



Little River Band of Ottawa Indians

PO Box 314

Manistee MI 49660-0314

TRIBAL COUNCIL MEETING DECEMBER 8, 1996

I. GENERAL BUSINESS

CALL TO ORDER. The meeting was called to order at 12:10 p.m. at the 411 River Street office by Tribal Chairman Robert Guenthardt.

ROLL CALL. Roll call was taken by Kathy Berentsen. Present: Chuck Fisher, Margaret Chandler, Bill Memberto, Steve Parsons, Robert Guenthardt, and Kathy Berentsen. Absent: Jerry Koon. Staff Present: Mark Dougher, Chris Holz, and Tammy Carter (and Angela). Tribal attorney: Bill Brooks

ADOPTION OF AGENDA. Robert mentioned a work session was first needed for the Gaming Regulatory Ordinance and then can be discussed in January. Bill M. added that the Resolution for extending the service area should be included as well. Moved by Kathy to accept the agenda with the changes, seconded by Chuck, all in favor, 1, (0) opposed. Motion carried.

ADOPTION OF MINUTES. Kathy mentioned that on page 4, second paragraph, the resolution under Cultural Preservation Committee should be 96-1110-01 (there is an extra 96). The minutes were passed with the one change. Moved by Bill M., seconded by Kathy, all in favor, 1, (0) opposed. Motion carried.

FINANCIAL REPORT. The only thing he wanted to point out was on Indirect Cost that they'd see negative numbers here in the unspent column because the budget is from April through December. He showed the budgets being discretionary for three months at 50 % to show the funding until the years end. Chris said it's not a problem we're still fine but don't be surprised when the programs show a change in their budgets. Chris said that if you noted we approved at the last meeting that we're working on the budgets for January through December 1997, he's not quite ready to present that but is close to having it ready. Mark stated that there were some new changes such as getting Bill Brooks contracted in to do some work for the tribe. Chris stated that all committees turned in proposed budgets and they were reviewed. Chris then

went over the compiled surveys of tribal members and answered any questions. Moved by Steve, seconded by Chuck, to approve financial report, all in favor, 1, (0) opposed. Motion carried.

STAFF REPORT. Kathy had a question on Yvonne's report regarding the draft for the vocational education program and guidelines for a resolution. Kathy asked if a resolution was ready and it was stated that it was not. Kathy asked if anyone knew how many people were serviced with the well/septic program. Mark stated that we were working with Forbes for septic and GTB's well contractor and the work could be done in the spring. The people (4) have been chosen as to who will receive the services. Bill M. mentioned that it is a reduction from last year when 6 families were chosen. Bill M. then asked about our possibility of hiring a temporary judge for judicial matters. Bob mentioned that Jay has been to meetings and handling the issue. Mark said that Jay and Tom Guenthardt met with county prosecutor Dennis Swain about him possibly working in the tribal court system or his counterpart Pat Shannon who has worked before with Bay Mills. Discussion then followed the Management Team's project of setting terms for staff members as to how many committees they can be on.

Mark talked about the architect's designs for the Community center. Funding from HUD cannot be released until ecological testing has been done on the site, the 85 acres across from the gaming site. Mark said that we have looked at other sites but they haven't been viable for some reason or another. Mark suggested we submit the 85 acres to HUD to release funds and if between now and spring a more desirable location opens up, we do an ecological review on that and decide if we are going to relocate the site. Bob asked about the possibility of putting a pole barn type building (because of the money situation) on the northwest corner of the site by Dantz Road until we have enough funds to build the community center we would like to have and then that building could be used for something else. Discussion then followed about the housing and the casino and where elders would be best located due to their health (next to the health clinic), etc. It was then brought up about archeological finds on the 85 acres. Espey, Houston & Associates have found pottery, arrowheads, etc. but it is not a burial site. They will also check out the area that was a gas well. Moved by Bill M., seconded by Chuck to accept the staff reports, all in favor, 1, (0) opposed. Motion carried.

INTRODUCTION OF GUESTS: Dave Schultz, Mary Oleniczak (and Buddy), Jerry Guenthardt, John Koon, and Dale Chandler

II. OLD BUSINESS

HOUSING ORDINANCE REVISION. Revisions were discussed with Bill Brooks and the Housing Committee. Mark stated the changes were minor and were to

comply with HUD's attorneys. Article 5, Section 2 in the original from HUD contained a word that could cause legal implications should it be left out from the ordinance. In Section 3C, this clause was not in there, it deals with the housing commission's policy of prevailing wages are paid for. Under D, the annual contributions is a technical term, called the ACC, which is becoming obsolete with HUD. Sections F, G, and H are all subject to the Tribal Council's approval. Moved by Bill M., seconded by Steve, to accept Resolution 96-1208-01, all in favor, I, (0) opposed. Motion carried.

JUDGEMENT FUND LEGISLATION. The proposed plan sets aside \$9,262,787.24 for the descendants group which includes Burt Lake and Grand River. The balance of that is going to be split on 20% shares equally to the other five federally recognized tribes: Sault Ste. Marie, Bay Mills, Little Traverse Bay Band, Little River Band, and Grand Traverse. Bob stated that he talked with Ron Yob and Ron was thankful that we put on the bottom of this that we will try to help Grand River to become federally recognized. Bob also talked with George Bennett at the Grand Traverse Band and Frank Ettawageshik with the Little Traverse Bay Band and they said that they are going to extend our quarter blood quantum and he will go support this in Washington D.C. Discussion followed that Sault Ste. Marie tribe will not go for this but if we have enough support, it is possible. Bob mentioned that if the proposed plan does not go through, the money will sit and grow interest at 8 1/2% or \$65,000 a month. Moved by Bill M., seconded by Chuck, to accept Resolution 96-1208-02, all in favor, I, (0) opposed. Motion carried.

III. NEW BUSINESS

EXECUTION OF INTERIM PRE-DEVELOPMENT LOAN AGREEMENT BY LITTLE RIVER BAND & NORTH AMERICAN GAMING. Bill Brooks will submit loan agreement by February 1, 1997. Moved by Bill M., seconded by Steve, to accept Resolution 96-1208-03, all in favor, I, (0) opposed. Motion carried. Bill Brooks then said that the council needs to authorize Bob to execute the promissory note. Moved by Bill M., seconded by Chuck, all in favor, I, (0) opposed. Motion carried.

GAMING REGULATORY ORDINANCE. Tabled until next meeting so a work session can be scheduled (January 12, 1997). Moved by Bill M., seconded by Kathy, all in favor, I, (0) opposed. Motion carried.

RESOLUTION FOR EXPANDING SERVICE AREA. Bill M. stated that the last membership meeting, it was requested to expand the service area to the following counties: Oceana, Muskegon, and Kent. It was observed that a majority of the tribe are in those counties. Bill M. suggested that an amendment be put to the resolution to also include Newaygo and Ottawa counties. Moved by Bill M., seconded by Steve, to accept Resolution 96-1208-05 as amended, all in favor, I, (0) opposed. Motion carried.

NOMINATION OF OFFICERS. Bill Brooks stated that according to the Constitution the nomination of officers needs to occur annually. Kathy nominated Bob as Chair, seconded by Steve. Moved by Bill M., seconded by Kathy, all in favor, 1, (0) opposed. Motion carried. Bob nominated Kathy as Vice-chair, seconded by Bill M. Moved by Bill M., seconded by Steve, all in favor, 1, (0) opposed. Motion carried. Kathy nominated Chuck as Secretary, seconded by Steve. Moved by Bob, seconded by Kathy, all in favor, 1, (0) opposed. Motion carried. Bob nominated Bill M. as Treasurer, seconded by Steve. Moved by Bob, seconded by Steve, all in favor, 1, (0) opposed. Motion carried.

IV. CONCLUDING BUSINESS

Discussion followed the progress of the Children's Christmas Party, who is able to sign checks, and requisitioning for supplies (printers, shredders, etc.)

NEXT MEETING. Bill M. said a motion should be made to cancel the December 22, 1996 work session due to the Children's Christmas Party. Moved by Bill M., seconded by Kathy, all in favor, 1, (0) opposed. Motion carried. Kathy stated that the next meeting is January 12, 1997.

ADJOURNMENT. Moved by Bill M., seconded by Margaret, to adjourn meeting and to go into closed session at 2:20 p.m. all in favor, 1, (0) opposed. Motion carried.

1/3/97--VC