

**LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COUNCIL  
REGULAR MEETING  
WEDNESDAY, APRIL 20, 2016  
LITTLE RIVER BAND  
GOVERNMENT CENTER**

**OPEN SESSION  
MINUTES**

The Little River Band of Ottawa Indians held a meeting at the Little River Band Government Center on April 20, 2016. Following are the minutes of that meeting.

**I. Opening Prayer**

Grace Hendler, Tribal Elder, offered the Opening Prayer.

*Hendler said to please excuse her if she stutters because she is a little nervous.*

Creator, please grant us patience and consideration so that we may look upon each other with respect and appreciation.

And grant our leaders the power to make the decisions for the entire Tribe.

Thank you for the many blessings that you have provided us.

Amen.

**II. General Business**

**A. Call to Order**

The regularly scheduled Tribal Council meeting was called to order at 10:02 a.m.

**B. Roll Call**

J. Riley - Present	J. Burger- Present	F. Medacco- Present
S. Crampton - Present	G. DiPiazza- Present	M. Wabindato -Present
R. Wittenberg-Present	V. Johnson - Present	S. Lewis - Present

Quorum established.

Others Present: Kelly Maser, Jennifer Crampton, Rebecca Liebing, Fran Pitts, Ron Pete, Connie Waitner, Darleen Martin, Tom St. Dennis, Janine Sam, Brian Gibson, Kathy Gibson.

Others Present That Did Not Sign In: Grace Hendler, George Le Vasseur, Mary Thomas, Ogema Romanelli, Officers from Public Safety, Director Robert

Medacco, Jim Derouin, Jamie Friedel, Israel Stone, Shayne Machen, Kenny Pheasant, Diane Lonn.

**C. Approval of Agenda**

**MOTION TO APPROVE THE AGENDA WITH THE FOLLOWING ADDS; UNDER BUDGETED EXPENDITURE, APPROVAL FOR SPEAKER JOHNSON TO ATTEND A MEETING IN WASHINGTON D.C ON APRIL 28-29, 2016; UNDER NEW BUSINESS, ADD E, AUTHORIZE GAMING AT THE LITTLE RIVER CASINO RESORT BY PATRONS AGED 18 YEARS AND OLDER AND ALSO INCLUDE UNDER NEW BUSINESS, ITEM D, AUTHORIZING DONATION OF \$575 TO MANISTEE 211 PROGRAM; by Crampton; supported by Lewis.**

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion. Johnson said the item that he has here he is a little concerned about adding the 18 Year Olds because this is a huge issue and moving forward on this item. Johnson said it has not been posted Friday for the General Membership to see so they can respond to this and believed the posting on this for the membership to see was Monday and he knows that he has heard in the past from their membership they don't like to see adds because when they get the readings on Fridays then by the time they get to see it they can't adjust their schedules to be here for the meetings to discuss that item that has been added. Johnson said it makes a concern for the membership. Johnson said he just wanted to add that this is a very important item and thinks the voice of the public is needed on this item before they move forward on it. Johnson said that is his take on this.

Councilor Crampton said this has been an issue for over a year. Crampton said people have been heard on both sides of the table. Crampton said he just wanted to make a point of order in Robert's Rules of Order the moderator of the meeting who is the Speaker is to remain neutral on all issues up for a vote. Crampton reiterated that is Robert's Rules of Order.

Speaker Johnson said that is the first time that he has heard that. Johnson reiterated that this is the very first time. Johnson said well he will stay neutral in the future. Johnson asked if there was any other discussion on this item.

Councilor Crampton said point of order, the matter is not on the floor for open discussions, this is the agenda.....approval of the agenda.

Speaker Johnson said there is a discussion period on the agenda. Johnson reiterated that there is discussion on the agenda itself.

Councilor Crampton asked on the agenda.

Speaker Johnson said on the agenda.....on approving the agenda which is what it is on.

Ron Pete, Tribal #4158, asked if he can go ahead. Pete said to Speaker Johnson that based on those comments, whether they were appropriate or not, he doesn't know. Pete said he also feels that way because he means this came as a.....this was not on the original agenda that was sent to the Resort and believes it comes to the Resort on Thursday so when they looked over the agenda he happened to be in Lansing at the Pure Michigan Governor's Conference with the Ogema. Pete said he heard this was on, then he heard it was off, and now he heard it was on. Pete said the Resort does have a response to this. Pete said this gives him 0 time to give any type of an educated response to this and he also believed the same way is that when the agenda came out is the agenda posted online for the membership to see to read. Pete said he doesn't know if it is or not because he doesn't go online to check it but when the agenda comes out and this is not a little issue this is a big issue. Pete said he has sent.....where he was able to quickly put together today. Pete believed that they should have some time to respond to this thing to be put on the normal agenda so that they can bring an economic response to this item of 18 year olds.

Speaker Johnson said he has Councilor Crampton and Fran Pitts.

Councilor Crampton said just a cursory glance over last night but since January there has been close to 50 adds with little response or acknowledgement except from Councilor Medacco who is always opposed to adds otherwise they have gone straight through. Crampton said item has been vented for over a year now and there is nothing new in the responses and they have been assured several times by the General Manager that if they were to do this that he would respond accordingly and enforce it. Crampton said yet today they see a different response.

Fran Pitts, Tribal #1592, said it hasn't been that long ago that the Board of Directors voted on it and voted no. Pitts said then it came over to Council and they voted on it so why.....and they voted no. Pitts said there was no issue then about it being on the Board or having it on so people could understand what is going on. Pitts said she didn't even know about it until she heard about it later so why the issue now. Pitts said as far as that goes they are way behind the other casinos when it comes to that. Pitts said they are putting in 18 year olds and they have a college around here and kids working around here who are 18 year olds. Pitts said they are old enough to go into the service but they are not old enough to come in here and give them a couple of dollars. Pitts said those guys don't even make.....this basically is what she told them before they need to use common sense. Pitts said not think about greed, money, or whatever but just common sense. Pitts said these kids want to gamble. Pitts said her granddaughter who turned 18 had to go to Turtle Creek and has been there once. Pitts said she has no urge to run down here or anywhere else but wanted to go and see what it was like. Pitts said she doesn't know what their problem is, she really doesn't, she means if

they have kids, she has kids, she was happy that her granddaughter got to go. Pitts said she went up to Leelanau Sands or Turtle Creek they all accept 18 year olds except Little River. Pitts said now they are going to get way behind if they keep up this \_\_\_\_ and they got to have some common sense. Pitts said think about it.

Speaker Johnson said he just got a Legal Review on this. Johnson said the Legal Review says that he can respond to this because their policy does allow it. Johnson said they read it and he can respond to this issue. Johnson said it is in their policy so he begs to differ with Councilor Crampton on this one.

Councilor Burger called the question on approval of the agenda.

**Roll Call #1**

J. Riley - Yes	J. Burger- Yes	F. Medacco- No
S. Crampton - Yes	G. DiPiazza- No	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - No	S. Lewis - Yes

Motion carried (6-3-0-0)

**D. Tribal Council Minutes ☐ 04/13/16**

**MOTION TO ACCEPT TRIBAL COUNCIL MINUTES FOR 4/13/2016; by Wabindato; supported by Lewis.**

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion.

**Roll Call #2**

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

**III. Continuing Business**

- A. Grants & Contracts**
- B. Budget Modifications**

Speaker Johnson noted that they do not have anything for Items A or B.

**C. Approval of Budgeted Expenditure**

- 1. Approval for Recorder Riley to attend the America's Small Business Summit and June Council Meeting in Washington, D.C from June 13-15, 2016**

The Program is set to build on last year's successful launch of the Cornerstones of Main Street Program. The Council Meeting will

take place at the Omni Shoreham Hotel with the Summit following and on Wednesday, June 15<sup>th</sup> there is a Rally-On-The-Hill to ask lawmakers to halt DOL's draconian overtime regulations.

Recorder Riley said this is to attend the quarterly meeting of the Chamber of Commerce Council on Small Business Meeting and right after there is the Small Business Summit. Riley said Wednesday there is a rally on the Hill. Riley said he just wanted to point out that the language on the agenda was copied straight from the invitation.....that's.....it is just to send representation to D.C to represent the Tribe at the U.S Chamber of Commerce.

**MOVE TO APPROVE BUDGETED EXPENSE TO COUNCILOR RILEY TO ATTEND THE AMERICA'S SMALL BUSINESS SUMMIT AND JUNE COUNCIL MEETING IN WASHINGTON, D.C FROM JUNE 13-15, 2016; by Burger; supported by Di Piazza.**

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion.

Recorder Riley said he will abstain.

**Roll Call #3**

J. Riley - Abstain	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (8-0-1-0)

**2. Approval for Speaker Johnson to attend a meeting in Washington D.C. on April 28-29, 2016**

Meeting will be with Acting Assistant Secretary Roberts from the U.S. Department of Interior-Indian Affairs on Friday, April 29, 2016 at 10:30 a.m.

Speaker Johnson said he wanted to apologize to the Tribal membership that this was an add and wished they could have had it on Friday for them to see but the meeting was finally approved to meet with Mr. Roberts on Monday. Johnson said they got it on here as soon as possible so they could make the travel arrangements if this gets approved by Council so he can attend that meeting. Johnson said this is in regards to the two-part determination that they have been feverishly working on to move forward.

**MOTION FOR APPROVAL FOR SPEAKER JOHNSON TO ATTEND A MEETING IN WASHINGTON, D.C. ON APRIL 28-29, 2016; by Di Piazza; supported by Lewis.**

Speaker Johnson asked if anybody was going to abstain and of course he will. Johnson said it was open for discussion.

**Roll Call #4**

J. Riley -	Yes	J. Burger-	Yes	F. Medacco-	Yes
S. Crampton -	Yes	G. DiPiazza-	Yes	M. Wabindato -	Yes
R. Wittenberg-	Yes	V. Johnson -	Yes	S. Lewis -	Yes

Motion carried (8-0-1-0)

**IV. Acceptance of Reports**

**A. Report of the Tribal Ogema**

- 1. **Operations Report**  **None Submitted**
- 2. **Financial Report**  **None Submitted**

Speaker Johnson noted that they do not have any reports to accept at this point.

**V. Acceptance of Commission Reports**

- A. **Binojeeuk Commission**  **March 2016**
- B. **Enrollment Commission**  **March 2016**
- C. **Gaming Commission**  **March 2016**
- D. **Health Commission**  **None Submitted**
- E. **Housing Commission**  **March 2016**
- F. **Natural Resource Commission**  **None Submitted**
- G. **Commerce Commission**  **None Submitted**

Speaker Johnson noted that during Agenda Review they discussed this item....these items in front of them and that they don't necessarily need a motion to accept these reports but just to acknowledge that these reports were submitted. Johnson said what he will do is turn this over to Council and let them decide at this point how they want to move forward on the Binojeeuk Commission, Enrollment Commission, Gaming Commission and Housing Commission that has been received for March 2016.

Recorder Riley said he didn't believe there were any actually.....nope there weren't any action items in these so they can just accept them.

Speaker Johnson said it is so noted that they will be accepting these reports without any action items added to that.

**VI. Acceptance of Committee Minutes and Other Entities**

- A. **Elders Committee Minutes**  **March 2016**
- B. **Little River Casino Resort Preference Report**  **March 2016**
- C. **LRBOI Tribal Government Preference Report**  **March 2016**

Speaker Johnson said they have the Elders Committee Minutes, the Resort's Preference Reports and the Government Preference Reports for March. Johnson said again the same scenario applies to this area as it did for the Commission Reports.

Recorder Riley said the same for these they were informational and there were no action items.

Speaker Johnson said that is so noted and they have accepted these reports without a motion and they will be filed in the Council's minutes.

## **VII. Old Business**

- A. Financial Report**  **None Submitted**
- B. Natural Resource Commission**  **None Submitted**

Speaker Johnson noted that they do not have anything submitted on the Financials and they are still waiting for the Natural Resource Commission Reports.

## **VIII. New Business**

- A. Approval of Eligibility for Services Criteria including Close Economic and Socially Tied Persons for the Little River Band of Ottawa Indians Tribal Health Services**

As a Self-Governance Tribe, LRBOI is committed to the health of the economic and socially tied people in our community and may determine who the Clinic Services. Tribal Council finds that extending Clinic Services to more people after the opening of the Pharmacy Clinic will help the economic success of the Health Clinic.

Speaker Johnson said at this time he will turn this over to Mr. Riley, their Recorder to talk about this item and what it is about.

Recorder Riley said he would like to turn the floor over to Councilor Burger if she wouldn't mind because she is a lot more familiar with this subject and he thinks she would be able to phrase it much better.

Speaker Johnson said that is fine.

Councilor Burger said for the membership's interest the Tribe is entertaining the authorization of services, direct care services, in their Health Facility to persons of close social and economic ties. Burger said basically that means that the Little River Band because they have established their Self-Governance status with the Department of Health and Human Services-Indian Health Service has the ability to determine who is eligible to receive services and in particular direct care at the facilities they operate their Health Services at. Burger said she says facilities because at some point they may or may not be expanding services in other geographical locations within their service delivery area. Burger said this

particular measure sets the definitions in the criteria for those individuals to receive services. Burger said for example, a person that is considered to have close economic and social ties would be the spouse of an enrolled member of the Little River Band of Ottawa Indians, the children that may or may not be eligible for enrollment of an enrolled member of the Little River Band, and those may be adopted, step children, foster children, legal wards or orphans of a member, an employee and the employee's dependents that are receiving benefits under a covered health plan that the government and its enterprises provide. Burger said the criteria requires that those individuals reside within the Contract Health Service Delivery Area or Nine County Service Area. Burger said they will also be required annually to certify that they remain eligible for services. Burger said the key phrase, and she will just shorten it up, the key phrase here or the key consideration for the Band is that they do not diminish services to eligible Native Americans in the expansion of services to close social and economic tied people. Burger said there is a lot of ways that diminished service criteria is applied. Burger said one way for example, the Tribe hires an M.D, then they hire a Physician's Assistant. Burger said a diminishment of services can be as simple as making sure all their Tribal members see the P.A but all they close social and economically tied see their M.D. Burger said that would be considered a diminishment of services. Burger said while the Health Clinic rolls this out one of the things that they set the implementation benchmark for is when they open the Pharmacy. Burger said they will give the Clinic a little bit of time to figure out how they are going to implement this on daily operations, this will be broadened out and membership will be noticed as well as employees and their families. Burger said they are hoping that they will see in the end return is a cost savings in their Health Benefits provision. Burger said the hope is that the Clinic will be able to incentivize their employees and families to frequent their Clinic along with the other socially and economically tied people in such a manner that they will want to receive services there to help save some of their cost out of pocket for their families. Burger asked if that summed it up for them.

Speaker Johnson replied very well and thanked Councilor Burger.

**MOTION TO APPROVE RESOLUTION #16-0420-113;  
APPROVAL OF ELIGIBILITY FOR SERVICES CRITERIA  
INCLUDING CLOSE ECONOMIC AND SOCIALLY TIED  
PERSONS FOR THE LITTLE RIVER BAND OF OTTAWA  
INDIANS TRIBAL HEALTH SERVICES;** by Riley; supported by  
Lewis.

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion.

Israel Stone, Tribal #1735, said he thinks it is a great initiative but the one question that he does have is if they had studied the economic impact it is going to have or the burden it will place on the Tribal Budget due to increasing the number



of people that are going to be included in that. Stone said he knows right now if he called the Clinic today it is roughly a month before he can get into see somebody so if he had a sinus infection or something like that it takes about a month. Stone said he is just wondering about if there has been any studies done on feasibility on this and cost also maintaining some kind of service to the Tribal members.

Councilor Burger said to Israel Stone that is a good question. Burger said she cannot speak to recent survey or study but she knows back in 2006-2007 when she was in a different capacity for the Tribe they did an Economic Impact Study. Burger said one of the things that they discovered was at that point they were putting approximately \$400,000 through their Contract Health Service now Purchase and Referred Care Benefit Program for outside Providers. Burger said if it doesn't do anything else it should start to reduce the cost of those outside referrals and some of those outside Providers that are taking care of what she considered to be Family Service Visits and Primary Care Visits. Burger said of course when the Clinic gets the Pharmacy online they know that they are spending a million dollars annually just in pharmaceutical cost through Purchase and Referred Care and pretty close to that between the two programs. Burger said they should see a reduction in cost savings of those costs as well. Burger said in the short term the idea is to save money and reduce at least that primary care and that pharmaceutical burden off the Tribe's Budget.

Israel Stone said very good and thanked Councilor Burger.

Councilor Di Piazza said that was what he was going to mention. Di Piazza said a lot of it has to do with the Pharmacy so they can get everybody to utilize that Pharmacy so they can lower their costs. Di Piazza said this is the first step.

Speaker Johnson asked if there was any other discussion on this item.

**Roll Call #5**

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato --Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

**B. Authorizing Amendments to the Indian Preference Ordinance #15-600-02**

The Amendments to the ordinance were posted for Public Comment and comments were received, and a work session was held. The ordinance now includes limitations on rehire of Preference and Non-Preference Candidates previously terminated.

Speaker Johnson said he would Rebecca Liebing if she could take a minute to come up and explain to the membership what those changes are to the proposed amendments.

Rebecca Liebing, Unified Legal Department Attorney, said the primarily the changes were for the previously Terminated Employees Section so this had to do with Rehiring Previously Terminated Employees where preference did apply. Liebing said they made a few different changes with the first being if an employee was terminated for fraud, misrepresentation or theft to the Tribe, violence, sexual harassment or sexual misconduct in the work place they would not be allowed to be rehired. Liebing said they are eligible for rehire after 90 days of termination unless theft occurs. Liebing said any other violations of work place Drug and Alcohol Policies the preference candidate would be terminated for a violation of that and they would not be eligible for rehire for one year of their termination date. Liebing said employees that are not eligible for rehire no preference candidate is eligible for rehire for a period of three years if they have been terminated three or more times within a ten year period. Liebing said after a three year ban from employment has ended the preference candidate can apply for employment with the Tribe again. Liebing said those are the changes as they are laid out.

Speaker Johnson thanked Rebecca Liebing and said it was open for discussion and he saw Israel Stone's hand so he will recognize him.

Israel Stone, Tribal #1735, said he read over the amendments that they are proposing here and the first question that he has to ask himself is how does this help their people. Stone said to take away the ability or maybe one of the only abilities they have to get employment to provide for themselves and their family. Stone reiterated how this action helps their people. Stone said now as they know they have seen the preference numbers every month they lose people from time to time and also gain people from time to time. Stone said again the question he asks is how does this help the people because when he looks at this he looks at it as an action by the Council, not all of Council, but he is saying in general that it really hinders the preference person's ability to rehabilitate, get back on their feet, and provide for them and their family. Stone said he is a Recovering Alcoholic fifteen years and has struggled with addiction in his life and he is not going to lie about it. Stone said drugs and alcohol many years ago but he still struggled. Stone said today he doesn't have those struggles and he doesn't have those struggles because he had good people around him to help him get through that. Stone said he had a plan and a goal in his life to be able to get past all that. Stone said when he looks at the law he has to ask himself "*how do they take somebody who has an addiction or an issue and essentially not allow them employment.*" Stone said yes, the choice is theirs to use, but the choice is not theirs if this law is passed to get past that to get back on their feet and regain employment. Stone said the sad fact about it is if they look at statistics, statistically their people are prone to substance abuse and addiction. Stone reiterated prone to it and they

know that. Stone said the question is what have they done on the other side of that through government services to try to help those people get through those issues. Stone asked what have they done to try to help them get back on their feet. Stone said if this law were to pass as it is currently written it is going to damage their ability to help people get through those issues and help them be gainfully employed and provide for their families to get back on their feet. Stone said now they can say a lot of things, okay, but the fact of the matter is he admits what his past issues were and he knows there are other people sitting here that walk that same path that he walked. Stone said as a body, a Council, and as a Tribe aren't they here to help their people and by doing this they are not helping them. Stone said they are taking away their ability to provide for their family and that is not going to help them quit with their struggle with their addiction. Stone said it is not because all they are doing is making circumstances look even more grim for them so they lose hope. Stone said hopelessness is one of the key things in addiction issues. Stone said hopelessness and if they take this ability away for them to be employed he thinks detrimentally that impacts their quality of life. Stone said in addition to that this law conflicts with their Fair Employment Practices Code because the way it is currently written under the Fair Employment Practices Code they have Drug and Alcohol Addiction listed as a disability. Stone reiterated that they have written in their Fair Employment Practices Code as a disability and if they pass this it is going to conflict with their Fair Employment Practices Code because on one hand they are saying they have a disability and on the other hand they are saying they are not eligible for employment so he would like them to look at that as well. Stone said the other thing is the whole purpose for Tribes being given the opportunity at gambling establishments and preference laws and so on and so forth is not to deter their preference people from having jobs it was to employ them. Stone said the Federal Government determined them as economically disadvantaged people and that is why they gain the opportunity through recognition and IGRA to have casinos is to provide for their people. Stone said if they take away that basic ability of them being able to provide for themselves they are hurting them and so he just asks Council that they look at this. Stone said they look at establishing programs to help those people that might be struggling with addiction issues in their lives and not this. Stone said this is almost like banishment for somebody that has an addiction issue. Stone said if they would have looked at him 15 years ago and what this law would have said to him is that his Tribe doesn't care about him. Stone said so he just asks them to look at that and he knows he is going to get some negative comments back and he is okay with that but everybody has their own demon and everybody has their own struggle. Stone said everybody and nobody is exempt from it. Stone said it might not be these things they have listed here on this law but everybody has one and put themselves in that position where it is their issue put on a law like this. Stone said would it help them over-come that or would it deter them from overcoming that so he just asks them to look at all that graciously and thanks them for their time.

Speaker Johnson thanked Israel Stone and said he has a cue started here. Johnson said to please let him know if he missed anybody. Johnson said he has Councilors Crampton, Medacco and Riley. Johnson asked who he missed. Johnson said he has the Ogema and is there anybody else. Johnson said he has two in the audience or three. Johnson said he has Fran Pitts, Janine Sam, Rebecca Liebing and Councilor Burger. Johnson said they will work their way through here and they will start out with Councilor Crampton.

Councilor Crampton said first of all he understands Israel Stone's point of view and his opinions which is what they were, opinions. Crampton said he has a different opinion. Crampton said when this was first proposed he contacted a couple of other Tribes to ask them how their policies went and their policies across the board are a year. Crampton said not 90 days and when he asked what the purpose of the year was it was brought back to him that this makes the members think a little bit more before self-termination or actually using whereas 90 days might actually enable somebody to say "*hey if I get caught I got 90 days to wait*" so they are not helping them. Crampton said they are just enabling them. Crampton said if they got to think about it for a year that might deter them from actually making those poor choices. Crampton said if they are going to help these people and they really want to help them they have to look at if they are enabling them or are they helping them. Crampton said he thinks these new laws puts it more on the person themselves and encouraging them to grow up because they are making those life decisions and they can't hold their hand forever. Crampton said he went through alcohol addiction when he was 15-18 years old, got over it, but it was his choice in the end. Crampton said there was nothing that nobody could say or do or promise deterred him from it. Crampton said they will tell them in every addiction thing they go to. Crampton said he has been to AA. Crampton said until that person wants to change they are not changing as long as they make it easier for them they are going to keep on using.

Councilor Medacco said if he recall this wasn't a Tribal Council initiative and was brought forward by the Human Resource Department from the Resort to look at the changes.

Recorder Riley said he just wanted to make a correction and it was something that Israel Stone said which he is not trying to nit-pick but Tribes has always had the ability game and IGRA was a restriction. Riley said the Cabazon Decision showed that Tribes as an exercise of their sovereignty always had the ability to conduct gaming on Tribal lands. Riley said that IGRA was made to restrict that and to put a mechanism in to respect State Sovereignty in the process of getting their gaming establishment going so he just wanted to add that.

Ogema Romanelli said he can see both sides but as they know, at least on the government side, it is the Executive side that oversees the majority or the lion's share of the employees here and with that there is always a lot of problems that are occur because of the problems that they have with employees. Romanelli said

to Israel Stone that he is 40, he just figured it out, he is 44 years clean from being an alcoholic himself. Romanelli said he knows the problems with addictions because it has affected his family in the past, not only himself, but others in his family. Romanelli said it continues to affect certain people in his family now. Romanelli said people that are younger than he, people that are related to him and part of the problems that they have is he thinks that when they have addictions that are a symptom or a problem that they have is that they are not providing the proper help. Romanelli said that is where the key is. Romanelli reiterated that the key is providing the help because if they are passing people back and forth and they know they do that between the Resort and the government, the Resort and the government, that is not helping the person. Romanelli said if they are really truly there to help the person that is where they have to focus. Romanelli said he happens to agree with this legislation because he had to rehire people time and again that they know have the problems. Romanelli said the problems are with, for example, attendance and if they can't rely on somebody to man their job that they have hired them for the job that they are working for is for the Tribal people themselves which is why they established these departments. Romanelli said within those departments they have to rely on staff and if they can't rely on the staff whether they are Tribal or Non-Tribal that is a problem and that creates other problems. Romanelli said it is just a continuation because he is in the middle of a problem right now that they have. Romanelli said manning the phones for example and this just escalates and it is a domino effect and they are in disrepair here because of the number of people that they have. Romanelli said the other thing is with the Executive Branch is to protect the people and property of this Tribe which is his main job. Romanelli said to do so if they have someone threatening their property, destroying their property, threatening their staff, threatening their people they have to take action. Romanelli said he doesn't believe that 30 days is going to cure that or 60 days is going to cure that. Romanelli said he thinks they need to address the problem whether it is anger management problem or alcohol or drug addiction problem or it is just not a problem at all but a problem with their attitude that they need to address that. Romanelli said until they can do that he thinks they need to stop.....there comes time when they are just enabling persons and helping is one thing or providing a crutch is one thing but carrying them which what he sometimes feels they are doing is also a problem. Romanelli said he thinks they need to address the issues they have. Romanelli said when they see one of their Tribal, and he already had a meeting before 8:00 on this, when they see a person with problems whatever they are caused from a Tribal member they need to lead them in the right direction. Romanelli said they are supposed to have services available now he doesn't know what kind of services or how they would rate on that but they need to turn them into the area of getting services and help for their problems. Romanelli said only then are they going to start working on saving the Tribal member or saving this organization and until then they have theft of property, damage to property, threats against their staff and Elected Officials along with their Tribal members and until they stop that he thinks this is the right thing to do. Romanelli said that is just his opinion being in this position.

Speaker Johnson said just to refresh everybody on the cue he has Fran Pitts then Janine Sam, Councilor Burger, Rebecca Liebing, Darleen Martin and Israel Stone. Johnson asked if he missed anybody.

Fran Pitts, Tribal #1592, said the only thing that she says on this is if they have Tribal members over there that have a problem with this and she knows that they had a problem a little while ago with drugs. Pitts asked if they ever offered them Baraga. Pitts reiterated the question if they ever offered them to go to Baraga for treatment. Pitts said that is what that is for, for Tribal. Pitts asked again if that has been offered to them.

Ogema Romanelli replied that he is not sure if they have offered it to all but he knows it has been offered, yes.

Fran Pitts asked what about the ones that are in trouble with the drinking and that.

Ogema Romanelli said those are the ones that it should be offered to, again, that deals with addiction problems and has less to do with theft, for example.

Fran Pitts said she had somebody go there and she hears it is quite a place to go to.....

Ogema Romanelli said she had family there.

Fran Pitts said yes. Pitts said she was just wondering because she never heard anybody mention it.

Ogema Romanelli said no.

Fran Pitts said she just thought if these people or that many people in trouble Baraga should be the place they go and if they failed Baraga then they fail period.

Janine Sam said the Tribal Council previously had adopted an Indian Preference Ordinance that contained restrictions in it on rehire provisions. Sam said so if they were terminated, their first offense on termination, they were not eligible for rehire in any of the other Tribal Entities for so many days. Sam said second offense she thinks it went to 180 days or something like that. Sam said she guessed what she would like to point out is that their Human Resource Department downstairs in the government kept statistics on those transitions. Sam said they had to communicate between the Human Resource Departments with the casino to keep track of who was getting fired, who was not getting fired, who was eligible, who was not eligible and they did that on a weekly basis. Sam said they kept track of it on a spreadsheet. Sam said she thinks that when she hears the comments that she hears coming from her leadership she wants to know what their source is because none of them asked the Human Resource Department

for that report in considering this issue. Sam said the casino to her knowledge has not been asked for their report because they had to keep track of it. Sam said they had to make sure that people weren't coming in and being hired because there was a ban in the law. Sam said the bans were a little bit different than what they have proposed today but looking at the job classes and the people who were terminated, looking at the ratio of non-members to members and the people who were terminated and unable to come back to work might have been a good thing to look at instead of reacting to something that they know is a very public issue. Sam said this is what she is seeing as it.....they had a failed drug screen issue going on and it is a reaction. Sam said it was a one-time thing and hasn't happened in the past because she is asking them also to look at whether a year ban is too long or is it long enough. Sam said she does agree with what Israel Stone said about the Fair Employment Practices Code if they have somebody has a bonafide addiction process and they claim it as a disability. Sam said they have processes that they have to follow according to the Fair Employment Practices Code. Sam said she would really suggest that when they are looking at labor issues and labor laws in the future ask their Human Resource Departments to provide them with statistics. Sam said she has made that comment here before and she is making it again because the labor that they are going to increase their.....looking at the labor in the Human Resource Department and the resources that are going to be required to keep this all straight, keep track of it to make sure that they are putting the right ban on the right person and for the right amount of time. Sam said is it worth the costs of what the intent of the law is and she doesn't know but that's.....those are the kind of statistics they all should be looking at. Sam said the cost of implementing the policy and the cost of implementing the law should be considered when they are looking at the law because sometimes it is not as simple for the Human Resource Department as they think. Sam said the last question that she had is that if it comes over from the casino that Joe-Shmo has a year ban in place does that violate that person's confidentiality when she is finding out about it. Sam said if their law is so narrowly written that they are banning somebody for a year for a specific offense that has medical implications. Sam said she is just asking the question. Sam said it might be better if they have just.....the old law at least was consistent because it didn't matter what they got fired for their ban was this. Sam said if it was a policy, attendance, it was drugs, it doesn't matter if they were terminated and this was the ban that was applied. Sam said if they got terminated again the longer ban applied and that seems to her to be a little bit more protecting the employee's confidentiality so that way they are not crossing up information and releasing things about people that maybe they shouldn't be releasing. Sam said she would just request that in the future they have the ability downstairs to create all kinds of reports, statistical reports, historical data reports, to ask. Sam said they might not even think that the number they have downstairs is worth enacting something like this.

Councilor Burger said she had to look at this particular proposal several times and she looked at it in the context of not only the Fair Employment Practices Code and the Government Employee Relations Act but also looked at it from the

context of the Drug-free Workplace Act and their own assurances and considerations that are provided under their two self-determinations or Self-Governance Agreements, one with the Indian Health Service and the other with the Bureau of Indian Affairs who require the government to apply Indian Preference in hiring. Burger said it is not a maybe or not a can-ya but they must. Burger said that is part of the requirements under those two particular agreements which is ratified by this body and signed by their Executive, their Ogema. Burger said Indian Preference in Employment needs to address just that, Indian Preference in Employment. Burger said not only that but the preference hierarchy that they established should be consistent with the hierarchy that has been established and adopted and recognized through several lawsuits in several court cases. Burger said that applies to all work classes. Burger said there is not exempt work classes whether they are a front line employee or a contract employee, Indian Preference applies. Burger said while this not be a popular opinion she thinks that what is proposed here puts limitations on rehire is better placed on either the Fair Employment Practices Code or the Government Employee Relations Act so what is applies across the board very clearly and succinctly to all employees and not just preference employees. Burger said while they have a nice little thing in their little resolution that says it applies to non-preference employees the resolution is not codified in the act itself. Burger said she is a stickler for that kind of stuff because she has had lots of training in all of those things and she has been to the work sessions. Burger said she has been to a couple of work sessions and voiced her opinion. Burger said she believes that if they are looking to address a matter which was very public just as Human Resource Generalist announced a very public matter then let them look at putting it in the Fair Employment Practices Code which she is looking at right now that talks about Drug and Alcohol Use Policies and talks about how those policies apply and how it is not a violation for the employer to ask someone to test but there are certain conditions for that test. Burger said that test is required if there is a suspicion, or a person is under the influence, or if a person has an attendance or a work record problem, etc. Burger said in fact Authority of Employers, Subsection E says *“adopt written policies or procedures that allow for the use of pre-employment, random, reasonable suspicion post-accident and follow-up testing that does not violate the protection set forth in this section or the Constitution of the Little River Band of Ottawa Indians.”* Burger said that is where they go with it. Burger said if they are going to pass Indian Preference then let them pass preference and protect the rights of their Indian people to have employment within their own government and within their own enterprises. Burger said let them not worry about putting in penalties. Burger said put those where they apply to everybody and address preference as just that, preference.

Speaker Johnson said he has Rebecca Liebing, Darleen Martin, Israel Stone, Recorder Riley, Diane Lonn, Councilor Crampton and the Ogema.

Rebecca Liebing, Unified Legal Department Attorney, said she wanted to clarify a small part regarding the Fair Employment Practices Code. Liebing said it does



not protect being intoxicated at work. Liebing said a disability regarding addiction is one thing being intoxicated at work is a different thing and is a violation of their Drug and Alcohol Policies. Liebing said those two things aren't totally overlapping. Liebing said that is all she wanted to clarify.

Councilor Burger said she agrees and that it is a policy issue.

Darleen Martin said talking about addiction. Martin said she has been an alcoholic for pretty much all of her life and has been sober for 35 years. Martin said until she, herself, wanted to get clean no one in the world could have helped her. Martin said until her family disowned her completely where she could not even see her grandchildren. Martin said she finally got clean and sober. Martin said she doesn't think that they can help anyone with an addiction until they want to help themselves. Martin said amen.

Speaker Johnson said he has Israel Stone, Recorder Riley, Diane Lonn, Councilor Crampton and the Ogema. Johnson said they are going through the cue for the second time so he just wanted everybody to be aware of that.

Israel Stone said he just wanted to clarify a few things. Stone said that Recorder Riley made a sentiment about the legislative purposes and it also says right in the act for economic growth and development so both things are correct and true. Stone said what they said was true and correct. Stone said the second thing that he wanted to clarify is this law doesn't address anybody intoxicated at work. Stone said in fact there are a lot of things they can test somebody for that can't determine whether they are intoxicated at work. Stone said for instance, people who don't want to get in trouble at work that have a true addiction issue won't use alcohol or marijuana. Stone said they will harder drugs like cocaine that leaves their system within 72 hours. Stone said so they go on their days off and get high then come back to work and that stuff is already out of their system. Stone reiterated that there is no way to determine whether or not someone is intoxicated or under the influence of marijuana while at work because that is a drug that stays in their system for an extended period of time. Stone said this law doesn't even address that point. Stone said the other issue is this what about the right to rehabilitate. Stone said Fran Pitts said it absolutely correctly why not give them the opportunity to go for treatment. Stone said they used to have that in their law but somewhere along the lines they took it out and he doesn't know what happened but they did have that in their law at one time where they give people the ability to seek treatment. Stone said he is very discouraged by the statements about damning their Tribal members for having these issues because what has their government done to help them and where is their Treatment Facility or their Treatment Programs. Stone said in fact when this last issue happened at the Resort they had a Behavioral Health Employee talking about these individuals who ran into problems on a Social Media page. Stone said do they think anybody is going to feel safe coming in and seeking help under those circumstances. Stone asked what have they done to help. Stone said they can say damn the Tribal

member all they want but what has the government done to help.....no, no, no.....he is not getting into a debate with Councilor Crampton. Stone said he is responding and by saying damning he doesn't mean swearing at them but they don't understand the context and it is like banishing somebody. Stone said the point is what have they done to help them because they do have a responsibility and obligation to help them. Stone said yeah, he too was an alcoholic and didn't get sober until he made the choice but it doesn't mean they can't give people help and a means to support people and to get that help. Stone said he too thinks this is reactionary to an incident which unfortunately if this is passed none of that is covered because this is ex post facto legislation under the Constitution. Stone said to Councilor Medacco he wanted to clarify one thing when he said this was brought forward by the Resort.....

Councilor Medacco said if he misspoken then take it from the record.

Israel Stone said okay and he just wanted to clarify that.

Councilor Medacco said he just knows that Human Resources came over here and was asking if there was a way they could change the policy.

Israel Stone said so they have an individual making a decision for what is best for all of the Tribe if that is the case.

Councilor Crampton said Councilor Medacco said Human Resources.

Israel Stone said yeah from over there and that is what he is saying.

Councilor Crampton said that isn't just an individual and Human Resources for the casino.

Speaker Johnson said he doesn't want to get into a discussion. Johnson said to Councilor Crampton that he has the cue next.

Israel Stone said they are the legislators and he doesn't want to get into this debate with Council Crampton. Stone said he wanted to talk to them all and they should make what decision they think is best in their heart but he would encourage them to seek or search their heart because if they ever struggled before they know what this is like. Stone said it is not just a.....they don't get a job and go out on their own and get better then come and see them in a year. Stone said he doesn't think this is the best approach to help people and he thinks the government needs stronger programs to assist people with these issues. Stone said they do nothing.....they don't have a program for them now to go to and they have to send them to Baraga. Stone asked why they don't have their own program. Stone said why don't they have their own things to help these people. Stone said the threats of violence and all that stuff is not necessarily linked to an addiction and neither is attendance issues. Stone said some people are just lazy

period. Stone repeated some people are just lazy. Stone said so they have to understand that not everything is an addiction issue and not everything is caused from an addiction issue. Stone asked where are the Help Programs for these people so that is all. Stone said one more thing, that does reduce the cost of benefits because later on down the line when people are running into serious health issues because of these addictions it is going to hit their insurance benefits somewhere along the line. Stone said excuse him if they misunderstood his statement of damn the Tribal member because he is not saying swear at them but that they are damning them to almost a banishment.

Speaker Johnson said he has Recorder Riley, Councilor Crampton and the Ogema.

Recorder Riley said he thought that Speaker Johnson had Diane Lonn after him.

Speaker Johnson said he thought she said no.

Diane Lonn said she just wanted to make a brief statement.

Speaker Johnson said he had her.....

Recorder Riley said he will let her go ahead of him.

Diane Lonn, Tribal #0194, said she sat and listened to everybody. Lonn said she totally agrees with a lot of statements. Lonn said they do have a lot of families that are addicted to drinking her family as well. Lonn said she doesn't think there is a family here that hasn't. Lonn said yes it is their choice. Lonn said she had a brother that went numerous times before he finally cleaned up but she agrees in some ways that they have nothing here to help their people. Lonn asked if it wasn't the goal of this Tribe to take care of their people instead when they come in drunk or they get rid of them what good is that because they are not helping them and are not helping their family. Lonn said they don't have.....they have one person and she doesn't know how available that person is but they don't have a strong addiction, mental health, anything here. Lonn said it's just.....they say they are going to do something then nothing is done. Lonn said they sit back then here it is three months later and they are right back where they were. Lonn said nothing is being done. Lonn said saying they are going to do something is not it. Lonn said they have to work on helping their people and three months she agrees with it but do like she does make them sign an agreement that they have to go with their help, their Tribal help, to an addiction place to get help. Lonn said if they go and come through good and stay on the line take them back sooner than three months. Lonn said that is their goal to help their family but to totally throw them out for three months and tell them they are on their own. Lonn said good luck because they will probably never see them back and they are going to stay what they are. Lonn apologized and said that is just her opinion.

Recorder Riley said he thinks what they are talking about here is it is an issue that is related but pretty loosely related because this only goes into effect once the person is terminated and there is nothing in here saying that the Drug and Alcohol Policy anywhere has to be zero tolerance. Riley said it doesn't restrict anybody from saying that if somebody comes in and they know they have an addiction problem adopting a policy at their organization saying that the first time they are just going to put them on probation and check up on them and trying to get them some help or anything like that. Riley said nothing is prohibiting that. Riley said what this is once the termination actually happens it is prohibiting them from coming back for a certain length of time.

Speaker Johnson said he has Councilor Crampton in the cue.

Councilor Crampton said first he wants to address that he doesn't think that anybody up there said "*damn the Tribal members*" and when they try to insinuate a person's intent it is a cheap parlor trick and he would like to steer clear of that. Crampton said to Israel Stone that he don't really understand what they keep saying that this is knee jerk reaction for him or the Human Resource Department. Crampton said this is not a knee jerk reaction for him it is simply conformity with other Tribes. Crampton said why they consistently tried to recreate the wheel when there are templates out there that other Tribes has gone through by trial and error and found it to work. Crampton said they don't adopt it here they keep beating themselves over the head adopting failed policy after failed policy when they have perfect templates out there that have been tried and true. Crampton said for him it is not a knee jerk reaction he just wants to bring them up to par with the other Tribes who have gone through this before and found something that actually works.

Ogema Romanelli said he has a bunch of little notes here going all the way around. Romanelli said he is talking about, they know, for himself within the last three years he has lost someone very close to him who passed away because of drugs and alcohol, who was very close to him and under 50 years old. Romanelli said so he understands it and gets it and it comes from the heart. Romanelli said he has another person in his family who is under 50 years old that is very close to him that has been in a Nursing Home for quite a while because of drugs and alcohol. Romanelli said he has to agree with Darleen Martin until they internalize it and take responsibility for themselves nothing in the world sometimes can help them. Romanelli said he goes back to saying they need to offer services because there is community services that are available to help everyone and they should have better stronger services within their Tribe and that is fine. Romanelli said please if they are going to have this kind of empathy and patience for this matter then do so with their service department too who are lacking because somebody didn't show up for work or whatever the case is. Romanelli said his phone gets burned up all the time because somebody can't get a hold of someone or they are not followed through. Romanelli said some of these same employees are the ones they are having problems with and again, if they have a lazy person how do they

weed that person out if they are just plain lazy because everything isn't related to addiction. Romanelli said if there is a theft problem that they had and they know they have those, major theft, from this Tribe and that is not necessarily related to addictions. Romanelli asked what do they do with them. Romanelli said he is fully committed to saying that they have to do something and if this brings attention to it then so be it but he has lost too many family members because of symptoms like this. Romanelli said it doesn't help the Tribe and doesn't help the Tribal member. Romanelli said he also has to go back and say that they also talk about preference and he just found out the other day there is one job, one job out of.....there is not one job there is more where preference doesn't apply. Romanelli asked how did they get there. Romanelli asked how did they get there. Romanelli said it should be all or nothing and they are making rules and laws that don't make sense. Romanelli said he doesn't know because he has been in his job going on nine years and he is getting old and tired of some of the same things happening so if they have to get some help let them do that and work on strengthening their departments so that they can help. Romanelli said he is also very tired of dealing with the same thing over and over again. Romanelli said to his knowledge this wasn't a reaction to one incident but this is something that has been going on for years. Romanelli said so whatever happens over there is not affecting his judgment or his thought as to what is going on over here which is a constant battle to keep services to the membership, to keep people from threatening people, to keep people from stealing from their own Tribe. Romanelli said he should think that their people would have enough respect for themselves, for the property, for the gifts that they have been given by the Creator whether it be housing or tools or supplies or anything or their job to respect themselves and respect their Tribe. Romanelli said he gets frustrated having to because they are the enforcement arm of this and to have fifthly written in the dirt or on the walls or anything that goes on he is just amazed by the lack of respect that they say they have. Romanelli said they talk about the Seven Teachings up there but it doesn't apply 90% of the time. Romanelli said he would be more than happy to shift the phone calls that he gets every morning or the discussions that he has after hours or before his eight to five or on the weekends to anybody if they want to help them do this. Romanelli said there is a total frustration here. Romanelli reiterated total frustration. Romanelli said maybe he just goes overboard here but after that long and in a very years they are going to have an option to have another Ogema sit there. Romanelli said in the meantime if they can do something to help the people to help themselves he is more than happy to support that but he is supportive of this action as well.

Speaker Johnson said he has almost exhausted the cue and has himself put down and appreciates what the Ogema said because weighs into what he wants to bring up. Johnson said first of all this ordinance was posted for 30 days and he will ask Rebecca Liebing if she can remember when they put this out and thinks it was about 45 days ago.

Shayne Machen said she cannot give him an exact date unless she looks at her calendar.

Speaker Johnson said what he is saying is that from the posting they didn't get much of a response from it in the posting. Johnson said it surprises him that they are getting so much response on this issue now. Johnson said he would invite anybody in the future when they have these issues coming forward there is a Public Posting on it and he would encourage them to get that and get their voices there. Johnson said they had work sessions, at least two work sessions, after they took the postings down and they reviewed it so the timing on this has nothing to do with what happened over at the Resort because this thing has been going on long before that as the Ogema said. Johnson said the other thing is he did not hear anybody make reference to Council as a knee jerk and he wanted to make that very clear to the audience out there. Johnson said he did not hear that coming from the audience. Johnson said they worked through this very methodically and they looked at this very thoroughly so he just wanted everybody to understand that they took their time on this issue and went through it. Johnson said in his opinion on this here is that they are fairly more liberal on this issue than other Tribes by that they are leaving the door a little more open than other Tribes will do on this issue. Johnson said he thinks it is a step in the direction because they want to help their people as much as they can. Johnson said they have discussed this a lot already. Johnson said to Councilor Di Piazza that he has not spoken yet so go ahead.

Councilor Di Piazza said if there is no further discussion that he would like to make a motion.

Speaker Johnson said there is already a motion in place.

Recorder Riley said there is no motion.

**MOTION TO APPROVE RESOLUTION #16-0420-114;  
AUTHORIZE AMENDMENTS TO THE INDIAN PREFERENCE  
ORDINANCE #15-600-02; by Di Piazza; supported by Wabindato.**

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion.

Fran Pitts said they talk about the postings and she never knows when anything is posted. Pitts said they cannot get on the website anymore, nobody can. Pitts asked why isn't that fixed. Pitts asked how do they find out if anything is posted if they don't come to a Council Meeting. Pitts said a lot of people out there don't know if the stuff is posted so they need to do something with that website because it has been that way for quite a while. Pitts said to fire George Le Vasseur or something.

Recorder Riley said they are aware of the problems with the website and they are currently working with the company to get all of that resolved.

Ogema Romanelli said do they just insult people. Romanelli said honest to God he.....they know.....and come on really.

Fran Pitts said she was just kidding.

Councilor Di Piazza said no you weren't.

Fran Pitts said yes she was because she likes George Le Vasseur.

Ogema Romanelli said it is unbelievable around here. Romanelli reiterated unbelievable.

Fran Pitts said she didn't hurt George Le Vasseur's feelings.

Recorder Riley said anyway it is a process because they get one thing fixed then they find out something else isn't working right so they have been going back and forth with the company they contracted to work on their website for a while but it is in the process of getting fixed.

**Roll Call #6**

J. Riley - Yes	J. Burger- No	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -No
R. Wittenberg- No	V. Johnson - Yes	S. Lewis - No

Motion carried (5-4-0-0)

**C. Authorizing Sponsorship Donation of \$800 to the Midwest Alliance of Sovereign Tribes (MAST) Scheduled April 26-29, 2016**

The Tribal Leadership has determined that donations to organizations are appropriate for the purposes established by the Revenue Allocation Plan and the restrictions imposed by IGRA. This donation will assist in having microphones in the room.

Speaker Johnson noted this is a split amount of \$400 each one coming from the Ogema and the other coming from Council.

Councilor Crampton said this is a donation between from the Council \$400 and the Ogema for \$400 to sponsor microphones for their meeting at MAST in Washington, D.C. Crampton said it is probably the lowest sponsorship that was on the list.

Speaker Johnson asked if there was any other discussion on this item or a motion. Johnson said he will ask the question again any more discussion on this item or a motion.

**MOVE TO APPROVE RESOLUTION #16-0420-115;  
 AUTHORIZING SPONSORSHIP DONATION OF \$800 TO THE  
 MIDWEST ALLIANCE OF SOVEREIGN TRIBES; by Burger;  
 supported by Lewis.**

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion.

**Roll Call #7**

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

**D. Authorizing Donation of \$575 to Manistee 211 Program**

The Tribal Ogema and Tribal Council share the responsibility for determining the recipients of charitable contributions for the Fiscal Year and Tribal Council desires to authorize a contribution from the existing fund balance for Adopt-A-Day 211 Calendar for Community Awareness.

Speaker Johnson explained the additional \$25 from \$550 to \$275 was to include the announcement for the Pow Wow he believed to be included in the calendar.

**MOVE TO APPROVE RESOLUTION #16-0420-116;  
 AUTHORIZING A DONATION FROM GAMING REVENUE TO  
 THE MANISTEE 211 PROGRAM IN ACCORDANCE WITH  
 INDIAN GAMING REGULATORY ACT AND THE LITTLE  
 RIVER BAND OF OTTAWA INDIANS REVENUE ALLOCATION  
 PLAN SECTION 7; by Burger; supported by Di Piazza.**

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion.

**Roll Call #8**

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

**E. Authorizing Gaming at the Little River Casino Resort by Patrons  
 Aged 18 Years and Older**



Tribal Council by Adoption of Amendments to the Gaming Ordinance #04-400-04 and by Resolution #15-0211-030 authorized Individuals Aged 18 years and Older may engage in Gaming at the Little River Casino Resort.

Councilor Medacco said he just has a question. Medacco asked if this was discussed prior to going on the agenda this week.

Councilor Crampton replied that yes it was discussed in Agenda Review and the verbiage change was made by Councilor Burger and Speaker Johnson.

Councilor Medacco said so it was addressed in Agenda Review but the changed agenda didn't go out until today.

Councilor Crampton said there is a process for adds that the Directors use when they come into Agenda Review and it is either approved or put down. Crampton said it has been almost 50 of them so far.

Councilor Medacco said it has to an emergency for this to be put on here. Medacco asked what is the emergency to not follow the rules and regulations that they put in place that every other Director has to follow.

Councilor Crampton said it is not an emergency.

Councilor Medacco asked how come they are not following the same rules and regulations that they put in place for everybody else where it has to be put in as an Agenda Review item eight days prior.

Councilor Crampton said they are following the same policy and they broke that policy a long time ago. Crampton said when Directors come in as early as last week and add things in Agenda Review.

Councilor Medacco said but he is asking if they are not going to follow the same process.....

Councilor Crampton said they are following the exact same policy.

Councilor Medacco said he is stating his opinion.

Councilor Crampton explained that he brought this forward and it has been \_\_\_\_ out for over a year now. Crampton said as everybody knows Michigan is a vacation state where everybody makes their money in the summertime. Crampton said their biggest checks are drawn from the summertime. Crampton said for years they have been working on flawed policy from day one where they haven't utilized a revenue source and he is just awe stuck that a casino with probably the lowest populace of any casino in the State of Michigan to draw from would fail to

utilize a revenue source. Crampton said he is really.....he is out.....it is astounding and when people he sees issue on Face Book where people say are they catching up to Gun Lake or is Gun Lake catching up to them. Crampton answered no they are not they have surpassed them from day one. Crampton reiterated from day one. Crampton said they are the ones who are playing catch-up. Crampton said to ignore a revenue source there is no rationality they can really bring forward. Crampton said they are not stopping anybody from gaming. Crampton said they are just telling their people they are going to take their money and go over to Saginaw or go up to GTB. Crampton said their own kids their own people. Crampton said that is ridiculous and the people really want to know who is up for business here and who is up for personal interest. Crampton said that is one of the reasons he is bringing this forward it is time that they join the rest of the Tribes and utilize this as a revenue source to benefit their members instead of hamstringing themselves over some flawed false policy that was put in place just by a mom and pop reaction.

Speaker Johnson said he has in the cue Councilor Di Piazza, the Ogema, and Fran Pitts. Johnson asked if he missed somebody, Israel Stone and Ron Pete.

Councilor Di Piazza said that is some of the dilemma and he would like to call a work session on this to further see what the revenue would be and their cost factor because he has statistics that was done by a marketing group for 18-20 year olds out of 450,000 visits their average play was like \$25.00. Di Piazza said that is fine but of course they are dealing with 18-20 year olds that are not allowed to drink. Di Piazza asked what is going to happen if one comes in drunk what happens to their licenses. Di Piazza said also the.....he doesn't believe it is going to make them any money the amount of people they are going to have to put on and the liability. Di Piazza asked if they want to take on that liability. Di Piazza said right now the casinos extremely busy and doing extremely well. Di Piazza said he doesn't know if he wants to jeopardize that and then he hears a lot of alcoholism. Di Piazza said they know he was 18 years old and he did drink so is he going to want to drink over there or drink in the parking lot or have his friends get him drinks. Di Piazza asked what is that going to do to them if they get caught.

*Several people were starting to make comments from the audience and Tribal Council.*

Councilor Di Piazza said he has the floor. Di Piazza reiterated that he has the floor.

Speaker Johnson explained to Councilor Di Piazza that he is also asking questions so be careful.

Councilor Di Piazza said he is just saying that he heard somebody say they drank from 15 to 18 so how are they going to control that. Di Piazza asked if that was going to give them.....he can see a lot of ramifications and he believes they

need to have a work session on it for a little more detail. Di Piazza said like he said he has some numbers and such but he really didn't give them to nobody because nobody asked so.....the last time he brought a bunch of numbers forward and research was on their healthcare which he was pretty much knocked down on that. Di Piazza said come to find out it is not quite what it was so he would like to postpone this and have a work session on it with all the accurate numbers of what it is actually going to cost them, manpower, liability, the insurance going up and how much money they think they are going to get off of 18-20 year olds.

Speaker Johnson asked if he heard a motion that Councilor Di Piazza wanted to postpone this.

Councilor Crampton replied to the Speaker that no he didn't and he is making that right now.

Speaker Johnson said no Councilor Di Piazza said postponing didn't he.

Councilor Di Piazza said he would like to postpone.....

Councilor Crampton said Councilor Di Piazza said he would like to postpone but didn't make a motion and the Speaker is insinuating that right now.

Speaker Johnson said he is asking the question, okay.

Councilor Di Piazza said he would like to make a motion to postpone it to a work session for further review because he doesn't believe that what Councilor Crampton is seeing is correct.

Speaker Johnson asked Councilor Di Piazza if that was his motion.

**MOTION TO POSTPONE IT AND HAVE A WORK SESSION ON IT; by Di Piazza.**

Speaker Johnson asked does he have a support. Johnson reiterated if he has a support. Johnson said this is the last time and asked if he has a support on this motion. Johnson said okay they will continue with the discussion.

Ogema Romanelli said this was brought up before and he thought about a year ago. Romanelli said he thought Tribal Council passed something that mandated the 18 to be voted because he went from Council to the Board of Directors then back and forth. Romanelli said at that time the Council was upset because the Board of Directors failed to enact the 18 year old issue and he doesn't know if that was rescinded and is not sure what happened with that. Romanelli said at the time he.....

Speaker Johnson interrupted and said he wanted to respond real quickly and he doesn't like to get into a discussion but Council passed a resolution to allow the Board of Directors to move forward. Johnson said it wasn't a "*shall*" it was a "*may*." Johnson said that resolution is still in effect. Johnson said Council did try to pass a resolution to say it was "*shall*" and that failed so the issue right now is that the Board has the ability to move forward if they elect to do so.

Ogema Romanelli said it wasn't a mandate then at the time.

Speaker Johnson replied no.

Ogema Romanelli said at the time, they know again, if they talk ethically he absolutely believes that people that are 18 has the right to go to war, they have the right to vote, then they have the right to gamble. Romanelli said on the other hand he opposed it because the information that he got from both the Marketing Department and Public Safety.....not Public Safety.....but maybe it was Public Safety showed that the amount of revenue would not generate enough to cover the additional costs associated with it. Romanelli said again if they are going to have a Sports Bar in there he thinks the possibility of having to monitor that would be even more so at the time he opposed it and he still opposes it because it showed that the revenue generated.....if they are talking about revenue and they are talking ethically he gets it and if they talking to make more money the revenue that he got from the Marketing Department at the Resort showed that it would not generate enough money to cover the costs of additional whatever it was so that is why he was opposed to it at the time. Romanelli said that still holds true unless somebody can show him where the revenue generated would be more than the additional cost associated with it.

Speaker Johnson said he has Fran Pitts, Israel Stone, Ron Pete, Councilor Crampton, and then himself.

Fran Pitts said they are talking about generating money for the 18 year olds to come in and they put \$18 million into that casino to remodel it and are they sure within the next year they are going to get \$18 million back to pay for that. Pitts said it is going to take them a long time. Pitts said in the meantime their Tribe will be cut back on money coming over to this side. Pitts said she cannot see a problem with the 18 year olds and as far as them coming in drunk they are not going to get passed Security and they have Security on the floor all the time. Pitts said they can be stamped when they come in and they have cameras up above so they can see what is going on. Pitts said if they see an 18 year old drinking that is what they are there for so she can't see what this big problem is. Pitts said it is like the Ogema did say one thing they don't mind sending them off to war to get killed and \_\_\_\_ and all that but they don't want them to come in there and have a little bit of fun. Pitts said 18 year olds aren't going to pile in the door like 100's they are going to come in once in a while when they can afford it. Pitts said it is not going to kill them and not going to hurt their revenue. Pitts said her

granddaughter had to go to Leelanau Sands when she turned 18 just to gamble and has been there once with no intentions of going again but just wanted to try it. Pitts said what makes them think that 18 year olds are going to fly in the door and spend money which they might the first couple of times and put in a couple of dollars just to see how it is. Pitts said when they realize it is expensive they are not going to come back but they should still have the right to do it. Pitts said they are taking everybody rights away from them and they sound like the United States Government. Pitts said to George Le Vasseur she apologize and she was just joking with him because she saw him standing back there.

Ogema Romanelli thanked Fran Pitts.

Fran Pitts said no she just thinks that, common sense, people. Pitts said to quit thinking about the dollar signs but this is getting to be one greedy Tribe. Pitts reiterated to quit thinking about the dollar signs because they are not getting any more out of that casino and the people aren't getting any more out of that casino. Pitts said they are worried about the 18 year olds coming in spending five dollars when they put \$18 million in there and they have to pay for it. Pitts said the casino has to pay for it and when they pay it comes out of their pay checks so she doesn't understand their logic, she really doesn't and they just amaze her.

Speaker Johnson said he has Israel Stone, Ron Pete, Councilor Crampton, and then himself.

Israel Stone, Tribal #1735, said they look at this issue and there is a lot connected to this issue. Stone said it is not just a matter of them letting 18 year olds in it is a matter of what do those 18 year olds do to the experience of their core customer which are 55-70 year olds baby-boomers. Stone said the last time this was going on and the Council passed a resolution they got a ton of comment cards from their core customers who pay the bills over there saying please don't let this happen. Stone said there is a reason for that they come to their property for the elegant casual Resort experience that they provide there. Stone said they come there because of the location that they have, listen, everything is a dollar and cents decision and he doesn't care what they say because that is what it boils down to. Stone said they have to fund this government. Stone said they do things like impact the experience of their core customers which are 55-70 year olds that don't want 18 year old gamblers in the facility and they are going to start losing those customers and those are their Golden Elite Members. Stone said those are the ones who spend thousands, thousands, and thousands of dollars there. Stone said they are going to give those up for \$5.00 to \$10.00 players max \$25.00. Stone said there are several reports and studies out there that show that 18 year olds are not a viable business option and in addition to that there are other casinos that have tried this even tried mixing in different environment as far as entertainment and different things to attract a younger crowd to try to generate revenues and realize revenues in that manner. Stone said it doesn't work because they have tried and they failed. Stone said now last time he recalls the Resort proposed a

viable option to test this market, the millennial market, and they proposed that to them guys with a lot of due diligence, studies and hard work behind it. Stone said he knows they are not closed on that issue yet and knows they are still looking at it but isn't that the better approach to take. Stone said that is to test the market to see if it is true because they can all say it is going to make them millions of dollars but the last time that he knew not too many 18 year olds are walking around with thousands of dollars of expendable cash in their pocket. Stone said in fact most of them are coming out of college or leverage with student loan debt so deep that it will take the next 20 years for them to get out of that. Stone said the reason why baby-boomers are a viable market is their grandchildren of the Great Depression Generation and were taught to save and did all of their business in cash. Stone said they bought their homes in cash, they bought their vehicles in cash, and did everything in a cash business so when they got to the age of retirement they had expendable cash. Stone said the market says the next viable tier down is Generation X because now they have starting paying off their mortgages and cars. Stone said what the run into when they get down to Generation Y and millennials in that group is they are the generation that is leveraging their future in debt, student loan debt, credit card debt, payments that if they can't afford it they leverage it or finance it. Stone said it is not a viable age group.....he won't say it is not viable.....okay, the studies say it's not but what he says to them guys all is he is not even saying that Councilor Crampton is wrong but is saying let's test it. Stone reiterated let's test that market in a smaller area that wouldn't have a detrimental impact on their 55-70 year old gamers or 55-70 year old customers. Stone said they had a plan that he knows Ron Pete and Connie Waitner are going to speak to them guys about later but let's test it first. Stone said Councilor Crampton may be absolutely right and they might make another million dollars plus a year off of this but let's do the due diligence and test it. Stone said if they jump in with both feet the damage could be large and they could lose a lot of their customers and they are going to go to their competitor. Stone said if they lose them they are not going to come back here. Stone said he is not saying that Councilor Crampton wrong and he is not saying that the legislation is wrong but is saying let's just test it. Stone said let's just test it and see if they can make this a viable age group these 18-21 year olds. Stone said the difference between a soldier and somebody that votes is they sign up to do that, right. Stone said they don't sign up.....they would sign up to come and gamble too but they don't force them down that road. Stone reiterated that he would just ask Council, Councilor Crampton sponsoring Council member, let's test this because he may be right but let's at least do the due diligence to find out on a space that doesn't impact their core customer which is their 55-70 year old Golden Elite Member, okay, and so that is all he has to offer on this.

Ron Pete, Tribal #4158, said he has had some time to think about this particular meeting they are having today since Monday when he was alerted that this may be on.....after he looked at the agenda last week and it wasn't on there then he was alerted that it was going to be on here then he was alerted later that it wasn't going to be on here then he was alerted again that it was back on. Pete said so this

morning he thought to himself first of all at first things were.....Council.....they had no chance to prepare anything for this. Pete said he will take a little issue and he is not doing this personally.....he is not please.....they are fully prepared to execute 18 year olds coming on their floor. Pete said they don't have the personnel yet but he is prepared to sign the job reqs today to do it because he will not jeopardize their floor nor their Liquor License unless they have the right Security in the right place and the right bartenders in the right place because he knows they are with a younger crowd and they are going to demand they do more I.D. checking and people can.....listen 18 year olds are pretty smart.....if they wristband them they will know how to get something or maybe a 21 year old friend is going to buy.....they will have a very strict policy in place if they are caught drinking on their floor or if they find someone that is supplying alcohol to a minor. Pete said 18 year olds from their studies and from their Marketing Company SMP and he can submit all this data in a work session that they would want to submit. Pete said they are not negligent in not having 18 year olds on the floor because nothing they have proves that 18 year olds are going to bring that much money to the table. Pete said he doesn't have a.....the issue with him is not the 18 year olds and he knows he doesn't want to get contentious but the issue with him is that they are legislating operations at the Resort. Pete asked where is the Ogema and apologized because he is busy right now. Pete said he said his issue is that they are legislating an operational decision at the Resort and that's his issue and then where is the next thing coming from. Pete said he doesn't believe that Council's.....and maybe this is something that from his understanding 11 1/2 years ago he thought the business enterprises came from under the Executive Branch under the Ogema so maybe they don't and they know what he doesn't mean to be funny or glib about it but he doesn't have a clue how this goes back and forth, he doesn't know but that is his main issue with this. Pete reiterated that he can do 18 year olds and they will come in and put their \$20.00 bill into the machines and he will tell them they don't have the type of Resort that's not what they built they built an elegantly causal Resort for the core group that comes into their Resort. Pete said they built them the type of place.....he is not going to have some dance floor that is going to have banging music going on and drive all of their 50 year olds and 60 year olds out because that is not going to happen. Pete said so they are going to do it and continue to operate just like they are and if the 18 year olds want to stay that and jam money into machines, "*God Bless Them*" they will make it work. Pete said he has some issues with the restrictions and he is not in favor of this by the way.....he has some issues on the restrictions from what he understands about the resolution that they have this in place by May the 20<sup>th</sup> and they won't have enough time to hire the help by that time that they need to secure the fact that they can cover this to make sure there isn't the violations of their Liquor License and there isn't the violations of this other stuff. Pete said to Speaker Johnson so he has issues with the dates if that is the date but that is his main core issue. Peter reiterated that his main core issue is that they are being legislated operational issues at the Resort...he doesn't believe that their legislature was elected to run the Resort.

Speaker Johnson said he has Councilor Crampton, himself, Councilor Burger and Fran Pitts on this issue.

Councilor Crampton said this is all speculation and the kids are not being mandated to go to war so there is no comparison to war. Crampton said to Fran Pitts that he is sorry but that is ridiculous for anybody to bring that up.

*Fran Pitts made comments from the audience but they were not picked up on the tape recording.*

Councilor Crampton reiterated to Fran Pitts that he is sorry but that is ridiculous to compare it to war. Crampton said they are opening a facility and provide this facility....if there wasn't any.....if there wasn't any money to be made in it then Tribes wouldn't be doing it. Crampton said as for the drinking Saginaw has a casino with a college there, a college, and probably do business with 18 year olds ten times more than they are. Crampton said they probably had incidents of drinking underage and nobody has lost their licenses and the casino is still open. Crampton said stop with the un-factual scare tactics please. Crampton said if they want to try this truly then let them try this now while they have time to put this in place and make money for the summer. Crampton said all of these other things are stall tactics to put this off to prolong an old ideal that is outdated and it is time to do some business here to utilize some of the things they have been given under a Compact that allows them to do this. Crampton said they are the only Tribe under that Compact who hasn't utilize this yet. Crampton said all the Tribes and they are talking almost 20 years of hamstringing over a mom and pop decision. Crampton said let them try it and if it doesn't work it is a resolution they can draw it back. Crampton said the real fear is when their check comes in November and they have a ton of more money and they brought in more money. Crampton said that is the real fear because then people are going to look back and say "*hey why didn't you do this 20 years ago.*" Crampton reiterated that is the real fear. Crampton said they just had.....they just went down to the BIA and had a meeting in Muskegon where a gentleman, a former Police Officer, stood up and told them that half the fear is what they heard today are un-factual and that the crime rate actually goes down. Crampton said children don't run there and drink in the parking lots. Crampton said those are un-factual statements and that man testified right before the BIA that this was factual and actually did the studies and had the numbers. Crampton said he isn't buying into these scare tactics and was listening to what was said before the BIA.

**MOTION TO APPROVE RESOLUTION #16-0420-117;  
AUTHORIZING GAMING AT THE LITTLE RIVER CASINO  
RESORT BY PATRONS AGED 18 YEARS AND OLDER;** by  
Crampton; supported by Wittenberg.

Speaker Johnson asked if anybody was going to abstain. Johnson said he still has two people in the cue or three people in the cue and sees another one going in



Councilor Medacco. Johnson said okay they have a motion on the floor. Johnson said he just wanted to comment, first of all, earlier the timing on this and knows they had a lot of discussions on this issue. Johnson said they have had several work sessions on this issue. Johnson said the area that he has concern and there are two of them. Johnson said the first one is the direction of the casino is going to a Four Diamond Resort and that is the direction and they want to bill it. Johnson said a Four Diamond Resort is really geared if they know is more of an extravagant Resort and a Destination Resort trying to bring in the Big Rollers, trying to bring in those kind of people. Johnson said he doesn't think that a Four Diamond Resort is going to do much to enhance by bringing 18 year olds in, 19 year olds or 20 because of the costs of doing business. Johnson said he thinks that it is just not there. Johnson said the cost to eat and dine and the cost of doing things are exceptably higher and doesn't think that part of it, the Strategic Plan, from the Board and Resort does not match up well with the 18, 19 and 20 year olds however with that said the one issue that he has with this and he knows that LTB probably had the same issue with this issue is the fact that they went to a younger age also. Johnson said they went to 19-20 year olds and he is thinking but he hasn't talked to them and he shared this with Council in their work session he has a concern with 18 year olds. Johnson said these kids are still in high school and need to get an education. Johnson said in their two-part determination as they are going to Interior they talking about all the drop-outs that they are having from Tribal members. Johnson said it is not only Tribal members it is also throughout the whole school system. Johnson said they are all dropping out a lot of them and here they are going to open up an enterprise to get them to do something else than going to school. Johnson said that really makes him nervous. Johnson said he would rather do this at a 19 year old and he voiced this with Council but Council decided no this is the resolution 18 year olds. Johnson said he has a tough time with this one. Johnson said he really does on 20 year olds and if they looked at the numbers and if they say went with 19 year olds and 20 year olds that is 2/3's of that population and all they are leaving out is 1/3 which is the 18 year olds. Johnson said to let these kids finish their high school before they wind up into a casino. Johnson said he heard about going to Sag/Chippis and so forth when they enter college there it is September and there are nine months already of chances of turning 19 years old. Johnson said they have three months left then most of those kids in college are 19 year olds or more. Johnson said it is a very small percentage at 18 year olds. Johnson reiterated that he is having a tough time with this 18 year olds. Johnson said when they looked at this resolution way back they said 18 year olds but they gave it to the Board to do it and he voted yes on that but when they said the Board shall do it he voted no. Johnson said all he is saying at this point is he doesn't have a problem with 19 year olds or 20 year olds but he does have a problem with 18 year olds. Johnson said he really does and he shared that with his colleagues here in the work session and they all know it. Johnson said in the cue he has Councilor Burger, Fran Pitts and Councilor Medacco.

Councilor Burger said one of her favorite Senators on the Senate Committee on Indian Affairs is Al Franken from Minnesota. Burger said she pays a lot of attention to how he approaches issues because Al Franken always looks at the codification of the law then he usually interjects some humor about how the laws being discussed are the opportunity to implement then he gives his opinion. Burger said so that is how she is going approach this. Burger said she finds it kind of ironic that they are having a discussion about the implementation of 18 year old gambling.....18 year olds and giving them the privilege of gambling in their casino which is already written into their Compact which really the Compact being the law of the land should have been a moot point but she digress. Burger said she finds it ironic that they are discussing this issue which Age of Majority in the State of Michigan where she go and sign her life away for a house mortgage is 18 provided that she can demonstrate that she has gainful employment. Burger said she finds it ironic that they are talking about essentially the law of the land being their Compact which governs how they provide gaming opportunities to their paying customers is a huge issue when it is consistent with the Age of Majority and yet they just passed a law under Indian Preference in Employment that prohibits the application of employment to their highest paid positions, their Contract Positions which primarily guarantees somebody that is non-preference will be in that position probably from now on. Burger said so how on the one hand can they say they are not in favor of 18 year olds gaming whether they are preference or non-preference individuals who have the right to make that decision for themselves but yet they can pass a law that protects non-preference employees in Contracted Positions and still say that morally it's all okay. Burger said she doesn't agree with that. Burger said they are looking at, yes, the majority of.....she is in the casino and is a blue hair and in that baby-boomer group that spends the most money allegedly but they are looking who is going to replace her. Burger said she can tell them right now that if they take a survey of \_\_\_ and millennials they don't about gaming as entertainment because that is far off their radar. Burger reiterated far off their radar because they have better uses for their finances with most of them catching up with student debt. Burger said Generation Xer's which behind her have disposable income, and guess what, they are still not gaming. Burger said so they really faced with a quandary here and while she can say that she disagree or don't disagree or whatever with 18 year olds being allowed to gamble she believed that 18 year olds should have the right to choose. Burger said they have the right to choose to go into debt for a mortgage or a car and they have the right to choose to sign on the dotted line to serve in the Armed Forces and they have the right to choose to drop out of school when they are 16. Burger said 16 year olds don't have to attend school under the Compulsory Education Act in Michigan. Burger said she thinks that they are really at a juncture that they not talk about ethics or talk about anything else but obeying the law of the land. Burger said they just passed one so let them obey the law of the land here. Burger said their Compact says 18 and she is all for it so let them do it. Burger said with that she will call the question.

Speaker Johnson said the question has been called and he has in the cue Fran Pitts, Councilor Di Piazza and Recorder Riley. Johnson said they will get back to them after the question has been called.

**Roll Call #9**

J. Riley - Yes	J. Burger- Yes	F. Medacco- Abstain
S. Crampton - Yes	G. DiPiazza- No	M. Wabindato --Yes
R. Wittenberg-Yes	V. Johnson - No	S. Lewis - Yes

Motion carried (6-2-1-0)

Speaker Johnson asked Fran Pitts if she wanted to speak. Johnson said he has Councilor Di Piazza and Recorder Riley still in the cue on this item.

Councilor Di Piazza said he will pass other than saying the revenue has been doing really good, been watching the numbers, and he hopes their decision was correct because he will be keeping an eye on it but that is the decision come next per cap time if it is low it will be up to them to explain why.

Recorder Riley said his thing on the issue was it is just listening to everybody here and they are sitting here shooting holes in their own defensive position when they are trying to defend the whole idea of gaming in general and it just didn't make sense to him anymore.

Councilor Burger said that Kathy Gibson had her hand up.

Speaker Johnson said he didn't have her in the cue.

Councilor Crampton said her hand was up before they called the question.

Speaker Johnson said to Kathleen Gibson okay, he didn't see that but go ahead.

Councilor Medacco said it is Katherine Gibson.

Kathy Gibson, Tribal #0352, she apologized for not being here at the beginning of the discussion but she just wanted to add that she had been to several open meetings of the Board of Directors. Gibson said the question had been asked about the 18 year olds and her comment to them at that point and time because of the concerns that the Board of Directors had was to present it at the Membership Meeting the pro's and con's and put it on the overhead so the membership could see if they had questions they could go to Council before this action took place. Gibson said she had asked that twice at the Board of Directors Meetings and that did not happen at either time at either one of the Membership Meetings so the Council could have information from the membership, their opinion. Gibson said she didn't agree or disagree with the 18 year olds and hers reflected back to what Councilor Burger had stated they are 18 and are allowed to put up their life for

their country but yet they are going to deny them the right to how they spend their money. Gibson said they are 18 and they hold them responsible as adults and have to sign their own paperwork whether it be for a loan, whether it be for health insurance, whether it be for whatever they are doing in their life so it is up to them to make that determination whether to gamble or do not gamble. Gibson said her son was gambling at 18 and he went to Turtle Creek where he could gamble at 18. Gibson said he was one of the responsible ones and they need to hold them responsible. Gibson said he took an amount of money and when he was done he was done. Gibson said now he is 22 and gambles here and spends his money how he chooses and puts a limit on himself. Gibson said that is his decision and he is wise at making that and at 18 they do and are responsible and can make those decisions for themselves.

**IX. Concluding Business**

**A. Next Meeting Date(s) - Wednesday, April 27, 2016**

**B. Ogema Weekly Status and Business Update**

Ogema Romanelli said he doesn't have a whole lot more to say. Romanelli said they had the Governor's Tourism that they attended with the Resort. Romanelli said he was there Monday and Tuesday and he thought it was a pretty good turnout. Romanelli said they had about 800 people there covering tourism and Pure Michigan. Romanelli said he thought there was a lot of pretty good information there so it was worthwhile. Romanelli said again, going to D.C the end of next week. Romanelli said other than that just a lot of things going on internally that he is trying to take care of now.

Councilor Di Piazza said as everybody knows last week or the week before Bill #588 was signed into law by the Governor and he would like to present this plaque with one of the Governor's pens to the Ogema to put in the display case down below because actually on Section 3 they are actually citing their Ceded Territory of the Treaty of March 28, 1836 right in the bill which is historical and almost given their Natural Resource or Conservation Officers the right to check anybody in their Ceded Territory. Di Piazza said he would like to bring this over to the Ogema

Ogema Romanelli said he just wanted to say "*thank you*" to those people that went down to this historic signing and it was Senate Bill 588. Romanelli said this is much appreciated and they Council members there and also had the Public Safety Director, they had Robbie Robles there, and thinks that might have been it. Romanelli reiterated that he really appreciated everybody and the support. Romanelli said this is big and is going to give them a lot more protection out there in the field.

**C. Legislative Affairs Update**

Councilor Crampton said no but is sure they will the next couple of weeks because they are all heading out, the Ogema, the Speaker, himself, Councilor Burger and a few others and they will all be undertaking legislative activities either in Washington or other areas so they should be some big reports coming back.

#### **D. Public Comment Period**

Fran Pitts said to Ogema Romanelli that there is a rumor out they are planning to put a Daycare over in the old casino. Pitts said she doesn't know how true it is but they better use some common sense on this. Pitts said first of all if they are telling her that is their only way into the casino and they come in and people are going to be seeing a Daycare Center there. Pitts said she doesn't think that is such a good idea. Pitts said if they put a fence in the backyard they are going to look at the parking lot at a bunch of junk. Pitts said another thing if there was an Amber Alert 22 would be closed off and if anybody wanted to leave the casino they probably would be searched. Pitts said there is so much little things that they need to think about. Pitts said they needed.....got the money, got the grant but come here because there is a lot of room over here. Pitts said build a small building, put a back yard in with toys in it, because they would be better off there than over there. Pitts said that is not a good place for that and they are going to have problems with the drunks picking up their kids and they have to have them sign papers for that and have to watch out for that. Pitts said they have to watch so somebody can't just come in the door and they busy somewhere else and they say "*come on kids let's go.*" Pitts said then they are in trouble. Pitts said there is a lot to think about. Pitts said she thinks it is a good idea and there is nothing wrong with that and thinks it is a good idea but not there. Pitts said it is not the right place for it. Pitts said back here there is plenty of room back here. Pitts said they got the grant money and they don't need to have an elaborate building but just a small square building for them to come in to eat or whatever they have to do and take their naps then go outside and play in a fenced in yard and that is all they need so she wishes the would really think about this before they make that decision.

Ogema Romanelli said to Fran Pitts that he just wanted to say that is more than rumor there are efforts going on for that. Romanelli said there is also an effort from the Resort of putting some more casino in that area too so he is kind of watching both sides because both are kind of vying for use of that building and he is not sure where this is going to end up. Romanelli said actually he wanted to take some time to ask the Resort and ask their Family Services Department how this is going to work because he is hearing both are heading towards use of that building.

Fran Pitts said to Ogema Romanelli she also heard what he was talking about. Pitts said she heard that they want to put a few slots over there, a band for people to come over and dance, because a lot of people miss that dancing and miss that

polka music. Pitts said they could do that and there are other things that they can do with that building besides putting kids.....little kids in it. Pitts said she just doesn't believe in that and apologized.

Councilor Crampton said he just wanted to clarify and would invite Fran Pitts to come in to one of their work sessions on the Kids Center because he also saw the things that are provoking these rumors on Face Book and they are highly unfactual. Crampton said some of the things that being represented there are very untrue, purposely untrue.

Fran Pitts replied that she didn't see this on Face Book but got a phone call this morning.

Councilor Crampton said to Fran Pitts that he knows she got a phone call but he is inviting her to come into a work session so they can bring the information to her because if she looks at the information they actually have on this it might shed a little bit more light on her decision or her opinion.

Fran Pitts asked Councilor Crampton if he thought it was a good idea over there.

Councilor Crampton answered that yes he does because right now what the proposal that is coming from the Resort is that they build on another center at \$4 million to get over into that to even prepare to game in it and now they are talking about an overhead. Crampton said he heard it said here today that if their per cap check is low then blame it on the 18 year olds and that isn't happening. Crampton said it doesn't matter if they make more money or less money over there what is impeding their per cap is the overhead and the expenditures from the casino. Crampton said until they get that under control they can make all the money they want over there if they just add to their expenditures their per cap is going down.

Fran Pitts said they want it over at the casino but put it over in that empty spot by the campground. Pitts said they can put it there because she doesn't think it should be in the entrance of coming into the casino with big signs that say Daycare. Pitts said they have plenty of space back there by the campground. *Pitts made more comments from the audience and they were not picked up on the tape recording.*

Speaker Johnson said they are not capturing that on the recorder and he knows Grace Hendler is going to be upset with him on this.

Grace Hendler said she can hear her but the tape can't.

Councilor Burger said just so Grace Hendler knows if she can just paraphrase. Burger said Fran Pitts said that looking at a different location might be better the empty space between the Resort and the campground might be a better location than the old Interim Building where everyone is coming in and out of the casino

proper. Burger said to Fran Pitts that the one thing she will say the Tribe adopted a Strategic Plan with the implementation of a Child Care Center was part of the Strategic Plan. Burger said she was in a different capacity then and she expressed her views and not at that particular location as being the prime location to do that but the plan was adopted none the less and that was the identified location. Burger said things are moving forward and the train has left the station. Burger said there has been discussions about an alternative uses for that building. Burger said as she understands it, and she could be wrong, but as she understands it the issue with an alternative use of gaming in that facility is they have to build a contiguous floor space because of the way their Compact is written to make sure they can get from the Big Resort to the Little Gaming Parlor. Burger said to Fran Pitts that right now as far as she knows it is moving full ahead with the Strategic Plan initiative. Burger said a lot of time and energy has been invested and they have secured non-Tribal revenues to move it forward which has been a plus so she thinks that is the direction that it is going to go. Burger said one of the things that has happened is they had a lot of community support because presently there is not a daycare alternative for folks that are working second shift and third shift and that is going to be part of the plan to try to provide some services for those second and third shifters that their kids will be in a safe and protected area.

Fran Pitts said as she said it shouldn't be there. Pitts said nothing against it because she thinks it is a great idea but it should be in a different spot than on the way into the casino. Pitts said she just doesn't think \_\_\_ a of people don't believe in their casino and if they want people to go on the outside to use that forget it. Pitts said if they put it someplace else where it is not so obvious like over by the campground they have a play over there and everything and that would be the perfect place if they want it on this property. Pitts said people working here doesn't have that far to go and people coming in don't have that far to go and she just thinks that would be a bad idea to put it there. Pitts said like she said if they had an Amber Alert they will close off M-22.

Councilor Burger said they will have to stay and game more right.

Councilor Crampton said he is calling one of those in right now.

Fran Pitts said cars are going to be searched so she doesn't think it is a good idea.

Recorder Riley said he would just like to point out that could happen now because they see kids getting left by the Fireplace by themselves all the time so that could happen right now.

*Tribal Council agreed.*

***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 THE FIRST OPEN SESSION;** by Burger;  
supported by Lewis.

**Roll Call #10**

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- No	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (8-1-0-0)

The meeting was adjourned at 12:00 p.m.

**XI. Open Session**

The Council reconvened in Open Session at 1:48 p.m.

**MOTION TO GO BACK INTO OPEN SESSION;** by Riley; supported  
by Lewis.

**Roll Call #11**

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

**A. Items moved from Closed to Open Session**

*There were no items to be moved from Closed to Open Session.*

**XII. Adjourn**

**MOTION TO ADJOURN THE MEETING;** by Lewis; supported by  
Crampton.


**Roll Call #12**

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- No	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

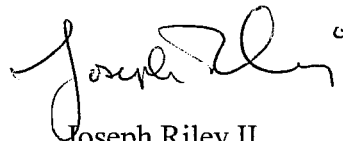
Motion carried (8-1-0-0)

The meeting was adjourned at 1:48 p.m.

Respectfully Submitted,



Grace A. Hendler  
Transcribing Assistant



Joseph Riley II,  
Tribal Council Recorder