also believes that this type of art should not be placed in the resort.

Medahko stated she was overwhelmed by the information she was hearing about this item yesterday. Medahko stated her displeasure of displaying regalia in the Casino. Medahko stated she does not want the things represented of dancing in the Casino. Medahko stated if this were passed she would personally boycott at the Casino with signs. Medahko was appalled that Cultural Preservation would support this. Medahko has no problem with who was proposed in doing the artwork but she does have a problem in the way this was brought forward. There wasn't any Council involvement on this. Medahko asked if Shawnoskey would be receiving a percentage of the \$42,000. Shawnoskey stated she would not receive any money for this proposal. Medahko stated that men should not be making a woman's regalia. Medahko feels that Council should have been involved from the onset of this project. Medahko stated it was brought up at agenda review yesterday of possibly using old pictures. Medahko stated she was sorry if she has offended anyone.

Al Medacco arrived at 11:37 a.m.

Fisher stated he takes full responsibility for generation of the check. Fisher stated some of the issues being discussed here were also discussed at the CMT level. Fisher stated it is difficult to arrive at a good sense of what should be done. Fisher stated the CMT has probably generated 1,000 checks.

Bridget Cole stated the Interim Casino was only for gaming but the new facility is a Resort with a family atmosphere and believes this is something that is good for our Casino. Porter had a concern with not seeing the art before it is purchased. Porter thanked the CMT for all the work they have done and taking care of items.

Shawnoskey stated she meant no disrespect in not approaching the elders or the veteran's society. Shawnoskey stated she approached Cultural Preservation even though there is animosity between her and Phillip Memberto. Shawnoskey stated she does believe that

the jingle dress will be made with prayers and believes that the prayers are needed in the dress to be hung in a conference center where alcohol will be available for the protection of the Tribal people who work there. Shawnoskey stated any members could have brought forward any proposal. Shawnoskey stated she knows the needs of the Tribal people and as far as she is concerned all of the art issues should have come before Council.

Sam stated for the record that Council needs the following:

- 1) Decision regarding using regalia as a display and how to proceed.
- 2) Process and procedure variances. All three members have to vote unanimously.
- 3) Artwork budget was approved for commercial type decorating.

Stone stated that he does not have quite the same feeling as some of Council regarding displaying the regalia. Stone feels that if there was an explanation of what everything stands for that this would be appropriate.

Tresa Shawnoskey and Bridget Cole left at 11:50 a.m.

**3. Main lift station issue - FYI**

Fisher stated that he received a memo from Steve Sainsbury regarding the issue with the main lift station and the excessive cooking grease in the lift station. Sainsbury stated would need someone present at all times and has a concern if the pumps are undersized. Sainsbury stated the grease would start decreasing the size of the pipes because of build up. Sainsbury stated this could cause a potential backup with the wastewater. House asked whether or not the grease was from the restaurant activities in the Casino. House stated that under Section 10.01 of the Utility Ordinance - dumping of grease within the Casino could result with a fine. Porter asked if this would fall under the health and safety plan out at the Casino. Porter suggested sending a memo to the Casino and putting them on notice.

Richard Sprague arrived at 12:07 p.m.

**IV. Old Business**

**A. Credit Card Authorization**



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

McCatty stated there was a memo received regarding this item.

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

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

This item remains postponed.

**C. Acceptance of Financial Report Dated August 17, 2002**

This item was postponed from the 8/17/02 Tribal Council meeting until 8/28/02.

**D. Acceptance of Natural Resource Commission Report Dated July 2002**

This item was postponed from the 8/17/02 Tribal Council meeting pending receipt of written report.

**E. Acceptance of Cultural Preservation Committee Report Dated July 2002**

This item was postponed from the 8/17/02 Tribal Council meeting pending receipt of written report.

**V. New Business**

**A. Acceptance of 2<sup>nd</sup> Quarter Report Submission for BIA Programs**

FYI – Ogema has already submitted reports to BIA and need to be formally accepted by the Tribal Council.

**MOTION TO ACCEPT FOR FILING THE 2<sup>ND</sup> QUARTER REPORT SUBMISSION TO THE BIA; by Kleeman; supported by Porter.**

**Roll Call #3**

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

Motion carried (8-0-0-1)

**B. 2001 Fall Feast Expense Report**

FYI - As requested by Council at a previous meeting, all Expenditures of the feast have been compiled for review.

McCatty noted some discrepancies at the last public comment when the appropriation for the Fall Feast was on the agenda at the Tribal Council meeting. McCatty then read through the report. Sam stated all the receipts for this event have been provided for the Tribal Council.

**MOTION TO ACCEPT FOR FILING THE 2001 FALL FEAST EXPENSE REPORT;** by Kleeman; supported by Medahko.

**Roll Call #4**

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

Motion carried (8-0-0-1)

**C. Appointment of Collections Commissioners**

The Collections Policy of the Tribe does require a Collections Commission to oversee Tribal assets. Need to formally appoint individuals to this task.

McCatty stated this policy was adopted in August of 1998. House stated the revision date in the lower right hand corner pertains to when this document was placed on line. McCatty stated Commissioners have never been appointed. McCatty stated the memo is to identify persons interested and location for collection items. Sam asked that this policy be made into a regulation or something stronger.

Michelle Lucas arrived at 12:32 p.m.

Sam stated Council would need a Collections Committee Ordinance created. Sam believes it would be appropriate for the Tribal Council to have an Ordinance created. House suggested placing a hold on this item, as it is an official action of the Tribal Council. Sam stated this policy



needs to be written so it is consistent. Sam asked if the Ogema has been informed of this policy. McCatty stated the Ogema does have a copy and this has been discussed with him.

**MOTION TO PLACE A MORATORIUM ON THE IMPLEMENTATION OF THIS POLICY AND BRING THE MATTER TO A WORK SESSION FOR FURTHER RESOLUTION;** by Fisher; supported by McCatty

**Roll Call #5**

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

Motion carried (8-0-0-1)

**D. Federal Surplus Program**

This is needed for the Federal Surplus Property Program, in order to change the authorizing person in their files from Robert Guenthardt to Jonnie J. Sam II.

**MOTION TO APPROVE RESOLUTION # 02-0821-01, AMENDMENT OF DESIGNATION OF AUTHORIZED COORDINATOR FOR ACCEPTANCE OF FEDERAL SURPLUS PROPERTY;** by Porter; supported by Kleeman

**Roll Call #6**

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

Motion carried (8-0-0-1)

**VI. Concluding Business**

- A. Next Meeting Date(s) – August 28, 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 #7**

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

Motion carried (8-0-0-1)

This portion of Open Session was adjourned at 12:40 p.m.

Council reconvened Open Session at 4:25 p.m.

**MOTION TO GO INTO OPEN SESSION;** by Bennett; supported by Fisher.

**Roll Call #8**

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

Motion carried (7-0-0-2)

**VI. Open Session**

**A. Items moved from Closed to Open Session**

There are no items to be moved from Closed to Open Session today.

**MOTION TO REMOVE FROM THE TABLE ITEM B. 1. DAVIS CONSTRUCTION CHANGE ORDER;** by Sam; supported by McCatty

**Roll Call #9**

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

Motion carried (7-0-0-2)

**MOTION TO APPROVE RESOLUTION #02-0821-02, APPROVING CHANGE ORDER #34 IN AN AMOUNT NOT TO EXCEED \$83,000.00 TO COVER COSTS ASSOCIATED WITH COMPLETING THE COMMUNITY WASTEWATER TREATMENT SYSTEM PROJECT;** by Porter; supported by Medahko.

**Roll Call #10**

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



Motion carried (7-0-0-2)

**MOTION TO APPROVE RESOLUTION # 02-0821-03,  
APPROVING UTILIZING THE TAX-EXEMPT CONTINGENCY  
LINE IN AN AMOUNT NOT TO EXCEED \$83,000.00 TO COVER  
THE COSTS ASSOCIATED WITH A VARIETY OF  
CONSTRUCTION CONSIDERATIONS RELATED TO  
FINALIZING THE CONSTRUCTION OF THE SBR PLANT;** by  
Porter; supported by Fisher.

**Roll Call #11**

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

Motion carried (7-0-0-2)

**MOTION TO ADJOURN;** by Ruiter; supported by Sam.


**Roll Call #12**


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


Motion carried (7-0-0-2)

The meeting was adjourned at 4:33 p.m.

Respectfully Submitted,

  
Mary Bower  
Transcribing Assistant

  
Kathleen Block  
Transcribing Assistant

  
Janine M. Sam  
Tribal Council Recorder