

APPROVED
10/10/01



**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, OCTOBER 3, 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 October 3, 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, October 3, 2001, was called to order at 1:07 p.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 – Present

Quorum established.

Others Present: Jo Anne House, Kathleen Block, Bill Brooks, John Bussey, Gary Markowski, Leatrice Castonia, Phil Memberto, Martha Kase, Katie Glocheski, Bridgett Cole

C. Approval of Agenda

John Bussey received submission of a grant this morning that he asks be on the agenda today, which is Administration for Native Americans Planning Grant for the Chippewa Ottawa Resource Authority.

MOTION TO APPROVE AGENDA ADDING UNDER GRANTS AND CONTRACTS, ADMINISTRATION FOR NATIVE AMERICANS PLANNING GRANT FOR THE CHIPPEWA OTTAWA RESOURCE AUTHORITY; by Kleeman, support 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. Tribal Council Minutes

9/12/01

MOTION TO APPROVE OPEN SESSION MINUTES OF SEPTEMBER 12, 2001 WITH CHANGE ON PAGE 7 WITH STRIKING LAST SENTENCE OF FIRST PARAGRAPH; by Kleeman; support 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)

9/19/01

McCatty stated that the motion to move items from Closed to Open Session was missing. There was also a concern regarding the roll call vote regarding the Saturday meeting resolution.

MOTION TO TABLE THE MINUTES OF 9/19/01 UNTIL 10/10/01; by McCatty; support by Kleeman.

Roll Call

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

Motion carried (9-0-0-0)

E. Public Comment Period

No public comment.

III. Continuing Business

A. Grants & Contracts

- 1. Administration for Native Americans Planning Grant for the Chippewa Ottawa Resource Authority**

Bussey received this request this morning. NRC would be in favor of this by Natural Resource guy. Grant is due October 26 and this is why the rush before Council.

MOTION TO APPROVE RESOLUTION # 01-1003-01, ADMINISTRATION FOR NATIVE AMERICAN PLANNING GRANT FOR THE CHIPPEWA OTTAWA RESOURCE AUTHORITY WITH DELETION ON SECOND PAGE STATING “STATE MANDATED”; by Kleeman; support 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)

B. CMT Business

Fisher stated there is a meeting tomorrow afternoon with Council at 1:30p.m. regarding Permanent Casino Project at the CMT Trailer.

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

Brooks stated that Tribal Council is the client the audit is being prepared for. This is now reflected in the engagement letter. Egghart and Associates does a different kind of compliance audit for the Gaming Commission, which is an internal audit versus financial audit. Brooks states there is no problem with Egghart doing internal audit for Gaming Commission and the annual audit for the Little River Casino Resort. Both internal and financial audits do state that reports are delivered to the Tribe and to the Management. Bennett expressed concern that Egghart delivered the report to the casino first last time and not the Tribal Council. Bennett suggested the second to last “WHEREAS” be stricken from the resolution. The Gaming Commission accepted the last year’s audit report not the Tribal Council. Brooks stated the engagement letter does specifically state that the audit will be presented to the Tribal Council first but not listed in the resolution. Ported stated that the manner in which the report was distributed was unsatisfactory but not the work. It is the Gaming Commission’s responsibility to have the audit done annually. The Gaming Commission approves this first before it comes to the Tribal Council. A copy of the Gaming Commission resolution accepting the report is sent to Tribal Council.

MOTION TO APPROVE RESOLUTION # 01-1003-02, WITH THE CORRECTION ON PAGE 2 IN THE FIRST “WHEREAS” STRIKING THE VERBAGE “THE TRIBAL COUNCIL WAS SATISFIED WITH THE WORK” AND AUTHORIZING THE TRIBAL OGEMA, OR IN THE ABSENCE OF, THE TRIBAL COUNCIL SPEAKER, TO EXECUTE THE ENGAGEMENT LETTER WITH EGGHART & ASSOCIATES TO PERFORM AUDIT OF THE BOOKS AND RECORDS OF LITTLE RIVER CASINO RESORT FOR FISCAL YEAR 2001; by Sam; support by Ruiter.

Roll Call

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

Motion carried (8-1-0-0)

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

Brooks is awaiting more information regarding this item. McCatty stated “Business Council of the Tribe” verbiage should not be used in the agreement and this needs to be changed.

MOTION TO TABLE UNTIL 10/10/01; by Sam; support by Kleeman.

Roll Call

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

Motion carried (9-0-0-0)

V. New Business

A. Restricting Hunting on the Aki Madiiziwin Housing Project

Koon asked the question if land had been surveyed prior to this project. Memberto stated land was surveyed and boundaries were set. October 8, 2001 is the start date for the construction project. There should be a duplicate posting – the standard Natural Resources sign and no hunting signs. House said that this resolution is not long term and is only temporary. This is a temporary solution to fix a current problem for which

we didn't have current surveys done for. House stated we can post boundary lines on a temporary basis. Porter wondered if there would be a problem with people at casino posting a tribal sign. The adjacent property can still be hunted and this is a prime hunting area. If someone is hunting close to the boundary lines this will be a safety factor. Can only post our own property. House stated posting on the edges on the access routes should be sufficient. Hunting and trapping permits will cause the greater concern. There is a 30-day window to get this information to these individuals. Public notice in local newspaper.

The last final resolve "Tribal Council" needs to be removed. The Tribal Council resolution contradicts the Housing Commission resolution that was passed.

Koon's recommendation would be to post "no hunting" on the property. House suggested deleting the last two resolves from the resolution. House stated the resolution's intention is only posting the property not necessarily sending notices or finding out who was issued licenses. Koon will discuss signage with the Natural Resources Commission tonight at the Natural Resources meeting.

MOTION TO APPROVE RESOLUTION 01-1003-03 WITH DELETION OF LAST TWO RESOLVES; by Kleeman; support 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. Request for Consideration of Constitutional Amendments

Request to change Constitution was submitted by a Tribal member, Bob Hardenburgh. There has been a work session with Council regarding this item. Parsons stated this request was placed on the agenda as information only for the membership.

C. Authorizing Release of Judgment Fund Monies Held in Trust For Certain Minors Reaching the Age of Majority

MOTION TO APPROVE RESOLUTION # 01-100-04, AUTHORIZING RELEASE OF JUDGMENT FUND MONIES HELD IN TRUST FOR CERTAIN MINORS REACHING THE AGE OF MAJORITY; by Kleeman; support 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)

D. Acceptance of Northwest Governmental Alliance Meeting Report

McCatty submitted report regarding Northwest Governmental Alliance meeting held on Tuesday, September 25, 2001. Other Tribal members representatives in attendance at that meeting were John Bussey, Pat Ruiter, and Carol Bennett.

MOTION TO ACCEPT REPORT OF SEPTEMBER 25, 2001 FROM MCCATTY; by Kleeman; support 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)

VI. Concluding Business

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

Martha Kase recommends having portrait done for Katie Glocheski for all she has done for the Tribe and possibly Tribal Council. Kleeman stated that Guenthardt has also spoken of this idea. Castonia stated if you are doing one elder you would need to do them all. Cole stated that artist should also be Tribal for historical reasons.

Kase had a concern of why there is no smudging or prayer before meetings. This is what we do as a nation and our people and smudging is part of that. Sam stated tobacco has been given for smudging of the building and this was done on a personal level not on a business level.

Pat Morris asked if 40 hours are being worked per week for all of the Council. Council assured Morris that this is being done.

Cole stated there is no way of expressing concerns in a public manner. This used to be done in the newsletter but is not done any longer. Sam stated that Cole has the ability to put items on the Tribal Council agenda or have a work session with Council. She went on to state that the Ogema

has an open door policy. Cole stated that membership needs to know correct vehicle to report any concerns. Porter stated that Tribal Council now has offices and can leave voicemails for Council members with any concerns. Cole stated would like to have a newspaper or another avenue to express concerns. Glocheski stated that this used to occur. McCatty does receive a lot of email from Tribal members and this is shared with Tribal Council.

Sam suggested to have a correspondence agenda item for Tribal Council.

Cole stated that would like to see a local paper for the Tribe. Porter stated there were hurtful things that were put into the past newsletter. Porter suggested submitting a question and answer section in the newsletter but this is up to the members of what would like to see. Local papers do have a screening process that they go through. Porter would like to see newspaper feedback come back. Kase states there are a lot of positive things that could be printed in the paper. There are positive things that kids are doing with Olympics, family reunions, etc. Need someone with good journalism skills.

Cole suggests having someone sign a form stating that they are liable if they put something in print. Parsons stated that policies have been asked for regarding the newsletter.

The purpose of closed session is to discuss business matters considered privileged or confidential, involving consideration of bids/contracts, pending legal issues, and/or personnel matters.

MOTION TO ADJOURN OPEN SESSION; by Kleeman; support by Ruitter.

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 2:47 p.m.

Council reconvened in Open Session at 5:30 p.m. The following items were brought forward.

MOTION TO GO INTO OPEN SESSION; by Porter; support by Medahko.

Roll Call

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

Motion carried (7-0-2-0)

MOTION TO PLACE IN THE OPEN SEEION FROM SEPTEMBER 12, 2001 CLOSED SESSION MINUTES, ITEM D, TEMPORARY EASEMENT TO ACCESS AKI MAAD ZII WIN RESOLUTION # 01-0919-03, THE MOTION AND THE ROLL CALL VOTE ON THE ACTION; by Sam; support by Porter.

Roll Call

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

Motion carried (7-0-2-0)

McCatty asked that the whole motion be stated instead of referring to it.

MOTION TO APPROVE RESOLUTION # 01-0912-03, AUTHORIZING THE TRIBAL OGEMA, OR IN THE ABSENCE OF, THE TRIBAL COUNCIL SPEAKER TO EXECUTE A LEASE AGREEMENT WITH DANIEL DONTZ FOR THE ACQUISITION OF A TEMPORARY EASEMENT FOR CONSTRUCTION VEHICLES ON THE AKI MAAD ZII WIN PROJECT AND APPROVAL OF BUDGET MODIFICATION; 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 – Yes	P. Ruiter – Yes	J. Sam – Yes

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

MOTION TO ADJOURN; by Ruiter; support by Porter.

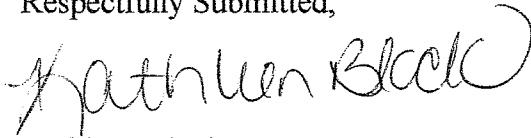
Roll Call

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

Motion carried (7-0-2-0)

The meeting was adjourned at 5:33.

Respectfully Submitted,



Kathleen Block
Transcribing Assistant



Janine Sam
Tribal Council Recorder