



**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, AUGUST 28, 2002
LITTLE RIVER BAND COMMUNITY CENTER**

**OPEN SESSION
MINUTES**

Approved 9/17/03
Submitted
for Approval
9/17/03
(8)

The Little River Band of Ottawa Indians held a meeting at the Little River Band Community Center on August 28, 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 28, 2002, was called to order at 10:09 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 – Absent

Quorum established.

Others Present: Jo Anne House, Kathleen Block, Dan Shepard, Kenny Pheasant, Matthew Stratton, Tina Vaquera, John Bussey, Al Medacco, Pat Morris, Leatrice Castonia, Bobbi Jo Thomas, Norbert Kelsey

C. Approval of Agenda

MOTION TO APPROVE AGENDA AS SUBMITTED; by Fisher; supported by Bennett.

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 – Absent

Motion carried (8-0-0-1)

D. Tribal Council Minutes

None for review.

E. Public Comment Period

Bobbi Jo Thomas asked if Council intended to send the membership more money for Christmas like last year when the Tribe received \$350. Thomas asked about the Frontier and if we could eliminate the extra stuff and just include Tribal business. Parsons stated other people want a full set of minutes and not bits and parts and took Thomas' comments under consideration.

Norbert Kelsey believes all public comments should be included in the newsletter. Kelsey believes Bob Davis should not be the editor of the newsletter. Kelsey wants to know what people are talking about and wants all public comment included.

Janine Sam arrived at 10:15 a.m.

Al Medacco believes there was discussion a couple of meetings ago regarding separating the Tribal Council minutes from the newsletter. Sam stated this has been considered and has not yet been implemented but has been put in the budget for next year. Sam stated this is something she would like to do but has not received support or non-support.

Barbara Kleeman and Melinda Kleeman arrived at 10:17 a.m.

McCatty responded to Thomas and asked that she put in writing the need for economic relief. McCatty stated the full and entire set of Tribal Council minutes is what is placed in the newsletter.

Mark Dougher arrived at 10:21 a.m.

Kelsey asked the cost of printing the newsletter and what it would cost to add one extra page. McCatty stated she is unsure of the amount.

Dan Shepard stated September 11 is coming up soon and there will be a sacred fire lit at sunrise and pipe ceremony by the Ogema. Al Medacco asked if there are any thoughts in making the fire lodge look a little better. Shepard stated the roof would be worked on this weekend. Al Medacco stated it is a wonder haven't been sited by the fire department with a canvas roof. Matthew Stratton stated a representative from Filer stated that there needed to be a building permit and referred this person to Bill Brooks. They stated that this was a religious structure. Stratton stated it

does get smoky in the lodge. Stratton is looking for lighter and skinnier people to help repair the roof.

MOTION TO ADD TO THE AGENDA NEW BUSINESS H, ADOPTION OF A RESOLUTION CREATING AN ACTION PLAN TO ESTABLISH A PER CAPITA DISTRIBUTION PLAN; 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)

III. Continuing Business

A. Grants & Contracts

1. Community Services Block Grant Application

Approval is requested to submit a resolution of support to the Inter-Tribal Council of Michigan so they can apply for a grant of \$6,000 to supplement the LRB Food Commodities Program. The grant would be through the Office of Community Services U.S. Department of Health and Human Services.

Gary Markowksi and Josh Guthrie arrived at 10:30 a.m.

MOTION TO APPROVE RESOLUTION # 02-0828-01, COMMUNITY SERVICES BLOCK GRANT APPLICATION; 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 – No

Motion carried (8-1-0-0)

Bussey distributed the organization list, that has been started, and the agenda for the Northwest Michigan Alliance Meeting that is coming up September 26, 2002.

B. CMT Business

1. Regalia Art Consideration

Parsons stated there was a work session regarding this during agenda review yesterday. Fisher stated there was nothing in a

formal way to approve this or not. Fisher updated the public on the regalia art consideration. Fisher stated there was support from the Cultural Preservation Committee and brought to Tribal Council for their thoughts regarding this. Markowski asked if this is for regalia within the Casino. Parsons clarified that the regalia is proposed being placed in the Conference Center and not on the gaming floor. Markowski stated he is totally against this and believes it is totally inappropriate. Markowski stated it is wrong for cultural and religious reasons.

Phillip Memberto arrived at 10:35 a.m.

Shepard stated that he believes that it should be shown off. Memberto stated the conference center is not located in the Casino itself. Memberto stated regalia can be used in a spiritual gathering or in a social gathering and that this is for a social gathering. Memberto stated a powwow outfit is worn at a powwow and that this is a social gathering. Memberto stated the regalia was meant to be an exhibit and nothing spiritual would be in the regalia. Memberto stated the intent of Gary Lewis was not harmful and was meant to be something good. Markowski stated he still has an issue with the Cultural Preservation charging the membership to go to the powwow. Markowski again stated he is opposed to placing regalia in the conference center.

Ruiter stated the regalia is supposed to be done to teach children and others about Indian culture.

Straton asked if the regalia had been defined and what specific items are included. Straton stated he has items he only wears to powwows and nowhere else. Parsons stated the regalia is the six styles of regalia for dancing and the items that are included with each outfit. Porter expressed her feelings regarding displaying regalia.

Memberto stated the jingle dress is not a spiritual garment until worn at powwow. Memberto stated these displays were not proposed to hurt people. Porter stated that she would like to let the people know that there is not just one designated area for the regalia and that this won't be the only time that we will be doing this type of thing, hopefully the next time there will be a better place for these items.

Kelsey complimented Porter on her moving words. Kelsey stated need to be clear on what is put into making regalia. Kelsey stated

if we are going to do this regalia, then it needs to reflect the Ottawa culture.

Sam stated the CMT was allotted a specific budget to theme the Casino. Sam stated her opinion is that the CMT brought this to the Tribal Council because of the funding issue. Sam stated she supports the concept and would not be ashamed of the work to be displayed but we did have discussions of where the more appropriate place for display would be.

Medahko stated this proposal was submitted to the CMT by one individual and did not hear this second hand. Medahko stated this individual stated that there was not enough art being represented by Tribal members. Medahko stated the Dome Room is completely bare other than two four-legged animals donated by Bob Guenthardt. Medahko stated this has always been a controversial issue. Medahko stated she does not think that regalia is art. Medahko has a very strong opinion about this. Medahko stated she has been dancing in the sacred circle for approximately 20 years. Medahko stated that the conference center would be used primarily by adults, and consuming alcohol could take place. Medahko stated her concern is to display the regalia in an appropriate place. Medahko stated that she does not have the itemized list to date from CMT of what artwork was purchased, whom the artist was or how much was paid. Medahko stated this was requested by her from Chuck Fisher and has not yet been received. Medahko stated a casino is a casino; it is not an educational center. Medahko expressed her concern of conducting cultural teachings at the Casino, which was canned by Cultural Preservation. Medahko stated the survey came out positive but was never rescheduled. Medahko stated she is not questioning the intent of the person bringing this forward but is questioning the proposed place on where this is to be displayed. Medahko suggested having the membership vote on this rather than leaving it up to Council.

Medahko stated our Constitution mirrors GTB's Constitution and they have regalia in their Casino but their Council makes twice the amount of ours, so lets start there. Medahko stated that we should have approached the Lewis family in the very beginning and asked for them to decorate the Casino from the get go. Medahko asked what the budget is for the artwork. Markowski had a concern that the Council does not know what art was purchased. Medahko had a concern that a Tribal member was turned down for displaying art. Kelsey believes the Council should be made aware of what money is being spent on art at the Casino.

Markowski stated just because other Tribes do things doesn't mean we should do what they do because our people need to have our own style. Fisher stated the art budget was originally \$400,000. Fisher stated the Council approved this figure and the CMT was given the authority to use that money to provide for the Casino a representation of Tribal art.

Katie Giocheski arrived at 11:20 a.m.

Fisher stated art could be controversial. Fisher stated the CMT was charged with getting an initial collection in the Casino. Fisher stated the art in no way represents the extension of Tribal artists, not only in development but also in supporting them. Fisher stated the art should be thought of as a beginning. Fisher invited all of the people in attendance to go to the Casino and look at the collection. Fisher stated the CMT has labored over this and cared for this. Fisher stated the budget for the project has been in a constant state of flux. Fisher stated there was a period of time, relatively recently, that the two people who were involved with the project with the cost management, both were out of town for some period of time. Fisher stated an effort has been made to collect all of the administrative aspects of the project and this project is continuing. Fisher stated from the CMT's point of view, they are looking at closing this project down as soon as they possibly can. Fisher stated there would be one more effort to walk through the Casino to see if anything else needs to be addressed. Fisher stated in terms of the numbers themselves, we have obligated at this point in time \$320,000, some of that money has been paid and some is in obligation. Fisher stated approximately \$80,000 remains in that budget and that the numbers should reflect that. Markowski asked who are the artists and what was paid for their artwork. Fisher stated this would absolutely be provided. Markowski asked why this has not been submitted thus far to Council. Parsons stated this is not inappropriate. Sam stated there is a monthly financial statement and there is a specific section about the Casino project. Sam stated the report does not have details but the project accounting is included. Markowski stated he wants to be assured that the \$400,000 wasn't paid to just two people.

All Medacco understands there was a consultant with this regalia, which was George Martin. Medacco stated there are Elders within

our Tribe that could have had some input on this. Fisher stated George Martin was not a consultant on the project but did have some thoughts regarding this. Fisher stated this has been a very open process and had difficulty in moving the project along.

Markowski stated that he would want the highest quality of everything. Markowski stated that everything should be historically correct. Bennett stated when she was young there were not powwows but there were gatherings. Bennett stated when she was little the Indians didn't wear headdresses. Markowski stated that he is not traditional but believes that the regalia does not belong next to a Casino or a Brewery.

Medahko stated again that the person who brought this item forward contacted George Martin and they believe that the Veterans Society should have been contacted. Medahko stated she holds George Martin in a high respect but was uncomfortable that the Veterans Society was not consulted.

Shepard stated Cultural Preservation came up with some patterns. Shepard stated if an item were given to him he would hold that sacred but would not hold something sacred that was made that was not a gift. Shepard stated he knows if something is sacred it is to be held sacred.

Ruiter stated everyone has their own opinion. She doesn't think that we should all think alike. Because she thinks one way she doesn't believe others should think the same. Ruiter stated her opinion is that this does not belong in a Casino and should be placed in a display where children are going to learn from this.

Markowski stated he has heard over and over that Indians equal Casino, that there is no separation.

MOTION THAT THE TRIBAL COUNCIL SEND A LETTER TO THE ARTISTS THAT PROVIDED PROPOSAL, THAT STATES, WHILE THE TRIBAL COUNCIL SUPPORTS THIS TYPE OF EXHIBIT IT IS WITH OUR DEEPEST REGRET THAT AT THIS TIME AN EXHIBIT OF THIS NATURE IN THE CASINO IS NOT THE DIRECTION IN WHICH WE WISH TO TAKE. WE WILL RETAIN THE PROPOSAL FOR CONSIDERATION IN ANOTHER LOCATION AT A FUTURE DATE. THANK YOU FOR YOUR TIME AND IT IS WITH DEEPEST RESPECT THAT WE SEND THIS LETTER; by Sam; 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. Ruitter – Yes	J. Sam – Yes

Motion carried (9-0-0)

2. Approval of Additional Set Up Costs for Trailers by Central Services

Fisher stated the cost for this is \$2,800. This is needed for the set up of the trailers. Bennett asked if the total cost was \$2,800 and was it to come from the General Fund? Bennett also expressed concern of what happened with the water and sewer hookups. Fisher stated the hookups basically involve connection of the trailer and hooking up to the community water system. Fisher stated the cost of \$2,800 was for the concrete work for trailers at the Newland and Powwow Grounds. Fisher stated the cost for the contracts to move the trailers was approved on August 14, 2002 at \$21,000. Fisher stated two of the trailers have been moved, and the final one is going to be moved shortly.

House clarified that the resolution appropriates monies from Program #406, line #6200 as this is for Other Expenditures of the Tribal Administration line. McCatty stated only two trailers have been moved. Fisher stated this is because concrete needs to be placed for the trailer yet to be moved. Fisher stated this resolution is for \$2,800. McCatty asked if the trailer move would come in under \$21,000.00. Fisher stated it was clear that there would be additional costs but should be under \$21,000.00 for the move.

MOTION TO APPROVE RESOLUTION # 02-0828-02, APPROVING BUDGET MODIFICATION REGARDING SET-UP FOR TRAILERS AT THE NEWLAND BUILDING AND THE POWWOW GROUNDS; by Kleeman; supported by Ruitter.

Roll Call

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

Motion carried (8-1-0-0)

3. Trailer Move Set Up Report from David Schultz

Parsons stated that there was a written report from David Schultz.

MOTION TO ACCEPT FOR FILING WITH COUNCIL RECORDS THE MEMO FROM DAVE SCHULTZ REGARDING THE CONDITION OF THE TRAILERS; by Kleeman; supported by Porter

Fisher stated that this report is for the two trailers that have been moved and that there is an addition report outstanding.

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)

IV. Old Business

A. Credit Card Authorization

These items were postponed from the 7/24/02 Tribal Council meeting pending a work session and rescheduled 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

MOTION TO POSTPONE THIS ITEM UNTIL THE FIRST MEETING IN SEPTEMBER; by Sam; supported by Kleeman.

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)

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. House recommended that the Tribal Council remove this from the agenda and should be on the Business Board's agenda at this time.

MOTION TO REMOVE ITEM B, APPROVAL OF AMENDMENTS TO THE LITTLE RIVER CASINO RESORT EMPLOYEE HANDBOOK RE-CLARIFYING THE INDIAN PREFERENCE POLICY; by Porter; supported by Kleeman.

Roll Call

C. Bennett	Yes	C. Fisher	Yes
L. McCarty	Yes	P. Medahko	Yes
E. Porter	Yes	P. Ruitter	Yes
J. Sam	Yes		

Motion carried (9-0-0-0)

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.

MOTION TO ACCEPT THE FINANCIAL REPORT DATED AUGUST 17, 2002 FOR FILING; by Kleeman; supported by Fisher.

Roll Call

C. Bennett	No	C. Fisher	Yes
L. McCarty	Yes	P. Medahko	Yes
E. Porter	Yes	P. Ruitter	Yes
J. Sam	No		

Motion carried (7-2-0-0)

Jonnie Jay Sam, II arrived at 12:00 p.m.

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.

MOTION TO POSTPONE PENDING A RECEIPT OF A WRITTEN REPORT; by Kleeman; supported by Ruitter.

Roll Call

C. Bennett	Yes	C. Fisher	Yes
L. McCarty	Yes	P. Medahko	Yes
E. Porter	Yes	P. Ruitter	Yes
J. Sam	Yes		

Motion carried (9-0-0-0)

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.

MOTION TO REMOVE THIS ITEM FROM THE AGENDA AND SEND A LETTER TO THE CULTURAL PRESERVATION COMMITTEE REQUESTING A REPORT FOR THE MONTH OF JULY AND AUGUST MINUTES RESOLUTION; by Sam; supported by Kleeman.

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)

F. Appointment of Collections Commissioners

This item was postponed from the 8/21/02 Tribal Council meeting pending a work session. This work session is scheduled for 9/5/02.

MOTION TO POSTPONE APPOINTMENT OF COLLECTIONS COMMISSIONERS; 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. Director of Operations Report Addendum: Activity Report for Health Services for July 2002

MOTION TO ACCEPT FOR FILING THE ACTIVITY REPORT FOR HEALTH SERVICES FOR JULY 2002; 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. Ruitter – Yes	J. Sam – Yes

Motion carried (9-0-0)

B. Approval of Purchase of Office Equipment For the Gaming Commission in the amount of \$26,750.00 from the Gaming Compliance Budget of the General Fund

Brian Medacco arrived at 12:16 p.m.

McCatty asked how many staff will be working in the Gaming Commission space and asked if it was more than 10. Porter was unsure. McCatty believes \$26,000 is an extensive amount for furniture. McCatty asked why the Gaming Commission could not use the furniture in storage. Fisher stated there wasn't enough furniture that would be able to accommodate the staff. Sam stated there are 8 areas. Some are designated as specific employee areas and others appear to be an office or other specified area. It does not appear they are moving anything from their old office. Medahko stated Council had denied furniture. Porter stated this furniture was budgeted for and just found out about this on Friday.

Bennett stated her office, for the first two years on Council, was in her trunk and these people want \$26,000 for furniture. McCatty stated the resolution that we have is for \$26,000 and cannot find the bid associated with this. Parsons stated the bid that is being considered is from Smart Furniture. Fisher asked for clarification if the surplus furniture is available as he is not aware of this. McCatty stated the Casino has two warehouses and there is furniture there. What furniture may be available she is uncertain, as she has not been provided a list.

MOTION THAT THE FURNITURE PROPOSAL BE

RETURNED TO THE GAMING COMMISSION FOR RECONSIDERATION IN LIGHT OF THE POTENTIAL FURNITURE THAT MAY INFLUENCE THE PROPOSAL THAT WOULD BE AVAILABLE THROUGH THE CASINO; by Fisher; 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 – No	P. Ruitter – Yes	J. Sam – Yes

Motion carried (8-1-0)

C. Approval that Money Generated from the Sale of T-shirts at the Language Camp for the Funding of Memorial Picture Plaque

Requesting to put this zhonyaa in a special account and call it the Jonnie Sam and Doris Wabsis Memorial Fund. (\$1,655.00) Kenny Pheasant stated \$1,700 was raised from the sale of t-shirts and Pheasant has an artist to make this plaque. Pheasant would like this money included in his program for this purpose. Ruiter asked if other plaques would be made and continued on and not stop here. Pheasant stated this is for individuals and these are two elders who really helped with the language camp and this is in their memory. Pheasant stated he does not want the plaque displayed at the Casino and will be displayed in an area like the Community Center with a little explanation.

Kelsey asked how many language classes are being taught here in Manistee and why no classes are taught in Muskegon and would like some numbers. Pheasant stated he teaches Tuesday nights and during the day Tuesdays and Thursday's and looking at another class on Thursdays for children. Kelsey asked how many hours are used for teaching. Pheasant stated there is an approximate amount of 16 hours. Parsons asked where this discussion was going. Parsons went on to remind Kelsey that we are talking about a plaque and the discussion has now moved to Pheasant's work hours per week, which is unrelated discussion.

Glocheski stated the reason for the plaque is for the people who started the language camp and believes they should be honored. The Ogema stated there was a class being taught in Muskegon but not by Pheasant.

Medahko stated she is in support of this but would like to know who the artist is. Pheasant stated the artist is a Canadian Indian. Medahko asked the size of the plaque. Pheasant believes it to be 24 X 36. Medahko asked if it would be displayed here at the Community Center. Pleasant stated could also be placed at the Dome Room.

McCatty asked about purchasing portraits, but she is assuming that they are going to be drawings or paintings and asked if any Tribal members have been approached regarding this. Pheasant stated he has asked around and has had no response. House stated the line item is #5602, which is supplies and identifies these funds being used for specific purpose. House suggested to Pheasant that a contract be made so there are funds available if you have to go into FY2003. Markowski believes \$1,700 is a lot for a plaque. Pheasant stated he will bring in the receipts for the plaque and will bring this information back to the public and for Tribal Council. Pheasant stated he wanted to do this from his heart for these two Tribal Elders. McCatty asked for a sample of work from the artist.

**MOTION TO APPROVE RESOLUTION # 02-0828-03,
 ACCEPTING FUNDS FROM LANGUAGE CAMP T-SHIRT
 SALES AND DESIGNATING SUCH FUNDS FOR THE
 SPECIAL PURPOSE OF ENGAGING ARTIST TO CREATE
 PORTRAIT OF TWO TRIBAL ELDERS;** by Kleeman;
 supported by Ruitter.

Janine Sam stated for the record that it is right to honor people who have done things for their Tribe. Sam stated this is a small thing and believes language preservation is very important. Sam stated one of these people being honored is her father and anyone who cuts this process down makes her sad. Sam believes we should also do something for Margaret Chandler, as Little River Band would not have a Tribe if it weren't for her record keeping. Sam expressed her feelings of honoring people who were here everyday teaching the Tribal language to our people.

Roll Call

C. Bennett - Yes	C. Fisher - Yes	T. Kleeman - Yes
L. McCarty - Yes	P. Medahko - Yes	S. Parsons - Yes
E. Porter - Yes	P. Ruitter - Yes	J. Sam - Yes

Motion carried (9-0-0)

D. Acceptance of 1999 Audit and Findings

Sam stated this report comes from a letter that was received by the Council. The audit was performed by Robert Lewis and did not meet federal requirements. Sam summarized the financial findings. The audits were not being conducted on a regular basis. The conditions that records are incomplete for year 1999 and the recommendation from the auditor is to maintain record maintenance. Sam stated part of the issue of not having an audit conducted on time is part the fault of the Tribe and part by the auditor.

Sam stated according to the Single Audit Act the governmental body has to accept audit findings on their agenda. Sam stated the report made to the BIA was not reviewed by the Council or accepted by the Council. Sam asked to accept both for the record: The 1999 audit findings and the information from Indian Health Service.

**MOTION TO ACCEPT FOR FILING, THE AUDIT
 FINDINGS FOR 1999 FROM INDIAN HEALTH SERVICES;**
 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)

MOTION TO ACCEPT FOR FILING, THE AUDIT FINDINGS FROM 1999 FROM ROBERT LEWIS; by Kleeman; supported by Sam.

Sam stated for the record that this action does not endorse or support the continued contracting with this audit firm.

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. Approval of Amendments to Budget and Appropriations Ordinance # 01-100-04

Parsons thanked House for her assistance in drafting these amendments. House stated it is being recommended to have Human Resources write a job description for an internal auditor.

MOTION TO APPROVE RESOLUTION # 02-0828-04, ADOPTION OF AMENDED BUDGET AND APPROPRIATION ORDINANCE, #02-100-04 AND SUPERSEDING ORDINANCE #01-100-04; 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)

F. Approval of Amendments to Enrollment Commission By-Laws

The by-laws are being submitted for approval by the Tribal Council with amendments to conform to the Enrollment Ordinance, #02-200-01, which changed the membership and organization of the Enrollment Commission. House stated the changes occur in Article II and mainly changes the

number of persons on the Enrollment Commission and makes a Vice-Chair for the Commission.

MOTION TO APPROVE RESOLUTION # 02-0828-05, ADOPTION OF AMENDED ENROLLMENT COMMISSION BY-LAWS; 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. Ruitter – Yes	J. Sam – Yes

Motion carried (9-0-0)

G. Approval of T-One line for Newland Academy

Josh Guthrie stated this is to connect back to the Bank Building. Sam asked if this was a separate line. Guthrie stated this is a new line but would connect with the existing line established.

MOTION TO APPROVE RESOLUTION # 02-0828-06, AUTHORIZATION TO ENTER INTO MULTI-YEAR CONTRACT FOR NETWORKING SERVICES WITH SBC AMERITECH AT THE NEWLAND BUILDING; 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. Ruitter – Yes	J. Sam – Yes

Motion carried (9-0-0)

H. Adoption of an Action Plan to Draft a Per-Capita Distribution Tribal Ordinance

Sam stated she has not determined whether or not she will be running for another term of office. Sam stated she has been against per-capita for a long time. Sam stated there have been items that have come to light, which is very disappointing to her. Sam's personal item is to get the land back that belongs to the Tribe and to care for our future children. Sam is aware of abuse of policy and the law is only as good as the law is being abided by. Sam stated this is the first step to bring this before the membership. Sam stated this does not adopt a per capita payment but would adopt the legislation necessary to have per capita at a later date. Sam stated Pat Ruitter and Carol Bennett have had discussions regarding this and the minimum would be 10% for the Tribal membership. Sam also

wanted to establish a maximum of 30%. Sam stated that we have already learned to live without the 30% number as this has been being paid to the management company. Sam stated this would not be creating a hardship for the government. Sam stated what was done in the 80/20-judgment fund is a good example, and should establish a similar ordinance that describes the method and distribution, that describes eligibility criteria (you must be a member by a certain date or you must be a member as of such and such to be eligible for payment under this plan). Sam also wanted to provide additional input from the membership because as this issue has been discussed such as having children over 18 who have obtained their diploma. Sam stated the action plan is aggressive and have drafts available to adult members by October 2. Markowski asked about incarcerated members that Sam spoke of. Sam stated that under the Indian Gaming Regulatory Act if you're going to do a per capita distribution, it's to all members. If a member is in jail you have to make special provisions under that plan for how you will set that money aside in a fund much like you do for the minors. Sam would like to have both of these documents to the membership. Sam is suggesting two public meetings, one in Manistee and one in Muskegon, locations are to be determined and be done in a mailing. Sam stated following the conclusion of the final public hearing the Tribal Council would then prepare a final document for the Revenue Allocation Ordinance and the Per Capita Distribution Ordinance no later than November 30, 2002 and put on the agenda for consideration of adoption for the first meeting in December. Both ordinances would be submitted to the Secretary of Interior. Sam stated this would not guaranteed a per capita payment in 2003 but this would be discussed at the public hearings. Sam stated this is the first step to be taken.

Sam stated because of what she has seen and the way things are being handled here, without some real changes in Administration and adherence to the laws, that a trust fund might be all that is left for our children. Sam stated she has been serving at the Little River Band since 1987. Sam stated until we do something, adopt or reject, and the members put their opinion on it, that the members are just going to continue to tear down the government. She believes it is time to establish a plan, set the capita distribution. Markowski stated the people just want to see an effort on the Tribe's part. Sam stated she has named many efforts by the Council not to mention the staff. Sam will pledge her efforts to prepare the draft documents and is hopeful that the Council is committing to making the work sessions, providing input so that we can come up with a good plan. She is hopeful that membership will give the Council the consideration that once it is set, let it stand for a while in time.

Porter stated she agreed to co-sponsor this item with Sam. Porter stated she never disagreed with per capita, but she feels that it's time to go

forward and putting forth an effort. Porter stated need to give the plan a good working chance before making any changes.

Shepard stated he has information from other Tribes and is willing to share this information. Fisher had a question about the secretary's approval process and the length of time associated with this. Parsons stated the published time frame is six months. House believes it is 90 days but could be six months. House stated they do not have to meet their deadline. House stated if don't meet the deadline it is not approved until the secretary gives you notice. House stated the last one she was involved with was that the secretary took 60 days longer than originally planned. Fisher believes this should be discussed in a work session. McCatty had a concern with the mailing dates, as there is not time to schedule people to attend and the need to have more meetings than just Manistee and Muskegon. Kleeman stated they could send their comments.

Bennett had a concern with the timeline and does not want to hear just from the people in Manistee. Bennett stated that they haven't gotten any support on per capita. Kleeman stated she is glad there is an aggressive timeline. Sam stated there has never been a roadblock to put per capita on the agenda. Sam stated it was a big step for her to put this on the agenda. Sam stated the public hearings are not to diminish any comments from the membership. Sam stated if we do public hearings and contact the people by phone, people would show up. Parsons stated he is in favor of this but Council will need to put other things aside. Parsons stated that he does not want very aggressive dates out there and not be able to follow them. Parsons also had a concern that we may not financially be in a position to do per capita.

Porter stated that she has not aggressively sponsored an item like this before. She went on to say that she has searched her heart long and hard regarding this and thinking about all of these issues. Porter stated it might appear to be a last minute item, but that this has been in the works for quite some time. Porter stated she also does not have any political reason to sponsor this as her job is finished in April 2003.

McCatty had a concern with the language on page 3, which states "on or before" and asks that "or before" be stricken. Sam stated she does not have a problem with that but knows that other Council members are in favor of this and does not want to prohibit anyone else from having hearings before this.

**MOTION TO APPROVE RESOLUTION # 02-0828-07,
ADOPTION OF AN ACTION PLAN TO DRAFT A PER-
CAPITA DISTRIBUTION TRIBAL ORDINANCE AND
AMEND THE REVENUE ALLOCATION ORDINANCE,**

ESTABLISH TIMELINES FOR THE ACTION PLAN, AND RECOMMENDING SUBMISSION TO THE SECRETARY OF INTERIOR IN COMPLIANCE WITH THE INDIAN GAMING REGULATORY ACT UPON FINAL ADOPTION OF THE ORDINANCE AND AMENDMENTS BY THE TRIBAL COUNCIL; by Kleeman; supported by Ruiter.

Fisher stated he has been out of touch with this and was kept out of the loop on this. Medahko also stated she was out of the loop on this. Bennett believes this should have been brought to a work session. House stated the fifth whereas could be deleted, as ordinances do not need to be adopted by the Secretary of Department of Interior. Sam suggested replacing "both ordinances" with "per capita distribution plan". House stated this would state that there is a per capita distribution plan. Kleeman stated will agree to strike the fifth resolve all together.

MOTION WAS WITHDRAWN.

MOTION TO APPROVE RESOLUTION # 02-0828-07, ADOPTION OF AN ACTION PLAN TO DRAFT A PER-CAPITA DISTRIBUTION TRIBAL ORDINANCE AND AMEND THE REVENUE ALLOCATION ORDINANCE, ESTABLISHING TIMELINES FOR THE ACTION PLAN, AND RECOMMENDING SUBMISSION TO THE SECRETARY OF INTERIOR IN COMPLIANCE WITH THE INDIAN GAMING REGULATORY ACT UPON FINAL ADOPTION OF THE ORDINANCE AND AMENDMENTS BY THE TRIBAL COUNCIL WITH THE FOLLOWING AMENDMENT, ON THE THIRD PAGE, IT IS FURTHER RESOLVED THAT WHEN THE LAWS ARE DULY ADOPTED BY THE TRIBAL COUNCIL AND THE COUNCIL WILL BE SUBMITTED, BOTH ORDINANCE AND SECRETARY DEPARTMENT OF INTERIOR AND RECOMMENDED APPROVAL BY THE SECRETARY IN ACCORDANCE WITH THE INDIAN GAMING REGULATORY ACT BE STRUCK; 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)

VI. Concluding Business

A. Next Meeting Date(s) – September 11, 2002

B. Public Comment Period

Markowski asked about the resolution relating to mascots and asked if he could get a copy of that resolution.

Stratton stated comments have been made that government employees can attend Tribal Council meetings. Stratton stated every Tribal member has an invitation to come to the Tribal Council meetings. Stratton stated he takes personal time to come to this meeting. Stratton stated the only option is personal or comp time to attend these meetings. Stratton does not like those comments.

Stratton spoke of Kenny Pheasant and stated that he has been a mentor and teacher and having our people learning the dialect. Stratton stated it makes him angry when Pheasant is personally attacked.

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 Klieeman; supported by Ruitter.

Roll Call

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

Motion carried (9-0-0)

This portion of Open Session was adjourned at 1:47 p.m.

Council reconvened Open Session at 1:16 p.m. on Thursday, August 29, 2002.
MOTION TO GO INTO OPEN SESSION; by Parsons; supported by Ruitter.

Roll Call

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

Motion carried (7-0-0-2)

VII. Open Session

A. Items moved from Closed to Open Session

MOTION TO ADD LISA MCCATTY AS A CHECK SIGNER AT THE CASINO; by Porter; supported by Kleeman.

Roll Call

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

Motion carried (7-0-0-2)

Sam stated she would like in the Open Session record – authorization for financial review and a statement that the Tribal Council is not authorizing or endorsing a change in job title description or in rate of pay.

MOTION TO PLACE IN THE OPEN SESSION THE APPROVAL OF THE FINANCIAL REVIEW INCLUDING THE ROLL CALL AND THAT THE TRIBAL COUNCIL IS NOT AUTHORIZING OR ENDORSING A JOB TITLE DESCRIPTION CHANGE OR A CHANGE IN THE RATE OF PAY; by Sam; supported by Kleeman

Roll Call

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

Motion carried (7-0-0-2)

MOTION TO ADJOURN; by Kleeman; supported by Ruiter.

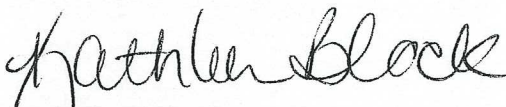
Roll Call

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

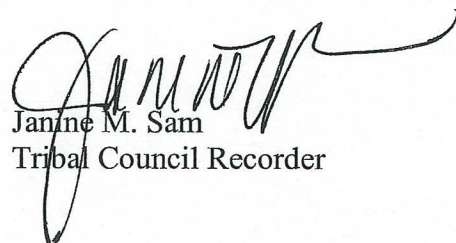
Motion carried (6-1-0-2)

The meeting was adjourned at 1:21 p.m.

Respectfully Submitted,



Kathleen Block
Transcribing Assistant



Janine M. Sam
Tribal Council Recorder

