

12/5/01
APPROVED



**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, NOVEMBER 14, 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 November 14, 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, November 14, 2001, was called to order at 1:06 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 – Absent	P. Ruiter – Present	J. Sam – Present

Quorum established.

Others Present: Kathleen Block, Sheri Ivens, Jessica Wissner, Kim Alexander, Virginia D'Archangel, Misty Woodward, Kathy Bowen, Matthew Stratton, Jessica Burger, Al Medacco, Alice Krzysinski, P. Morris, Mark Dougher, Bill Parsons, Mark Knee, Gary Markowski, Stuart Dunsmore, Ruth Bussey, Phillip Memberto, Katie Glocheski, Candace Chapman, Bill Willis, Joe LaPorte

C. Approval of Agenda

Fisher stated he would like to table CMT Business until the next meeting. Sam recommended postponing the Interim Benefits Ordinance for new language and that it be tabled until November 21. Fisher stated he does have an update under CMT business for FYI. There will be change order bulletins that need Council's approval for next week's agenda.

**MOTION TO APPROVE AGENDA WITH CHANGE OF
 TABLING CMT BUSINESS AND NEW BUSINESS A. -
 INTERIM BENEFITS UNTIL NOVEMBER 21, 2001; by
 Kleeman; support by Medahko.**

Roll Call

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

Motion carried (8-0-1-0)

D. Tribal Council Minutes

10/24/01

Fisher stated there is a typographical error on page 4 of 10 in the resolution heading “It’s” is capitalized. Sam stated the capitalization is correct.

**MOTION TO APPROVE THE OPEN SESSION MINUTES
 OF WEDNESDAY, OCTOBER 24, 2001; by Fisher; support by
 McCatty.**

Roll Call

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

Motion failed (7-0-1-1)

11/7/01

**MOTION TO APPROVE THE WEDNESDAY, NOVEMBER
 7, 2001 OPEN SESSION COUNCIL MEETING MINUTES
 AS CORRECTED AND AMENDING THAT CHUCK
 FISHER, CMT REPRESENTATIVE, HAD NOTED THAT
 THE CHANGE ORDERS WOULD NOT BE OF
 ADDITIONAL COST TO THE TRIBE; 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 – Absent	P. Ruiter – Yes	J. Sam – Yes

Motion carried (8-0-1-0)

E. Public Comment Period

Stratton stated the instructor and the owner of the organization of Dale Carnegie wanted him to convey to Council their appreciation and support that the Council gave to the class by coming to the dinner. The students appreciated the letter that Council sent to them. Stratton said thank you on behalf of his program and the students.

III. Continuing Business

A. Grants & Contracts

1. Circle of Flight

Bill Parsons handed out copies of proposal for the Circle of Flight. B. Parsons stated there will be a resolution for this item on the agenda next week. This money would be used to work on the Manistee Marsh. This is a proposal submitted to the BIA for next years funding. Mark Knee and B. Parsons will be going out to Minnesota in December to give a slide presentation on the past accomplishments they have achieved and also the proposal for next year. The budget in front of Council has been modified to ask the BIA for more money to try to make up for the difference that was cut by Administration. B. Parsons had asked the Tribe to contribute \$36,000 for this program and that has been knocked down to \$10,000. B. Parsons stated they would still be able to achieve the work that they want to provided that the BIA funds these additional projects. B. Parsons stated we are asking for \$14,000 from BIA to continue work on the Manistee Marsh and asking for an additional \$12,000 for a new project for wild rice within the 1836 reservation. There will be a resolution presented before Council at next week's meeting. Also included in the resolution is trying to gain support for a future greenhouse. Part of the funding would be from the BIA's noxious weed program so they we could supply this area with beetles, which has been done in the past. For the last few years B. Parsons has driven out to Minnesota and picked up the beetles. The intension is to construct a greenhouse at the housing facility and part of the money would be funded hopefully through the USDA to fund the greenhouse as well as the noxious weed program.

B. Parsons stated he is trying to form 3 years of base line data prior to the burn and the intention is to see what the effects of the burn are, not only in the plant community but also the wildlife as well. The marsh project is taking place in the State game area at the mouth of the Manistee River. B. Parsons stated are asking for a 4th year to do work on that State land and the 2nd proposal in this includes the parcels that we own within the 1836 reservation. This is a two-prong proposal,

one is to continue the work we have been doing and one to hopefully expand that work into Tribal lands. B. Parsons stated the beetles are working.

B. CMT Business

Tabled until November 21, 2001.

IV. Old Business

A. Ratification of the September 18, 20 Memorandum of Agreements with the Indian Health Services for the Construction of Sanitation Facilities for the Dontz Road Development (Project BE-01-D07)

This was tabled from last week's meeting awaiting distribution of the Memorandum of Agreement.

**MOTION TO APPROVE RESOLUTION # 01-1114-01,
RATIFYING THE SEPTEMBER 18, 2001 MEMORANDUM
OF AGREEMENTS WITH THE INDIAN HEALTH
SERVICES FOR THE CONSTRUCTION OF SANITATION
FACILITIES FOR THE DONTZ ROAD DEVELOPMENT;
by Fisher; support by Kleeman.**

Sam stated that the Council should adopt legislation at some point to state there is a time limit from when the Ogema signs a MOA to when the Tribal Council approves. Yunis stated this was an error on her part! Sam stated that this is not the first time this has happened and would like to implement a policy for the future. Yunis stated that John Anderson wanted these items signed within two days and that was the rush.

Roll Call

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

Motion carried (8-0-1-0)

V. New Business

A. Adoption of Interim Benefits and Assessment Program Ordinance and Allowing for Timeline Exception for the Year 2001

Tabled until November 21, 2001.

B. Resolution Executing Partnership Agreement With Local Watershed Councils Within the 1836 Ceded Territory

B. Parsons stated this resolution allows us to enter into a partnership agreement for the lower Manistee River Watershed, Pere Marquette Watershed Council and the Bear Creek Watershed Council and the Pine River Watershed Council. Those are the local watersheds that are water quality specialists and our fisheries biologists attend those meetings and participate with those people and we wanted to be signed on as a member of that group and talk about what projects and how areas are to be managed in the future. Parsons stated there are some issues that would be put to a vote. Steve Parsons asked who would be authorized to vote for Little River. Parsons stated a Natural Resource Commissioner would be the one to vote. Ruiter asked if commissioners had approved this. B. Parsons stated Natural Resources signed a resolution on November 7 and the vote was 5-0. Council received an unsigned copy. McCatty asked about dues for the Lower Manistee Partnership Agreements. B. Parsons is not aware of any dues. McCatty stated on page 2 of the resolution it needs to read "Bear Creek Watershed".

**MOTION TO APPROVE RESOLUTION # 01-1114-02,
AUTHORIZING THE TRIBAL OGEMA, OR IN THE ABSENCE
OF, THE TRIBAL COUNCIL SPEAKER TO EXECUTE
PARTNERSHIP AGREEMENTS WITH LOCAL WATERSHED
COUNCILS WITHIN THE 1836 CEDED TERRITORY;** by Fisher;
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 – Absent	P. Ruiter – Yes	J. Sam – Yes

Motion carried (8-0-1-0)

C. Memorandum of Understanding with Forest Service

This was discussed in a work session with Council. In Council packets there was a resolution of support from the Little Traverse Band. B. Parsons stated it is our intention to have a similar resolution. This Memorandum of Understanding has been discussed for over a year. This resolution is saying that Little River Band, along with the other core Tribes, will pursue a Memorandum of Understanding with the Forest Service. There has been a meeting scheduled with the forest supervisor, B. Parsons and the Ogema for Tuesday, December 4 at 10:00 a.m., in the Ogema's office and would entertain any Council members that wish to sit down at that meeting. This sets up a government-to-government relationship between the Little River Band and the Forest Service and how we conduct business. Currently, we are looked at as one of the friends of the forest and we need to raise that level of expectation. Steve Parsons

asked about the December 1 deadline listed in the resolution and B. Parsons stated this is a resolution that shows support and can extend beyond December 1 date. In the Inland Treaty Rights, gathering rights is another piece of the puzzle. B. Parsons stated this needs to be resolved prior to the other inland treaty case. Sam had some concern on page 2 on the 2nd to last whereas. The 1st whereas refers to just the gathering efforts and the 2nd to last whereas it refers more to the treaty right reserved, "by virtue of the 1836 Treaty". Sam voiced that we should add in "WHEREAS, the reserved treaty right, for example gathering and hunting, exists by virtue of the 1836 Treaty. B. Parsons stated this gives the Tribe the ability to self regulate. The Tribe would then become self-regulating and not have to send someone to the ranger station for permit for gathering. Sam's position, as a Tribal Council member, is that those are our lands whether they are managed by the Forest Service or not.

Burger states that a Memorandum of Understanding with an agency is not a government-to-government relationship. The Forest Service is regulated ultimately by the Department of Agriculture. Burger stated that just this week Tribe's lost the right to put land into trust. Burger cautioned Council that the Little River Band does not want to be in a position that we are having a government to agency relationship with an agency of the United States government. Burger states would like the memorandum worded differently and would suggest mailing a copy to the Department of Interior in this case.

B. Parsons stated our intention is to have CORA do a similar resolution and then have a CORA resolution with the U.S. Forest Service. S. Parsons asked how the CORA MOU with U.S. Forest Service would affect the agency to government relationship? Sam stated we do not have to rely on the Federal Government interpretation. Sam suggested to have 2nd to last whereas be verbatim from the treaty. Medahko shares same concerns as Burger. Stratton asked if this is supposed to help us manage the lands and they are already our lands, why we are not managing them now? Sam stated that the Tribe is in a position of being told by the government because the land is held in trust and that removes us from managing that property. B. Parsons stated Grand Traverse has a similar resolution and Bay Mills is already a signatory to the MOU and they are asking that Tribes have their resolution done by December 1 or Tribes will go on their own. B. Parsons stated we are following other Tribes through other items. This was the first year the Tribe opened up past the 4 county areas. B. Parsons stated that over 500 Tribal members licensed and close to 400 deer tags out for this year. B. Parsons stated we just issued the first reciprocal license to a Little Traverse Bay member yesterday.

**MOTION TO APPROVE RESOLUTION # 01-1114-03,
SUPPORTING ENTERING INTO A MEMORANDUM OF**

UNDERSTANDING (MOU) WITH THE U.S. FOREST SERVICE; by Bennett; support by Ruiter.

Roll Call

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

Motion failed (3-5-1-0)

Parsons voted no because the language within the resolution needs to be changed. Sam suggested changing resolution to be more like Little Traverse Band. Brooks will be asked to reword the resolution and get Council approval of that same resolution.

D. Resolution Approving Designation of Camp Sites on Certain Tribal Lands

Knee passed out maps for the campsites. The campsites are sites that have been used before. There is a canoe accessible only site. A work session had proposed 12 campsites and asked for commission proposal and Commission asked for 5 sites and then will add additional sites. It is suggested that Tribal members camp only at designated sites and have campfires only at campfire sites. B. Parsons stated there are possible campsites at the Pow Wow Grounds. B. Parsons is not sure that word was distributed to the membership regarding the camping regulations. Bennett expressed concerns with campsite #309 regarding the time limit for power equipment only until 3:00 p.m. She expressed it may be better to change the dates and change the times accordingly. Bennett also stated that campsite #310 has quiet hours between 10 p.m. to 6 a.m. and that is okay but there are only 2 hours where you can run power during the day from 1:00 to 3:00 p.m. Stratton had a concern about regulations of only camping on 5 sites and can only camp for 5 days. Stratton had concern that someone may be fasting and not necessarily camping. Sam stated that she believed Natural Resources and Public Safety would leave someone alone if they were fasting. Burger asked about allowing other Tribal members from other areas and only having 5 campsites. Burger stated there is a fine line between protection of land and exclusion of rights. Burger would like to know long range plan. Medacco agreed with Burger. Bennett has concern with campsite #302, which states there should be no more than 2 motor vehicles, excluding watercraft, between 10 p.m. and 6 a.m. These regulations were decided by the Natural Resources Commission and not personally done by B. Parsons. B. Parsons suggested inviting Natural Resources Commission to another work session. Bennett expressed that it states if camping equipment is left for more than 24 hours then the equipment may be removed by the Tribal Enforcement Officers. Bennett suggested having a work session with the Natural Resource

Commission. Yunis stated they could give back country permits. Parsons stated language has not changed on any of these items and this was done last year but now the land is surveyed and posted. There were 12 campsites proposed to the Commission and only 5 sites were approved. Ruiter states this is the first year of all of these special things happening and stated that we have to start somewhere. B. Parsons stated that Tribal members can stay at National Forest campground sites at no charge. There were no members that wanted to camp last year and only a handful that asked to camp this year. S. Parsons asked if Council could be kept abreast of any requests for camping from members. Medahko would like to see a survey conducted of how many campsites are needed and distribute this information out to the membership.

**MOTION TO APPROVE RESOLUTION # 01-1114-03,
 DESIGNATION OF CAMP SITES ON CERTAIN TRIBAL
 LANDS;** by Ruiter; support by Kleeman.

Roll Call

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

Motion carried (6-2-1-0)

**E. Resolution Authorizing the Natural Resource Department to Issue
 Camping Permits to Tribal Members for Camping on Designated
 Camping Sites on Tribal Lands in Accordance With Regulations
 Prescribed by the Natural Resource Commission**

B. Parsons stated that this resolution allows the Natural Resources Department to issue camping permits.

**MOTION TO APPROVE RESOLUTION # 01-1114-04,
 AUTHORIZING THE NATURAL RESOURCES
 DEPARTMENT TO ISSUE CAMPING PERMITS TO
 TRIBAL MEMBERS FOR CAMPING ON DESIGNATED
 CAMPING SITES ON TRIBAL LANDS IN ACCORDANCE
 WITH REGULATIONS PRESCRIBED BY THE NATURAL
 RESOURCE COMMISSION;** by Kleeman; support by Ruiter.

Roll Call

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

Motion carried (6-2-1-0)

B. Parsons stated he would report back to Council regarding number of hunting permits and camping site permits issued. B. Parsons will forward that camping sites are available to Candace Chapman for the newsletter.

F. Resolution Authorizing the Tribal Ogema, Or In The Absence Of, The Tribal Council Speaker To Forward a Deputation Agreement to the Bureau of Indian Affairs

LaPorte stated that every Tribe in Michigan has this or are getting this Agreement. This will allow Public Safety to be able to deal with anyone on trust land. This enhances all departments to work better together. There is special training done and a certificate is obtained. The County and State do need to be on the agreement. LaPorte stated that all parties need to be included on the Agreement. Yunis stated that the Agreement only lists the BIA and the Tribe and asked LaPorte if the County and the State are willing to sign this Agreement. Yunis suggested that conversations be conducted at the State and County level.

Sam stated in New Mexico a non-Indian person can pick if they go before the Tribal Court or State Court. They pick the Tribal Court because they don't want to have to pay the higher fee of the State Court.

Sam stated the Council received an email from the Director of Operations and he had a whole list of issues and LaPorte stated that he read those concerns and has satisfactorily addressed these. Medahko asked if LaPorte reports to Bob Guenthardt and not Bob Davis. LaPorte confirmed.

Stratton reconfirmed that this was for trust land and not reservation land. LaPorte stated that if a Tribal member is stopped for speeding there is nothing a Tribal police officer can do. If you have someone trespassing on your property, you would need to call local police and Tribal police can assist. LaPorte stated there is a cultural education meeting on December 7 including all the agencies in this area including Mason County. Medahko stated this would make for better communication between the agencies. LaPorte has a list of accomplishments that Public Safety has completed.

Glocheski stated that when an Indian is picked up by the County they are still ridiculed today. Medahko raised the concern of when a non-Indian parent left their child in the car at casino. LaPorte stated that Tribal police does not jurisdiction at the casino area.

Parsons asked if this would give power to Tribal Police on trust land but also give Tribal Police power off trust land? Joe LaPorte stated this is not correct. Mason County has agreed to become cross-deputized. Sam stated that it is time for our Tribe to recognize our boundaries. LaPorte stated

that Jeff Davis, U.S. District Attorney, is visiting here on December 13. Sam stated our Tribe needs to recognize our land before anybody else can recognize our land. Stratton clarified that this give State Police Officers the right to go into the casino parking lot and arrest a Tribal member but our own Tribal Police could not do that if somebody trespasses on his property.

Burger stated the Bureau of Indian Affairs sponsors planning that the County Sheriff and the State Police and possibly the city enforcement attend either in a group of officers or one officer at a time. When they are finished with the training they were allowed a certification for enforcement on trust properties. LaPorte stated just those officers that have gone through the certification. Burger expressed her concern that Tribal Police do not have any jurisdiction over non-Tribal members on trust land. LaPorte stated we would be able to arrest a non-Tribal person on our trust land. Burger would like Council to put out official recognition through resolution of our Tribal supporters, as this is important is sustaining our rights. Saginaw Chips patrol their entire county.

Yunis expressed issue with jurisdiction and cross-deputation. Right now we are looking at this Agreement as Federal and Tribal and need to go to federal jurisdiction within a 24-hour period. The Agreement does not list State or County agencies. LaPorte stated the Agreement could be specific to Mason County and the State. Fisher expressed the same concern as Yunis, which acknowledges the Agreement between these agencies.

Medahko asked about the lodging of criminals. LaPorte stated that Tribal Police have to rent from the County for jail space, which is the only lock down facility in this area.

**MOTION TO POSTPONE ACTION ON THIS ITEM
PENDING A WORK SESSION WITH COUNCIL AND
CHIEF OF POLICE FOR CLARIFICATION;** by Sam; support
by McCatty.

A work session will be scheduled with LaPorte, Council and Brooks for clarification.

Roll Call

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

Motion carried (8-0-1-0)

Council recessed at 3:04 p.m.

Council was back in session at 3:20 p.m.

G. Resolution Authorizing Tribal Council Speaker or Tribal Ogema to Execute FY2001 Contract with The Bureau of Indian Affairs for the Grading, Drainage, and Aggregate Base, Curbs and Gutter, And Bituminous Surfacing Operations on 1.749 Miles of Roadway at Aki Maadiziwin

R. Bussey stated received a letter dated October 26, 2001 from the BIA and the letter notified the Ogema's office that they had funds available to do grading, drainage, and aggregate base, curbs and gutter, and bituminous surfacing operations on 1.749 miles of roadway called Dontz Subdivision and that they have \$500,000 available to us for this project. This is new money that is not in the operating budget and the money became available to us because we had all of our contract documents in on time. This is a one time only happening because of our new Tribe status that makes us eligible for this money.

MOTION TO APPROVE RESOLUTION # 01-1114-05, AUTHORIZING THE TRIBAL COUNCIL SPEAKER OR TRIBAL OGEMA TO EXECUTE FY-2001 P.L. 92-638 CONTRACT WITH THE BUREAU OF INDIAN AFFAIRS FOR THE GRADING, DRAINAGE, AND AGGREGATE BASE, CURBS AND GUTTER, AND BITUMINOUS SURFACING OPERATIONS ON 1.749 MILES OF ROADWAY AT AKI MAADIZIWIN; 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 – Absent	P. Ruiter – Yes	J. Sam – Yes

Motion carried (8-0-1-0)

H. Resolution Approving Modification of the FY2001 Operating Budget to Include a Supplemental Appropriation of \$500,000 from Contract with the Bureau of Indian Affairs for the Grading, Drainage and Aggregate Base, Curbs and Gutter, and Bituminous Surfacing Operations on Miles of Roadway at Aki Maadiziwin

McCatty stated in the last paragraph of the resolution should read, "hereby approves a modification to the Operating Budgets".

MOTION TO APPROVE RESOLUTION # 01-1114-06, APPROVING MODIFICATION OF THE FISCAL YEAR 2001 OPERATING BUDGET TO INCLUDE A SUPPLEMENTAL APPROPRIATION OF \$500,000 FROM FY-2001 P.L. 93-638 CONTRACT WITH THE BUREAU OF INDIAN AFFAIRS FOR THE GRADING, DRAINAGE AND AGGREGATE BASE, CURBS AND GUTTER, AND BITUMINOUS SURFACING OPERATIONS ON 1.749 MILES OF ROADWAY AT AKI MAADIZIWIN AS CORRECTED; by Fisher; 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 – Absent	P. Ruiter – Yes	J. Sam – Yes

Motion carried (8-0-1-0)

Sam stated that Porter is absent because she is attending a conference on behalf of the Tribe out of state.

I. Resolution Ratifying the September 18, 2001 Memorandum of Agreement with the Indian Health Service for the Construction of Sanitation Facilities to Serve Aki Maadiziwin And October 4, 2001 Amendment

Yunis stated that there is an amendment stating the I H S amendment amount. We are eligible for \$140,000 at this time and more will be coming. The amount came in much lower than we expected. McCatty on the second page, second whereas should read, “to serve the Aki maadiziwin”.

MOTION TO APPROVE RESOLUTION # 01-1114-07, RATIFICATION OF THE SEPTEMBER 18, 2001 MEMORANDUM OF AGREEMENT WITH THE INDIAN HEALTH SERVICE FOR THE CONSTRUCTION OF SANITATION FACILITIES TO SERVE AKI MAADIZIWIN AND OCTOBER 4, 2001 AMENDMENT; by Kleeman; support by Bennett.

Roll Call

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

Motion carried (8-0-1-0)

J. Resolution Approving Modification of the FY2001 Operating Budget to Include a Supplemental Appropriation of \$140,000 To the Indian Health Service for the Construction Of Sanitation Facilities to Serve Aki Maadiziwin Development

Fisher pointed out the same errors that were in the previous resolutions.

MOTION TO APPROVE RESOLUTION # 01-1114-08, APPROVING MODIFICATION OF THE FISCAL YEAR 2001 OPERATING BUDGET TO INCLUDE A SUPPLEMENTAL APPROPRIATION OF \$140,000 FROM THE INDIAN HEALTH SERVICE FOR THE CONSTRUCTION OF SANITATION FACILITIES TO SERVE AKI MAADIZIWIN DEVELOPMENT; 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 (8-0-1-0)

VI. Concluding Business

- A. Next Meeting Date(s) – November 17, 2001 and November 21, 2001**
- B. Public Comment Period**

Chapman stated she was told that there was an item on the agenda dealing with a \$500 Christmas gift for members. Chapman asked to be informed who removed that from the agenda. Chapman was told that Parsons personally removed this item from the agenda. Parsons stated this was done in an ordinance and that there was some language items that needed to be worked out. Parsons was informed this morning by Accounting that there were very specific timelines and dates that needed to be followed and Accounting stated they could not follow the timeline indicated in the ordinance. Parsons stated this item was taken off the agenda for now until we have clarification. Chapman asked if Council would be willing to get together to make a statement because there are individuals that are under the assumption that this is going to happen and it is going to happen before Christmas. She stated that members were under the assumption that they would receive cash and they are spending money already that they do not have. Kleeman stated this ordinance that was being presented wasn't cash anyways it was a gift certificate to a store, it wasn't money. Chapman stated people are under the impression it is going to be a check made out to them for cash and not a merchandise voucher. Chapman stated she

received about a dozen calls this past weekend with the same question. Chapman would like Council as a body to make a formal stand on this and let them know you are working toward this. Parsons stated this item is tabled until next week as some work needs to be done on the ordinance. Glocheski stated that is like someone spending their money from income tax before they receive it. Bennett asked if any of the people told her it was coming in money. Chapman stated she was informed who told them they were going to be receiving money. Chapman would possibly divulge that information in a Closed Session.

Chapman asked about the children's Christmas Party. She would like Council to remember that this is one of the only functions that we can actually reach out to the community and help the descendants, which is not being looked at now. Chapman stated that as it stands right now each Tribal child will receive a check in the amount of \$15 or \$20 and that is not including descendants and that is very disappointing. Chapman stated this was decided by the events work group which includes 11 people who were asked to volunteer their time and services for planning these events and executing and implementing what needs to be done to get them done. Chapman asks that when they approach Council with this proposal they you take into consideration the descendants that we are not including in this function. McCatty stated that Block was asked to design an invitation to the children's Christmas Party and it does not state that it is only for Tribal members. Council is not aware of a work group that was formed to execute these functions. Chapman stated that Bob Davis formed the work group and appointed 11 individuals to execute these functions. Fisher stated that people at the party would receive a gift. Parsons stated we are receiving toys from Walking Shield free of charge. Kleeman stated that last year more descendants were served than Tribal members. Chapman stated that they still haven't come up with a plan of where they are going to house the toys, the best plan is that they are going to drop them off in pallets in front of the bank building and individuals are going to house them in their homes or wherever. Castonia asked if each family gets one toy. Chapman states there is a truckload of toys that are going to be delivered. Parsons stated there are toys for children up to the age of 16. Stratton states his children are descendants and he will not take his children to the Christmas party and have them not receive a toy when a Tribal member does. Medahko asked if money was given by Celani. Chapman stated that merchandise was donated from his store last year. Ruitter stated there are Council members that do not know anything about this. She stated that things need to be done better and more people should be involved. Chapman stated that there is room to grow. Ruitter asked for a meeting regarding this. Sam stated that there are non-descendant/non-native people that work for the Tribe. Kleeman stated that employees attended the Christmas Party last year that weren't members at all. Sam asked about gifts for people who work for us who are not Tribal members.

Bowen stated in 1998 we picked names off a Christmas tree so we knew who we were buying for and what their age was and this was voluntary. Bowen stated that children should not be excluded. Parsons stated we will check into status of Christmas party. Glocheski stated the hall should be a big enough place to house all the kids. Bennett wanted to know the feelings of giving gifts to people who work for us. Bennett states we even had casino employees at the Christmas party last year. Chapman feels we should incorporate the employees and their families when we can include our descendants and make sure that our children, whether or not they are recognized by the Tribe, they are still part of this family and they need to be serviced prior to any employee that is not a part of this Tribe. Bennett states it should not be considered "serviced" by giving them Christmas gifts. Bennett believes descendants should be included. Bennett stated that she would like Block's child to receive a gift and be part of our family. Chapman states if we cannot incorporate our descendants, who are our bloodline above and beyond the people that are not, she cannot agree with that. Glocheski stated she heard a lot of the people would not come back to the Christmas party this year. Glocheski states she does not have a concern with having non-native people who work for the Tribe being invited to the Christmas Party. McCatty asked how many people Chapman had spoken with that believed they were getting the \$500. Chapman stated that she has spoken with up to 20 people regarding this issue. Chapman has it documented what time they called and what exactly their concern was. She was contacted several times at home. She never closes her door to concerns.

Stratton asked when Council is going to take a stance of our boundaries by placing it on TV, in the paper and on the news. Parsons stated need to resolve the Inland Hunting and Fishing issues. Stratton asked for Council to make a statement stating this is what we are waiting on. Sam stated she is in favor of this but it is hard to make decisions and we need to know that our people are 100% behind this. Sam noted that a decision like this comes from a commitment from our people. Glocheski stated Council should ask the question. Stratton stated he had opportunities to buy houses outside of the reservation boundaries but he would not back down from that because that is how strongly he feels about that and there were a number of people that feel the same way. Al Medacco agreed with Sam about boundaries and signs. We need to let people know our boundaries are ourselves. There are a lot of people who have no idea what these boundaries are. Medahko stated she would stand behind Medahko in regards to this. This is a #1 issue with Medahko. She will advocate very strongly as a Council member during her term. Medacco brought up the issue of defining our lands and putting signs out to Natural Resources 2 years ago and nothing has been done yet. Glocheski stated that need to let all Tribal members use the Tribal land to gather, hunt, etc. Medahko stated that an elder went to Natural Resources and asked for a permit to

get black ash and he was denied. He doesn't know why other than the fact that there may be a personal agenda. Glocheski went to Natural Resources and asked for black ash. Sam asked if you receive a resource card and doesn't this card give you the right to go gather what you want to gather up. Medahko and Glocheski stated this has been changed and you need to have a gathering permit. Medahko stated there were two members who wanted to go spearing but were denied.

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 Bennett; support by Kleeman.

Roll Call

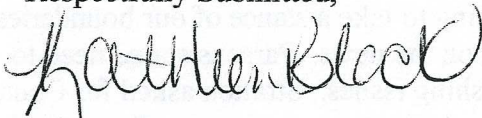
C. Bennett – Yes	C. Fisher – Yes	T. Kleeman – Yes
L. McCatty – Yes	P. Medahko – Yes	S. Parsons – Yes
E. Porter – Absent	P. Ruiter – Yes	J. Sam – Yes

Motion carried (8-0-1-0)

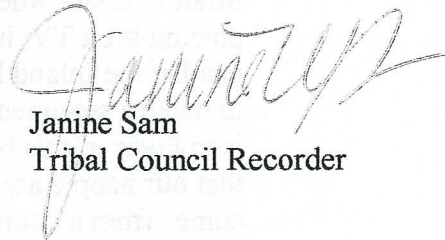
This portion of Open Session was adjourned at 4:14 p.m.

The meeting was adjourned at ___:___ p.m.

Respectfully Submitted,



Kathleen Block
Transcribing Assistant



Janine Sam
Tribal Council Recorder