



**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, FEBRUARY 15, 2017
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 February 15, 2017. Following are the minutes of that meeting.

I. Opening Prayer

Chuck Fisher, Chaplin of the Warriors Society, offered the Opening Prayer.

Creator, I thank you once again for this day and for all the gifts that you have given me and us.

We don't always appreciate that and it is important that we do.

Help us in these efforts.

Help us be aware of your goodness and our goodness.

Help us communicate that to other people and accept that gift from other people as well.

We are surrounded by a world of changes.

It has been said that changes may be the only constant in this world.

We are afraid of changes because they are not always good.

Help us with the goodness of those changes that are to come.

I know that you know this is a prayerful people.

We pray for goodness and good will in these changes.

We stand where we don't always know what the right path is and it reminds me of where people are when they say the Serenity Prayer asking for the serenity to accept the changes that they cannot change. The strength to change the things that they can and the wisdom to know the difference.

The Serenity Prayer in Anishinaabemowin.

Gizhemanido miinshin bekaadiziwin
Jimnadaapnamaa geshtoswaanah waa aanehtoyaanh
Jimshkoendaama jiaanchtoyaanh ekshkitoyaanh
Miinawa nbwaakaawin jikendimaa

Miigwech, Miigwech, Miigwech.

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- Present	M. Wabindato -Present
R. Wittenberg-Present	V. Johnson - Present	S. Lewis - Present

Quorum established.

Others Present: Darleen Martin, Mike Walter, Jennifer Crampton, Bill Willis, Diane Lonn, Julie Wolfe, Ron Pete, Connie Waitner, Nikki Nelson, Dave Corey.

Others Present That Did Not Sign In: Grace Hendler, Mary Thomas, Ogema Romanelli, Officer Patrick Gilles, Elaine Porter, Rebecca Liebing, Caitlin Rollins.

C. Approval of Agenda

MOTION TO APPROVE THE AGENDA WITH THE FOLLOWING CHANGE; ITEM X IN CLOSED SESSION UNDER C.3, BEING REMOVED FOR FUTHER NEGOTIATIONS by Medacco; supported by Riley.

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- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (8-0-0-0)

1 Vacant

Recorder Riley noted the agenda is adopted.

D. Tribal Council Minutes 2/8/17

MOVE FOR THE APPROVAL FOR FILING TRIBAL COUNCIL MINUTES FOR 2/8/17; by Lewis; supported by Di Piazza.

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-	Yes	M. Wabindato -	Yes
R. Wittenberg-	Yes	V. Johnson -	Yes	S. Lewis -	Yes

Motion carried (8-0-0-0)
1 Vacant

Recorder Riley noted the minutes are accepted.

III. Continuing Business

A. Grants & Contracts

Speaker Johnson noted they do not have anything under A. Grants & Contracts.

B. Budget Modifications

- 1. Acceptance of contract funds from the Department of Interior-Bureau of Indian Affairs and approving a modification to the Operating Budget MB-2017-__ in the amount of \$22,143**
The contract funds are awarded as part of the 2017 Self-Governance Compact.

Bill Willis, Budget Coordinator, represented this agenda item. Willis said this item is a one-time appropriation that the Tribe received under the 2017 Self-Governance Compact with the BIA specific to Law Enforcement in the amount of \$22,143.

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

**MOTION TO APPROVE RESOLUTION #17-0215-061;
ACCEPTANCE OF CONTRACT FUNDS FROM THE U.S.
DEPARTMENT OF INTERIOR-BUREAU OF INDIAN AFFAIRS
AND APPROVING A MODIFICATION TO THE OPERATING
BUDGET MB-2017-08 IN THE AMOUNT OF \$22,143; by Medacco;
supported by Lewis.**

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

Councilor Di Piazza asked Bill Willis what is the total that they have received so far and is it \$517,000 or.....

Bill Willis said as of the last modification which he believed was last week. Willis said Council accepted \$174,000 and that brings them up just over ½ million dollars in total.

Councilor Di Piazza said okay, wonderful.

Speaker 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-	Yes	M. Wabindato --Yes
R. Wittenberg-	Yes	V. Johnson -	Yes	S. Lewis - Yes

Motion carried (8-0-0-0)

1 Vacant

Recorder Riley confirmed Resolution #17-0215-061 passes.

2. Approval of Budget Modification MB-2017-__ ; Authorizing the modification of the U.S. Department of Justice-Office of Violence Against Women Budget, Program #4219 in the amount of \$20,923

Tribal Council must approve the re-allocation of funds within a Program Budget that exceeds 10% of the total original Program Budget.

Bill Willis, Budget Coordinator, represented this agenda item. Willis said the Family Services Department had requested a modification to the Office of Violence Against Women Grant through the Department of Justice. Willis said that modification was approved by the Department of Justice and given their hard processes it has to go through Council too because the modification is over 10%.

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

MOVE FOR THE APPROVAL OF RESOLUTION #17-0215-062; APPROVAL OF BUDGET MODIFICATION MB-2017-09; AUTHORIZING THE MODIFICATION OF THE U.S. DEPARTMENT OF JUSTICE-OFFICE OF VIOLENCE AGAINST WOMEN BUDGET, PROGRAM #4219 IN THE AMOUNT OF \$20,923; by Lewis; supported by Medacco.

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

Julie Wolfe, Tribal #1062, said she just came in and what is it for. Wolfe asked if it was to accommodate another person or make a purchase. Wolfe asked what is the allocation for.

Speaker Johnson asked Bill Willis if he wanted to answer that question because Shanaviah Canales is not here.

Bill Willis said other than what is identified in the resolution they are reducing Salaries and increasing Professional Fees & Client Services. Willis said it is just realigning the funding to better serve the needs of the program. Willis said he thought Jason Cross was going to be here but he must have gotten tied up with something so other than that he wasn't given any specific justification. Willis said Council has the documents from the funding agency so that is the only explanation that he has. Willis reiterated that they were modifying it to better suit the needs of the program.

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

Roll Call #4

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

Motion carried (8-0-0-0)

1 Vacant

Recorder Riley confirmed Resolution #17-0215-062 passes.

C. Approval of Budgeted Expenditure

1. Approval for Speaker Johnson to attend the 2017 Pure Michigan Governor's Conference

The Conference is at the Marriott Renaissance Center in Detroit, Michigan on March 19-22, 2017.

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

MOVE FOR THE APPROVAL OF SPEAKER JOHNSON'S TRAVEL TO ATTEND THE 2017 PURE MICHIGAN GOVERNOR'S CONFERENCE; by Riley; supported by Lewis.

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

Julie Wolfe, Tribal #1062, said to Speaker Johnson that she just wanted to encourage him and asked if he was going to take some of last year's batch of

maple syrup to this conference and share with them to show them what they are doing here at Little River.

Speaker Johnson said to Julie Wolfe that is a good point and as a matter of fact there was a person requesting about the Natural Resources and what they are doing with the grayling but also that they would like some maple syrup with that as well. Johnson said when they go to the United Tribes Meeting in Lansing they have a special side meeting to present that syrup at that point. Johnson thanked Julie Wolfe for that idea. Johnson asked if there was any other discussion on this item. Johnson said he is going to abstain from this. Johnson said he asked that question then entertained Julie Wolfe at that point. Johnson reiterated that he is going to abstain.

Roll Call #5

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

Motion carried (7-0-1-0)

1 Vacant

Recorder Riley noted that travel is approved.

IV. Acceptance of Reports

A. Report of the Tribal Ogema

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

Speaker Johnson noted they have not received these reports.

V. Acceptance of Commission Reports

- A. **Binojeeuk Commission** **None Submitted**
- B. **Enrollment Commission** **None Submitted**
- C. **Gaming Commission** **January 2017**
- D. **Health Commission** **None Submitted**
- E. **Housing Commission** **None Submitted**
- F. **Natural Resource Commission** **None Submitted**
- G. **Commerce Commission** **None Submitted**

Speaker Johnson said they have the Gaming Commission Report to accept. Johnson asked Recorder Riley if there was anything they have to act on.

Recorder Riley said not at this time.

Speaker Johnson said it is so noted that they have accepted the report.

Councilor Di Piazza said the Natural Resource Commission Minutes have been submitted so they will be on next week's then they will be totally caught up.

Julie Wolfe, Tribal #1062, said she just wondered if they could note how many months behind the Operations, Financial, Binojeeuk, Gaming.....not Gaming.....Enrollment, Health Commission, Housing and all those are behind. Wolfe said also why no reports are being submitted monthly. Wolfe said she can see some of them are current and up to date with submitting their January but how many months behind is the Operations Report for an example. Wolfe asked again why any of these are not submitted to Council for approval.

Ogema Romanelli said if Julie Wolfe is talking about the Operations Report he doesn't believe that they are months behind but thinks because of the timing.....because a lot of the times it shows up as *None Submitted* but it is actually not really far behind at all. Romanelli said if anything it might be one month.

Julie Wolfe said to the Ogema that was her question for a clearer understanding. Wolfe said she said how many months behind or how far behind is it. Wolfe said she didn't accuse him of having it months behind. Wolfe said just clarification for the membership and Council.

Mary Thomas said to the Ogema that it is current.

Ogema Romanelli said he thinks what he was trying to say is sometimes it is put on the agenda before it is really actually due because of the timing.

Julie Wolfe said so it just fools membership stating *None Submitted* when it really is.

Ogema Romanelli said right.

VI. Acceptance of Committee Minutes and Other Entities

- | | |
|--|--|
| A. Elders Committee Minutes | <input type="checkbox"/> January 2017 |
| B. Little River Casino Resort Preference Report | <input type="checkbox"/> None Submitted |
| C. LRBOI Tribal Government Preference Report | <input type="checkbox"/> None Submitted |

Speaker Johnson said they have received the Elders Committee Minutes for January and asked if there was any action required on that. Johnson said it is so noted. Johnson said it is also noted that their Preference Reports were in closed session from the Resort and they have to move them out to open session.

Recorder Riley said they are all moved out up to current right now.

VII. Old Business

- | | |
|----------------------------|---|
| A. Financial Report | <input type="checkbox"/> December 2016 |
|----------------------------|---|

- B. **Health Commission**
December 2016 **None Submitted**
- C. **Commerce Commission**
May & June 2016 **December 2016**
- D. **Natural Resource Commission**
December 2016 **None Submitted**
- E. **Elders Committee Minutes**
November 3, 2016 **None Submitted**
- F. **LRBOI Tribal Government Preference Report**
May thru December 2016 **None Submitted**

Speaker Johnson said they have the Financial Report for December and asked if there was anything they have to act on that.

Recorder Riley replied no.

Speaker Johnson said Health Commission.....and asked if they received the Elders November 3rd Committee Minutes.

Recorder Riley responded not yet.

VIII. New Business

- A. **Approval of Memorandum of Agreement with the Manistee County Road Commission for the Funding of the Kott and Siuda Road Improvement Project**
The MOA will allow the Tribe to work with the Manistee County Road Commission and assist in the funding of the Road Improvement Project on Suida & Kott roads.

Steve Parsons, Planning Department Coordinator, represented this agenda item. Parsons said this agenda item is a request for a Memorandum of Agreement between the Tribe and the Manistee County Road Commission. Parsons said they have done these in the past and thinks there was one last year for the Milarch Road Project and this would be for the Siuda-Kott Resurfacing Project. Parsons said it has been discussed for a number of years and this was the first year that the commission could actually get the State Funding for this project so it has taken a while but they are there. Parsons said essentially what this does is sets up the conditions for their participation and funding in terms of what they are expected to get from the commission as far as documentation and so forth. Parsons said that is something that the BIA requires because they have to have that documentation available for audit to show that the proper procedures were followed for that. Parsons said essentially there is just a few things because when they talked about this during Agenda Review he wasn't sure if he had given them all the information so he jotted down just a few quick notes. Parsons said the estimated cost of the project is \$500,000. Parsons said the Manistee County Road Commission is receiving approximately \$175,000 through their Federal Small

Urban Projects Program which is a type of funding that they receive through MDOT. Parsons said the Tribe is committed to a maximum of \$150,000 and it could be less than that depending upon what they receive from MDOT in terms of the funding but it would be up to \$150,000. Parsons said it is anticipated that the project once approved by MDOT will be included in their June 2, 2017 bid _____. Parsons said MDOT has periodical dates in which they send bids out for road construction projects and things like that. Parsons said they are looking for a June 2nd bid _____ and if that happens then the project will start sometime in July. Parsons said they have an anticipated ending date or completion date of September 22nd of this year so they are estimating approximately two months for the total construction to take place. Parsons said the other thing he wanted to mention is that the MOA was presented to the Manistee County Road Commission at their meeting last week and they have approved it. Parsons said essentially once it has been approved by Council and signed off by the Ogema then they should be good to go. Parsons said with that he will see if they have any questions.

**MOVE FOR THE APPROVAL OF RESOLUTION #17-0215-063;
RATIFICATION OF MEMORANDUM OF AGREEMENT WITH
THE MANISTEE COUNTY ROAD COMMISSION FOR THE
PERFORMANCE AND FUNDING OF THE SIUDA/KOTT ROAD
RESURFACING PROJECT;** by Lewis; supported by Wittenberg.

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

Dave Corey, didn't give Tribal #, said just a question on how the funding works like do they get any credit towards their Revenue Sharing when they do projects like that with them or do they cash out the \$500,000 in grant money. Corey asked do they keep a portion of that here to basically work with the Manistee Road Commission to cover costs and overhead for office workers and such.

Speaker Johnson said to Steve Parsons if he wanted to address that.

Steve Parsons said he will give it a shot. Parsons said essentially there has been some changes in the Federal Highway Funding that allows Tribes to partner with other entities and also allows them to add roads to their inventory other than Tribal Roads. Parsons said so essentially what they are allowed to do in the regulations is to partner with the Road Commission but he is not all that familiar with their funding process but he does know that they never receive the total amount of funding and will get an Engineer's Estimate. Parsons said they get roughly 80-85% of the funding through MDOT then they will basically try to find a match somewhere. Parsons said this has been discussed prior to him taking this position a few years ago and has been in the works. Parsons said he guessed in answer to Dave Corey's question it basically, the Tribe, has the ability to help pay for this but it basically comes from their Government to Government BIA Roads

Construction Funding. Parsons said other than that there is no.....he guessed the recognition of the Tribe will get for participating in the project there is nothing that comes back to them other than having their road done which as he understands it there has been concerns because it is in disrepair and has been like that for a number of years. Parsons said they will get a decent road for people to travel on particular the people who live up at Aki.

Speaker Johnson said he wanted to build onto that and knows that Recorder Riley wants to get into the queue. Johnson said the question was about Revenue Sharing and this has nothing to do with Revenue Sharing.

Steve Parsons agreed.

Speaker Johnson said this has to do with the BIA Road Funds that they are allocated on an annual basis they use for whatever to benefit the Tribe.

Steve Parsons said right and basically it is up to them to determine what those road projects are. Parsons said like he said this has been in the pipeline for a number of years. Parsons said this was the first opportunity the Road Commission has had to dedicate funds to this project. Parsons reiterated they have talking about this for a while and this was the first opportunity they have had to do it.

Speaker Johnson said to Steve Parsons that he believed historically though, and apologized, they also did this with Milarch Road. Johnson said so this is almost a mirror to what they did with Milarch Road.

Steve Parsons said the main difference was Milarch they were a couple of townships that kicked in money as well. Parsons said this will be just the commission and the Tribe funding this.

Recorder Riley said this particular project he thinks is of more value to their Tribal members than the other one because this is a direct route to their housing development and right now if anybody has driven back there around those corners there is so many pot holes in the road that can damage their car. Riley said it is pretty bad.

Speaker Johnson said that is correct and he thinks they need to also communicate to their residents up at Aki because this will impact their route and how they get to town while that construction takes place.

Steve Parsons said yes and he actually didn't think of that but that is a good suggestion. Parsons said they will get something out.....right now they haven't scheduled it and the thinking is they are going to start in mid-July in all indications that is when it will start. Parsons said they will get the word out and let folks know that they can get through because what they are going to do now is

basically they will work on one lane than the other. Parsons said they will allow traffic to go through but there might be some delays depending upon where folks are in the construction.

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

Julie Wolfe, Tribal #1062, said just with Speaker Johnson's comment and Steve Parson's comment. Wolfe said maybe they should look at pushing it back before July, he said it was targeted for July as a start date, July is really bad for tourist season here and it is top heavy on the front government side because of the Pow Wow and stuff. Wolfe said maybe if they wait until after that weekend would even be better.

Steve Parsons said in response to that they can certainly suggest that to them. Parsons said he doesn't want to speak for the commission but unfortunately he thinks MDOT is probably going to have....they will be the sort of deciding factor in terms of what the dates of the project will be but he can certainly mention it to Mark Seldon, the Manager of the Road Commission to see if there is any way around that. Parsons said that is what they are looking at right now.

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

Roll Call #6

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

Motion carried (8-0-0-0)

1 Vacant

Recorder Riley confirmed Resolution #17-0215-063 passes.

B. Authorization for the Construction Project Task Force to oversee the Odeno Development

Tribal Council desires that the body established pursuant to Resolution #08-0827-283 be empowered with all project management and decision-making authority necessary to facilitate the development of the project in Fruitport, Michigan.

Tom St. Dennis, Commerce Department Attorney, represented this agenda item. St. Dennis explained today is kind of an exciting day. St. Dennis said the Tribal Ogema, Tribal Council and himself have been working on this project for almost two years. St. Dennis said they have employed a vast array of Engineers, Financial Analysis Experts of every kind to get to this point and it is really exciting. St. Dennis said they want to move this forward to the Task Force which has been their normal role. St. Dennis said he believed the resolution also

involves Tribal Council so they keep everybody in the loop on this and they are excited to move forward. St. Dennis said he is open for questions.

Speaker Johnson said to Tom St. Dennis just a quick comment or question. Johnson said maybe he can address to the membership is that Council at least they are looking at this as a temporary issue on how they are going to move this onto the EDC LLC opportunity. Johnson asked Tom St. Dennis if he wanted to share that with their people please.

Tom St. Dennis said he would be excited to. St. Dennis said two years ago when he was hired one of the initiatives that he was tasked with was to prepare them for moving them towards an Economic Development Corporation. St. Dennis said they drafted an LLC Ordinance and have taken a lot of time with amending it several times probably maybe had about 15 meetings with Council and Ogema with just back and forth on this. St. Dennis said with the advances in law that are piercing their sovereign immunity it makes that whole EDC role even more important. St. Dennis said he knows they had a work session tomorrow and he thinks it is going to be close to their final then they can get this thing up and going at that point they will begin to roll some of these projects he would hope or suggest to roll some of these projects under the EDC umbrella which adds an additional level of protection for them. St. Dennis said that is the way the law is going and pretty much what the other Tribes are doing. St. Dennis said he is anxious to take Odeno and some of their other initiatives and begin to make that migration.

Julie Wolfe, Tribal #1062, said so this is the development project for how many homes in Muskegon County on the Fruitport Township Property that they purchased.

Speaker Johnson asked Tom St. Dennis if he wanted to address that.

Tom St. Dennis said 281 and this is Phase 1 for that and includes 92 houses.

Julie Wolfe said so in total 281 houses are going to be built and this is just for the initial 91.

Speaker Johnson said yes.

Julie Wolfe asked who is on the Construction Task Force and is that public information or how would they find that out.

Recorder Riley said he is on it.

Councilor Di Piazza said he is on it.

Speaker Johnson said he is on it. Johnson said the four Council members then from the Executive side is Steve Wheeler and Dale Magoon is on it as well.

Councilor Crampton said Councilor Medacco.

Councilor Medacco said Steve Wheeler is also on it too.

Julie Wolfe said okay then pursuant to the resolution that they want to make decisions and authority necessary. Wolfe asked if there was a spending amount that can go before the Council like.....like she knows the casino has \$50,000 they have to bring contracts before them and is there a limit.

Councilor Crampton said he asked for the amendment to be put in there that it is \$50,000 just like the casino.

Julie Wolfe said okay then her last question. Wolfe asked.....maybe that was her last question. Wolfe said anyway she can't remember.

Speaker Johnson thanked Julie Wolfe. Johnson said he just wanted to add onto what Tom St. Dennis said is this is an example that is called concurrent engineering in the fact that they are working on the EDC but in the interim they have the Task Force filling in so they continue moving with these projects in a way they are being overseen and to ensure things are moving along as well so they can enjoy maybe some of the economic opportunities lay forward to them without stopping so they are moving forward with this and here is an opportunity to do that. Johnson said with that said any other discussion and/or a motion.

Julie Wolfe said from the audience that she remembered her question.

Julie Wolfe, Tribal #1062, said her question or comment are the Construction Project Task Force Meetings open for the public and there is a platform for membership to participate in those.

Speaker Johnson said at this point yes they are open to the public. Johnson said he hasn't seen anybody where they said no so yes.

Councilor Di Piazza said every Thursday at 9:00.

Julie Wolfe asked if it was listed on the regular calendar that comes out on Mondays.

Speaker Johnson said not quite but Thursday at 10:00.

Julie Wolfe said to Councilor Di Piazza to get it straight and give them the right time.

Councilor Medacco agreed it was 10:00.

Councilor Di Piazza said he didn't have his calendar in front of him.

Recorder Riley said it has been going on at 10:00 for the past three years.

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

**MOVE FOR THE APPROVAL OF RESOLUTION #17-0215-064;
 AUTHORIZATION FOR THE CONSTRUCTION PROJECT TASK
 FORCE TO OVERSEE THE ODENO DEVELOPMENT;** by Lewis;
 supported by Wittenberg.

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-	Yes	M. Wabindato -
R. Wittenberg-	Yes	V. Johnson -	Yes	S. Lewis -
				Yes

Motion carried (8-0-0-0)

1 Vacant

Recorder Riley confirmed Resolution #17-0215-064 passes.

- C. Authorizing Permanent Adoption of Amendments to the Housing Commission Regulation-Chapter 1 Regulation #R700-01:HC-1**
 The Housing Regulation-Chapter 1 was amended by the Commission and submitted to Tribal Council for review and adoption. This action taken after a 30 Day Public Comment Period includes changes to the Waiting List Procedures and Family Composition Language.

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

**MOVE FOR THE APPROVAL OF RESOLUTION #17-0215-065;
 AUTHORIZING PERMANENT ADOPTION OF AMENDMENTS
 TO THE HOUSING REGULATION CHAPTER 1 REGULATION
 #R700-01:HC-1;** by Lewis; 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	Vacant	F. Medacco-	Yes
S. Crampton -	Yes	G. DiPiazza-	Yes	M. Wabindato -
R. Wittenberg-	Yes	V. Johnson -	Yes	S. Lewis -
				Yes

Motion carried (8-0-0-0)

1 Vacant

Recorder Riley confirmed Resolution #17-0215-065 passes.

D. Authorizing Permanent Adoption of Amendments to the Housing Commission Regulation-Chapter 4 Regulation #R700-01:HC-4

The Housing Regulation-Chapter 1 was amended by the Commission and submitted to Tribal Council for review and adoption. This action taken after a 30 Day Public Comment Period includes fixing an inconsistency from a typo.

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

MOVE FOR THE APPROVAL OF RESOLUTION #17-0215-066; AUTHORIZING PERMANENT ADOPTION OF AMENDMENTS TO THE HOUSING REGULATION CHAPTER 4 REGULATION #R700-01:HC-4; by Lewis; supported by Di Piazza.

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

Roll Call #9

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

Motion carried (8-0-0-0)

1 Vacant

Recorder Riley confirmed Resolution #17-0215-066 passes.

IX. Concluding Business

A. Next Meeting Date(s) - Wednesday, February 22, 2017

Speaker Johnson said he just wanted to announce that they will have a change-up in the Speaker and Recorder because he will be on travel in Lansing for the United Tribes Meeting.

B. Ogeema Weekly Status and Business Update

Ogeema Romanelli said just a couple of updates. Romanelli said they have the Ogeema's State of the Tribe and Informational Meeting is happening at 10:00 a.m. Romanelli said he does have some agendas if they would like. Romanelli said the Round Dance is happening at 9:00 p.m. on the same day, on Saturday at 8:00 a.m. or 8:00 p.m. it is starting, alright. Romanelli said they will be attending the Pure Michigan and he will be attending along with Speaker Johnson and that is coming up in few weeks. Romanelli said next week they have the United Tribes Meeting and he is not sure who is all going. Romanelli said Councilor Di Piazza and Speaker Johnson and himself will be attending the United Tribes Meeting in Lansing and that will be on Wednesday and Thursday. Romanelli said that is it.

Speaker Johnson asked are there any questions on the Business Updates.

C. Legislative Affairs Update

Councilor Di Piazza said he doesn't know where to put it but there is the new schematic for the Senior Center where the old Oleson's happens to be or was/is. Di Piazza said it looks like the Dollar Store and everything they own that whole corner. Di Piazza said the only reason he has this is they sent him a letter that's why he had 9:00 on his to go talk to the City. Di Piazza asked if they can see him waving right there, yeah, that is him man because 42 apartments are going in, senior, and then there are going to put in another 42 later. Di Piazza said it looks exciting. Di Piazza said it should bring some more people in for the revenue. Di Piazza said he didn't know shuttle them up here. Di Piazza said good deal.

Speaker Johnson asked if there was any other discussion on legislative.

Councilor Crampton said the Tribal Sovereignty Act has been remanded to the Senate and the House is going to the floor for a vote in ___ committee. Crampton said HR 986 and S 63 are sister bills and both are in place and going forward. Crampton said it looks like it has a lot of momentum and is being reported as favorable which is a pretty high recommendation when they put that out. Crampton said only one in four bills makes it out of that.

Julie Wolfe, Tribal #1062, asked is this where they would pose the question to the Council about the Legislative Law that says on committees no Casino Directors, Employers, Government Employers can sit on there. Wolfe said that is legislation.

Speaker Johnson said to Julie Wolfe yes but he thought she was addressing Councilor Crampton.

Julie Wolfe said not Councilor Crampton exactly but the Council in whole as a body. Wolfe asked is this where they would make their concerns known about the Elders Committee sitting with.....

Councilor Crampton said no this is where the Ogema gives his Status Update then they give their Legislative Report and if they want to ask questions on that. Crampton said Julie Wolfe will probably have to wait until Public Comment.

Speaker Johnson said he just wanted to build onto.....he will get Ron Pete.....Councilor Crampton's comment on Senate 63. Johnson said they get a lot of support from the U.S. Chamber on this and from the last e-mail that he read from the U.S. Chamber they knew it was favorable going into with over 50 votes now with the election over they see it getting above 60 votes. Johnson said it is very exciting and good things for them and they are looking forward to it. Johnson said he is hoping they see something within the next few weeks on this issue so very exciting times.

Councilor Crampton said he will just add that he is very, very surprised because historically it has been the Democrats who pushed Native American issues and the Democrats have actually sided with Labor. Crampton said it is the Republicans pushing this issue and that is shocking to him.

Speaker Johnson said he has Julie Wolfe then Ron Pete. Johnson asked Ron Pete if he wanted to talk about Legislative or something in general.

Ron Pete was talking from the audience and it wasn't picked up on the tape recording.

Ron Pete asked Councilor Crampton if this is the one that they were hoping would pass under the Obama Administration and tried to get because the House said they would do it, right, but they were trying to get the Senate to pass this before Obama left. Pete said this is the one that involves Unions.

Councilor Crampton responded in order to get to the President the House and the Senate have to.....Congressmen have to pass sister bills.

Ron Pete said it almost looks like if they pass it he would say the President is probably going to sign that then.

Councilor Crampton said he would hope so.

Ron Pete said okay so that is the one.

Speaker Johnson said he has a little more clarity to that. Johnson said they had the votes to pass it initially in the Senate but if the President back then would veto it and they needed a 2/3's vote and that is what they didn't have was a 2/3's vote to override the veto. Johnson said now with the way things are sliding they have

the 2/3's vote and regardless if the President signs it or not it appears it could move forward but he is thinking that the President would sign this as well.

Recorder Riley said basically all this does is amends the FLSA to.....which one is it.....NLRA. Riley said yeah National Labor Relations Act and adds Tribes to the list of people who are public employers so their businesses would no longer be considered commercial.

Speaker Johnson said they would have to treat them like State Government which is a major plus for them. Johnson said okay anything else on Legislative.

D. Public Comment Period

Speaker Johnson said he would invite any Tribal member to come forward in Public Comments with their name and Tribal I.D. Johnson said to Julie Wolfe said this is the point where she wanted to get.

Julie Wolfe, Tribal #1062, just wanted to bring to the Council's attention and is sure they are well aware of it but there has been some comments made by Tribal Elders that the Elders Committee is in violation of their own laws that were passed by Tribal Council on who can hold a seat in the Elders Committee. Wolfe said she would just encourage Council they can make a work session and look at something about that. Wolfe said the way she understands the legislation for committees says that no persons working for the government or enterprises may be allowed to hold seats on the committee, the Elders Committee is currently held by three out of five of those people so just encouraging Council to do due diligence and look at that law and possibly improve the committee. Wolfe said she knows there has been a lot of conflicts because they didn't hold their vote in November like they should have and they waited until December. Wolfe said in December they didn't do it, in her opinion, very ethically from the comments she heard. Wolfe said she wasn't there and is not part of it she is not an Elder but she just sees a lot of comments and concerns from other Elders that don't come here or don't live in this area to speak so she wanted to bring that before the Council.

Speaker Johnson thanked Julie Wolfe. Johnson said Council is addressing this issue and they are currently addressing this issue. Johnson asked if there was any other Public Comments.

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 END OPEN AT 10:42; by Crampton; supported by Lewis.

Roll Call #10

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

Motion carried (8-0-0-0)

1 Vacant

The meeting was adjourned at 10:42 a.m.

XI. Open Session

The Council reconvened in Open Session at 12:05 p.m.

MOTION TO GO INTO SECOND OPEN AT 12:05; by Lewis;
 supported by Wabindato.

Roll Call #11

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

Motion carried (7-0-0-1)

1 Vacant

Speaker Johnson asked Recorder Riley if they had anything to move from closed to open.

A. Items moved from Closed to Open Session

MOTION TO MOVE ITEMS MOTION AND ROLL CALL VOTES FOR C.1, C.2 AND C.4; AND ALSO THE LETTER UNDER PERSONNEL; by Riley; supported Crampton.

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

Roll Call #12

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

Motion carried (7-0-0-1)

1 Vacant

The following motions and roll call votes were moved from Closed to Open Session.

**MOTION TO APPROVE RESOLUTION # 17-0215-067,
RATIFICATION OF CLOUDBOY CONSULTING CONTRACT;** by
Lewis; supported by Wittenberg.

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

Roll Call #C-8

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

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

**MOTION TO APPROVE RESOLUTION # 17-0215-068,
RATIFICATION OF AT&T FIBER BROADBAND EXPRESS
AGREEMENT;** by Lewis; supported by Wabindato.

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

Roll Call #C-9

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

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

**MOTION TO APPROVE RESOLUTION # 17-0215-069,
RATIFICATION OF CONSUMERS ENERGY CONTRACT;** by
Lewis; supported by Riley.

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

Roll Call #C-10

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

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

The letter that was released from Closed Session to Open Session under X F. Personnel is attached to these minutes.

This concludes the items moved from closed to open session.

XII. Adjourn

MOTION TO END SECOND OPEN AT 12:06; by Lewis; supported by
Crampton.

Roll Call #13

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

Motion carried (6-1-0-1)


1 Vacant

The meeting was adjourned at 12:06 p.m.

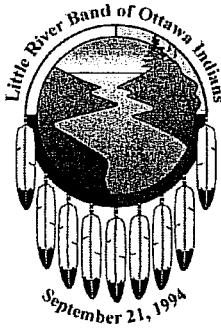
Respectfully Submitted,



Grace A. Hendler
Transcribing Assistant



Joseph Riley II,
Tribal Council Recorder



Little River Band of Ottawa Indians
2608 Government Center Drive
Manistee, MI 49660

Tribal Council
(231) 398-6845

February 15, 2017

VIA HAND DELIVERY

Elders Committee
Attention: Darlene Martin, Secretary
2608 Government Center Drive
Manistee, MI 49660

Re: LRBOI Committee Ordinance

Dear Committee Members:

Tribal Council has received multiple complaints provided by Tribal Elders in attendance at recent Elder Committee meetings. In the course of our review, it was brought to our attention that the Elder Committee is not currently in compliance with Committee Ordinance, Ordinance # 07-150-08, which governs Tribal Committee procedures and practices. Accordingly, this letter serves as notification to all Committee Members that the following procedural requirements are out of compliance:

First, according to existing Tribal Council records, the Elders Committee does not appear to have the following required documents pursuant to Article V: (1) Resolution affirming the Elders Committee and (2) Work Plan or an Affirmation of existing Committee Bylaws.

Second, it appears the Elders Committee members have not been appointed according to the proper Committee Ordinance procedures pursuant to Article VI. Committee Ordinance members shall be appointed according to the following procedures: (1) Applicants shall submit applications to Tribal Council Recorder; (2) Applicants may be requested to interview with Tribal Council; and (3) Applicants shall be approved by motion.

Lastly, pursuant to Article VI of the Committee Ordinance, employees of the Tribe or the Casino who hold director, supervisor, or manager level positions are ineligible for appointment as a member of the Committee.

For the above reasons, Tribal Council respectfully requests that the Elders Committee correct the above violations so that it is no longer in violation with the Committee Ordinance.

Re: LRBOI Committee Ordinance
Page two of two

Please provide Tribal Council with a response on or before March 1, 2017. If you believe there is an error with any of the above, please provide a written explanation and any supporting documents at your earliest convenience. Please be advised that Tribal Council will not be able to provide reimbursement for any future Elder Committee meetings until the Committee demonstrates it is in compliance with Tribal law.

As Tribal Council, we would also like to take this opportunity to thank the entire Elders Committee for your hard work and dedication to the best interests of the Tribe. Thank you in advance for understanding the need for Tribal Committees and Commissions to abide by Tribal law.

Please direct any questions or concerns regarding this matter to Tribal Council Recorder, Joseph Riley II or Tribal Council Speaker, Virgil Johnson

Respectfully,

Virgil Johnson
Tribal Council Speaker

Joseph Riley II
Tribal Council Recorder

cc. Tribal Council
Unified Legal Department