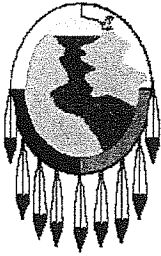


09/12/01

**APPROVED**



**LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COUNCIL  
REGULAR MEETING  
WEDNESDAY, AUGUST 22, 2001  
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 22, 2001. 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 22, 2001, was called to order at 1:02 p.m.

**B. Roll Call**

C. Bennett – Absent	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: Bob Davis, Jessica Burger, John Bussey,

**C. Approval of Agenda**

**MOTION TO APPROVE AGENDA;** by Ruiter; support by Sam.

**Roll Call**

C. Bennett – Absent	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 (8-0-1-0)

**D. Tribal Council Minutes**

None to review.

**C. Public Comment Period**

Carol Bennett arrived at 1:05 p.m.

McCatty stated she would like the mounts on the wall in the third floor conference room to be removed. Davis noted that the Ogema asked that the mounts be placed there.

**I. Continuing Business**

**A. Grants & Contracts**

FYI – The Air Quality Grant and the Wastewater Treatment Plant Grant were approved.

Brownsfield discussion ensued. Porter stated that she would like to see more information on all grants that are submitted.

**B. CMT Business**

**1. Fire Suppression System**

This is an item that was not contemplated originally for the new facility and was not included in the base scope of work.

**MOTION TO APPROVE THE FIRE SUPPRESSION SYSTEM IN THE AMOUNT OF \$54,104; by Fisher; support by Porter.**

**Roll Call**

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

Motion carried (5-4-0-0)

**II. Old Business**

**A. Renovation of Tribal Property at 148 Ford Street**

Bob Davis passed out three (3) bids for the renovation project to Council that were not previously submitted. It was noted that the resolution presented indicated Little River Band Maintenance and Construction Company was chosen, while Housing Commission records indicate the selection of a different contractor. It was decided that, prior to action, the contractor selection/bid process should be clarified with Housing Commission.

**MOTION TO POSTPONE ACTION ON THE RESOLUTION  
PENDING A MEETING WITH THE HOUSING  
COMMISSION; by Sam; support by Kleeman.**

**Roll Call**

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

Motion carried (8-0-0-1)

**B. Adoption of Wetland Management Plan**

The history portion of the Wetland Management Plan has been redone and confirms with the history of Little River Band.

**MOTION TO APPROVE RESOLUTION #01-0822-01,  
ADOPTION OF THE WETLAND MANAGEMENT PLAN  
AS AMENDED WITH THE NEW HISTORIC SUMMARY;  
by Fisher; support 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)

**C. Report from Title V**

Title V self-governance amendment consultation has been completed and the rules have been written down and are currently out for public comment and available on the Federal Register website. There will be another meeting, probably in January or February, after the comment period has passed and it goes to the Office of Management and Budget and to several other Federal agencies that have to review this. At that meeting we will sit with the Office of Management and Budget and with the Office of General Counsel and we will hammer out the final language for the regulation.

Jessica Burger attended meeting, which consisted of 30 representatives on the office committee. There were 12 self-governance tribes, 11 non-self-governance tribes, which was Burger's participation and 7 Federal officials.

There are currently 3 issues that have no agreement between the Tribes or the Federal government:

1. Whether or not Title V applies to statutory mandated grants, which our Tribe does receive currently through HHF.
2. The language inclusion of vacant prevailing wage laws applying to federally funded construction projects that include IHF funded projects, whatever we build with Federal money.
3. Whether or not the Department of Justice would represent Tribal entities hauled into court under the Federal Court Claims Act and the Tribes assume responsibilities for environment as per the construction portion of this agreement.

Those are pretty significant issues because Tribes spend a lot of money in court and whatever agency the Tribe represent, such as the Indian Health Service, the Tribe will assume the agency role from the Federal Government and we will hopefully benefit from claims coverage and they will come and defend the Tribe if there was an issue to arise that we would hold in court.

Title V significantly impacts Little River in regards to self-governance status. Part of the regulatory language involved in contracting with the government includes what your status is in the eyes of the Federal Government contract. As far as applying for Federal funding or pending a funding agreement, which we currently have with the Indian Health Service, a tribe must compact with the Federal Government in order to contract with them for services.

A Tribe's status is directly reflected by their governing capacity. If we don't participate in the Federal funding availability do we want to risk having our status, at some point, investigated and possibly revoked by the Federal Government? This would mean that any enterprises that we currently operate or would enter into, because of our status as an Indian Tribe, would no longer be available to us.

Self-governance is a status that the Federal Government recognizes in which the Indian Tribe directly manages the programs offered by the Federal Government. The Federal Government has no involvement or very limited involvement in the funding provided for those services. The government leaves that up to the Tribe to designate the services that they are going to provide. They set their own eligibility criteria and base it on what programs are currently provided, what objectives are there for those programs, and how to reach those objectives.

Medahko recommended having a work session with Council, Ogema, Bob Davis, Dan Shepard, and Jessica Burger to discuss Title V.

**III. New Business**

**A. Authorizing Transfer of Certain Tribal Accounts to National City Bank and Affirming Designation of Check Signers for such Accounts**

Sam asked for documentation to certify balances transferred to be provided by accounting following reconciliation of balances.

**MOTION TO APPROVE RESOLUTION #01-0822-02, AUTHORIZING TRANSFER OF CERTAIN TRIBAL ACCOUNTS TO NATIONAL CITY BANK AND AFFIRMING DESIGNATION OF CHECK SIGNERS FOR SUCH ACCOUNTS;** by Fisher; support by Kleeman.

**Roll Call**

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

Motion carried (8-0-1-0)

**B. Request for Newsletter Policies from Ogema**

Bob Davis stated that there are no policies that he is aware of. Final review of the newsletter goes through Davis. Ruiter suggested that Council puts minutes from the Council meetings in the newsletter.

A work session will be scheduled to include Bob Davis, Council and Candace Chapman to discuss the newsletter.

**C. Construction Board Company Vacancy**

This is to formally announce Construction Board vacancy due to removal hearing held by Council. Parsons will post the Construction Board vacancy in the newsletter.

**IV. Concluding Business**

**A. Next Meeting Date(s) – August 29, 2001**

**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.*

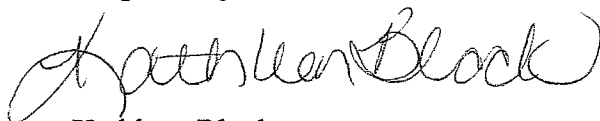
**MOTION TO ADJOURN OPEN SESSION;** by Kleeman; support by Fisher.

**Roll Call**

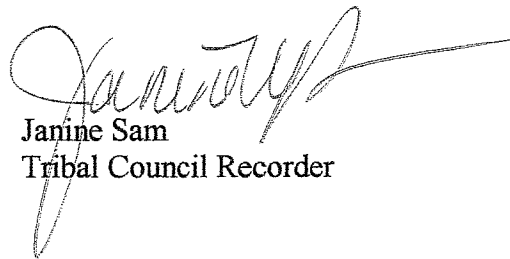
C. Bennett – Yes	C. Fisher – Yes	T. Kleeman – Yes
L. McCatty – Yes	P. Medahko – Yes	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – Yes	J. Sam – Yes

Motion carried (9-0-0-0)

Respectfully Submitted,



Kathleen Block  
Transcribing Assistant



Janine Sam  
Tribal Council Recorder



**LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COUNCIL  
REGULAR MEETING  
WEDNESDAY, AUGUST 22, 2001  
LITTLE RIVER BAND COMMUNITY CENTER**

**OPEN SESSION  
MINUTES  
ADDENDUM**

The following item was moved from Closed to Open Session on 8/22/01.

**MOTION TO APPROVE RESOLUTION # 01-0822-03  
AUTHORIZING THE TRIBAL OGEMA, OR IN THE  
ABSENCE OF, THE TRIBAL COUNCIL SPEAKER TO  
EXECUTE A CONTRACT WITH U.S. FILTER FOR  
TREATMENT EQUIPMENT FOR THE WASTEWATER  
TREATMENT PLANT IN THE AMOUNT OF \$487,597.00,  
AND AGREEING TO A LIMITED WAIVER OF  
SOVEREIGN IMMUNITY; by Kleeman; support by Porter.**

**Roll Call**

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

Motion carried. (8-0-1-0)

Respectfully Submitted,

Kathleen Block  
Transcribing Assistant

Jamine Sam  
Tribal Council Recorder