

**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, DECEMBER 14, 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 December 14, 2016. Following are the minutes of that meeting.

I. Opening Prayer

Terri Tyler, Tribal Elder, offered the Opening Prayer in Anishinaabemowin.

II. General Business

A. Call to Order

The regularly scheduled Tribal Council meeting was called to order at 10:03 a.m.

B. Roll Call

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

Quorum established.

Others Present: Jamie Friedel, Boo Battice, Marcella Leusby, Jake Kequom, Jennifer Crampton, Terri Tyler, Frank Figgels, Kelly Maser, Julie Wolfe, Heather Maneke.

Others Present That Did Not Sign In: Grace Hendler, Mike Snyder, Mary Thomas, Ogema Romanelli, Officer Umlauf.

C. Approval of Agenda

MOTION TO APPROVE THE AGENDA WITH THE FOLLOWING CHANGES; IN NEW BUSINESS E THAT WAS MOVED FROM OPEN TO CLOSED, THE ADDITION OF NEW BUSINESS F, AND IN CLOSED SESSION JUST THE ITEM THAT WAS MOVED FROM OPEN TO CLOSED; by Medacco; supported by Lewis.

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

Roll Call #1

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

Motion carried (7-0-0-1)

1 Vacant

Recorder Riley noted the agenda is adopted.

D. Tribal Council Minutes 12/7/16

MOTION TO ACCEPT THE TRIBAL COUNCIL MINUTES FOR 12/7/16 FOR FILING; by Medacco; 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	Vacant	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Absent	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (7-0-0-1)

1 Vacant

Recorder Riley noted the minutes are accepted.

III. Continuing Business

- A. Grants & Contracts**
- B. Budget Modifications**
- C. Approval of Budgeted Expenditure**

Speaker Johnson said they don't have anything in Continuing Business so moving on to Old Business.

IV. Old Business

- A. Operations Report** None Submitted
- B. Financial Report** October 2016
- C. Enrollment Commission** October 2016
- D. Health Commission** None Submitted
- E. Housing Commission** None Submitted

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| F. Natural Resource Commission | <input type="checkbox"/> None Submitted |
| G. Commerce Commission | <input type="checkbox"/> None Submitted |
| H. Little River Casino Resort Preference Report | <input type="checkbox"/> None Submitted |
| I. LRBOI Tribal Government Preference Report | <input type="checkbox"/> None Submitted |

Speaker Johnson said in Agenda Review they discussed about the Financial Report and Enrollment Commission Report that there was no action required by Council. Johnson asked Recorder Riley if there has been any changes from that the reports submitted under Old Business.

Recorder Riley replied no, there is nothing they need to do.

Speaker Johnson said it so noted that they have received those reports and they are being filed.

V. New Business

- A. Approval to Post Proposed Amendments to Housing Regulations Chapter 4-Rent Payments, Collection, and Eviction Procedures for Tribal Rental Units**

There is one proposed change that is correcting a typographical error from the last time Council adopted proposed amendments to this regulation.

Speaker Johnson said it is open for discussion and/or a motion.

MOTION TO POST THE PROPOSED AMENDMENTS TO HOUSING REGULATIONS CHAPTER 4-RENT PAYMENTS, COLLECTION AND EVICTION PROCEDURES FOR TRIBAL RENTAL UNITS; by Medacco; supported by Wabindato.

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

Recorder Riley asked if they could have somebody from the Housing Commission give a brief description of the changes please.

Speaker Johnson said they have one person in the audience on the commission that may help them there.

Recorder Riley said two.

Frank Figgels, Housing Department Director, said it is actually a very simple change. Figgels said there was a typo error that they have in one place. Figgels said they have a notification period of 30 days and in another place 20 days. Figgels said it was intended in this notification to be 20 days verses the 30.

Councilor Lewis said it was 30.

Frank Figgels asked do they want to make it all 30, okay. Figgels said that was what was original. Figgels said that is what he understood. Figgels said so that is what it is just a notification period is all it is.

Speaker Johnson said okay. Johnson asked if there was any other discussion on the Housing Regulation for being posted. Johnson said he encourages their Tribal members to look at this regulation and give input so when they take it down from posting they have their feelings in regards to this. Johnson asked if there was any other discussion on this item.

Roll Call #3

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

Motion carried (7-0-0-1)

1 Vacant

Recorder Riley noted the amendments are posted.

Speaker Johnson said as they move forward on these agenda items he thinks they mentioned it briefly on the roll call that Councilor Di Piazza is on vacation.

Johnson said he will be on vacation for the balance of the year so he will not be here for next week's meeting.

B. Approval to Post Amendments to the Enrollment Ordinance #04-200-01 for 30 Day Public Comment

Tribal Council held a work session on the proposed amendments which included the Enrollment Department and Enrollment Commission. The proposed amendments will need to be posted for a 30 day Public Comment period.

Speaker Johnson said it is open for discussion and/or a motion.

MOTION FOR THE APPROVAL TO POST AMENDMENTS TO THE ENROLLMENT ORDINANCE #04-200-01 FOR 30 DAY PUBLIC COMMENT PERIOD; by Lewis; supported by Wabindato.

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

Roll Call #4

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

Motion carried (7-0-0-1)

1 Vacant

Recorder Riley said the Enrollment Ordinance is approved for posting.

**C. Approval to Post Proposed Amendments to Housing Regulations
Chapter 1-Eligibility Procedures for Tribal Rental Homes**

The Housing Commission has requested Tribal Council approve certain modifications to Chapter 1 to better meet the needs of the Tribe.

Speaker Johnson said it is open for discussion and/or a motion.

**MOVE FOR THE APPROVAL TO POST PROPOSED
AMENDMENTS TO HOUSING REGULATIONS CHAPTER 1-
ELIGIBILITY PROCEDURES FOR TRIBAL RENTAL HOMES; by
Riley; supported by Wittenberg.**

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion. Johnson said again this something that they want somebody from the Housing area to talk about these changes. Johnson said he would invite either the Commissioner or Director come forward to talk about these changes if they would like.

Roll Call #5

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

Motion carried (7-0-0-1)

1 Vacant

Recorder Riley said approval to post amendments is passed.

Speaker Johnson said before they move onto Item D he just wanted to recognize at this point that the Unified Legal Department for all the hard work that they have done to help Council in regards to these regulations and move them forward. Johnson said here they have three regulations granted one is just a simple fix but overall there is a lot of hard work put behind this and they want to thank the Unified Legal Department for making these things happen. Johnson said they have three more regulations that are being upgraded and fixed. Johnson said this wasn't possible without the support from the Unified Legal Department. Johnson said again Miigwech, Miigwech, Miigwech.

**D. Authorization for the Creation of an Economic Development
Investment Reserve Fund**

The Commerce Department requests that funds remaining unspent from FY 2016 be used to establish this account with funding release subject to Tribal Ogema's request and Tribal Council resolution.

Speaker Johnson said it is open for discussion and/or a motion.

MOTION FOR THE APPROVAL OF RESOLUTION #16-1214-389; AUTHORIZING THE CREATION OF AN ECONOMIC DEVELOPMENT INVESTMENT RESERVE FUND; by Lewis; supported by Medacco.

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

Roll Call #6

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

Motion carried (7-0-0-1)

1 Vacant

Recorder Riley confirmed Resolution #16-1214-389 passes.

E. Approval of Westrick House Design for Residential House Plans for Odeno Subdivision
 Authorize the Ogema to Execute Agreement with Westrick Residential Design.

Speaker Johnson said they moved Item E to Closed Session.

F. Authorizing the Government Employee Incentive Payment Plan of 2016
 Tribal Ogema & Tribal Council recognize the importance of rewarding the employees for their contributions and dedication to the Little River Band of Ottawa Indians Government along with assisting their citizens.

MOTION TO APPROVE RESOLUTION #16-1214-390; AUTHORIZING THE GOVERNMENT EMPLOYEE INCENTIVE PAYMENT PLAN OF 2016; by Lewis; supported by Riley.

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

Roll Call #7

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

Motion carried (7-0-0-1)

1 Vacant

Recorder Riley confirmed Resolution #16-1214-390 is passed.

VI. Concluding Business

A. Next Meeting Date(s) - Wednesday, December 21, 2016

Speaker Johnson said they will have two Councilors on vacation so that will be down to six and he wanted to encourage his colleagues to be there or be here for December 21st because they are going to be at the bare bones for quorum.

B. Ogema Weekly Status and Business Update

Speaker Johnson said the Ogema is not here but just for the record he would want to make sure that the Ogema.....

Councilor Medacco said there he is.

Speaker Johnson said aah, he is here. Johnson said let it be known that the Ogema joined them at 10:14. Johnson said to the Ogema that they are right now at the Ogema's Weekly Status & Business Update and he has the floor.

Ogema Romanelli said he has the floor but he doesn't have any notes right now. Romanelli apologies. Romanelli said he just got off the phone. Romanelli said they are just moving ahead with different things.

Recorder Riley said to the Ogema that they just passed his item.

Speaker Johnson said yes.

Ogema Romanelli asked which was.

Recorder Riley replied the Employee Incentive.

Ogema Romanelli said oh okay. Romanelli said they have obviously started the construction on the 300 houses or the first phase of that down in Muskegon. Romanelli said they are aware of that. Romanelli said he thinks that is about it. Romanelli said he doesn't really have anything and apologized because he doesn't have any notes for them this morning.

Speaker Johnson said they also started construction for the Daycare Center or Child Development Center. Johnson said so that is moving along too.

Ogema Romanelli agreed. Romanelli said that is moving along too and they are hoping that the weather doesn't interfere too much with the housing underground work, etc. Romanelli said it is moving along pretty good though.

Speaker Johnson said there were two issues that they were concerned about, Council is, it was brought to their attention and he wanted to bring it to his attention. Johnson said it is that the vacancies for Binojeeuk. Johnson said they are down to only two members sitting on that commission and they have an Elected Official helping them through the process for voting and so forth on issues in regards to their children. Johnson said it is imperative that they get somebody on there so they have a more.....diversity.....to help on the decisions for their children so that is one area. Johnson said the other one is they want to know where the Election Board is during the.....for the re-appointment for one of the people that had stepped down.

Ogema Romanelli said he is not sure on the Election Board and thinks they are looking at both positions. Romanelli said he thinks they have a name for the Binojeeuk that needs a background check but the Election Board he is not sure what they have. Romanelli said they will update them.

Speaker Johnson said they will revisit this probably next Wednesday just to ask again to make sure they keep this moving forward. Johnson said especially the Binojeeuk that is so important for their children that are at risk.

Ogema Romanelli agreed.

Speaker Johnson asked if there was anything else in the Business Update.

C. Legislative Affairs Update

Councilor Crampton said just that Standing Rock issue is now headed to Federal Court and the pipeline is actually losing \$20 million a week and they are urging for the judge to make a decision in that case but he has indicated that he will not and their contracts run out in January 1st, he believed. Crampton said David Archibald from the Standing Rock Tribe issued a statement asking everyone because of the weather not to come out there but instead to stay home and take action in their local communities.

Speaker Johnson asked if there was anything else in Legislative Affairs Updates.

Councilor Medacco said last week he was out in Palm Springs for.....he was out there for three separate conferences and he gave testimony in front of the Department of Justice on Domestic Violence. Medacco said once that testimony

gets published he will bring a copy back for Council so they can review it to see what he was out there when he represented the Tribe out there on that issue.

Speaker Johnson asked if there was anything else. Johnson said he knows that they have the Units of Government Meeting coming up tomorrow. Johnson said they will be talking about issues impacting Little River with the Local Units of Government. Johnson said they also did a ceremony of the check, the 2%, to the Units of Government or to the Township and the Revenue Sharing Board last week so. Johnson said that is what they have in regards to Legislative Affairs Updates. Johnson asked if there was anything else.

D. Public Comment Period

Speaker Johnson said he invites any Tribal member to come forward with their I.D. and share their comments with Council.

No Public Comments were offered.

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.

MOVE TO END FIRST OPEN AT 10:19; by Riley; supported by Lewis.

Roll Call #8

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

Motion carried (7-0-0-1)
 1 Vacant

The meeting was adjourned at 10:19 a.m.

VIII. Open Session

The Council reconvened in Open Session at 1:55 p.m.

MOTION TO GO INTO SECOND OPEN AT 1:55; by Medacco; supported by Lewis.

Roll Call #9

J. Riley -	Yes	Vacant	F. Medacco-	Yes
S. Crampton -	Yes	G. DiPiazza-	Absent	M. Wabindato -
				Yes

R. Wittenberg-Yes	V. Johnson – Yes	S. Lewis – Yes
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Motion carried (7-0-0-1)

1 Vacant

Speaker Johnson asked Recorder Riley if they had any items to move from Closed to Open.

Recorder Riley responded looks like just one for now.

A. Items moved from Closed to Open Session

MOVE TO MOVE THE CLOSED SESSION C.4; RESOLUTION AND ROLL CALL VOTE TO OPEN SESSION; by Riley; supported by Medacco.

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

Roll Call #10

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

Motion carried (7-0-0-1)

1 Vacant

The following Resolution, motion and roll call vote was moved from Closed to Open Session.

MOTION TO APPROVE RESOLUTION # 16-1214-393, RATIFICATION OF SEVENTH CONTRACT ADDENDUM WITH RCA, LLC FOR MISCELLANEOUS SERVICES NECESSARY FOR THE BIA ROADS PROGRAM; by Riley; supported by Lewis.

Speaker Johnson asked if anyone was going to abstain from the vote.

Roll Call #C-6

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

Motion carried (7-0-0-1-1)

This concludes the items moved from Closed Session to Open Session

IX. Adjourn

MOTION TO END SECOND OPEN AT 1:57; by Crampton; supported by Wabindato.

Roll Call #11

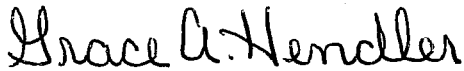
J. Riley - Yes	Vacant	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Absent	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (7-0-0-1)


1 Vacant

The meeting was adjourned at 1:57 p.m.

Respectfully Submitted,



Grace A. Hendler
Transcribing Assistant



Joseph Riley II,
Tribal Council Recorder