

**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
SATURDAY, DECEMBER 21, 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 December 21, 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 Saturday, December 21, 2002, was called to order at 10:13 a.m.

B. Roll Call

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

Quorum established.

Others Present: Joanne House, Kathleen Block, Leatrice Castonia, Pat Morris, Steve Sainsbury, Jay Sam, Bob Davis, Matt Stratton, Bill Willis, Mike Sprague.

C. Approval of Agenda

MOTION TO APPROVE THE AGENDA OF DECEMBER 21, 2002 AS AMENDED BY REMOVING GAMING COMMISSION REPORTS, NATURAL RESOURCES COMMISSION REPORT, HEALTH BOARD, AND EDUCATION COMMITTEE REPORT; by Sam; supported by Ruiter.

Roll Call #1

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

E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes
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Motion carried (6-1-0-2)

D. Public Comment Period

No public comment.

III. DEPARTMENT REPORTS

A. Conservation

Department Director Bob Hardenburgh was not in attendance at the meeting. It was confirmed that all directors were notified of this meeting via email.

MOTION TO TABLE THE CONSERVATION DEPARTMENT REPORT; by McCatty; supported by Fisher.

Roll Call #2

C. Bennett –	Absent	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 (7-0-0-2)

B. SBR Plant

Steve Sainsbury reported that two new employees were added in this department, both Tribal Members. Sainsbury reported that the training for staff has been arranged, and the systems are on line and functioning. The water system is working well, and the department is waiting for storage. Sainsbury identified a need for sludge removal, and recommended that the Tribe identify a portion of property to provide sludge residual. Sainsbury reported that the sewer plant is still in the process of “punching out” meaning that evaluation of the plant for construction related issues is still ongoing at this time, and he is expecting completion in the near future. At this point, no major items have been identified.

Sainsbury initiated discussion regarding installing an additional well at or near the plant for irrigation purposes at the Casino. Sainsbury noted that an additional well would provide better service, and once the Water Tower is completed for storage, the need should be reduced.

Fisher asked Sainsbury to update the Council regarding the need for water softener at the sight. Sainsbury indicated that there were reports from the Casino of discolored water, and attributed the discoloration to piping at the RV park, as the piping in that area is different than the rest of the system and could be causing the discoloration. Sainsbury informed Council that

the salt in treated water (the softening agent) could cause the copper piping to deteriorate over time.

MOTION TO ACCEPT THE SBR PLANT REPORT; by Ruiters; supported by Medahko.

Roll Call #3

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

Motion carried (7-0-0-2)

C. Professional Development

Stratton provided a report that listed out each training session since FY 2001. Stratton told the Council that he had documentation for each lesson plan for every employee. Stratton noted that he provides the mandatory drug free workplace training required by the Federal Government for organizations that receive federal funding, which Little River Band had not been providing since 1996, but that he is now training on in FY 2002, and will carry this training forward from this year on. Stratton used as visual examples the OSHA standards and manuals to demonstrate the volume of regulations he has to review to provide training as required by outside agencies.

Stratton informed the Council of all of the trainings he is providing which contains 17 different trainings.

Recorder Sam suggested that Stratton adopt one format for reporting, and utilize this report format consistently, citing similarities in Casino reporting.

MOTION TO ACCEPT THE PROFESSIONAL DEVELOPMENT; by Porter; supported by Fisher.

Roll Call #4

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

Motion carried (7-0-0-2)

D. Planning

The Tribal Ogema informed the Council that Mr. Shepard was on vacation, and that miscommunication about the reporting date attributed to his absence.

MOTION TO REMOVE THE PLANNING DEPARTMENT REPORT; by Parsons; supported by Ruiter.

Roll Call #5

C. Bennett – Absent	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 (7-0-0-2)

IV. ACCEPTANCE OF REPORTS

A. Report of the Tribal Ogema

1. Financial Report

Ogema Sam informed the Council that Dan Taylor, the person contracted to recreate the financial records of the Tribe, will have 1997 records finalized in the near future.

Ogema Sam indicated that many adjustments to the current form of financial report are necessary to comply with GASB 34. Porter clarified that the financial information is not being 'recreated', meaning that the Tribe is not pulling the information out of air, but taking existing paper files and putting the record together to make an acceptable financial statement.

McCatty asked if the Ogema has any plans for land use or economic development plans. Ogema responded that Grand Traverse Band has contacted the General Counsel Office, about the joint modular housing business. Ogema noted that the report from Wes Andrews is impacting the Custer Property development.

McCatty asked about the Gas Station development, or any other developments. Ogema responded that he has requested the Economic Development department to reevaluate the gas station project. Fisher indicated that he believes some of the discussion is a closed session matter. Recorder Sam concurred with Fisher, noting that some acquisitions may not be public information.

MOTION TO TABLE THIS ITEM; by Parsons;
supported by McCatty.

Roll Call #6

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

Motion carried (6-0-0-3)

Note: Pat Ruiter was out of the room during this roll call.

B. Director of Operations Report

Davis informed the Council that the personnel manual revisions are near completion.

Ogema Sam noted that Stratton does assist MIS in wiring and networking issues. Ogema Sam indicated that the installation described is installing a cable, similar to a phone line. Discussion regarding employees doing work outside of their job descriptions ensued. Recorder Sam commented that liability issues should be considered prior to any authorizations of work being granted.

MOTION TO POSTPONE THE DIRECTOR OF OPERATIONS REPORT FOR NOVEMBER 2002 TO THE FIRST MEETING IN JANUARY, FURTHER THAT THE DIRECTOR OF OPERATIONS GET ANY DEPARTMENTAL REPORTS THAT WERE NOT SUBMITTED IN THIS REPORT AND INCLUDE THEM AS AN ADDENDUM TO THIS REPORT; by Sam; supported by Ruiter.

Roll Call #7

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

Motion carried (6-1-0-2)

C. Attorney Report

Nancy Kida submitted a report. Brooks did not complete the legal report. Review of the report submitted by Kida ensued. McCatty voiced concern regarding legal staff accompanying Ms. Kida to notarize documents, and noted that this is not a responsibility listed in a job description.

Bennett arrived at 12:40 p.m.

**MOTION TO ACCEPT FOR FILING NANCY KIDA'S
REPORT DATED DECEMBER 2002;** by Ruiter; supported by
Medahko.

Roll Call #8

C. Bennett – Abstain	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 (7-0-1-1)

**V. ACCEPTANCE OF COMMISSION REPORTS
A. Binojeeuk Commission – November 2002**

McCatty pointed out that the Council should be consistent in the acceptance of their reports, as an earlier report was postponed because it was received late, and this report was handed out today.

**MOTION TO ACCEPT FOR FILING THE BINOJEEUK
COMMISSION REPORT DATED NOVEMBER 2002;** by
Porter; supported by Ruiter.

Roll Call #9

C. Bennett – Yes	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 (8-0-0-1)

B. Enrollment Commission

**MOTION TO ACCEPT FOR FILING THE ENROLLMENT
COMMISSION MONTHLY REPORT FOR THE MONTH
OF NOVEMBER 2002 AS PRESENTED;** by Porter; supported
by Ruiter.

Roll Call #10

C. Bennett – Yes	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 (8-0-0-1)

C. Gaming Commission

Removed during adoption of the agenda.

D. Housing Commission

November 18, the minutes reflect a request for a trailer from the Casino to Shoreline Academy. Fisher informed the Council that Shoreline Academy is the organization that will be building one house per year on the tribe's housing development. Fisher indicated that the Housing Commission was to present this to the Council. McCatty voiced her opinion that the Commission does not have the authority to enter into this agreement. Discussion regarding the Shoreline Academy building on what areas ensued. Sam voiced her concern that the Housing Commission is exercising authority beyond the intended scope

MOTION TO ACCEPT FOR FILING THE HOUSING COMMISSION MONTHLY REPORT FOR THE MONTH OF NOVEMBER 2002 AS PRESENTED; by Porter; supported by Fisher.

Roll Call #11

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

Motion carried (5-2-1-1)

At this point in the meeting, the Tribal Council Speaker called a recess at 1:07 p.m. as an emergency meeting was called.

Council returned from recess at 3:30 p.m.

E. Natural Resources Commission

Removed during adoption of the agenda.

VI. ACCEPTANCE OF COMMITTEE MINUTES

A. Elders - 12/7/02

MOTION TO ACCEPT FOR FILING THE ELDERS MINUTES FROM DECEMBER 7, 2002; by Medahko; supported by Ruiter.

Roll Call #12

C. Bennett – Yes	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 (8-0-0-1)

VII. ACCEPTANCE OF MINUTES & REPORTS FROM OTHER ENTITIES

Health Board and Education Committee reports were removed during adoption of agenda.

A. Little River Maintenance & Construction Company

Fisher suggested that Council discuss this matter at length, as there have been issues raised about the company. Fisher stated it would be beneficial to discuss this in a work session.

Porter asked if there had been thought given to restructuring the company and shutting down until a new business plan can be put in place. Fisher indicated that Jim Wright was brought on to address operational issues in the company, but that had not taken place at this time. Development of business ensued, and Fisher also would like to discuss the future of the company with the Tribal Council.

MOTION TO REMOVE THIS ITEM FROM THE AGENDA;
by Ruiter; supported by Sam.

Roll Call #13

C. Bennett – Yes	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 (8-0-0-1)

VIII. LEGISLATIVE UPDATE

A. December Report

MOTION TO ACCEPT FOR FILING THE LEGISLATIVE REPORT DATED DECEMBER 2002; by Porter; supported by Medahko.

Roll Call #14

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

Motion carried (7-0-1-1)

MOTION TO REMOVE FROM THE TABLE 3-A AND 4-A-1; by McCatty; supported by Parsons.

Roll Call #15

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

Motion carried (7-1-0-1)

Discussion regarding the membership assistance program and utilization of funds ensued. House noted that the self imposed restrictions or prohibition for use by public officials was rejected at a work session.

MOTION TO REMOVE CONSERVATION REPORT FROM THE AGENDA; by Ruiter; supported by Medahko.

Roll Call #16

C. Bennett – Yes	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 (8-0-0-1)

FINANCIAL REPORT OF THE OGEMA

MOTION TO REJECT THE REPORT AS SUBMITTED; by Sam; supported by Ruiter.

Roll Call #17

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

Motion carried (6-1-1-1)

MOTION TO DIRECT THE OGEMA TO HAVE PREPARED THROUGH THE MONTHS OF JULY THROUGH NOVEMBER SCHEDULE OF CASH, BANK STATEMENTS, AGENCY REPORTS, AND COMPLETED FOR EACH MONTH TURNED IN BY JANUARY 6 TH FOR JANUARY 8 TH MEETING; by McCatty; supported by Ruiter.

Roll Call #18

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

Motion failed (3-5-0-1)

McCatty and Parsons discussed the reports requested. Fisher stated that the reason he voted no because even if we get the reports, we can't reconcile it until we get the past year's information corrected.

VIII. CONCLUDING BUSINESS

A. Next Regular Tribal Council Meeting: January 8, 2003

B. Public Comment

Mike Sprague suggested that the Council have departments be allowed to report directly to the Council.

IX. ADJOURN

MOTION TO ADJOURN; by Medahko; supported by Fisher.


Roll Call #19


C. Bennett – Yes	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 (8-0-0-1)

The meeting was adjourned at 4:22 p.m.

Respectfully submitted,


Mary Bower
Transcribing Assistant


Kathleen Block
Transcribing Assistant


Janine M. Sam
Tribal Council
Recorder