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Submitted for
Approval
8/27/03



**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, AUGUST 14, 2002
LITTLE RIVER BAND COMMUNITY CENTER**

**OPEN SESSION
MINUTES**

The Little River Band of Ottawa Indians held a meeting at the Little River Band Community Center on August 14, 2002. Following are the minutes of that meeting.

I. Opening Prayer

The Tribal Council engaged in a silent prayer.

II. General Business

A. Call To Order:

The regularly scheduled Tribal Council meeting of Wednesday, August 14, 2002, was called to order at 10:12 a.m.

B. Roll Call

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

Quorum established.

Others Present: Jo Anne House, Kathleen Block, Tina Vaquera, Pat Morris, Leatrice Castonia, Bill Willis, Sheri Hunt, John Bussey, Matthew Stratton, Katie Glocheski

C. Approval of Agenda

McCatty asked on Old Business G, regarding expenditures from the Fall Feast, if they are included in the packet and she asked that this be removed. McCatty also asked to remove New Business C as information is being gathered at this time. Fisher asked to move New Business F into CMT Business.

**MOTION TO APPROVE AGENDA AS SUBMITTED,
REMOVING OLD BUSINESS G, NEW BUSINESS C AND
MOVING NEW BUSINESS F TO CMT BUSINESS #1; by
Porter; supported by Kleeman.**

Roll Call

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

Motion carried (9-0-0-0)

D. Tribal Council Minutes

4/24/02

MOTION TO APPROVE THE WEDNESDAY, APRIL 24, 2002 OPEN SESSION MINUTES AS SUBMITTED; by Kleeman; supported by Ruiter.

Roll Call

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

Motion carried (8-0-1-0)

E. Public Comment Period

No public comment.

III. Continuing Business

A. Grants & Contracts

No business.

B. CMT Business

- 1. Approving Appropriation and Agreement for move and set up the trailers located near the Interim Casino in an amount not to exceed \$21,000**

This agreement is to have one trailer moved to Newland for the Professional Development Program; one to East Lake (Big Blue for use by the Construction Company); and one to the powwow grounds. Fisher stated arrangements have been made to have trailers' titles changed to the Tribe. Fisher went on to state that the trailers are in an area that Cunningham-Limp needs to work on for a service road and other items. Fisher stated the subcontractor is ready to go on this. Sheri Hunt asked the appropriate size of these trailers so she can possess insurance once they reach the designated properties. Bill Willis stated he would get this information for

Hunt. McCatty gave the prices for each individual trailer being moved. Glocheski asked if the casino trailers were purchased. McCatty stated two trailers were owned and one was leased and rather than paying money to buy it, they traded in two other trailers to purchase the food prep trailer. House stated in the first resolve she added Dave Schultz as the Owners Agent, which was called for in the contract. McCatty asked Dave Schultz's qualifications for inspection of the trailers. Fisher stated Schultz has been the lead person when dealing with these trailers. Fisher has no hesitation with Schultz handling the inspection.

Bob Hardenburgh arrived at 10:29 a.m.

Sam stated this resolution does several items – where is the \$21,000 money going to, designating the Owners agent should have been a separate resolve. Sam stated she would not support this item as submitted as resolutions are not necessarily being carried out in the way they were to be carried out.

MOTION TO APPROVE RESOLUTION # 02-0814-01, APPROVING AN APPROPRIATION FROM THE GENERAL FUND AND AUTHORIZING THE TRIBAL OGEMA OR, IN THE ABSENCE OF, THE TRIBAL COUNCIL SPEAKER TO SIGN THREE (3) "MOVE CONTRACTS" WITH CENTRAL SERVICE (TRAVERSE CITY) TO MOVE AND SET THE TRAILERS CURRENTLY LOCATED NEAR THE INTERIM CASINO, TWO OF WHICH NEED TO BE MOVED ASAP IN ORDER TO PROVIDE SITE ACCESS FOR CONSTRUCTION ACTIVITIES THAT INCLUDE 1) COMPLETION OF THE SERVICE ROAD; 2) PERMANENT CLOSE OF THE PROPERTY ENTRANCE NEAREST THE INTERIM CASINO; AND 3) HOOKUPS OF WATER/SEWER TO BOTH THE INTERIM CASINO BUILDING AND RV PARK AT A COST NOT TO EXCEED \$21,000.00 WHICH WILL BE PAID WITH FUNDS APPROPRIATED FROM THE TRIBE'S GENERAL FUND FOR THIS SPECIFIC PURPOSE; by Fisher; supported by McCatty.

McCatty stated at the Business Board there was some preliminary figures thrown out for moving the trailers and it was \$14,000 for one trailer and believes the \$21,000 for three is a good price. Porter believes the trailers should have been identified in the resolution. Bennett asked if the company knows which trailers

will be moved where. Fisher stated this has been covered. McCatty asked that Dave Schultz prepare a written and signed document regarding condition of the trailers after the move and identify any problem areas.

Roll Call

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

Motion carried (8-1-0-0)

IV. Old Business

A. Credit Card Authorization

These items were postponed from the 7/24/02 Tribal Council meeting pending a work session and scheduled for approval at the 8/14/02 Tribal Council meeting.

- 1. Amendment of List of Authorized Holders of Tribal Credit Cards to Add Jonnie J. Sam, II**
- 2. Action Regarding Authorized Holders of Tribal Credit Cards**

Parsons stated does not believe we can act on this item today as we are awaiting a report on this item.

MOTION TO POSTPONE; by Kleeman; supported by Porter.

Roll Call

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

Motion carried (9-0-0-0)

B. Request for Constitutional Amendments Regarding Election of Tribal Court Judges and Appellate Judges

This item was postponed from the 7/24/02 Tribal Council meeting pending a work session with Bob Hardenburgh. Parsons stated Council did have a work session with Hardenburgh regarding this item.

MOTION TO APPROVE RESOLUTION # 02-0814-02, REQUEST FOR CONSTITUTIONAL AMENDMENTS - ELECTION OF TRIBAL COURT JUDGES AND APPELLATE JUDGES; by Kleeman; supported by Ruiter.

Sam asked if Tribe would ask the Election Board for cost of election. House stated this would be one election with one subject matter. House stated the Election Board has been notified but the Tribe has not received a response.

Roll Call

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

Motion carried (6-2-1-0)

Parsons clarified that the Constitution has not been amended but this action is placed for membership election.

C. Request for Constitutional Amendments Regarding Election of Members of the Election Board

This item was postponed from the 7/24/02 Tribal Council meeting pending a work session with Bob Hardenburgh. Willis asked who would elect the Election Board if this were an elected position. House stated the current Election Board would conduct this.

**MOTION TO APPROVE RESOLUTION # 02-0814-03,
CONSTITUTIONAL AMENDMENTS – ELECTION OF
MEMBERS OF THE ELECTION BOARD;** by Kleeman;
supported by McCatty.

Roll Call

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

Motion carried (6-2-1-0)

D. Request for Constitutional Amendments Regarding Filling Vacancies if Tribal Court Judges, Appellate Judges and Election Board are Elected

This item was postponed from the 7/24/02 Tribal Council meeting pending a work session with Bob Hardenburgh.

**MOTION TO APPROVE RESOLUTION # 02-0814-04,
CONSTITUTIONAL AMENDMENTS – FILLING
VACANCIES IF TRIBAL COURT JUDGES, APPELLATE
JUDGES AND ELECTION BOARD ARE ELECTED;** by
Kleeman; supported by Medahko.

Roll Call

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

Motion carried (6-3-0-0)

Porter stated in her opinion that these resolutions should not happen and would prefer to do the amendments by referendum and it looks like Tribal Council supports these. Porter stated there are other items that need to be changed in the Constitution, such as having to take this to Secretary of Interior. Sam stated if in the future items come from Tribal members that each item be a clearer, separated and defined.

E. Approval of Amendments to the Little River Casino Resort Employee Handbook Re-Clarifying The Indian Preference Policy

This item was postponed from the 7/24/02 Tribal Council meeting pending a work session. Parsons highlighted House's memo regarding Indian Preference. Parsons read that any proposed changes would need to go through Business Board. There is an issue regarding the Management Company. Sam stated it was easier to change this before, than it is now to change it back. Sam stated if going to indemnify the manager then need to empower manager to make those decisions. Sam's suggestion is to have the Tribal Council take an action regarding this today to send an official notice to the Management Company to move back to Tribal law. Porter agreed with Sam. House believes this is an appropriate step to take. House stated the Management Company has been put on notice from his legal counsel, which may result in legal consequences to him, and his insurance company is not likely to cover any of his actions. House stated there was a legal opinion submitted and action was taken regarding this and now new information has been gathered. House stated if the Management Agreement is modified to amend the language then they would be obligated to apply Tribe's Indian Preference. House stated it is not moving back but moving to what the Tribe has in effect now. House stated that in her legal opinion there were steps that needed to be taken in order to implement this.

Sam commented that applicability of Tribal Preference – she does not see manager’s risk – burden of liability, would rely on the person himself. House stated if Management Agreement deliberately and knowingly violates this, then it is his burden alone. House stated after approval of current handbook, if applies with Federal law, the manager would be okay – the liability would be his not the Tribe’s. House stated since the Management Company has been notified by his general counsel in this particular issue and the legal question, if he applies the Tribe’s more specific Indian Preference he is saying that he is violating Federal law, he is doing this knowingly and he was forced to violate a Federal law and indemnify him for that. Sam disagreed that there was no Federal law and that was something that came out of a court case. Sam stated for herself that it is a disgrace of how few Indian people are being hired at the casino and that out of 250 new people hired that only 17 of those were Indian. Bussey stated it looks like the Management Company is not willing to take a risk but still wants the gain. Bussey believes it does not violate Federal law and would have to follow Tribal law. Porter stated had aggressively agreed to support Tribal preference and believes not enough due diligence was done at that time. Porter stated it was portrayed that the legal opinion regarding Indian Preference was a Federal law and this is not the case. Porter has questions regarding the documentation that was included in today’s packet. Porter stated “as if” should be “none of the courts” under the 2nd paragraph under history. Porter had another problem with stating it is “if”.

Bennett believes the management contractor isn’t doing what they should be doing and knows we have to be within the law but our Indian people should be hired first. Bennett gave instances of other Tribal people being promoted before our own Indian people. Bennett asked if there is something that could be put together to have our Indian people put first. Medahko stated we are a nation within a nation and have to follow our laws for our people. Medahko does not see this as being Federal law.

MOTION TO HAVE THE TRIBAL COUNCIL REFER TO THE BUSINESS BOARD AND RECOMMEND APPROVAL OF AMENDMENTS TO LITTLE RIVER CASINO HANDBOOK INCORPORATING ORDINANCE #02-600-02 INTO THE STANDARDS OF THE HANDBOOK; by Sam; supported by Porter.

Roll Call

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

Motion carried (9-0-0-0)

MOTION THAT THE TRIBAL COUNCIL SEND OUT A LETTER TO THE MANAGER PROVIDING NOTICE THAT THE TRIBAL COUNCIL IS COMMITTED TO THE CITIZENS OF THE LITTLE RIVER BAND IN PROVIDING EMPLOYMENT OPPORTUNITIES TO IT'S MEMBERS FURTHER THAT THE SUCCESS RATE OF EMPLOYEE TRIBAL MEMBERS AT THE CASINO HAS NOT MET WITH THE EXPECTATION OF TRIBAL COUNCIL AND THAT THE TRIBAL COUNCIL INTENDS TO CREATE THE MECHANISM NECESSARY INCLUDING INCORPORATING INDIAN PREFERENCE APPLICATION AS OUTLINED BY ORDINANCE 02-600-02 INTO THE MANAGEMENT CONTRACT AND/OR ANY OTHER MANUALS OR POLICY APPLICABLE TO THE RESORT THAT WILL PUT TRIBAL MEMBERS FIRST; by Sam; supported by Porter.

Roll Call

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

Motion carried (9-0-0-0)

F. Approving Supplemental Appropriation For the Newland – Capital Improvements for FY2002 in the amount of \$50,000 from the General Fund

This item was postponed from the 8/7/02 Tribal Council meeting pending representation at the next meeting.

Jonnie Jay Sam, II arrived at 11:21 a.m.

The Ogema stated the budget amount noted for this item is based on other Tribal buildings for six months of operation. The Ogema stated the amount, less the contingency amount, should be sufficient appropriation for the Newland building. Janine Sam is recommending changing the amount. The Ogema stated that he is asking for \$31,360 and deleting the contingency line.

MOTION TO APPROVE RESOLUTION # 02-0814-05, APPROVING SUPPLEMENTAL APPROPRIATION FOR NEWLAND BUILDING – CAPITAL IMPROVEMENTS FOR FY2002 IN THE AMOUNT OF \$31,360 FROM THE GENERAL FUND; by Porter; supported by Kleeman.

Janine Sam asked that the supplemental appropriation resolutions go through the Budget Manager's office moving from one fund to another. Willis recommended that program titles be included in the resolution.

MOTION TO AMEND THE RESOLUTION TO REPLACE NEWLAND ACADEMY WITH NEWLAND BUILDING THROUGHOUT THE RESOLUTION; by McCatty; supported by Porter.

Roll Call

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

Motion carried (8-1-0-0)

VOTE ON MAIN MOTION, AS AMENDED

Roll Call

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

Motion carried (8-1-0-0)

G. Approving Supplemental Appropriation for Conservation Department – Fall Feast in the amount of \$5,500

Removed from the agenda.

V. New Business

A. Amending FY2002 Operating Budget to reclassify Elders Program from Special Revenue (BIA) program to a General Fund program and approving a supplemental appropriation in the amount of \$54,500 to cover loss in Grant revenue

BIA has indicated that the Elders Program should be excluded from the BIA 638 contract because certain expenditures may be viewed as unallowable costs. Willis stated the Tribe would supplement the loss of the grant. Porter asked if would still be receiving the total amount of the grant. The total grant reward would be the same and distribute the \$54,000 evenly throughout other programs. Recorder Sam stated the big ticket items in the elders budget is the bus being spoke of and the travel line is \$106,000 and other expenses are \$30,000. Recorder Sam stated the elders were allotted so many trips and there is a 3rd trip being funded for the elders. Recorder Sam suggested having a letter sent to the elders committee notifying them that the BIA will not fund activities any more

and need to live within the budget submitted. McCatty asked for Willis to clarify what the "questionable expenses" were by the elders. Bussey stated there are certain items that can and cannot do. The Elders activities are not one of the authorized activities. Bussey stated this Tribe has been treated as a Federal Tribe and not as a 638 Tribe and the new Federal representative states we need to follow regulations. McCatty asked about quarterly program review report that is attached from the BIA and who receives those. Willis responded that he believes it is the Ogema's office.

**MOTION TO REQUEST PREVIOUS QUARTERLY
REPORTS FROM THE BIA WHICH MAY HAVE GONE
TO THE OGEMA'S OFFICE AND A MOTION TO
REQUEST THOSE REPORTS;** by McCatty; supported by Sam.

Parsons suggested that we make request for future reports. McCatty stated she has never seen this report as long as she has been on the Council. Recorder Sam had a concern with the note that was included from Gerald Parrish and other expenditures being charged against the HIP program. Recorder Sam stated it is appropriate for this report to be submitted to the Council as received in the regular monthly reports that the Council receives. Bussey stated it would be important for the Grants Department to also receive this information when planning for upcoming grants.

Roll Call

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

Motion carried (9-0-0-0)

Brian Medacco and Linda Wissner arrived at 11:45 a.m.

Kleeman asked about the scholarships that are referred to in the information submitted.

**MOTION TO APPROVE RESOLUTION # 02-0814-06,
AMENDING THE FISCAL YEAR 2002 OPERATING
BUDGET FOR THE TRIBAL GOVERNMENT TO
RECLASSIFY THE ELDERS PROGRAM FROM A
SPECIAL REVENUE FUND (BIA) PROGRAM TO THE
GENERAL FUND AND APPROVING A SUPPLEMENTAL
APPROPRIATION TO THE ELDERS PROGRAM IN THE
AMOUNT OF \$54,500 TO COVER THE LOSS OF GRANT
REVENUE;** by Sam; supported by Porter.

Roll Call

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

Motion carried (9-0-0-0)

MOTION TO RESPECTFULLY REQUEST THAT THE TRIBAL OGEMA TO DRAFT A LETTER TO THE ELDERS COMMITTEE INFORMING THEM THAT THE BIA WILL NO LONGER COVER OR APPROVE APPROPRIATION OF FEDERAL FUNDING TO SUPPORT ELDERS ACTIVITIES AND FURTHER RECOMMEND THAT THEY NEED TO DISTRIBUTE A LIST TO THE STAFF BUDGET ISSUES; by Sam; supported by Kleeman.

Roll Call

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

Motion carried (9-0-0-0)

Sam recommended that a list be developed and people in the Tribe be identified and provide a list to the CFO so we can route this information.

B. Acceptance of Contract Modification from Bureau of Indian Affairs (BIA) in the amount of \$35,280

The Tribe has been awarded a contract modification from the BIA for the Transportation Planning/Administrative Capacity Building Program. The Tribe needs to formally accept the funds and amend the FY2002 Operating Budget. Willis stated that included with this item is an extension until September of next year. McCatty asked where this money would be placed when the grant is accepted. Willis stated the document attached is a supplemental document and the modification is an increase to that amount under that program. Bussey stated this is a grant that we wrote and received and this will be received through BIA contract. Recorder Sam stated there is a project manager referenced in this material. Bussey stated this is not a new position.

MOTION TO APPROVE RESOLUTION #02-0814-07, ACCEPTANCE OF CONTRACT MODIFICATION FROM BUREAU OF INDIAN AFFAIRS – TRANSPORTATION PLANNING/ADMINISTRATIVE CAPACITY BUILDING PROGRAM AND APPROVING A MODIFICATION TO THE OPERATING BUDGET FOR FISCAL YEAR 2002 IN THE AMOUNT OF \$35,280; by Kleeman; supported by Porter.

Roll Call

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

Motion carried (9-0-0-0)

- C. Request to CORA for reports on the activities of CORA along with financial statements, and all expenditures paid to LRB delegates since the formation of the Chippewa Ottawa Resource Authority**

Removed from Agenda.

- D. Request for Constitutional Amendments Regarding Recall of Tribal Court Judges and Appellate Judges**

MOTION TO APPROVE RESOLUTION # 02-0814-08, CONSTITUTIONAL AMENDMENTS – RECALL OF TRIBAL COURT JUDGES AND APPELLATE JUDGES; by Kleeman; supported by Ruiter.

Roll Call

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

Motion carried (6-2-1-0)

Sam asked if there is a time frame attached with the Secretary submission. House stated it is highly unlikely that this will happen next week or possibly the next several months. House suggested making a motion to direct the Speaker of the Tribal Council to collect all the amendments to be submitted to the Secretary and begin Secretarial Election process and volunteered to assist in this process. Sam asked if the Secretary could deny the request. House stated the Secretary can object but does not have the authority to not adopt for any reason whatsoever. Sam stated in the past that the Secretary did make changes. Sam asked how much latitude and the Secretary could come back with suggestions. House stated in 1998 amendments were made to the Secretary and submitted to the Tribal Chairperson and there was nothing stated that needed to make changes. House stated the Secretary raised concerns and there were no changes made by the Tribal Council.

MOTION TO DIRECT THE TRIBAL COUNCIL SPEAKER TO SEND A WRITTEN COMMUNICATION TO THE SECRETARY OF INTERIOR REGARDING PROPOSED CONSTITUTIONAL AMENDMENTS AND BEGIN THE

**PROCESS OF INTERIOR REVIEW AND REQUEST THE
SECRETARIAL ELECTION SOMETIME THEREAFTER;**
by Parsons; supported by Ruiter.

Roll Call

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

Motion carried (9-0-0-0)

**MOTION TO DIRECT TRIBAL COUNCIL SPEAKER
WITH THE ASSISTANCE OF THE LEGISLATIVE
ATTORNEY TO PREPARE A NOTIFICATION TO EVERY
TRIBAL MEMBER INCLUDING ALL OF THE
RESOLUTIONS ADOPTED TODAY AND
COMMUNICATION THAT WILL BE SENT TO THE
SECRETARY OF INTERIOR TO NOTIFY EACH MEMBER
OF THE ACTION TAKEN;** by Sam; supported by Kleeman.

Fisher believes this can be done in a different manner without sending entire packages. Sam believes that we just need to send a letter stating that there will be a secretarial election. Fisher stated he does not have a problem with sending the information but there need to be a correct time of sending this information out. An election may not occur until three months down the line. Sam stated the Election Board would take care of this. The Ogema asked if we may want to send to just voting members. Recorder Sam believes that the children have a right to this information. Medahko suggested an alerting postcard being sent. House stated that Block had suggested – drafting a letter without all attachments might be helpful and it would inform the membership via Re-Affirmation or Membership Meeting and alleviate the costs of postage to send to all Tribal members. Glocheski suggested mailing to just the head of household. Parsons stated this was brought up earlier. McCatty stated the motion is stating every single Tribal member would receive this information. House stated Recorder Sam's suggestion to include the letter to the Secretary of the Interior – 2 items on the ballot – election of judges, election board, and consolidation of the election, and recall – should do one or the other. House believes they have four votes and really there are only 2 items on the ballot. House was speaking of a cover letter from the speaker to the membership with the consolidated ballot actions and that is it; don't include the resolutions.

Roll Call

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

Motion failed (4-4-1-0)

McCatty asked if the cover letter could be printed in the newsletter.

E. Process Adopting Procedures for Proposed Constitutional Amendments Submitted by Tribal Members

Parsons stated this is to identify Tribal Council's role in future requests for amending the Constitution. Parsons stated the last request to the Tribal Council took a year. Parsons stated this resolution would prevent amendments coming through Tribal Council. Recorder Sam believes there is something missing in the procedure portion of the regulation and believes there should be a step included in how the Tribal Council facilitates. House stated there are two different ways to receive constitutional amendments and would hopefully receive amendments before a petition has been signed. House stated if given to the Tribal Council before the petition is signed, a work session is set up, and it is returned to the member to have the petition filled out. House stated in section 3.3 – last sentence in 3.4 – states the Tribal Council Recorder makes 20 copies of the petition form for the membership. House stated the Tribal Council does not do anything but provide assistance. House stated the membership could go ahead with a petition process without Tribal Council involvement. Recorder Sam believes that we should also adopt where public hearings should be held. Recorder Sam stated it would be appropriate for Council to adopt a public hearing process and where those hearings are going to be located.

**MOTION TO APPROVE RESOLUTION # 02-0814-09,
ADOPTION OF REGULATIONS REGARDING
PROCEDURES FOR TRIBAL COUNCIL REVIEW OF
CONSTITUTIONAL REVISIONS, #R100-02: TC; by
Kleeman; supported by Medahko.**

Bob Hardenburgh asked if this forces members to go through the petition process. Parsons stated this is correct. Recorder Sam stated the Tribal Council should not be in the position to reject proposed amendments to the Constitution. Bob Hardenburgh stated he could bring other items forwarded to the Tribal Council but may not be forwarded to the petition process. Parsons stated this would be an automatic step and would have to go through the petition process. Bennett stated she prefers to have the

petition process in place rather than Tribal Council voting. Sam stated in Section 2 of the Constitutional Amendments it is stated how Tribal Council is involved in this process. Sam stated under Article 10 of the Constitution that she had recall petitions filed against her and the information she received from the Election Board was that 50% of the signatory were not within her Tribal Council district. House stated these procedures do not provide new processes. House stated this simply states the Tribal Council is going to exercise some restraint. House stated the Tribal Council is recognizing to make sure members understand and are involved in the process of proposed Constitutional amendments. Glocheski stated a Tribal vote should be valid for anywhere. Sam stated the Constitution reads that a person in Wisconsin does not have the right to vote for the 9 county area districts and this would require a constitutional amendment in order to change it. Sam stated the government structure is based on demographics and physical locality. Sam believes in the need to have representatives assigned for specific areas. Porter stated need to have 4 members from the 9 county areas.

Roll Call

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

Motion carried (7-2-0-0)

VI. Concluding Business

- A. Next Meeting Date(s) – August 17 and August 21, 2002**
- B. Public Comment Period**

McCatty stated that there is a ribbon cutting ceremony for the resort on Monday, August 19 at 4:30 p.m. in the Three Fires Conference Center.

Brian Medacco was going to have names drawn for the Tribal Census Drawing. Ruiter drew Augusta Gertie Stuck. Kleeman drew Sonja Ann Ptasekf. Porter drew Cheryl Lynette Utley. Recorder Sam drew Kyle J. Wellman. Parsons drew Brian Keith Schalifoe. Medacco stated received over 1,100 forms back, which are more than 50%, the largest majority is coming from state of Michigan; Muskegon is the highest in response.

Medahko reported about her trip to California and stated our Tribe is well advanced in many respects. Medahko commended our Tribe for being so advanced and invited all of Council to attend the “For all my Relations Conference” next year. Medahko stated there was a powwow there and that they were a very gracious Tribe.

McCatty submitted for the record – 4 invoices from the accounting department and expenditures for the fall feast that was purchased for \$227.00, 21.06, catering for fall feast \$1,500, receipt for 2 porta-potties for a total of \$275.00 and invoice for t-shirts which came to a total of \$1,692. Sam asked that McCatty bring this item forward next week with a written report.

Medahko stated that at the conference she attended last week the membership does not speak at the Tribal Council meeting. They have to submit agenda items to the Tribal Council. Medacco stated there are approximately 1,200 in the nine county areas, service area is represented by 700 people and at large is approximately 900 and believes the representation for Council is correct.

Bob Hardenburgh thanked the Council for their hard work associated with putting together the amendments to the Constitution.

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

MOTION TO ADJOURN OPEN SESSION; by Kleeman; supported by Ruiter.

Roll Call

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

Motion carried (9-0-0-0)

This portion of Open Session was adjourned at 1:00 p.m.

MOTION TO GO INTO OPEN SESSION; by Kleeman; supported by Ruiter

Roll Call

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

Motion carried (8-0-0-1)

Open Session reconvened at 8:03 p.m.

I. Open Session

A. Items moved from Closed to Open Session

MOTION TO MOVE RESOLUTION NUMBER 02-0814-10, 02-0814-11 AND 02-0814-12 AND THE RESPECTIVE ROLL CALL VOTES AND MOTIONS TO OPEN SESSION; by Sam; supported by Kleeman

Roll Call

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

Motion carried (8-0-0-1)

MOTION TO ADJOURN; by Kleeman; supported by Ruiter

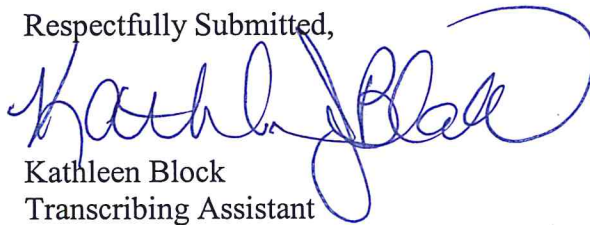
Roll Call

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

Motion carried (8-0-0-1)

The meeting was adjourned at 8:07 p.m.

Respectfully Submitted,


Kathleen Block
Transcribing Assistant


Janine Sam
Tribal Council Recorder