



**LITTLE RIVER BAND OF OTTAWA INDIANS
 TRIBAL COUNCIL
 REGULAR MEETING
 WEDNESDAY, SEPTEMBER 25, 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 September 25, 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, September 25, 2002, was called to order by Speaker Parsons, at 10:10 a.m.

B. Roll Call

C. Bennett – Present	C. Fisher – Absent	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: Jo Anne House, Kathleen Block, John Bussey, Matthew Stratton, Bobbi Jo Thomas, Pat Morris, Leatrice Castonia, Gary Markowski, Tina Vaquera, Bob Hardenburg, Bill Willis

Speaker Parsons informed the Council that Chuck Fisher notified him that he would be late.

Chuck Fisher arrived at 10:12 a.m.

C. Approval of Agenda

Porter requested to add New Business J-Legislative Recess.

MOTION TO APPROVE AGENDA AS AMENDED; by Kleeman; supported by Ruiter.

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 (8-0-1-0)

D. Tribal Council Minutes

No minutes presented for adoption.

E. Public Comment Period

Bobbi Jo Thomas asked that the people in contract health get bigger offices, and more space, and requested that Council address the heating and cooling problems that need to be corrected at the health building.

Markowski requested that Tribal Council adopt a zero tolerance for Indian mascots used in schools.

Sherri Hunt arrived at 10:14 a.m.

Markowski commented that there would be an ongoing case in Manistee regarding the mascot issue. Markowski voiced his opinion that someone couldn't be partly prejudice, either all or none. Markowski asked if the Council had any information or knowledge about someone bringing a case against Manistee Public School. Council responded they had no information regarding that matter.

III. Continuing Business

A. Grants & Contracts

There was no business presented for consideration of the Tribal Council.

B. CMT Business

There was no business presented for consideration of the Tribal Council.

IV. Old Business

A. Credit Card Authorization

These items were postponed from the 7/24/02 Tribal Council meeting. It was noted that the Council is awaiting the final draft of regulations prior to taking final action on this item.

1. Action regarding authorized holders of Tribal Credit Cards

**MOTION TO REMOVE CREDIT CARD
AUTHORIZATION FROM THE AGENDA;** By Sam;
supported by Ruiter.

Sam noted that the Legislative Attorney is preparing the draft regulations and they are near completion.

Roll Call

C. Bennett – No	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 (7-2-0-0)

B. Appointment of Collections Commissioners

This item was originally postponed from the 8/21/02 Tribal Council meeting pending a work session and again postponed at the 9/11/02 meeting. It was noted that the item is scheduled to be discussed at a work session scheduled for 10/4/02.

**MOTION TO REMOVE APPOINTMENT OF
COLLECTIONS COMMISSIONERS FROM THE AGENDA;**
by Ruiter; supported by Kleeman.

Roll Call

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

Motion carried (8-1-0-0)

C. Execution of Bill of Sale of Property Acquired

This item was postponed from the 9/11/02 Tribal Council meeting pending a work session. Fisher indicated that he called Dave Schultz who oversaw the moving of the trailers from the Casino property. Fisher requested that Schultz verify if there were serial numbers for the trailers, and Schultz informed Fisher that he had not found any numbers.

MOTION TO POSTPONE; by Kleeman; supported by Sam.

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)

D. Appointment of Candace Chapman to the Enrollment Commission

Old Business items D, E, and F were postponed pending a meeting with the Ogema and interviews with the candidates, if the Council chooses to interview, which was not yet scheduled.

Parsons indicated the Council has not received further information from the Ogema regarding appointment to this commission. Marskowski asked if there is a limit on how many commissions one person can serve on. Porter noted that there are not many members that volunteer to serve on commissions.

Katie Glocheski, Bridget Cole, and Denise Koon arrived at 10:30 a.m.

Stratton stated he is not currently serving on any Commissions or Committees. Stratton commented that the reason he is seeking appointment to the Enrollment Commission is because he has a concern regarding too many members from the same family serving on the same commission. Stratton believes that there are currently three members of the Enrollment Commission that are from the same family. Stratton indicated that any stipend he would be paid for serving on this commission he would return to the tribe as donations for other things. Stratton noted that he was informed that during last week's Council meeting, a discussion took place regarding confidentiality during which Stratton was implicated in some manner. Stratton reviewed his background for the Council, informing Council that in the military he was classed as an E-6 and indicated that such position is a top security position. Stratton stated the Ogema nominated him to fill this position.

Speaker Parsons stated that nothing was raised publicly regarding any issues relative to Stratton or confidentiality that Stratton was explaining today. Markowski asked if there is a provision that a person not participate in a vote if a family member is impacted by the decision. Parsons indicated that there is no prohibition regarding voting in the regulations or the ordinance. Markowski suggested that Council look into this prohibition for voting on family member applications, and voiced he felt it is a good idea. Glocheski explained why it is important for all commissioners to vote on actions for enrollment. Markowski voiced his opinion that a family member voting on another family member's enrollment application would be a conflict of interest. Glocheski indicated that an applicant for enrollment must be able to provide all documentation required to get enrolled in the tribe, and that if a person is not eligible or does not have all the

documentation, the commission could not “vote” to put that person on the enrollment. Glocheski stated that if a person doesn’t have all the paperwork, they can’t get in anyway, because the commission has to vote on the file information, not on who the person is. Glocheski indicated that the files are being cleaned up as a result of the audit.

Markowski noted that he had been informed that there are people on the roll as members that are not really members. Glocheski responded that she could not provide specific numbers regarding how many applications are being reviewed or if there are members who are not members, but noted that this is being corrected by the commissioners that are on the Enrollment Commission. Markowski commented that he would like to see all families represented on the Enrollment Commission and on the Tribal Council. Parsons responded that it is up to an individual to run for office or to seek appointment.

Cole commented that she is related to many families, but not all of her relatives are known to her, and voiced her opinion that she did not believe she would need to excuse herself from voting because of a family relationship.

Kim Alexander and Jessica Crawford arrived at 10:43 a.m.

MOTION TO POSTPONE APPOINTMENT OF CANDACE CHAPMAN TO ENROLLMENT COMMISSION by Kleeman; supported by Ruiter.

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)

E. Appointment of Matthew Stratton to the Enrollment Commission

MOTION TO POSTPONE OLD BUSINESS E 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)

E. Appointment of Ben Hamilton to the Enrollment Commission

MOTION TO POSTPONE 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. Vacant Support Staff Position for the Tribal Council

The Tribal Council has a staff position that has remained vacant since Sadie Riffle accepted a position in Human Resources. Sam indicated that it would be necessary to ensure that appropriate records management continues while the job posting process is carried out, and suggested that the Council approve engagement of temporary services.

McCatty suggested that a temporary position be posted while the permanent position is being filled. McCatty informed Council that she had conferred with Alyce Giltz in Human Resources, and according to Section 2.9 © of the personnel manual, there are no benefits for temporary positions. Vaquera reviewed the process that she would use to fill a temporary position. McCatty stated that past practice of the Tribe was to not have a contract. McCatty believes the wages for the temporary position should be the same as the permanent position.

MOTION TO HIRE A TEMPORARY HIRE FOR THE TRIBAL COUNCIL AT A LEVEL 3 INSTEAD OF A LEVEL 4; by Porter, supported by Kleeman.

House stated that the current personnel policy would not allow for the Tribal Council to hire temporarily to transcribe minutes. House explained that if the Council wished to engage a temporary service it could do so, but could not post a position as a temporary position through Human Resources that the Council would intend to hire on a permanent basis.

MOTION AND SUPPORT WITHDRAWN; by Porter and Kleeman.

Parsons queried if the Council would need to approve engagement of temporary services. House confirmed the Council would approve similar to other contracts for services.

MOTION TO HAVE RECORDER SAM REPOST THE OPEN ADMINISTRATIVE POSITION AS A LEVEL 3 POSITION; 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)

B. Consideration of Council to Establish a Committee or other group of individuals to answer policy questions for Officials of the Tribe

Jessica Burger arrived at 11:00 a.m.

McCatty asked Tribal Council to consider delegating Legislative functions to a group of individuals, to determine the appropriate policy questions for Officials of the Tribe, such as: background checks and standards, minimum educational requirements, a schedule for periodic review to determine the appropriate salary and/or stipend, benefits, allowances, travel, purchases, and use of Tribal vehicles and equipment.

McCatty elaborated on what questions need to be answered. McCatty stated there are minimum policies and the need to have someone review these items periodically. McCatty stated some people are getting prosecuted for taking travel money when they did not go on travel and not paying the money back. Stratton commented that this type of review may not be appropriate for the legislative branch. Stratton stated this job might fall within risk management under the executive branch.

Sam spoke of internal controls in the federal government. Sam stated she would favor a compensation board for review of compensation of appointed officials. Sam commented that determining what a person's minimum educational requirements would be to serve on such a board should be discussed prior to formalizing the board. Sam also supports a police commission and is in favor of these types of bodies.

Kleeman agrees with the background checks, but noted for elected officials there are no minimum education requirements stated in the constitution, nor background checks as they are elected by the membership. Jessica Burger stated that all employees are required to have background checks and fingerprint checks as this is under the federal contracts. Burger stated has also agreed to certain accounting law and follow government regulations for eligibility of services. Burger stated the Tribe has agreed to do these things for over five years according to the contracts that have been signed. Sam clarified that the issue of travel money that Councilor McCatty brought up is not occurring at Little River that she knows of.

Martha Kase arrived at 11:08 a.m.

Porter stated Council should deal with legislative issues rather than getting involved with administrative issues.

Speaker Parsons suggested a work session regarding this item.

C. Approving Compensation for Election Board Members staffing Election Board Office from January 1, 2002

The Election Board has staffed their office with one Board Member several hours a week throughout the year to address issues of the membership including, but not limited to, voter registration, Constitutional amendment issues, membership meeting issues and establishing and implementing internal controls. It is necessary to compensate the Election Board member for his or her time.

Sherri Ivens and Cris Curtain arrived at 11:14 a.m.

Porter clarified that there was a person staffing the office that has not been paid all year. McCatty has a question if the intent of the resolution is to have 32 hours total for all Election Board members, which will not be exceeded per month.

Markowski asked of the \$15.00 per hour wage and believes that is high. House stated this amount was listed in the original resolution that was passed. House stated that the Election Board is educated and able to answer any questions that may arise.

House believes McCatty raises a good point regarding the 32 hours of staffing office. House would like the language clarified. House also brought up the 2nd resolve and states that this resolve states that every Election Board member be compensated this amount.

Bennett left the building at 11:20 a.m.

Castonia stated the amount of \$15.00/hr is a lot and stated that people in a normal election is usually voluntary. Sam stated election workers in other jurisdictions may be paid stipends but noted there are county clerks, county treasurers and other public officials in similar governments that are in charge of elections that get paid a salary. Markowski asked that it be clarified that county clerks and treasurers make \$15.00/hr for Manistee County. Sam believes this is correct, but commented that she did not have the County budget to confirm. Sam reiterated that she believes that county officials get paid approximately a comparable salary.

Pat Morris informed the Council that she got a copy of the paper with the salaries of the employees of the Tribe, which has been circulated throughout the whole Tribe and knows all of the high salaries and will add this salary to the list.

Fisher stated these people do have experience to do this job.

Bennett arrived back at 11:32 a.m.

McCatty believes this came up because everyone at the membership meeting was not aware they needed to register to vote. Medahko stated it would have been helpful to have the Election Board and Helen Ann Yunis here today to represent this item for clarification.

Bennett stated people did need to register at the membership meeting in order to vote that day. Bennett stated there is one person who is not an elder on the Election Board. Parsons clarified that mileage is only paid to the members if they are coming to staff the office and not paid in addition to stipend of \$100.00. Parsons stated that the Election Board stopped registering voters at 1:00 p.m. the day of the membership meeting because there was a policy to this effect.

MOTION TO POSTPONE THIS ITEM UNTIL WORK SESSION WITH THE ELECTION BOARD AND HELEN ANN YUNIS; by Ruiter; supported by

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)

D. Judgment Monies Release

Authorizing Release of Judgment Fund Monies Held in trust For Certain Minors Reaching the Age of Majority in July 2002

MOTION TO APPROVE RESOLUTION # 02-0925-01, AUTHORIZING RELEASE OF JUDGEMENT FUND MONIES HELD IN TRUST FOR CERTAIN MINORS REACHING THE AGE OF MAJORITY IN JULY 2002 ; by Kleeman; supported by Medahko

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. Two Proposed Amendments for Membership Assistance Program Regulations

Food voucher and emergency transportation eligibility excludes minor Tribal members not residing with their Tribal member parent. The amendments to eligibility will allow these minors to receive the program benefits.

Parsons stated this amendment includes guardians of a member who has not reached the age of 18. Ruiter asked why Don Koon is not here to represent this item. Sherri Ivens read notes that she had for the several occasions that Don Koon had been notified of this meeting, and this agenda item. McCatty spoke of Chapter 4, section 3 ©, add a “t” to “no” and state that the applications that are pending are applications that have not been processed but can now be processed.

Medahko voiced a similar concern as Ruiter regarding the fact it is unclear which department is in charge of this program. Sherri Ivens stated there was a work session with some of the Council members, and Ivens read from the Regulations where ~~the~~ the authority to define criteria is within Family Services. S. Ivens stated she was told at the work session that any changes or additions to regulations needed to be approved by the Tribal Ogema and by the Tribal Council. McCatty stated Council did meet with Don Koon and he was aware of this item being on the agenda. Ruiter stated all of this paperwork should be going through the Director of Membership Assistance. House stated the Membership Assistance Ordinance does not create a Director of all programs but oversees the Home Repair Program. House stated this person is not a director of all programs such as food voucher and emergency transportation. House stated the Tribal Council should receive a single report and this report would come from the Membership Assistance Department. House stated the concerns were noted and people essentially only have to go to one place, as each department will gather all of the information and forward to other areas that the person may need help in. House is under the understanding that Jessica Burger and Sherri Ivens have been working closely together and beginning a third location which is the Membership Assistance Director.

Sam stated the Tribe needs to assure that our Tribal children are taken care of. Sam is suggesting that all of the parties meet and discuss to understand who has the ability to put their signature on the administrative procedures. Sam stated Council might need to revisit the hierarchy of this structure. Willis stated he was asked last week to organize a meeting with all of the individuals involved as apparently there is some confusion on who is implementing the program and how much money has been spent thus far which is scheduled for this Friday at 8:30 a.m.

Gary Markowski stated this looks like a massive train wreck that is going to happen financially. Parsons stated this is being handled on Friday with the meeting that Willis spoke of. Parsons stated that Koon stated the program is going well. Sherri Ivens stated she was told she could tap into this money by direction of Bob Davis. Sam stated the money was not to be used until regulations were in place with implementation for September 1. House stated there is not any further action that the Tribal Council needs to address.

MOTION TO APPROVE RESOLUTION # 02-0925-02, ADOPTION OF AMENDMENTS TO THE MEMBERSHIP ASSISTANCE PROGRAM REGULATIONS, #R700-04:MA; 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 – No	J. Sam – Yes

Motion carried (8-1-0-0)

F. Acceptance of Enrollment Commission Report For the Month of September 2002

MOTION TO ACCEPT THE ENROLLMENT COMMISSION REPORT FOR THE MONTH OF SEPTEMBER 2002; by Porter; supported by Kleeman.

Roll Call

C. Bennett – No	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 (8-1-0-0)

G. Acceptance of Contract Modification from Bureau of Indian Affairs (BIA) and amending FY2002 Operating Budget to include funds in the amount of \$255,098

Tribe has been awarded \$255,098 from BIA in the form of a contract modification #2, dated 9/2/02. Funds need to be formally accepted and approval to amend FY2002 Operating Budget to include these funds.

Sam suggested that Willis relay to the Ogema's office the need to identify where the funds are coming from and into what portion of the Tribe's funding will the dollars awarded be placed into.

MOTION TO APPROVE RESOLUTION # 02-0925-03, ACCEPTANCE OF CONTRACT MODIFICATION FROM BUREAU OF INDIAN AFFAIRS (BIA) AND APPROVING A MODIFICATION TO THE OPERATING BUDGTE FOR FISCAL YEAR 2002 IN THE AMOUNT OF \$255,098; 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. Ruiter – Yes	J. Sam – Yes

Motion carried (9-0-0-0)

H. Acceptance of Gaming Commission Report For the Month of August 2002

MOTION TO ACCEPT THE GAMING COMMISSION REPORT FOR THE MONTH OF AUGUST; by Porter; supported by Kleeman.

Roll Call

C. Bennett – No	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 (8-1-0-0)

McCatty stated there are items within the report that have not been executed.

I. Cancellation of October 2, 2002 Tribal Council Meeting

Parsons stated the Council has scheduled to meet with a consultant regarding a confidential matter, which is scheduled for October 2, 2002, and need to cancel the Tribal Council meeting for that day.

**MOTION TO APPROVE RESOLUTION # 02-0925-04,
APPROVING CANCELLATION OF THE OCTOBER 2, 2002
TRIBAL COUNCIL MEETING; by Kleeman; supported by**

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 (9-0-0-0)

J. Legislative Recess

Porter stated would like some advanced notice for legislative recess for family planning. Porter just wanted to get this item on the Council's agenda for consideration and was only an FYI item.

VI. Concluding Business

- A. Next Meeting Date(s) – October 9, 2002**
- B. Public Comment Period**

McCatty stated she had a concern with the Enrollment Commission minutes because of a letter that was received by a prospective member who has been waiting since March for an answer. Sam stated the applications that have been accepted or rejected might have been before the March date that this application was submitted.

Speaker Parsons informed the Membership that 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 Medahko.

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 (9-0-0-0)

This portion of Open Session was adjourned at 12:17 p.m.

MOTION TO RETURN TO OPEN SESSION by Medahko, supported by Kleeman.

Roll Call

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

Motion carried (6-1-0-2)

Items to be placed in the Open Record:

MOTION TO MOVE TO OPEN SESSION THE RESOLUTIONS AND ROLL CALL RECORDS FROM RESOLUTIONS #02-0925-05, #02-0925-06 AND #02-0925-07; by Parsons, supported by Kleeman.

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 – Absent

Motion carried (7-0-0-2)

MOTION TO ADJOURN OPEN SESSION; by Kleeman, supported by Ruiter.

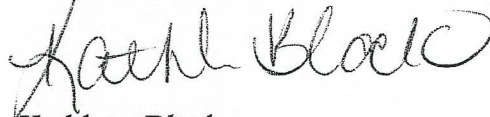
Roll Call

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 – Absent

Motion carried (7-0-0-2)

The Tribal Council adjourned the meeting at 4:07 p.m.

Respectfully Submitted,



Kathleen Block
Transcribing Assistant



Janine Sam
Tribal Council Recorder