

**LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COUNCIL  
REGULAR MEETING  
WEDNESDAY, SEPTEMBER 26, 2001  
LITTLE RIVER BAND COMMUNITY CENTER**

**OPEN SESSION  
MINUTES**

The Little River Band of Ottawa Indians held a meeting at the Little River Band Community Center on September 26, 2001. Following are the minutes of that meeting.

**I. Opening Prayer**

The Tribal Council engaged in a silent prayer.

**II. General Business**

**A. Call To Order:**

The regularly scheduled Tribal Council meeting of Wednesday, September 26, 2001, was called to order at 1:04 p.m. Pamela Medahko is ill and will not be attending today.

**B. Roll Call**

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

Quorum established.

Others Present: Jo Anne House, Kathleen Block, Bill Willis, P. Morris, Gary Markowski, J.A. Clements, John Bussey, Jessica Burger, and Lee Sprague

**C. Approval of Agenda**

**MOTION TO REMOVE AGENDA ITEM D - #1 AND MOVE TO WORK SESSION WITH NATURAL RESOURCES COMMISSION;**  
by Kleeman; support by Ruiter.

**Roll Call**

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

Motion failed. (4-4-1-0)

**MOTION TO APPROVE AGENDA AS PROPOSED;** by Sam; support by McCatty.

**Roll Call**

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

Motion carried. (5-3-1-0)

**D. Tribal Council Minutes**

No minutes for review.

**E. Public Comment Period**

No public comment.

**III. Continuing Business**

**A. Grants & Contracts**

**1. Consideration/approval of submission for Tribal Archives Grant**

**MOTION TO APPROVE RESOLUTION # 01-0926-01 FOR DEVELOPMENT OF TRIBAL ARCHIVES AND RECORDS MANAGEMENT GRANT WITH CORRECTION IN 5<sup>TH</sup> WHEREAS TO REMOVE THE “0”;** by Kleeman; support by Porter.

**Roll Call**

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

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

**2. Consideration/approval of consulting contract for manufactured housing project**

**MOTION TO APPROVE RESOLUTION # 01-0926-02 APPROVING BOBBITT’S MANUFACTURED STRUCTURES GROUP CONTRACT;** by Fisher; support by Sam.

**Roll Call**

C. Bennett – No	C. Fisher – Yes	T. Kleeman – Yes
L. McCatty – No	P. Medahko – Absent	S. Parsons – Yes

E. Porter – Yes	P. Ruiter – No	J. Sam – Yes
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Motion carried. (5-3-1-0)

**3. Consideration/approval of Rohr Fuel System Contract for Little River Station Store**

The total bid from Rohr is \$3,500. This is for design work not the product.

**MOTION TO APPROVE RESOLUTION # 01-0926-03, APPROVING ROHR FOR FUEL SYSTEM DESIGN;** by Kleeman; support by Sam.

**Roll Call**

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

Motion carried. (7-1-1-0)

**4. Consideration/approval of lease for underground gasoline tank**

It was stated that we do not pay for the tank at time of delivery but rather when station is fully operational with a 30-year warranty on the tank itself.

**MOTION TO APPROVE RESOLUTION # 01-0926-04, APPROVING OF PETROLEUM TANK/EQUIPMENT LEASE FOR LITTLE RIVER STATION STORE;** by Porter; support by Kleeman.

**Roll Call**

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

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

**5. Consideration/approval of construction manager contract for convenience store project**

The lowest bid received was from Little River Construction Company. Bids were also submitted from Grand Rapids and Muskegon area, which were much higher. There is \$85,000 budgeted for the construction manager.

**MOTION TO APPROVE RESOLUTION # 01-0926-05, APPROVING CONSTRUCTION MANAGER CONTRACT**

**WITH LITTLE RIVER CONTRUCTION COMPANY;** by Bennett; support by Sam.

**Roll Call**

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

Motion carried. (7-1-1-0)

Bussey also stated that the \$24,000 grant for the minivan was accepted.

**B. CMT Business**

Fisher stated there was no CMT business to discuss.

**IV. Old Business**

**A. Resolution Authorizing Tribal Ogema To Execute Engagement Letter with Egghart & Associates for 2001 Annual Audit of Little River Casino Resort and For Compliance Auditing Services**

**MOTION TO POSTPONE UNTIL NEXT WEEK PENDING CLARIFICATION;** by Kleeman; support by Ruiter.

**Roll Call**

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

Motion carried (7-1-1-0)

**B. Resolution Authorizing Execution of Lease/Participation Agreement with Sodak Gaming/IGT and Agreeing to Limited Waiver of Sovereign Immunity in That Agreement**

Sam stated she had a copy of the approved vendors list and Celani does not have controlling interest in Sodak Gaming.

**MOTION TO APPROVE RESOLUTION # 01-0926-06, AUTHORIZING THE TRIBAL OGEMA, OR IN THE ABSENCE OF, THE TRIBAL COUNCIL SPEAKER TO EXECUTE A PARTICIPATION AGREEMENT WITH SODAK GAMING, INC. AND AGREEING TO A LIMITED WAIVER OF SOVEREIGN IMMUNITY IN SUCH AGREEMENT WITH CHANGE OF DATES TO READ 9/26/01;** by Sam; support by Kleeman.

**Roll Call**

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

Motion carried (7-1-1-0)

**V. New Business**

**A. Temporary Liquor License for outside event at Little River Casino Resort for October 12 and October 13, 2001 from 5 p.m. to 11 p.m.**

**MOTION TO APPROVE TEMPORARY LIQUOR LICENSE FOR OUTSIDE EVENT AT LITTLE RIVER CASINO RESORT FOR OCTOBER 12 AND OCTOBER 13, 2001 FROM 5 P.M. TO 11 P.M.;**  
 by Porter; support by Kleeman.

**Roll Call**

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

Motion carried (8-0-1-0)

**B. Acceptance of Clean Air Transportation Grant Funds From USEPA and Approving Budget Modification to FY2001 Operating Budget**

**MOTION TO APPROVE RESOLUTION # 01-0926-07, ACCEPTANCE OF CLEAN AIR TRANSPORTATION GRANT FROM U.S. ENVIRONMENTAL PROTECTION AGENCY (USEPA) AND APPROVING A MODIFICATION TO THE OPERATING BUDGET FOR FICAL YEAR 2001 IN THE AMOUNT OF \$59,275;** by Kleeman; support by Porter.

**Roll Call**

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

Motion carried (8-0-1-0)

**C. Acceptance of Contract Modifications from Indian Health Service (HIS) and Approving Budget Modification to FY2001 Operating Budget**

**MOTION TO APPROVE RESOLUTION # 01-0926-08, ACCEPTANCE OF CONTRACT MODIFICATIONS FROM INDIAN HEALTH SERVICE (HIS) AND APPROVING A MODIFICATION TO THE OPERATING BUDGET FOR FISCAL**

**YEAR 2001 IN THE AMOUNT OF \$159,872;** by Kleeman; support by Porter.

**Roll Call**

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

Motion carried (8-0-1-0)

**D. Acceptance of Contract Modifications from Bureau of Indian Affairs (BIA) and Approving Budget Modification to FY2001 Operating Budget**

**MOTION TO APPROVE RESOLUTION # 01-0926-09, ACCEPTANCE OF CONTRACT MODIFICATIONS FROM BUREAU OF INDIAN AFFAIRS (BIA) AND APPROVING A MODIFICATION TO THE OPERATING BUDGET FOR FISCAL YEAR 2001 IN THE AMOUNT OF \$420,887;** by Porter; support by Kleeman.

**Roll Call**

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

Motion carried (8-0-1-0)

**E. Resolution Authorizing the Tribal Ogema, or in the Absence of, the Tribal Council Speaker, to Execute a Special Counsel Contract with Dorsey & Whitney LLP**

**MOTION TO POSTPONE THIS MATTER UNTIL 10/3/01;** by Porter; support by Sam.

**Roll Call**

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

Motion carried (6-2-1-0)

**VI. Concluding Business**

- A. Next Meeting Date(s) – October 10, 2001**
- B. Public Comment Period**

Burger discussed possibility of prescription drugs cards with implementation in November. This would only be for Michigan and

Wisconsin members at this time. Implementation will be through K-Mart Pharmacy. Little River Band would be the first Tribe to do this in Michigan.

*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 Ruiter; support by Kleeman.

**Roll Call**

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

Motion carried (8-0-1-0)

This portion of Open Session was adjourned at 2:35 p.m.

Council reconvened in Open Session at 4:00 p.m. The following items were brought from Closed Session to Open Session.

**MOTION TO ADJOURN CLOSED SESSION AND GO INTO OPEN SESSION;** by Kleeman; support by Bennett.

**Roll Call**

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

Motion carried (8-0-1-0)

**MOTION TO MOVE RESOLUTION # 01-0926-10 REGARDING COMMERCIAL FISHING TO OPEN SESSION WITH ROLL CALL VOTE;** by McCatty; support by Ruiter.

**Roll Call**

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

Motion carried (7-1-1-0)

**MOTION TO APPROVE RESOLUTION 01-0926-10, APPROVING BUDGET MODIFICATION TO THE FISCAL YEAR 2001 OPERATING BUDGET FOR THE TRIBAL GOVERNMENT AND**

**APPROPRIATING \$40,000 FROM THE U.S. V. MICHIGAN  
"FISHERIES TRUST" FUND TO THE GENERAL FUND TO BE  
ALLOCATED TO THE START-UP COSTS FOR THE  
COMMERCIAL FISHING PROGRAM IN THE CONSERVATION  
DEPARTMENT; by McCatty; support by Porter.**

**Roll Call**

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

Motion carried (7-1-1-0)

After items were brought forward the following discussion ensued.

Sam discussed the possibility of visiting Ho Chunk in Nebraska as they have a separate economic development corporation. Fisher, Kleeman, Ruiter, Sam and possibly Parsons would be visiting. McCatty, Porter and Bennett declined traveling.

Bennett left at 4:05 p.m.

**MOTION TO ADJOURN; by Sam; support by Kleeman.**

**Roll Call**

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

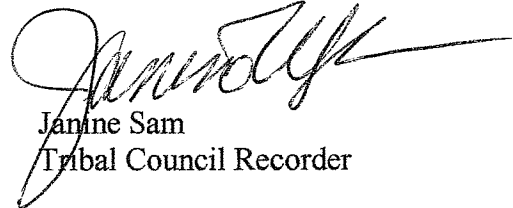
Motion carried (7-0-2-0)

The meeting was adjourned at 4:10 p.m.

Respectfully Submitted,



Kathleen Block  
Transcribing Assistant



Janine Sam  
Tribal Council Recorder