

**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, AUGUST 22, 2018
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 August 22, 2018. Following are the minutes of that meeting.

Recorder Lewis said to Speaker Riley that the recorder is on.

Speaker Riley said welcome to the regular Wednesday, August 22, 2018 meeting. Riley said they are going to start off with their Opening Prayer and Ron Pete is going to lead them in that.

I. Opening Prayer

Ron Pete, Tribal Elder, offered the Opening Prayer.

Our Heavenly Father, our Creator.

Thank you for giving this blessed and glorious day to us again today.

Thank you for all the gifts and things that you bestow upon us.

Protect all of our nature, Mother Nature that watches over us.

Protect our waterways.

Protect them for us and our future generations.

I know that we are using them now but we are borrowing them from our children.

Be with us throughout the day.

Bless the food that you are going to provide us for today make it be strength for our bodies.

Bless all of our First Responders and our Police Force wherever they are working throughout this Nation.

Be with them and bring them home safe to their families.

Bless all of our Troops wherever they are serving throughout the world and here at home.

Bring them home to their families that are also serving with them and to a grateful Nation.

Through our Creator's name. Amen.

II. General Business

A. Call to Order

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

Speaker Riley asked Recorder Lewis to do a roll call.

B. Roll Call

| | | |
|-----------------------|-----------------------|--------------------|
| J. Riley - Present | J. Friedel - Absent | D. Corey - Present |
| S. Crampton - Present | G. DiPiazza - Present | R. Pete - Present |
| R. Wittenberg-Absent | D. Lonn - Absent | S. Lewis - Present |

Quorum established.

Recorder Lewis confirmed they have a quorum.

Others Present: Matthew Chandler, Bill Willis, Frank Beaver, Gary Lewis, Jennifer Crampton.

Others Present That Did Not Sign In: Grace Hendler, George Le Vasseur, Drew Jeurink, Mary Thomas, Ogema Romanelli, Officer Robles, 2 Officers from Public Safety, Rebecca Liebing, Caitlin Rollins.

C. Approval of Agenda

MOTION TO APPROVE THE AGENDA FOR AUGUST 22, 2018 WITH THE FOLLOWING CHANGES OF ADD IV. F AND ALSO V B; BOTH ARE ADDS; by Lewis; supported by Pete.

Speaker Riley asked are there any abstentions or any discussion on the agenda. Riley asked Recorder Lewis to do a roll call.

Roll Call #1

| | | |
|----------------------|---------------------|----------------|
| J. Riley - Yes | J. Friedel - Absent | D. Corey - Yes |
| S. Crampton - Yes | G. DiPiazza - Yes | R. Pete - Yes |
| R. Wittenberg-Absent | D. Lonn - Absent | S. Lewis - Yes |

Motion carried (6-0-0-3)

Recorder Lewis said for Wednesday, August 22, 2018 the agenda is approved.

D. Tribal Council Minutes 8/8/18 8/13/18 8/15/18

Speaker Riley asked do they have any discussion or a motion on that item. Riley recognized Councilor Pete.

MOTION TO ACCEPT TRIBAL COUNCIL MINUTES FOR 8/8/18, 8/13/18 AND 8/15/18; by Pete; supported by Lewis.

Speaker Riley asked are there any discussion on the minutes. Riley asked Recorder Lewis to do a roll call.

Roll Call #2

| | | |
|----------------------|---------------------|----------------|
| J. Riley - Yes | J. Friedel - Absent | D. Corey - Yes |
| S. Crampton - Yes | G. DiPiazza - Yes | R. Pete - Yes |
| R. Wittenberg-Absent | D. Lonn - Absent | S. Lewis - Yes |

Motion carried (6-0-0-3)

Recorder Lewis said approval for Tribal Council minutes for 8/8/18, 8/13/18 and 8/15/18 are approved and accepted for filing.

III. Continuing Business

A. Grants & Contracts

Speaker Riley said there is nothing under Grants & Contracts.

B. Budget Modifications

- 1. Acceptance of contract funds from the Department of Health and Human Services-2018 Low Income Home Energy Assistance Program (LIHEAP) and approving a modification to the Operating Budget MB-2018-__ in the amount of \$31**
The Tribe has received a modification.

Speaker Riley said Bill Willis is representing this.

Bill Willis, Budget Coordinator, represented this agenda item. Willis said he doesn't know if he can say much more than what Speaker Riley just said. Willis said they have given them \$31.00 more for this year's program. Willis said they put it in Client Services so hopefully it will help serve at least a Tribal member or two.

Speaker Riley asked do they have a motion or more discussion on this. Riley recognized Councilor Di Piazza.

Councilor Di Piazza said he will make a motion.

**MOTION TO APPROVE RESOLUTION #18-0822-252;
ACCEPTANCE OF CONTRACT FUNDS FROM THE
DEPARTMENT OF HEALTH AND HUMAN SERVICES-2018
LOW INCOME HOME ENERGY ASSISTANCE PROGRAM
(LIHEAP) AND APPROVING A MODIFICATION TO THE
OPERATING BUDGET MB-2018-51 IN THE AMOUNT OF \$31; by
Di Piazza; supported by Pete.**

Speaker Riley asked are there any abstentions or any discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #3

| | | | | | |
|----------------|--------|---------------|--------|------------|-----|
| J. Riley - | Yes | J. Friedel - | Absent | D. Corey - | Yes |
| S. Crampton - | Yes | G. DiPiazza - | Yes | R. Pete - | Yes |
| R. Wittenberg- | Absent | D. Lonn - | Absent | S. Lewis - | Yes |

Motion carried (6-0-0-3)

Recorder Lewis confirmed Resolution #18-0822-252 has been approved.

2. Acceptance of contract funds from the Department of Health and Human Services-Indian Health Services and approving a modification to the Operating Budget MB-2018-__ in the amount of \$64,000

The Tribe has received an award.

Bill Willis, Budget Coordinator, represented this agenda item. Willis said this is money they received from Indian Health Services for the Lagoon Wastewater. Willis said the funds are primarily going to be used for Engineering and assessment kind of work. Willis said Gary Lewis is here and can speak to the details but they are looking at potentially improvements to the system that is there now.

Speaker Riley asked do they have a motion or discussion on this item. Riley recognized Councilor Pete.

Councilor Pete said okay if there isn't no more discussion. Pete said they went over this in Agenda Review then he is prepared to make a motion.

MOTION TO APPROVE RESOLUTION #18-0822-253; ACCEPTANCE OF CONTRACT FUNDS FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES-INDIAN HEALTH SERVICES AND APPROVING A MODIFICATION TO THE OPERTING BUDGET MB-2018-52 IN THE AMOUNT OF \$64,000; by Pete; supported by Lewis.

Speaker Riley asked are there any abstentions or any discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #4

| | | | | | |
|----------------|--------|---------------|--------|------------|-----|
| J. Riley - | Yes | J. Friedel - | Absent | D. Corey - | Yes |
| S. Crampton - | Yes | G. DiPiazza - | Yes | R. Pete - | Yes |
| R. Wittenberg- | Absent | D. Lonn - | Absent | S. Lewis - | Yes |

Motion carried (6-0-0-3)

Recorder Lewis confirmed Resolution #18-0822-253 has been approved.

Bill Willis thanked Tribal Council.

C. Approval of Budgeted Expenditure

1. Approval of Budgeted Expenditure of \$183,948.39 for Dell\EMC 203 Terabyte Unity disk array

Replace current obsolete disk array that is over 90% capacity.

Speaker Riley said George Le Vasseur their IT Director is representing this and that he had the floor.

George Le Vasseur, IT Director, represented this agenda item. Le Vasseur said good morning.

Tribal Council said good morning.

George Le Vasseur said what they have is a replacement for their current disk array which is a VNX 3500. Le Vasseur said it currently has 96 terabytes of disk space and it is at 90% capacity. Le Vasseur said the manufacturing of the disk array has told them that it is obsolete. Le Vasseur said upgrading it would be rather expensive and a futile gesture because it is obsoleted. Le Vasseur said the best thing to do at this point and they discussed this earlier in 2017 when they put the Budget together is that they need to replace it. Le Vasseur said after about eight or nine months of negotiations where the price tag started at just over ½ a million he got it down to \$183,000 for bare bones of what they need. Le Vasseur said if they want to know how big 203 terabytes is the King James version of the Bible is 5.3.....is 3.53 million characters 58 million copies will fit in this disk drive. Le Vasseur said it is a lot of disk space. Le Vasseur said they are currently occupying.....they will occupy half of it immediately.

Speaker Riley recognized Councilor Di Piazza.

Councilor Di Piazza asked is the other one going to be taken off line.

George Le Vasseur said the other one is going to be.....the other one.....the current one they are going to use to replace their old back up disk array. Le Vasseur said they will probably move it to NRD and they will use that as what is called a worm site where they will put copies of everything they currently run there.

Councilor Di Piazza said okay.

Speaker Riley said alright are there any other questions or a motion on this item. Riley recognized Councilor Pete.

Councilor Pete said to Speaker Riley if there is no other questions he is prepared to make a motion.

**MOTION TO APPROVE RESOLUTION #18-0822-254;
APPROVAL OF EXPENDITURE OF \$183,948.39 FOR DELLAEMC
UNITY DISK ARRAY CONTAINING 203 TERABYTES OF
USABLE STORAGE; by Pete; supported by Lewis.**

Speaker Riley asked are there any abstentions or any further discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #5

| | | |
|----------------------|---------------------|----------------|
| J. Riley - Yes | J. Friedel - Absent | D. Corey - Yes |
| S. Crampton - Yes | G. DiPiazza - Yes | R. Pete - Yes |
| R. Wittenberg-Absent | D. Lonn - Absent | S. Lewis - Yes |

Motion carried (6-0-0-3)

Recorder Lewis confirmed Resolution #18-0822-254 has been approved.

George Le Vasseur thanked Tribal Council.

Tribal Council thanked George Le Vasseur.

IV. Old Business

Reports that are due:

- A. Operations Report**
- B. Financial Report**
- C. Binojeeuk Commission**
- D. Enrollment Commission**
- E. Health Commission**
- F. Housing Commission**
- G. Natural Resource Commission**
- H. Elders Committee Minutes**

Reports received:

- None Submitted**
- None Submitted**
- None Submitted**
- July 2018**
- None Submitted**
- July 2018**
- July 2018**
- None Submitted**

Speaker Riley said they got no submissions for Operations, Financial, and Binojeeuk. Riley said they got July 2018 for Enrollment. Riley said no submission for Health. Riley said they have July 2018 for Housing and Natural Resources and nothing from the Elders Committee. Riley asked is there any discussion on any of these.

V. New Business

- A. Censure of Tribal Councilor Diane Lonn**

Diane Lonn was given a Three Day Notice in Writing that a discussion and vote would be taken regarding the Censure.

Speaker Riley said he believed that Councilor Pete has a motion to make.

Councilor Pete said he does. Pete thanked Speaker Riley.

MOTION TO POSTPONE THIS UNTIL THE NEXT TRIBAL COUNCIL MEETING; by Pete; supported by Crampton.

Speaker Riley asked Councilor Pete if there was a reason he is voting to postpone this.

Councilor Pete said yes. Pete asked Speaker Riley if he would like him to explain. Pete said he just believe that the Councilor that is in question which happens to be Diane Lonn should be here to be able to say on her behalf whatever she wants.....needs to say on her behalf publically. Pete said since they are doing this publically.

Speaker Riley said okay. Riley recognized Councilor Crampton.

Councilor Crampton said he also concurs.

Speaker Riley said okay.

Recorder Lewis said she doesn't have a page to vote on that.

Speaker Riley said to vote on that at all. Riley said don't leave the room.

Councilor Crampton said don't walk out that door.

Speaker Riley said okay are they ready. Riley asked is there any discussion on the postponement of this item. Riley asked Recorder Lewis to do a roll call.

Roll Call #6

| | | | | | |
|----------------|--------|---------------|--------|------------|-----|
| J. Riley - | Yes | J. Friedel - | Absent | D. Corey - | Yes |
| S. Crampton - | Yes | G. DiPiazza - | Yes | R. Pete - | Yes |
| R. Wittenberg- | Absent | D. Lonn - | Absent | S. Lewis - | Yes |

Motion carried (6-0-0-3)

Recorder Lewis said motion to postpone until the next Tribal Council Session Meeting for the Censure of Tribal Councilor Diane Lonn is approved.

Speaker Riley thanked Recorder Lewis. Riley recognized Councilor Pete.

Councilor Pete said he would just like to make a comment. Pete said he thanks Council for approving that to allow that to happen. Pete thanked them.

B. Approving Amendments to the Hunting, Trapping and Gathering Regulations for the 1836 Ceded Territory

Tribal Council has reviewed this regulation with the NRC and had a work session on 8/20/18 to discuss the change in State Regulations to address the spread of Chronic Wasting Disease in the deer population of Michigan. The regulation has been amended to reflect compliance with the 2007 Inland Consent Decree.

Speaker Riley asked do they have any questions or a motion on this item. Riley recognized Councilor Di Piazza.

Councilor Di Piazza said he will make the motion.

**MOTION TO APPROVE RESOLUTION #18-0822-255;
APPROVING AMENDMENTS TO THE HUNTING, TRAPPING
AND GATHERING REGULATIONS FOR THE 1836 CEDED
TERRITORY;** by Di Piazza; supported by Lewis.

Speaker Riley asked are there any abstentions. Riley asked could they get somebody just to go over what the changes are exactly for the record.

Councilor Pete thanked Speaker Riley. Pete said he would like to know for sure himself because he was a little confused.

Councilor Crampton said maybe also an explanation. Crampton asked is this an independent action of the Tribe under the Consent Decree that they have to mimic the State.

Councilor Pete said correct.

Frank Beaver, Natural Resource Department Director, said good morning. Beaver said so they did have the work session on this and the State Natural Resources Commission passed a number of changes to their Hunting Regulations and as the motion says to comply with the 2007 Inland Consent Decree they are required to be at least as strict when it comes to Deer Hunting Regulations particularly for disease control specifically called out in the Inland Consent Decree for the Ceded Territories. Beaver said so there are a number of changes that are being put forward. Beaver said restrictions on baiting being the.....probably be the one to get the most public attention.

Speaker Riley asked any.....recognized Councilor Pete.

Councilor Pete said to Speaker Riley that he has a question. Pete said just so he has this clear in his head. Pete said he was at the work session for at least most of it because he had to leave towards the end. Pete said there was a couple of things on the table and if he remembers this right which he probably doesn't. Pete said January 31 the State is going to have a total ban on baiting from the Mackinaw Straits south.

Frank Beaver agreed the Lower Peninsula.

Councilor Pete repeated the Lower Peninsula that is correct. Pete asked until January 31 there are.....is it 13 counties or 16 something like that they are banning the bait.....they are banning baiting on. Pete said 16, okay, and thanked them. Pete said so are they banning.....by passing this.....are they banning baiting.....based upon the 16 counties until January 31 when they ban it all or are they banning it all right now.

Frank Beaver said it is his understanding that Council or the language that is before Council is to ban the 16 counties for the current season and then it is January 31 to again comply with the State change for the entire Lower Peninsula.

Councilor Pete said okay that is what he thought.

Frank Beaver said oh, Rebecca Liebing.

Rebecca Liebing, Unified Legal Department Attorney, said she just wanted to add to that. Liebing said the situation is to name all 16 counties because now all 16 counties are in the Ceded Territory. Liebing said the only counties that are named in their regulation are the ones they regulate in the Ceded Territory that is why there aren't 16 counties named because they don't do regulations for those counties, right. Liebing said just to be clear but it is the counties that are named are a part of the 16 counties and that is an immediate ban. Liebing said it is pretty much language that is exactly what the State is doing.

Councilor Pete asked is Manistee that.....Manistee County is not in that baiting.....he is sorry.....

Councilor Corey said no.

Councilor Pete said it is not so in other words in Manistee County because he has just got to get it straight.....

Rebecca Liebing replied Manistee isn't but Muskegon is.

Councilor Pete repeated Manistee deer hunters can go ahead and bait this year until January 31 is that correct.

Rebecca Liebing answered right.

Councilor Pete said okay. Pete thanked Rebecca Liebing.

Rebecca Liebing said right, so again, exactly what the State is doing in the counties that she listed in the resolution that they have has the language specifically that is in there for those counties.

Councilor Pete said it was so long that he didn't.....

Speaker Riley recognized Councilor Di Piazza.

Councilor Di Piazza said Ionia, Isabella, Kent, Montcalm, Muskegon, Newaygo, and Ottawa Counties.

Speaker Riley said Mecosta.

Councilor Di Piazza asked Mecosta.

Rebecca Liebing said those are the ones in the Ceded Territory.....

Councilor Pete said okay.

Rebecca Liebing said.....also part of the 16 counties so that is what they are doing.

Councilor Pete said okay and thanked Rebecca Liebing again.

Councilor Di Piazza said so he doesn't have to bait them out his back window, right, correct.

Councilor Pete said geez.

Councilor Crampton said to Councilor Di Piazza if he just admitted that for the record.

Speaker Riley said alright that is enough shenanigans for today. Riley said alright they have a motion on the floor and if there is no further discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #7

| | | | | | |
|----------------|--------|---------------|--------|------------|-----|
| J. Riley - | Yes | J. Friedel - | Absent | D. Corey - | Yes |
| S. Crampton - | Yes | G. DiPiazza - | Yes | R. Pete - | Yes |
| R. Wittenberg- | Absent | D. Lonn - | Absent | S. Lewis - | Yes |

Motion carried (6-0-0-3)

Recorder Lewis confirmed Resolution #18-0822-255 has been approved.

VI. Concluding Business

A. Next Meeting Date(s) - Wednesday, September 5, 2018

Speaker Riley said that is two weeks from now so if anybody shows up next week they are going to be here by themselves.

B. Ogema Weekly Status and Business Update

Speaker Riley said they will hand it over to the Ogema.

Ogema Romanelli said he is going to be brief. Romanelli said basically they are working on their 2019 Budget, Government Budget, and things are looking not too bad. Romanelli said there is nothing exciting happening this last week so that is it unless anybody had any questions for him. Romanelli thanked them.

Councilor Pete thanked Ogema Romanelli.

C. Legislative Affairs Update

Speaker Riley asked do they have anything for Legislative Affairs. Riley recognized Councilor Crampton.

Councilor Crampton said yes he was excited to learn this morning. Crampton said he got a call that there is going to be a second run at the TLSA in a different format. Crampton said it is just basically noting parity in the title.

Speaker Riley said good. Riley said do they have anybody else for Legislative Affairs Updates. Riley said he just wanted to say that both Councilor Friedel and Lonn are in South Dakota and then Councilor Wittenberg is at SAMHSA. Riley said actually Diane Lonn got stuck in the airport for about 24 hours because of a storm on Monday so she did not even get to South Dakota until Tuesday. Riley said he bets her travel was just lovely.

Councilor Pete said he bets it was too.

D. Public Comment Period

Speaker Riley asked does anybody have anything for public comment at this time. Riley recognized Matthew Chandler.

Matthew Chandler, Tribal Citizen #1687, said good morning and he sees everybody yawning that he feels like yawning. Chandler said it is a beautiful day out today. Chandler said he has been receiving the E-Mail Blast on the Currents

and he is totally happy with it and he just wanted to say good job. Chandler said he means just as soon as it gets put out it is right in his in box. Chandler said he thinks it is a benefit to the Tribal Citizens on getting information in a timely manner. Chandler said he just wanted to say kudos and ask that if they could start incorporating maybe the agenda, the Tribal Council Agenda, on that also. Chandler said not too many people go to the website then go to the Tribal Council then go to where it just happens to hit their in box they will open it and see the agenda. Chandler said he would ask that they step forward on this he means trust him just having the Currents there is pretty cool itself. Chandler said once again he just wanted to apologize to Mr. Pete publically he had made a comment in a work session and he wasn't.....he didn't have all the information and it could have been taken as a bad comment so again he apologizes to him, Mr. Pete, and he can only do the right thing. Chandler thanked them.

Speaker Riley recognized Councilor Pete.

Councilor Pete thanked Matthew Chandler so much. Pete said he just has to tell him the apology isn't necessary and he has a little thicker skin than that but thanked him anyways he appreciates that. Pete said sometimes he knows he has been caught ready with not having all the information and then wishing he hadn't said what he said or sent what he sent on an e-mail so. Pete said they have all had those "*do you really want to do this*" so it has happened to him many times. Pete thanked Matthew Chandler again.

Speaker Riley asked anybody else for public comment.

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.

Tribal Council recessed at 10:26 a.m.

VIII. Open Session

The Council reconvened in Open Session at 11:04 a.m. The second open was mistakenly not recorded and the following section was taken from the Roll Call Record.

| | | |
|-----------------------|-----------------------|--------------------|
| J. Riley - Present | J. Friedel - Absent | D. Corey - Present |
| S. Crampton - Present | G. DiPiazza - Present | R. Pete - Present |
| R. Wittenberg-Absent | D. Lonn - Absent | S. Lewis - Present |

Quorum established.

A. Items moved from Closed to Open Session

MOTION TO MOVE RESOLUTION #18-0815-251 AND RESOLUTION #18-0822-256; RESOLUTION, MOTION AND ROLL CALL VOTE TO OPEN SESSION; by Lewis; supported by Pete.

Roll Call #8

| | | |
|------------------------|---------------------|----------------|
| J. Riley - Yes | J. Friedel - Absent | D. Corey - Yes |
| S. Crampton - Yes | G. DiPiazza - Yes | R. Pete - Yes |
| R. Wittenberg - Absent | D. Lonn - Absent | S. Lewis - Yes |

Motion carried (6-0-0-3)

The following resolution, motion and roll call vote was moved from the 8/15/18 Closed Session to Open Session.

MOTION TO APPROVE RESOLUTION # 18-0815-251, RATIFICATION OF CONTRACT WITH ELMER'S CRANE & DOZER, INC. IN THE AMOUNT OF \$689,007.60 FOR CONSTRUCTION OF THE DAYCARE DRIVE/PARKING LOT & EMPLOYEE ACCESS DRIVE CONSTRUCTION PROJECT; by Pete; supported by Corey.

Riley asked if there were any abstentions.

Roll Call #C-3

| | | |
|---------------------|-------------------|----------------------|
| R. Wittenberg - Yes | S. Crampton - Yes | G. DiPiazza - Absent |
| D. Lonn - Yes | D. Corey - Yes | J. Riley - Yes |
| J. Friedel - Yes | R. Pete - Yes | S. Lewis - Yes |

Motion carried (8-0-0-1)

The following resolution, motion and roll call vote was moved from the 8/22/18 Closed Session to Open Session.

MOTION TO APPROVE RESOLUTION # 18-0822-256, RATIFICATION OF CONSERVATION RESOURCE ALLIANCE CONTRACT; by Pete; supported by DiPiazza.

Riley asked if there were any abstentions.

Roll Call #C-3

| | | |
|------------------------|-------------------|-------------------|
| R. Wittenberg - Absent | S. Crampton - Yes | G. DiPiazza - Yes |
| D. Lonn - Absent | D. Corey - Yes | J. Riley - Yes |
| J. Friedel - Absent | R. Pete - Yes | S. Lewis - Yes |

Motion carried (6-0-0-3)

This concludes the items moved from Closed Session to Open Session.

IX. Adjourn

MOTION TO ADJOURN AT 11:06; by Pete; supported by Crampton.

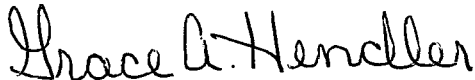
Roll Call #9

| | | |
|----------------------|---------------------|----------------|
| J. Riley - Yes | J. Friedel - Absent | D. Corey - Yes |
| S. Crampton - Yes | G. DiPiazza - No | R. Pete - Yes |
| R. Wittenberg-Absent | D. Lonn - Absent | S. Lewis - Yes |

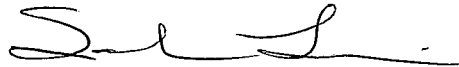
Motion carried (5-1-0-3)

The meeting was adjourned at 11:06 a.m.

Respectfully Submitted,



Grace A. Hendler
Transcribing Assistant



Sandra Lewis,
Tribal Council Recorder