



**LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COUNCIL  
REGULAR MEETING  
WEDNESDAY, JULY 10, 2002  
LITTLE RIVER BAND COMMUNITY CENTER**

**OPEN SESSION  
MINUTES**

Final draft  
for Approval  
4/7/03  
TK/EP  
6/2/10

The Little River Band of Ottawa Indians held a meeting at the Little River Band Community Center on July 10, 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, July 10, 2002, was called to order at 10:07 a.m.

**B. Roll Call**

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

Quorum established.

Others Present: Jo Anne House, Kathleen Block, Candace Chapman, Pat Morris, Leatrice Castonia, Richard Sprague, Matthew Stratton, Mark Dougher

Recorder Sam stated Medahko and McCatty called her and stated they both could not attend due to illness or personal reasons.

**C. Approval of Agenda**

Don P. Koon arrived at 10:09 a.m.

Recorder Sam recommended that due to McCatty's absence, the Council should postpone her agenda items New Business Items B and D. Fisher stated Closed Session Bids & Contract #5 is still in the process of being worked on.

**MOTION TO APPROVE AGENDA TO REMOVE NEW  
BUSINESS ITEMS B AND D;** by Kleeman; supported by Fisher.

**Roll Call**

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

Motion carried (7-0-0-2)

**D. Tribal Council Minutes**

**6/15/02**

Kleeman stated on page 2 of 8 it should be listed as Pat Ruiter absent and Tammy Kleeman voted “yes”.

**MOTION TO APPROVE THE WEDNESDAY, JUNE 15,  
2002 TRIBAL COUNCIL OPEN SESSION MINUTES, AS  
AMENDED;** by Kleeman; supported by Ruiter.

**Roll Call**

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

Motion carried (6-0-1-2)

**E. Public Comment Period**

Bridget Cole and Mark Knee arrived at 10:15 a.m.

Matthew Stratton asked if Council had anything new information from the Ogema regarding the 4-acre parcel at Indian Village. Stratton also queried about an eagle repository. Parsons stated there was no new information. Knee stated the Natural Resource Department is working on the eagle repository and will be reviewing the issue with the Ogema. Stratton asked about a move or a plan to move to have the state manage the National Forest properties. Sam stated there is a bill pending in the State Legislature, to request that National Forest Service Lands be turned over to State of Michigan, including any National Forest Service Lands within the territorial boundaries of the Little River Band. Sam voiced her opinion that those lands rightly belong to the Tribe, and Sam asked that the Tribal Council and the Ogema put this issue on the agenda as a priority issue. Sam asked that a proposal be written by the Legal Department to intercede to block this transfer of management to the State, to be sent to the Secretary of Interior and asked that this be put on the agenda at this time



as a priority item. Porter stated the Tribe needs to actively pursue this project. Parsons would like to find out legally how they can do this.

Richard Sprague stated he has spoken with Gene Zeller regarding this same issue. Sprague stated this should be a prioritized issue and used Tribal Management as the structure. Dougher stated he read the same bill that Sam had read. Dougher stated it may have something to do with ambushing the Tribe's efforts for hunting, fishing and gathering rights. Dougher stated that in order for USDA to transfer lands to Interior it would require an act of Congress. Dougher stated this would need a major legislative effort, but it might be easier to get an act of Congress. Koon stated need to be able to take care of this property and need to demonstrate same.

Stratton asked about the archaeological survey, which is under Old Business A. Parsons stated the Council would be tabling this item. Parsons stated this is in regards to putting that land into trust and it is a requirement to have an archaeological survey done. Parsons stated we are not mandated to do this. Parsons stated the person the Council is looking at conducting this is a Native American. Parsons stated the Council might be interested in surveying all of the trust lands. Sam stated would like to have all lands zoned.

Stratton asked about the gas station project and what the status is at this point. Parsons stated the status is that it is still in limbo. Parsons stated Council has left this item to the Ogema to revisit and decide whether going to proceed or not. Stratton asked if monies have already been appropriated and spent for this project. Parsons stated he should ask the Ogema to find out how much money has been appropriated and spent thus far. This will be a deciding factor in pursuing this project or not.

Stratton attended a hearing in the District Court of Manistee, and informed the Council that the District Court may have been hearing a case that belonged in Tribal Court. Stratton asked when jurisdictional issues are going to be addressed. Stratton witnessed a Tribal police officer escorting a non-Tribal member and asked what the process is for this. Parsons asked if the police escort was done in District Court. Stratton confirmed. Parsons stated this would need to be addressed with the Ogema. Parsons answered the jurisdictional issue question that Stratton asked by stating that they are aggressively attempting to work on this issue. Parsons stated the need to have a plan in place and feel fairly confident that they have a chance of winning. Parsons stated that plans could be ruined if they do not choose the right case. The judge trying the case had made a couple of comments that led Stratton to believe that this was a jurisdictional issue. Stratton stated the case has been postponed twice, awaiting an answer from the Tribe. Parsons asked whom the

question was for. Stratton stated that this was a comment that was made and he wasn't sure whom the question was for. Sam asked what kind of a case this was.

Jessica Burger arrived at 10:39 a.m.

Stratton stated this was a civil case. Sam stated our police officer escorting a non-Tribal member is a concern to her. Stratton stated Helen Ann Yunis was in attendance at the District Court case.

Richard Sprague informed the Council of his background with the Inter-Tribal Three Fires as well as the Grand Valley Indian Lodge, and commented on matters related to the Pow Wow. Sprague stated that there was a vendor at this weekend's powwow who had an item made in Taiwan. Sprague stated it was the non-Tribal people who had the most non-native items. Sprague stated these people sell imported items and blow away their competition. Sprague also had an issue with charging for attendance at the powwow. Sprague stated need to sell Tribal goods and not goods from Taiwan.

Michelle Bernatche arrived at 10:45 a.m.

Stratton stated the reason that entrance and vendor fees are charged is to cover costs of other powwows that fees are not charged. Stratton recommended that a different price be set for non-Tribal or Tribal vendors. Stratton recommended that Sprague write down his suggestions and submit them to the Cultural Preservation Committee.

Sprague stated that at Grand Valley Lodge they reviewed the items that were to be sold. Sprague stated that he would like to create a greater awareness of what goods that are being sold. Ruitter stated she volunteered at the powwow and believes the powwow is improving every year. Castonia asked how much the powwow brought in. Porter stated the accounting department takes care of this. Castonia asked why Tribal members had to pay \$10 to attend. Stratton stated this money is used for the Veterans powwow, storytelling, fall feast, which are all free events. Stratton stated this one event is paying for three others. Porter stated there is food that has to be paid for; prize money for events and the princess contest takes money. Porter stated that if you were a volunteer for the powwow then you could get in free. Porter stated that you would have a problem trying to pass Indian made items that are not Indian made.

Sprague stated that Tribal members should not get through the gate with trying to not pay. Sprague asked that the Council budget for items such as these, so Tribal members would not have to pay. Parsons stated this possibly could be done, but the Council has never been approached with



this request. Sam stated the Council was looking into doing a project like the "Gwiidookadaadimi" and the Council is working on doing something like this again in the future. Stratton stated there is a Cultural Preservation Sub-Group that are made up of volunteers. Chapman asked if there is money budgeted for this event for the Cultural Preservation. Porter stated people are making extra effort to come back for the powwow.

Don Koon stated this is an event for our people and not a flea market. Koon stated should be concentrating on the celebration of our people and not the money that has been spent.

Don Koon and Mark Dougher left at 11:09 a.m.

Sam stated the reason we have our powwow is for cultural preservation. Sam stated we are doing the best we can do and the powwow gets better and better every year.

Sprague stated need to look at powwows and how they are evolving. Sprague stated back when he worked for Grand Valley they were all Indian vendors.

Jessica Burger, #0148, stated the 638 contract has cultural support to access federal funds to support cultural events. Burger stated that in her budget submission there was a cultural support line item of \$10,000. This line item was eliminated right away by either the Director of Operations or the Tribal Ogema. Burger asked the Council to adopt a cultural aspect in the mission & goal statement for the Tribe. Burger stated the health clinic set up an awning at the powwow and another Tribal member took upon themselves to share that awning. Burger stated that her husband is non-Native and was not asked to pay admission. Burger has no problem with paying for Tribal powwows. Burger stated until such time the Tribe has cultural support placed into the mission statement, that we should let the powwow go the way it was this year for one more year.

Knee gave an update on the red tail hawk nest at Aki Maadiziwin. Knee stated he saw one of the chicks fly last week. Castonia asked about the fox. Knee stated no fox have been spotted and there were remote cameras set up.

Burger stated her department wrote and received monies for Diabetic Support. Burger received a 51-page document that needed to be filled out; Burger did so and returned the document. Burger stated there were questions on the document relating to if the Tribe had a Casino. Burger indicated that the purpose of the questionnaire was to determine if the Tribe received monies from that Casino and could the monies be used to support the programs and how do we receive Casino monies.

Chapman stated she has friends at the Chamber of Commerce in Muskegon who state there are people who are trying to open a casino on the lakefront in Muskegon.

11:24 a.m.

### **III. Continuing Business**

#### **A. Grants & Contracts**

##### **1. Acceptance of Contract Modification From Indian Health Service (IHS) in the Amount of \$37,000**

The Tribe has been awarded a contract modification from IHS for the PL 93-638 Contract. The Tribe needs to formally accept these funds and amend the FY2002 Operating Budget.

**MOTION TO APPROVE RESOLUTION # 02-0710-01, ACCEPTANCE OF CONTRACT MODIFICATION FROM INDIAN HEALTH SERVICE (IHS) IN THE AMOUNT OF \$37,000; by Kleeman; supported by Bennett.**

#### **Roll Call**

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

Motion carried (7-0-0-2)

#### **B. CMT Business**

##### **1. Approval by Resolution for Additional Inspection Services Regarding Interim Casino Construction Modifications by Oleson and Nealis**

Fisher stated that no resolution was available. Attorney Yunis spoke with the contractors, and followed up with Fisher. Attorney Yunis suggested that Interim Casino issues be addressed now, and the remaining issues be addressed at a later date.

**MOTION TO POSTPONE THIS ITEM UNTIL NEXT WEEK; by Kleeman; supported by Porter**

#### **Roll Call**

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

Motion carried (7-0-0-2)

#### **IV. Old Business**

##### **A. Approving Appropriation from Land Acquisition**

This item was postponed from the 6/19/02 Tribal Council meeting.

**MOTION TO POSTPONE**; by Kleeman; supported by Porter.

##### **Roll Call**

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

Motion carried (7-0-0-2)

##### **B. Supplemental Appropriation from Fisheries Settlement Fund to Include Funds for Dock/Storage fees for Tribally-owned Commercial Fishing Vessels**

Parsons stated met with Archie Martel yesterday and Council asked for budget information regarding this item.

**MOTION TO POSTPONE**; by Kleeman; supported by Sam.

##### **Roll Call**

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

Motion carried (7-0-0-2)

#### **V. New Business**

##### **A. Clarification of Personnel Manual**

Parsons stated this was Lisa McCatty's agenda item. Sam stated Councilor McCatty pulled together what she believed the most current Personnel Manual documents. Sam asked that the resolution and documentation regarding wage grid from February of 2000, together with the documents in the agenda item, be forwarded to the Ogema with a request that the manual be either sent to legal or Human Resources for completion, with the changes recommended, and she agrees with McCatty's recommendations of changing "Tribal Manager" to "Tribal Ogema". Sam would like a motion to send this to the Ogema for final adoption within 2 weeks. House stated Councilor McCatty did not obtain the most recent copy of the ordinance that is available on line, which was updated on June 7, 2002.



Burger stated that IHS policies have been sent to the Speaker and Recorder and that she has a work session with Council next week.

Fisher believes two weeks is not enough time to review the personnel manual and cannot support that request. Sam commented that she respects what Fisher stated but noted there are possibly four versions of the personnel manual that she is aware of, and all of them are being used as the official manual. Sam stated the wage grid that is being used by the Human Resources and Tribal Operations, has never been authorized by Tribal Council. Sam stated the need to have a base document to start from for adoption. Sam stated this is unfair to our employees depending on what version of the policy being applied. Burger supported the statement.

**MOTION TO TRIBAL COUNCIL SUBMIT TO THE OGEMA'S OFFICE WITH COMMENTS AND THE FOLLOWING PAPERWORK, THE ATTACHED PACKAGE OF INFORMATION PACKET, DECEMBER 6, 2002 VERSION AND ON LINE VERSION DATED JUNE 7, 2002, THE ATTACHED RESOLUTION #00-0228-03 THAT FORMALIZES SECTION 4.4 AND SECTION 4.5 FOR A FINAL REVISION WITHIN TWO WEEKS OF THIS MEETING;** by Sam; supported by Porter.

**Roll Call**

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

Motion carried (7-0-0-2)

**B. Establishing stipend amount for Committees**

This item was postponed.

**C. Speed limit signs**

Koon asked if this would need to be done by resolution, motion or approved by the Housing Commission. Sam asked if this was a Closed property of the Tribe or an Open property of the Tribe. Kleeman stated this was Closed for hunting. Sam stated there were three vehicles at Aki Maadiziwin who were non-Tribal members. Koon stated there would come a time for non-Tribal people not being allowed. Sam asked if Public Safety is patrolling. Koon stated Public Safety has been patrolling the area because of the hawk's nest and the project. Koon will bring this item



up at the next Housing Commission meeting. House stated this is a Closed property of the Tribe, as are all Tribal properties, to non-Tribal members. Sam suggested posting signs at the entrance by Natural Resources. Koon stated there are already “no trespassing signs”. Knee stated he would get with Tribal police and obtain some more signs for the property. Parsons suggested a Housing Commission Resolution and bring this item back to the Council for approval. Sam suggested having minimum and maximum speed limits in an ordinance for residential areas. House stated the grounds themselves have not been zoned and need final mapping from the Housing Commission in the public use lots as well as restricted lots. House’s intention is to use that map for an ordinance and would be included in the Tribe’s criminal code as a more appropriate way to handle that then by resolution. Sam suggested postponing this item. Koon stated the zoning issue has been resolved. He is dealing with house numbers. Michelle Bernatche almost has this ironed out and the final document should be reaching House shortly.

**MOTION TO POSTPONE;** by Kleeman; supported by Porter.

**Roll Call**

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

Motion carried (7-0-0-2)

**D. Use of Tribal Emblem for Members with Web Sites**

This item was postponed.

**E. Appointment of an Education Committee**

Cole stated the Education Committee has not met for two years this August. Cole stated this was used to get the Johnson O’Malley money and the BIA program up and running. Cole stated there was a resolution to combine the parent committee and Education Committee and make it a 5 person Committee. Cole stated Sam was the chairperson and Cole was co-chairman. Cole and Sam resigned from the Committee because of new positions within the Tribe. Cole tried to recruit Committee members last summer, but there were problems with the background checks. Cole stated some of the checks were done and some were not. Parsons asked if not having a Committee has impacted not getting this money. Cole stated there is a little over \$4,000 that is earmarked for this Committee to spend for events. Cole stated in January they were trying to get a parent forum together and invited everyone to come but it was unsuccessful. Cole stated they are in need of a parent Committee. Bennett asked how often the Education Committee meets. Cole stated have not met for two years.

Bennett stated she tried to get a trade school set up for Big Blue in the past. Cole believes there are a lot of things that should be looked at.

Sam stated that Councilor McCatty asked that Council members be appointed to this Committee. Sam believes that a parent committee needs to be formed. Sam asked Council how they feel about sitting on this Committee in the interim of posting in the newsletter. House requested that Cole, Yvonne Parsons and Jessica Burger meet for reporting of what is needed because of the grants and commitments that have been made. Fisher stated this could be the scope of work for the people who are appointed as well. Cole stated this is the first year without any parent input at all. Parsons stated in favor of setting up a Committee but work toward it as a goal instead of setting up a Committee today. Cole stated the grant is to have the parents get together to make decisions. Cole stated she did have a Native American with Tribal member children who had volunteered to serve on the parent Committee. Burger had a question regarding 638 and if funding is from that fund and what the obligation is. Burger recommends setting up a board of 3 or 4 members today. Sam stated that under 638 BIA contract she believes that there is a component for education provisions. Burger stated the Bureau might have guidance regarding this. Porter requested that this be placed in a work session and talk about who could volunteer for such Committees. Bennett asked how many needed to be on the Education or Health Board. Cole and Burger both stated there should be five. Cole stated used to have an Elder and a Tribal Council liaison. Parsons stated maybe we do not need governmental say so. Burger stated there has been some discussion regarding reorganization of Tribal Operations.

Sam's suggestion is that Council drafts a resolution appointing three people to the Committee. Sam volunteered to be on the Education Committee. House strongly recommended that a work team be put together with a member of the Council and a member of the department to ensure follow-up. Parsons, Sam and Cole will work together as a work group to start this up.

**MOTION TO HAVE THE TRIBAL COUNCIL AUTHORIZE STEPHEN PARSONS, JANINE SAM, AND YVONNE PARSONS FOR THE CREATION OR ESTABLISHMENT FOR A PERMANENT EDUCATION COMMITTEE, TO BE DETERMINED AT A LATER TIME NOT TO EXCEED TWO MONTHS;** by Sam; supported by Kleeman.

#### Roll Call

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



Motion carried (7-0-0-2)

#### **F. Appointment of a Health Board**

Burger stated in April of 2000 there was a Health Board that met once a month. There were by-laws from Health and Human Services, which should have encompassed Family Services with the Binojeeuk Commission as their oversight. There were 5 members with Council liaison and a professional member, Valerie Chandler, Alyce Giltz, Kimberly Alexander and others did comprise part of the board. There has not been a meeting since September 2000. Burger stated according to the 638 contract there is a requirement for a Tribal Council liaison, community members, professional person and health director to sit on the board. Burger stated the Health Board did adopt a project plan that was drafted by a consultant and there are goals, objectives and vision statement with a 3, 5 and 10-year plan. Burger and House had a brief discussion regarding the re-establishment of a Health Board. Burger encouraged Council review of the by-laws of the Health Board. Burger strongly suggests that they do not formalize a Commission for oversight and would like Council to review the 638 IHS contract. Sam suggested appointing two Council members as an Interim Health Board. Burger stated there have been policies that have been adopted by the medical director that will move them forward for accreditation. Porter stated she would volunteer and Richard Sprague also volunteered as interim members. Fisher also volunteered to serve as an interim member.

**MOTION TO HAVE TRIBAL COUNCIL AUTHORIZE AND APPOINT ELAINE PORTER, CHARLES FISHER AND JANINE SAM FOR THE HEALTH BOARD AS INTERIM HEALTH BOARD;** by Sam; supported by Kleeman

#### **Roll Call**

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

Motion carried (7-0-0-2)

#### **G. Consideration of Authorized Check Signers**

Parsons stated Guenthardt was removed as a check signer and that we should place Jonnie Jay Sam as check signer. Sam stated Councilor McCatty had questioned if the Ogema should have the same authority. Burger stated in federal guidelines there has been a concern regarding signing of checks. Burger stated there is federal funding dedicated to programs; there is a concern that the Ogema does not sign every check that comes through. Burger stated Mary Thomas and Bob Davis are not



elected officials. Burger stated would like to see the Ogema and Tribal Council members as official check signers. Sprague does not want Mary Thomas or Bob Davis to be able to sign checks, as they are not elected officials. Parsons stated this would need to be addressed at the next meeting.

**MOTION TO APPROVE RESOLUTION # 02-0710-02,  
AMENDMENT OF PAYROLL ACCOUNT PROCEDURES  
TO ADD JONNIE J. SAM, II TO THE SIGNATURE LINE  
FOR PAYROLL CHECKS GENERATED FROM THAT  
ACCOUNT;** by Sam; supported by Porter.

**Roll Call**

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

Motion carried (7-0-0-2)

**MOTION THE TRIBAL COUNCIL DIRECT THE LEGAL  
DEPARTMENT TO PREPARE A RESOLUTION  
REMOVING ANYONE THAT IS NOT AN ELECTED  
OFFICIAL AS AUTHORIZED CHECK SIGNERS ;** by Sam;  
supported by Kleeman.

**Roll Call**

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

Motion carried (7-0-0-2)

Sam stated Kleeman brought up electronic signatures and would like to see at minimum one original signature on those checks. Parsons stated if this is the way Council wants to go that Councilors need to be available to sign checks.

**H. Resolution Authorizing Execution of a Professional Services  
Agreement with Inter-Tribal Council of Michigan's Environmental  
Services Division**

Knee stated this would include the Custer property and the 1855 Reservation. Knee stated this would be a comprehensive review of items related to environmental issues on Tribal properties.

**MOTION TO APPROVE RESOLUTION # 02-0710-03, AUTHORIZING THE TRIBAL OGEMA, OR IN HIS ABSENCE, THE TRIBAL COUNCIL SPEAKER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH INTER-TRIBAL COUNCIL OF MICHIGAN, INC. FOR CONSULTING SERVICES RELATED TO PREPARATION OF A WETLANDS MANAGEMENT PLAN FOR THE 1855 RESERVATION IN AN AMOUNT NOT TO EXCEED \$12,000.00 AND FOR CONSENTING TO HAVE DISPUTES RESOLVED IN THE COMMERCIAL DIVISION OF TRIBAL COURT; by Porter; supported by Kleeman.**

**Roll Call**

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

Motion carried (7-0-0-2)

**I. Resolution Authorizing Execution of a Second Addendum to Contract with Nancy Kida to continue Legal Assistance Program through December 2002**

Sam raised the question if this program was budgeted. Ruiter stated that she would like to have documentation before voting on this item. Porter asked if this item should have been placed in Closed Session. House stated this is an open discussion matter. Chapman stated she was denied access to Kida and that Tribal Council should let it be known that her services are available to members for their use. Sprague stated Kida was unable to help him with the needs that he had. Chapman is unsure of the reasons why she was denied services.

**MOTION TO POSTPONE THIS ITEM UNTIL NEXT WEEK PENDING RECEIPT OF 1) CONFIRMATION THAT THERE IS MONEY IN THE BUDGET TO CONTINUE TO FUND THIS SERVICE 2) CLEARLY DEFINE SCOPE OF WORK INCLUDING CRITERIA THAT TRIBAL MEMBERS NEED TO MEET TO BE ELIGIBLE TO QUALIFY FOR SERVICES UNDER THIS PROGRAM; by Sam; supported by Porter.**

**Roll Call**

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



Motion carried (7-0-0-2)

Bob Davis arrived at 1:30 p.m.

**J. Approval of Membership Assistance Ordinance # 02-700-04, which includes:**

**Chapter 1 - Home Repair Program Regulations**

**Chapter 2 – Helping Hands Program Regulations**

**Chapter 3 – Food Voucher Assistance Program Regulations**

**Chapter 4 – Emergency Transportation Program Regulations**

**Chapter 5 – Chore Service Assistance Program Regulations**

House stated she spoke with Bob Davis regarding implementation date of September 1, 2002. Sam stated that she received a document from the CFO where he was directed to write policies and procedures for the Membership Assistance Department. Sam stated that this project was given to Dan Broton. Koon raised a concern as he was hired to administer the home repair program and this could create a lot of problems. Koon stated the Commission does not know a whole lot about this program. Koon stated this is a mirror of the HIP program. House stated this is a Tribally funded program throughout the United States. House stated the income eligibility level is set at a higher level. House stated this program would be working with all of the other existing departments that are funding programs through external funds. Fisher addressed Koon's comments regarding the current program and is under a different impression by the Council. Koon stated the poverty guidelines are different and there is a lot of gray areas. Cole stated this is confusing as a Tribal member regarding where to go. Parsons stated this is why the Membership Assistance Department was set up for "one-stop shopping".

Fisher stated these added services should be transparent to the members. Sam stated section 4.02 reads "may be placed within the Tribal government", provided that placement of the Membership Assistance Department (MAD) under accounting is expressly prohibited. All housing related activities that are Tribally funded will be in MAD and will not be under the Housing Department or Housing Commission. Chapman asked if the income criteria had been set. Sam stated it is 200% to 220% of poverty guidelines. Sam supports the program but does not agree with item B. Parsons stated this is in direct contradiction with the Ogema's work session regarding this item. Porter stated need to work together. Sam asked if there was language included in the ordinance, that if eligible for other programs are they automatically referred to those departments for additional services. House stated everyone who applies for membership assistance is applying for all programs and a comprehensive review of all available sources and would be forwarded to the appropriate areas.



House stated applications will come from any department and if they do not fall within the eligibility requirements will be forwarded to the Membership Assistance Department. Burger stated Membership Assistance was proposed in July 2000 as an interim program. Burger supports Membership Assistance for emergency situations especially for Tribal Programs because members are turned down because of the guidelines. Burger supports this program but regulatory language needs to be defined a little bit better. Burger cautioned the Council by establishing this ordinance should have a fiscal responsibility to revisit this program. Burger stated if Council does pass per cap, at some time in the future, that they might want to cease this program. Kleeman stated there is a limit for two times within five years for a member. Ruiter stated she does not believe we are a welfare Tribe, but members might need help and this program is to give them help, not because they are welfare. Sprague stated that he is in favor of revisiting this program. Sprague stated that we should stay away from the word "welfare" as this is not a federal government. House stated the concerns that Burger was raising were addressed and Council required a section for reporting in a single detailed report monthly to the Tribal Council. There may be a recommendation that the program is no longer needed in that report. Sam stated that there is no determination under what category the funding will be coming from. Sam stated need to identify under what provision this program is funded. Porter does back Burger in putting a time limit on this program. House stated Sam raised a good question regarding the Revenue Allocation and Budget Ordinance of where the monies come from. Davis was informed at the meeting regarding this. Burger informed the Council that the Health Department had taken the lead for this program in July 2000.

**MOTION TO APPROVE RESOLUTION # 02-0710-04,  
ADOPTION OF MEMBERS ASSISTANCE PROGRAM  
ORDINANCE, ORDINANCE #02-700-04 WITH CHANGE IN  
SECTION 4.02 TO PROHIBIT THE MEMBERS  
ASSISTANCE DEPARTMENT FROM BEING UNDER  
ACCOUNTING;** by Kleeman; supported by Ruiter.

**Roll Call**

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

Motion carried (7-0-0-2)

**MOTION TO APPROVE RESOLUTION # 02-0710-05,  
ADOPTION OF MEMBERSHIP ASSISTANCE PROGRAM  
REGULATIONS, #R700-04: MA, WITH THE ADDITION IN**

**THE FIFTH WHEREAS “RESOLUTION # 02-0710-04; by Kleeman; supported by**

Sam requested that a provision be included that would make Tribal Council members not be eligible for these services for a year. Sam stated that she did not believe that Council should be in the position to pass programs, and create funds, and then apply for that service themselves until after other members had the first opportunity to apply for these services. Sam stated that this provision was not included in the Ordinance and it was the reason Sam was hesitant in voting, as she feels very strongly that Tribal Council members should not be eligible for program benefits until after the first year.

**Roll Call**

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

Motion carried (7-0-0-2)

Porter asked to be on the record as saying she agreed with Sam regarding Tribal Council members using this program.

**K. Acceptance of Regulation # 02-SF01, Fishing Regulation for Gill Net and Impoundment Net Licenses, Permits and Marking Requirements**

Fisher stated the NRC regulation is incomplete as presented as the bottom of page 1 begins with “The”

**MOTION TO POSTPONE THIS ITEM UNTIL NEXT WEEK; by Sam; supported by Kleeman.**

**Roll Call**

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

Motion carried (7-0-0-2)

**L. Compliance with Petty Cash Policy**

Sam stated a memo was sent to the Ogema regarding if the Cultural Preservation Petty Cash Policy was within the governmental guidelines. The Ogema was asked to investigate this with the CFO. Davis had suggested to have a petty cash fund located in the Accounting Department. Davis stated documentation would be reconciled with each department by accounting at the end of each month. Sam stated there is no such thing as a

petty cash fund in a governmental entity. Sam stated a committee is not authorized to set up a policy on its own.

Burger referred to the IHS Financial Management Section and stated if there is petty cash fund, a policy needs to be written according to the IHS. Davis is opposed to a petty cash account, as expenditures should be pre-approved.

**M. Tribal Council Budget**

Sam stated the budget was due last Friday and did not meet that deadline. Sam will be routing a draft to Council for review. Sam stated there has been some change to support staff for the Tribal Council and would like any input from the other Councilors regarding support staff.

**VI. Concluding Business**

**A. Next Meeting Date(s) – July 17, 2002 and July 20, 2002**

**B. Public Comment Period**

Sprague stated the easiest way to get around the issues of charging at the powwow is to have it be a no charge event.

*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 – Absent	P. Medahko – Absent	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – Yes	J. Sam – Yes

Motion carried (7-0-0-2)

This portion of Open Session was adjourned at 2:04 p.m.

**VII. Open Session**

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

**MOTION TO GO INTO OPEN SESSION;** by Sam;  
supported by Kleeman.



**Roll Call**

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

Motion carried (7-0-0-2)

**MOTION TO MOVE RESOLUTIONS AND ROLL CALL VOTES**

1. 02-0605-08 – Roll Call 5-4-0-0 – Newland Academy Purchase
  2. 02-0605-09 – Roll Call 7-0-0-2 – Bally Gaming and Systems
  3. 02-0605-10 – Roll Call 8-0-0-1 – WMS Gaming
  4. 02-0612-05 – Roll Call 7-0-0-2 – Xerox
  5. 02-0612-06 – Roll Call 7-0-0-2 – Lake Welding
  6. 02-0612-07 – Roll Call 6-0-0-3 – Achieve Global
  7. 02-0619-07 – Roll Call 5-2-0-2 – Chex Services
- ; by Sam; supported by Kleeman.

**Roll Call**

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

Motion carried (7-0-0-2)

**MOTION TO ADJOURN;** by Sam; supported by Kleeman.

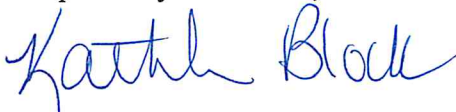
**Roll Call**

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

Motion carried (7-0-0-2)

The meeting was adjourned at 4:50 p.m.

Respectfully Submitted,



Kathleen Block  
Transcribing Assistant



Janine Sam  
Tribal Council Recorder