



Little River Band of Ottawa Indians

PO Box 314

Manistee MI 49660-0314

(616) 723-8288

toll-free 1-888-723-8288

LITTLE RIVER BAND OF OTTAWA INDIANS TRIBAL COUNCIL MEETING MINUTES SUNDAY SEPTEMBER 13, 1998

- I. PRAYER. The prayer was given by Al Medacco.
- II. GENERAL BUSINESS
 - A. CALL TO ORDER. The meeting was called to order by Vice-Chairperson Kathy Berentsen at approximately 12:10 p.m. at the Tribal Community Center.
 - B. ROLL CALL. The roll was taken by Chuck Fisher. Council members present: Kathy Berentsen, Chuck Fisher, Kim Kequom, Don Koon, Bill Memberto, Steve Parsons. Absent: Bob Guenthardt (out of town).
 - C. ADOPTION OF AGENDA. Chuck asked to have the membership to the Native American Fish and Wildlife Society added to the agenda. This was added as N. under New Business. Moved by Chuck, to adopt the agenda with changes, seconded by Don, all in favor (5), K. Berentsen, C. Fisher, D. Koon, B. Memberto, S. Parsons. Opposed (1) K. Kequom. Absent (1), B. Guenthardt. Motion carried.
 - D. ADOPTION OF MINUTES. Moved by Steve, to adopt the minutes from the August 10, 1998 Tribal Council session, seconded by Kim, all in favor (5), C. Fisher, K. Kequom, D. Koon, S. Parsons, K. Berentsen. Abstaining (1), B. Memberto. Absent (1), B. Guenthardt. Motion carried.
 - E. FINANCIAL REPORT. Chris said that there were a couple of changes to the financial report. He went over and explained what the changes were. Chris said that later on the agenda he will be going over the BIA budget adjustments. Diane Lonn asked some questions in regards to the pow-wow. The Cultural Preservation Committee presented to Council their work plan and budget which was never approved and how can an important event like the pow-wow spend almost \$9,000 and the Tribal Council or no one ever questioned it. We are \$4,831 in debt, where is the money going to come from to pay for this? There were supplies that were purchased and some of these things were things that the Tribe already had in the pow-wow supplies from previous years. These things that were paid for should have been returned and nothing has been brought back yet. Kim said that not all of the supplies

have been paid, and she will get a detailed list from Valerie on what has been paid. Kim said that the \$4,831 that is outstanding, there is a grant that is in the Saginaw Chippewas possession and they will be reviewing it by September 23, 1998. Bill M. asked to schedule a meeting between the Cultural Preservation Committee and anyone else who would like to attend. Jay said that this year, the Cultural Preservation Committee spent about \$10,000 and made about \$6,000 because of a series of events. It wasn't that they spent more than previous years, it wasn't that they spent frivolously, it was that there were people entering the pow-wow through a gate that we had no control over at the fairgrounds. Jay said that in regards to the supplies that were purchased he can not answer for because he did not buy them; however, he also knows that some of the stuff that was here at the office was not available to anybody until it had been either inventoried, counted, cleaned, or something. Katie said that the pow-wow stuff was not included in the stuff that was inventoried. Kathy said that she would like to have the Tribal Council notified of the date for this meeting with the Cultural Preservation Committee.

- F. **STAFF REPORTS.** Kathy said that Yvonne Parsons was named Employee of the Quarter. Tammy said that there is a certificate for her but she has been on disability because of surgery so it hasn't been presented to her yet. It was decided that it would be done at the next Tribal Council meeting. Kathy asked Steve Bronson how the meeting with the USDA went. Steve B. said that everything went well. Discussion followed. Moved by Bill M., to accept the staff reports, seconded by Kim, all in favor (6), D. Koon, B. Memberto, S. Parsons, K. Berentsen, C. Fisher, K. Kequom. Absent (1), B. Guenthardt. Motion carried.
- G. **TRIBAL MANAGER REPORT.** There was no report submitted to the Tribal Council. It was recommended that the Council should sit down with the Tribal Manager and outline a report that is very specific. This will help in letting people know what is going on. Moved by Bill M., to simplify a monthly reporting and quarterly reporting to the Tribal Council from the Tribal Management Team and the Tribal Ogema, seconded by Kim, all in favor (6), B. Memberto, S. Parsons, K. Berentsen, C. Fisher, Kequom, D. Koon. Absent (1), B. Guenthardt. Motion carried.
- H. **ATTORNEY REPORT.** Bill B. said that most of the items on his report are somewhere else on the Tribal Council agenda, but there are a couple items he wanted to discuss. In respect to the appropriations increase, Bill B. said that the House Interior Appropriations did not include any new money for the Tribe. The Senate as of late in the day on Friday were still debating. The appropriations for the Department of the Interior and Senator Abraham's office and Senator Levin's office were trying to work with the Interior Appropriations Committee chair to have some language put into the appropriations bill that would increase the Tribes funding base from about \$754,000 to about \$1,084,000. Bill B. said that he and Chris had a phone conversation with the BIA budget person and then followed up with phone

calls to Senator Abraham's office so hopefully we have this straightened out. Bill B. said that there is still a chance that the increase may get into the senate bill in which case it will then have to go to the conference committee, so there will still be some work and some follow-up that will be needed, along with a letter from the Tribal Council or the Tribal Chairperson to Senator Abraham's office since he is the one doing most of the work. The other issue is on the Tribe's Fee to Trust application for the gaming parcel, it looks like the review may have been completed on Friday by the Solicitors office and if that's the case, then all we have to do is go through the Assistant Secretary's office, so there is some hope that the notice of final determination will then come out of the Interior for the application by the end of this week. Bill B. said that the revised Development and Management agreement for the Class II gaming were submitted to the NIGC at the beginning of last week and we expect to get a positive determination on the environmental portion of the review. Discussion followed. Moved by Bill M., to accept the Attorney report, seconded by Don, all in favor (6), S. Parsons, K. Berentsen, C. Fisher, K. Kequom, D. Koon, B. Memberto. Absent (1), B. Guenthardt. Motion carried.

- I. INTRODUCTION OF GUESTS. Guests present: Phil Memberto, Josie Walters, Brenda Hyma, Deb Gutowski, Carol Bennett, Pat Ruiter, Katie Glocheski, John Koon, Janine Szpliet, Bridget Cole, Bob Hardenburgh, Helen Ann Yunis, Jacob Wabindato, Martin Wabindato, Lavern Oren, Kathy Bowen, Al Medacco, Joan Spalding, Elaine Porter. Staff Present: Judge Daniel Bailey, Diane Lonn, Tammy Carter, Steve Bronson, Bill Willis, Jay Sam, Mary Oleniczak, Bill Brooks, Yvonne Rood, Chris Holz, and Jim Wabindato.

III OLD BUSINESS

- A. ADOPTION OF LAND ACQUISITION POLICY. Bill Willis said that this has been in the works for a while and initially this document was presented to the Tribal Council at the August Council meeting. The committee went through the document and made some changes, and then a copy was given to the Tribal Attorney for review. There are portions of the document that are highlighted and these are proposed deletions, and the parts that are underlined are proposed changes. After discussion with the Tribal Attorney and Jay Sam, the only part of it that was still disagreed on was under section 2-D. Discussion followed. Kathy said that she didn't think that the Tribal Council should act on this at this time. Jim Wabindato said that what they have done is to get the Land Acquisition Policy to read as the Council would like it to read and if it's not then vote it no. Kathy had some concerns with the highlighted and underlined areas of this. Bill Willis said that the highlighted areas are areas that were proposed to be changed to the underlined areas which were presented to the Tribal Attorney and the only disagreement he had was under B. with the change of the wording, which they now agree on. Moved by Chuck, to adopt the Land Acquisition Policy as drafted with the changes discussed including the deletions on pages 1 and 2 and with the option 1 changes to section 2-D, to read (If the Tribal Council elects to proceed with the proposed acquisition the Tribal Ogema shall in consultation

with a Tribal Attorney negotiate the terms of the acquisition of the property including purchase price), and the subsequent changes in the document in section E., (Changing Tribal Council to the Little River Band of Ottawa Indians) and with three additions of appropriate action in that same section and in sections five and seven of section 3-A., seconded by Steve, all in favor (6), K. Berentsen, C. Fisher, K. Kequom, D. Koon, B. Memberto, S. Parsons. Absent (1), B. Guenthardt. Motion carried.

- B. APPROVAL OF FINANCIAL INSTITUTION AND INVESTMENT PROPOSAL FOR ADMINISTRATION OF INDIVIDUAL PER CAPITA ACCOUNTS AND RESERVATION RESTORATION TRUST FUND. Bill B. said that back at the August meeting, there were two proposals handed out to Council, one from Huntington Bank and the other from Northwestern Bank for the handling of the trust accounts under the Judgement Fund plan. Bill B. said that the 80/20 plan and the Federal Law requires the Tribe to take steps to protect and preserve the interest of minors and other legally incompetent Tribal members who are entitled to share in the Judgement Fund distribution, and the 80/20 plan requires the Council to establish such accounts for those individuals. Bill B. said the investment options for the individual accounts are very conservative, what the purpose is of the investment options available is to preserve the principal amount that's placed in trust for minors and other incompetent persons. Discussion followed. Bill B. said that the resolution that the Council has in their packets is to authorize proceedings with Huntington Bank for the investment proposal that they made and to authorize the Tribal Chairperson to execute such agreement with Huntington National Bank for the accounts. Discussion followed. Moved by Bill M., to support Resolution # 98-0913-01 (Authorizing the Tribal Chairperson to execute such agreement with Huntington National Bank, providing for administration of Per Cap accounts for minors, incompetent and incarcerated Tribal members under the 80/20 Plan and the Reservation Restoration Trust Fund), seconded by Kim, all in favor (6), C. Fisher, K. Kequom, D. Koon, B. Memberto, S. Parsons, K. Berentsen. Absent (1), B. Guenthardt. Motion carried.
- C. APPROVAL OF LIQUOR CONTROL ORDINANCE. Bill B. said that what the Council has is about the fourth draft of the Liquor Control Ordinance and he also handed out a two page revision to Section 402 and the only change in that section was to break down that section into sub-sections. The purpose of the Liquor Control Ordinance is to prepare for the eventual authorization of on premise liquor sales at the Tribes gaming facility. In the absence of a Tribal Ordinance making those sales legal is a violation of Federal Law for any person to import, distribute, or sell liquor on Tribal lands and this ordinance has to be approved by the Department of Interior before it becomes effective, this is a requirement under Federal law. The main purpose is to authorize liquor sales on Tribal lands. Under the Federal law the Tribe has to incorporate the provisions of Michigan's liquor control laws as Tribal laws but this ordinance does state that the Tribal ordinance prevails and if Michigan law changes, the changes to the Michigan law don't become effective until they are specifically adopted by the Tribe. Discussion followed. The main

area that was discussed at the work session and was being revised was the section dealing with the process for suspending and revoking licenses. The revision that was made is that for any license held by Tribal Gaming operation, the Tribal Council or Tribal Ogema or the Tribal Gaming Commission can initiate any action to suspend or revoke a license for that facility. In all other proceedings the initiation of suspension or revocation procedures would be initiated by the Tribal Ogema or his/her designee and that to reflect the fact that the Ogema is the person responsible for executing and administering the laws enacted by the Tribal Council. For purpose of hearing violations, the ordinance does authorize the Tribal Council to establish a regulatory commission which can handle the licensing and verification suspension issues. There was language added that states that until this kind of commission is established, that the hearing on license suspension verifications would be before a hearing commissions consisting of the Tribal Council speaker, the Tribal Council reporter, and one other member of the Tribal Council. Bill B. said that other than that, the ordinance is the same as the version that was discussed at the other Council meetings and the work session. Moved by Bill M., to support the Liquor Control Ordinance # 98-400-02, (Approval of Liquor Control Ordinance), seconded by Don, all in favor (6), K. Kequom, D. Koon, B. Memberto, S. Parsons, K. Berentsen, C. Fisher. Absent (1), B. Guenthardt. Motion carried.

IV. NEW BUSINESS

- A. PEACEMAKING INITIATIVE. Phil Memberto said that since the peacemakers have not had a lot of interaction with the Council and some of the community did not know what the peacemaking initiative was about they wanted to come and present the peacemaking initiative and let people know what they have done in the past, and introduce the core of peacemakers that they have now and hoping that this group is going to expand because of the service that we have. The peacemakers are Phil Memberto, Josie Walters, Deb Gutowski, Brenda Hyma, and Helen Ann Yunis, (Attorney with Michigan Indian Legal Services). Josie Walters said that what they are trying to do is to bring back tradition to our families. Brenda Hyma said that the initiative started under a grant for developing a juvenile code. Helen Ann Yunis said that her role in all of this has been to be the coordinator of the peacemaking initiative and the Tribal Council has received the cover letter from the peacemakers along with a detailed goal, and work plan, what the peacemakers have been through and also plan to do in the future. They have a letter of support from all of the Tribal Judiciary. These peacemakers have spent a full day talking to all of the Tribal Judiciary and so they have been out there and getting support, and getting information out about the peacemaking initiative. They are also asking for a transfer of funds within the BJA grant. Helen Ann Yunis wrote the grant with the assistance of tribal members, Kim Kequom, Jay Sam, Phil Memberto, Tom Guenthardt, and Bill Brooks. They sat down and discussed what could we get out of this \$150,000 grant. They identified five areas and at that time, it looked like housing was going to be built here any day and since that day a lot of different things have happened with HUD and money has been cut

especially to smaller tribes. One of the things that this involved was taking a housing survey and talking to people who thought they were going to move back to the reservation and have homes, so this involved a huge interviewing component. These interviews have actually been conducted and there is a \$10,119.80 amount that has not been used. When they sat down and tried to figure out this budget, the peacemakers were budgeted for \$13,590.00 and at this time, they have spent approximately \$10,590.00 and what they are asking for at this point is that the \$10,119.80 be transferred within the grant from the interviewers over to the peacemakers. Helen Ann did some projections and that would involve the peacemakers to have approximately twelve more meetings and they outlined in the work plan what that would be. Helen Ann said that she wrote another Bureau of Justice Assistance Grant in June of this year and will hear on it in the next month or so and that was for another \$150,000 and this amount is specifically to keep the peacemaking initiative going. Moved by Kim, to support the transfer of funds from interviewers to peacemakers, seconded by Chuck, all in favor (6), S. Parsons, K. Berentsen, C. Fisher, K. Kequom, D. Koon, B. Memberto. Absent (1), B. Guenthardt. Motion carried.

- B. SET PLACE AND TIME FOR GHOST SUPPER(S). Discussion took place on when and where to have the ghost supper and it was decided that it would be on November 1, 1998 and will be held at the Community Center. This will begin at noon. Moved by Kim, to approve the November 1, 1998 date for the Ghost Supper, seconded by Bill M., all in favor (5), K. Berentsen, C. Fisher, K. Kequom, B. Memberto, S. Parsons. Opposed (1), D. Koon. Absent (1), B. Guenthardt. Motion carried.
- C. SET PLACE AND TIME FOR FALL MEMBERSHIP MEETING. Discussion took place on when and where to have the fall membership meeting and it was decided that it would be held on October 25, 1998 and will be held at the Community Center. This will begin with a noon potluck followed by the membership meeting to begin at 1:00 p.m. Moved by Steve, to approve the October 25, 1998 date for the fall membership meeting, seconded by Kim, all in favor (6), K. Berentsen, C. Fisher, K. Kequom, D. Koon, B. Memberto, S. Parsons. Absent (1), B. Guenthardt. Motion carried.
- D. SET FALL AND WINTER SCHEDULE FOR TRIBAL COUNCIL REGULAR SESSION MEETINGS. Steve P. said that with the constitutional elections coming up and a new Tribal Council coming on board sometime after the first of the year, we will be setting a schedule for potentially a new Tribal Council coming on board. Should we amend this to say that as long as this Tribal Council is serving, the meetings will be on Sundays and when the new Council comes on board, they can set their own schedule. Kathy agreed that they can set their own schedule. Bill B. said that what they may want to do is just set the schedule through the month of December. The new Council would take office at the January, 1999 Tribal Council meeting and they will probably want to set their own schedule but one of the problems is that the Constitution does provide for establishing the schedule of regular council meetings for the

following calendar year at the last regular meeting of the prior calendar year so at the December meeting the council would have to set a tentative schedule for 1999 and the newly elected council members can change that. Moved by Kim, to have the November 8, 1998 regular Tribal Council meeting held in Muskegon, Mi., seconded by Bill M., all in favor (6), C. Fisher, K. Kequom, D. Koon, B. Memberto, S. Parsons, K. Berentsen. Absent (1), B. Guenthardt. Motion carried. The next regular Tribal Council meeting will take place on October 11, 1998 at the Tribal Community Center in Manistee.

E. AUTHORIZATION FOR MANAGER TO SIGN FOR A THREE YEAR MEMORANDUM OF AGREEMENT TO COOPERATE WITH ITC AND OTHER TRIBES WITH REGARD TO THE HEALTHY HEART PROJECT PREVIOUSLY APPROVED TO SUBMIT. Chuck said that in the packet he submitted the materials that he has most recently received from ITC regarding the healthy heart project. ITC received a notice of award approximately a month ago. The funding source which is the Department of Health and Human Services requested that a three year commitment on the part of the participating Tribes be established before the project could actually go forward. ITC sent us those materials for our signature and agreement. This agreement went to the other Tribes as well. This is just to inform the Council and the membership that there is a healthy heart project that will be beginning in Muskegon and Chuck is requesting that the Council authorize Chairperson, Robert Guenthardt to sign this. Chuck said that he also brought the grant itself with him and if anyone has any questions he will try to answer them. Discussion followed. Moved by Bill M., to support the Healthy Heart project, seconded by Kim, all in favor (6), K. Kequom, D. Koon, B. Memberto, S. Parsons, K. Berentsen, C. Fisher. Absent (1), B. Guenthardt. Motion carried.

F. AUTHORIZATION FOR SUBMITTAL OF CONTRACT MODIFICATION FOR 2% TRANSPORTATION PLANNING CONTRACT TO EXTEND CONTRACT FROM SEPT. 30 TO MAR. 31. Bill W. said that there were basically three deliverables as part of the scope of work, two of which have been completed, the roads inventory and the construction priority list. The only other deliverable under the grant is a five year transportation improvement plan. Bill W. said that on June 3, 1998 he met with representatives from the BIA roads division and discussed where the grant was at. Because the roads commission is under staffed to the point where they can't dedicate a considerable amount of time to these individual Tribes, they recommend that we take a look at extending the contract. The other advantage to extending the contract is that there is roughly \$5,000 left in the budget that hasn't been spent in terms of training and meetings. There would not be any change in the scope of work, nor would there be any change in the overall budget. Bill W. said that he talked with Cheryl Bigboy about this as to whether or not we need a resolution or whether we just needed the standard form thirty which is a contract modification form and she stated that we just needed the form executed by who ever is authorized to sign. Moved by Bill M., to support the authorization for submittal of contract modification for 2% transportation planning contract to extend the contract from Sept. 30 to Mar. 31, 1999,

seconded by Don, all in favor (6), D. Koon, B. Memberto, S. Parsons, K. Berentsen, C. Fisher, K. Kequom. Absent (1), B. Guenthardt. Motion carried.

- G. MID YEAR BUDGET ADJUSTMENTS FOR BIA PROGRAMS. Chris said that what he tried to do was to figure out realistically how much money in each of the programs budget do we need to use before the calendar year is up, in order to project how much is going to be left over for next year if any. Chris said that these are the BIA programs only. Chris said that the first column of numbers is what the original budgets were for these programs and these include carry over money from previous years so they add up to more than the BIA budget for this year all by itself. The second column where it says new total are the new budgets and these are the amounts of money that we realistically expect out of the 1998 budget we will have available to carry into 1999 for just BIA programs. Chris said that his expectation for our BIA budget for 1999 will be somewhere around \$770,000 and if he adds the carry over money of \$175,000 we have a total of \$940,000, which is pretty close to the amount in column two which is what we planned on spending during 1998 and what that means is thanks to this carry over, which was largely a result of all the program personnel working hard to save every buck. Our 1999 budget should be very similar to our 1998 budget as far as what we can do. Chris said that the 1999 budget has not been worked out yet, but the big picture is that it will be similar to 1998. Discussion followed. Chris went over and explained all of the individual programs. Discussion followed. Moved by Kim, to approve the budget adjustments as presented by Chris, seconded by Steve, all in favor (6), B. Memberto, S. Parsons, B. Guenthardt, K. Berentsen, C. Fisher, K. Kequom, D. Koon. Absent (1), B. Guenthardt. Motion carried.
- H. AUTHORIZATION FOR EXPENDITURE OF \$325.00 FROM 5% ADMIN. FUNDS FOR WELL & SEPTIC PROGRAM. Bill W. said that back in February, the Tribal Council approved the use of the 5% admin. Money that the Tribe obtained through the administration of that program to be used as discretionary and back in February the Council approved the use of that money to establish a Well & Septic and Maintenance program. Forbes Sanitation conducted some work under the "96" program, which Grand Traverse Band was administrating on behalf of the Tribe. Bill said that Forbes has come to him on several occasions wondering where the \$325.00 is that is still owed to them and the money that they are still owed is what they call a 3% retainer until a final inspection is done on the site. Bill W. said that on several occasions within the past year or so, he has hounded IHS about where this money is as the work was completed in May, 1997 and this still has not been paid. They said They would find it and back in June he had a meeting with the IHS contracting office and brought this to their attention again only to find out that a week later, after they claimed that they would check it out, he found out that it wasn't IHS who was at fault but rather Grand Traverse Band. Mark Bader had called Grand Traverse Band to find out what the deal was and found out that the progress form that needed to be submitted for this money was never submitted and Grand Traverse Band claimed that their books were messed up. Bill W. said that the bottom line is

that Forbes needs to be paid for this and he doesn't know how long it will take Grand Traverse Band to straighten things out so they can draw the money down, but he thinks Forbes has been waiting long enough. Bill W. said that this is for projects that were completed under a contract that we had between us and IHS but the problem was that Grand Traverse Band was administrating the program that year. Bill W. said that he thinks a letter should be sent from us to Grand Traverse Band letting them know that we are dissatisfied. Moved by Bill M., to pay this \$325.00 and then bill Grand Traverse Band for this amount, seconded by Kim, all in favor (6), K. Berentsen, C. Fisher, K. Kequom, D. Koon, B. Memberto, S. Parsons. Absent (1), B. Guenthardt. Motion carried.

- I. STATUS REPORT ON COMMUNITY POLICING PLANNING COMPONENT OF BJA GRANT, COPS GRANT AND RELATED LAW ENFORCEMENT ISSUES. Bill B. said that what the Tribal Council has is a packet that includes a memo that he put together detailing some of the law enforcement issues that are being discussed. The workshops that were held on this were part of the Bureau of Justice Assistance Grant and one of the components under that grant was to do some planning on how to develop a community policing program at the Tribal level and what the Tribal community expectations were in terms of what kind of police agency they wanted and how they wanted the agency to interact with tribal members. Discussion followed. This was for information only.
- J. PRESENTATION OF INSURANCE PROPOSAL FROM MADIGAN INSURANCE. Bill B. said that we got an insurance proposal for the Tribe from the Manistee Insurance Agency. They are a company that provides insurance to its program for sovereign nations which is an insurance program specifically designed for tribal governments. This insurance provided a lot of the same kind of insurance that the Tribe currently has in terms of buildings, property, equipment, and vehicle liability. They also have things that are added to their general liability that are not currently not covered under the Tribe's insurance programs. Discussion followed. This was tabled at this time.
- K. MOTION TO PURSUE CONSULTANT AGREEMENT WITH ROBERT HORNKOHL TO ASSIST IN IDENTIFYING STEPS FOR DEVELOPMENT OF TRIBAL PUBLIC SAFETY PROGRAMS. Moved by Kim, to table this at the present time, seconded by Bill M., all in favor (6), K. Kequom, D. Koon, B. Memberto, S. Parsons, K. Berentsen, C. Fisher. Absent (1), B. Guenthardt. Motion carried.
- L. STATUS REPORT AND PRESENTATION OF DRAFT OF FIRST SET OF ELECTION RULES. Diane said that she has already sent out a letter of declaration to people that have P.O. Boxes so that we know what district and county they reside in. Diane answered questions that Council had. Steve P. thanked Diane and the Election Board for the good job that they are doing. This was for information only.

M. HAND AND OVERVIEW OF ORDINANCE ESTABLISHING PROCEDURES FOR ADMINISTRATION OF JUDGMENT FUNDS. Bill B. said that because of Clinton's problems, Congress is going to stay in session long enough to have the effective date occur probably by the end of this month. We are probably looking at the plan being carried out this year. Based on our last estimate, we are looking at around somewhere between the 25th and 28th of September as being the effective date of the plan. As soon as this occurs, the Tribe should be getting written notice of the effective date. Once we have notice of the effective date, in order to get the funds disbursed, that is where section two of these procedures kick in is that the Tribal Council will call a special meeting for the purpose of enacting a resolution requesting the disbursement of the Tribe's share of the judgment fund, because after the effective date, in order to have the money sent to the Tribe, the Tribe has to submit a resolution. Discussion followed. Bill B. said that there is what is called a primary account that will be the account for the entire amount of the funds are transferred to. The 20% share that is programmed for Land Acquisition is transferred to a separate account. There is language to implement the re-payment provisions of the Land Acquisition loan that was entered into to purchase the gaming property. Discussion followed. This was for information only.

N. THE LITTLE RIVER BAND OF OTTAWA, MEMBER OF THE NATIVE AMERICAN FISH AND WILDLIFE SOCIETY. This was submitted by Bill Parsons, and Archie Martell. Chuck said that this was included in the package but it was not on the agenda and the Council agreed to look at this further. This comes to Council as a resolution and basically it is pretty straight forward and there are no costs involved, it is a National Organization and is non profit. Chuck said that this has been around since about 1983 and has a membership of many different Tribes. Chuck had a 1997 annual report and in the interest of keeping this short, he will just open it up to the council if there is any questions. Don K. asked the question in regards to this being the "Native American Fish and Wildlife Society" and Bill and Archie are not Native American. Chuck said that he didn't know. Chuck said that it is the Tribe that would be joining this and not the individuals. Bill and Archie would only be representing the Tribe. Moved by Bill M., to table this until the October 11, 1998 Tribal Council meeting, seconded by Kim, all in favor (4), K. Kequom, D. Koon, B. Memberto, K. Berentsen. Opposed (1) S. Parsons. Abstaining (1), C. Fisher. Absent (1), B. Guenthardt. Motion carried.

V. CONCLUDING BUSINESS

A. PUBLIC COMMENT

Katie Glocheski presented a petition for a special meeting of the Little River Band of Ottawa Indians Tribal Council. As the agenda is to be a personnel issue they are requesting that the meeting be closed.

** The remaining minutes did not record, therefore no more of the public comment could be transcribed.

- B. TRIBAL COUNCIL MOTION TO GO INTO CLOSED SESSION. Moved by Bill M., to move into closed session, seconded by Kim, all in favor (6), B. Memberto, S. Parsons, K. Berentsen, C. Fisher, K. Kequom, D. Koon. Absent. (1), B. Guenthardt. Motion carried.
- C. TRIBAL COUNCIL MOTION TO GO BACK INTO OPEN SESSION. There was no motion or roll call vote for this on paper, and the remaining minutes were not recorded, so this could not be done completely.
- D. NEXT MEETING. The next regular Tribal Council meeting will be on October 11, 1998 at noon. This meeting will be held at the Tribal Community Center.
- E. TRIBAL COUNCIL TO ADJOURN MEETING. Moved by Kim, to adjourn meeting, seconded by Don, all in favor (6), K. Berentsen, C. Fisher, K. Kequom, D. Koon, B. Memberto, S. Parsons. Absent (1), B. Guenthardt. Motion carried.

10/15/98--mo