



**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, JULY 21, 2004
LITTLE RIVER BAND DOME ROOM**

**OPEN SESSION
MINUTES**

The Little River Band of Ottawa Indians held a meeting at the Little River Band Dome Room on July 21, 2004. Following are the minutes of that meeting.

I. Opening Prayer

The Tribal Council opened with silent prayer.

II. General Business

A. Call To Order:

The regularly scheduled Tribal Council meeting was called to order at 10:08 a.m.

B. Roll Call

I. Stone – Present	B. Medacco – Present	T. Kleeman – Present
L. McCatty – Present	P. Medahko – Present	S. Parsons – Present
E. Porter – Present	P. Ruiter – Present	J. Sam – Present

Quorum established.

Others Present: Jo Anne House, Kathleen Block, Mary Bower, Robert Robles, Stephen Saylor, Matt Maratea, Al Medacco, Frank Beaver, Julie Ramsey, Jessica Burger, Mark Dougher, Jay Sam, Matt Stratton, Nate Svoboda, Rick Sprague, Mark Sanford, Stephanie Ogren, Steve Sainsbury, Joshua Guthrie.

Others Present That Did Not Sign In: Lee Sprague, June Fletcher, Lynn Moore, Jimmie Mitchell, Dan Shepard, Bill Willis, Mike Sprague, Brian Moore, Jim LaPorte, Rick Sprague, Tina Vaquera, Ryan Nash, Bridget Cole, Yvonne Parson, Sheri Hunt, Steve Jobs, Joan Spalding

C. Approval of Agenda

It was noted that supplemental information was received from the Ogema's office for several items on the agenda that were slated to be removed by Council due to being incomplete. Discussion regarding the EPA grant proposal ensued. Frank Beaver informed the Council that the

EPA grant application is time sensitive, and the deadlines will not be met if the Council postpones the item. The Ogema informed Council that during a meeting with EPA in Chicago, the process was discussed about submission of the work plan and grant application.

MOTION TO APPROVE AGENDA WITH THE FOLLOWING AMENDMENTS, ADDING 7/20/04, MINUTES REMOVING GRANT APPLICATION TO THE EPA, ACCEPTANCE OF REPORTS, REMOVING JUNE 2004 FINANCIAL REPORT, REMOVING OPERATIONS REPORT, UNDER NEW BUSINESS, REMOVING NEW BUSINESS E, THROUGH H, ADDING NEW BUSINESS R, APPROVAL OF EXPENDITURE BY VETERANS WARRIOR SOCIETY, ADDING NEW ITEM D6 IN CLOSED PROPERTY TAX DISPUTE; by Kleeman; supported by Ruiter.

Roll Call #1

I. Stone –	No	B. Medacco –	No	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	No
E. Porter –	No	P. Ruiter –	Yes	J. Sam –	No

Motion failed (4-5-0-0)

MOTION TO APPROVE THE AGENDA WITH THE FOLLOWING AMENDMENTS: ADD 7/20/04 MINUTES, MOVING NEW BUSINESS ITEMS E THROUGH H TO THE CLOSED SESSION, ADDING NEW BUSINESS R, APPROVAL OF EXPENDITURE BY WARRIOR SOCIETY, ADDING 7/20/04 CLOSED MINUTES AND ITEM D6 PROPERTY TAX DISPUTE IN CLOSED SESSION; by Sam supported by Porter.

Roll Call #2

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Abstain	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion failed (4-4-1-0)

MOTION APPROVE THE AGENDA WITH FOLLOWING AMENDMENTS, ADDING 7/20/04 MINUTES, LEAVING GRANTS #4, REMOVING FINANCIAL REPORT FOR JUNE 2004, REMOVING OPERATIONS REPORT, REMOVING NEW BUSINESS ITEMS E-H, ADDING VETERANS WARRIOR SOCIETY, ADDING TRIBAL COUNCIL CLOSED MINUTES 7-20-

**04, ADDING LITIGATION 6 PROPERTY TAX DISPUTE; by
Kleeman; supported by McCatty.**

Roll Call #3

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Absent	S. Parsons –	No
E. Porter –	No	P. Ruiter –	Yes	J. Sam –	No

Motion carried (5-3-0-1)

D. Tribal Council Minutes

**MOTION TO APPROVE THE WEDNESDAY, JULY 7, 2004
OPEN SESSION TRIBAL COUNCIL MINUTES; by McCatty;
supported by Ruiter.**

Roll Call #4

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Absent	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (8-0-0-1)

**MOTION TO APPROVE THE, TUESDAY, JULY 20, 2004
OPEN SESSION TRIBAL COUNCIL MINUTES; by Kleeman;
supported by McCatty.**

Roll Call #5

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Absent	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (8-0-0-1)

E. Public Comment Period

Al Medacco addressed the Council about the education department van. Medacco noted that there were walkie-talkies in the van and the van was unlocked. Medacco noted that the van was very dirty, and smelled. Medacco asked if this was the normal treatment of tribal vehicles, and requested a response from the Ogema regarding the matter. Medacco voiced that the van was in terrible shape, and should be kept better.

Al Medacco indicated that he is aware of the 12-tribe summit meetings that are ongoing, and presented the Tribal arrow to the Speaker. Medacco noted that 12 arrows are being prepared for the tribes of Michigan. Pam

Medahko informed the members present that the arrows would be symbolic reminders of being united and keeping the tribes strong together.

Officer Bates from the Tribal Police Department addressed the Council and introduced three new tribal police officers. Bates noted that all officers have prior law enforcement experience. Matt Maratea has 5 years of law enforcement experience, Steve Saylor has three years of law enforcement experience, and Mike Bailey from Benzie County has six years of law enforcement experience. Mark Szynski is the field officer training person, and officer Robles, who share responsibilities for field officer training.

III. Continuing Business

A. Grants & Contracts

- 1. Acceptance of grant funds from the Administration for Children and Families for a Family Violence Prevention & Services Program and approving a modification to the Operating Budget for fiscal year 2004 in the amount of \$25,731**

The Tribe needs to accept the monies for the second year for the Family Violence Grant from 2003 and 2004 to continue providing on going services to provide shelter, education and prevention training by Family Services to Tribal Families.

MOTION TO APPROVE RESOLUTION # 04-0721-294, ACCEPTANCE OF GRANT FUNDS FROM THE ADMINISTRATION FOR CHILDREN AND FAMILIES FOR A FAMILY VIOLENCE PREVENTION & SERVICES PROGRAM AND APPROVING A MODIFICATION TO THE OPERATING BUDGET FOR FISCAL YEAR 2004 IN THE AMOUNT OF \$25,731; by Porter; supported by Ruiter.

Roll Call #6

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (9-0-0-0)

- 2. Endorse submission of grant application to the Indian Health Service under the Special Diabetes Program for Indians Competitive Grant for FY 2004 in the amount of \$397,700**

To endorse the submission of grant application to the Indian Health Service that will involve a long – term collaboration to address

diabetes and related health issues among six tribal communities in the lower peninsula of Michigan. Proposal will be submitted to Indian Health participating tribes, and will be responsible for grant administration duties and as the fiscal agent for the project.

It was noted that all of the other tribes have already acted on their resolutions of support for the grant application. It was also noted that the program has been finalized, and the Pokagon Band will be designated the lead tribe to coordinate the entire effort.

MOTION TO APPROVE RESOLUTION # 04-0721-295, ENDORSEMENT OF A GRANT APPLICATION TO THE INDIAN HEALTH SERVICE UNDER THE SPECIAL DIABETES PROGRAM FOR INDIANS COMPETITIVE GRANT IN THE AMOUNT OF \$397,700 FOR FISCAL YEAR 2004; by Stone; supported by Kleeman.

Roll Call #7

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (9-0-0-0)

3. Resolution ratifying Memorandum of Agreement among the Little River Band of Ottawa Indians, Pokagon Band, Little Traverse Bay Bands, Huron Band, Gun Lake and Grand Traverse Band for diabetes prevention and for submission of an application to the Special Diabetes Competitive Grant Program

The Special Diabetes Competitive Grant submission is from the signatory Tribes of the memorandum of agreement, the Ogema supports the agreement and the Council must approve/ratify the agreement under the constitution.

MOTION TO APPROVE RESOLUTION # 04-0721-296, APPROVAL OF A MEMORANDUM OF AGREEMENT AS PRESENTED AND AMENDED, ESTABLISHING A CONSORTIUM OF THE LITTLE RIVER BAND OF OTTAWA INDIANS, POKAGON BAND OF POTAWATOMI INDIANS, GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS, LITTLE TRAVERSE BANDS OF ODAWA INDIANS, NOTTAWASEPPI HURON BAND OF POTAWATOMI AND THE MATCH-E-BE-NASH-SHE-WISH BAND OF POTAWATOMI INDIANS (GUN LAKE BAND) TO DEVELOP AND SUBMIT A COOPERATIVE

**PROPOSAL FOR THE SPECIAL DIABETES PROGRAM
FOR INDIANS OFFERED BY THE INDIAN HEALTH
SERVICE; by Sam; supported by Kleeman.**

Roll Call #8

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (9-0-0-0)

**4. Approval of a grant application to the Environmental
Protection Agency under the General Assistance Program for
FY 2005-2006 in the amount of \$220,000**

This is a two-year grant request that provides funding support for the Environmentalist position within the LRBOI Natural Resources Department as well as funding support for various project activities, and a work plan and narrative was provided by the Ogema's office in support of the grant application. The Ogema commented that the emphasis is to utilize grant dollars to fund the programs and positions, to alleviate the burden on tribal dollars.

**MOTION TO APPROVE RESOLUTION #04-0724-297,
APPROVAL OF A GRANT APPLICATION TO THE
ENVIRONMENTAL PROTECTION AGENCY UNDER THE
GENERAL ASSISTANCE PROGRAM IN THE AMOUNT
OF \$220,000.00 FOR FISCAL YEAR 2005-06 by Kleeman;
supported by Porter.**

Roll Call #9

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Absent
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Abstain

Motion carried (7-0-1-1)

IV. Acceptance of Reports

A. Report of the Tribal Ogema's

**1. Financial Report
a. June 2004**

This item was removed during approval of the agenda.

2. Compliance Audit Update

The report was passed out during the meeting.

MOTION TO POSTPONE by Stone; supported by Kleeman

Roll Call #10

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (9-0-0-0)

3. Operations Report
a. June 2004

This item was removed during approval of the agenda.

V. Acceptance of Commission Reports - June

A. Binojeeuk Commission – no report submitted

MOTION TO POSTPONE TO NEXT AGENDA; by Kleeman;
supported by McCatty.

Kleeman noted that the report has been postponed for three months; Porter asked Medahko if she uses to do the reports and Medahko stated yes she did. Kleeman stated she would not.

Roll Call #11

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	No	S. Parsons –	Yes
E. Porter –	No	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (7-2-0-0)

B. Enrollment Commission – no report submitted

MOTION TO POSTPONE; by Kleeman; supported by McCatty.

Roll Call #12

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	No	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (8-1-0-0)

C. Gaming Commission - no report submitted

MOTION TO POSTPONE; by McCatty; supported by Kleeman.

Roll Call #13

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	No	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (8-1-0-0)

D. Housing Commission – no report submitted

Commission Chair Frank Beaver informed Council that a report would be submitted next week.

MOTION TO POSTPONE; by Kleeman; supported by Ruiter.

Roll Call #14

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	No	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (8-1-0-0)

E. Natural Resources Commission

MOTION TO ACCEPT FOR FILING THE NATURAL RESOURCES COMMISSION REPORT FOR JUNE 2004; by Kleeman; supported by Porter.

Roll Call #15

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (9-0-0-0)

It was noted that the concerns documented by the Natural Resources Commission in their report should be discussed in closed session to protect individual rights of employees that may be involved. Sam clarified that if the issue was to be discussed in closed, the Chairman of the Commission should also be invited to attend closed along with the Ogema.

MOTION TO AMEND THE AGENDA TO ADD E2 IN CLOSED SESSION COMMISISON CONCERN AND INVITING THE OGEMA AND NRC CHAIRMAN TO THE CLOSED SESSION by Kleeman; supported by Sam.

Roll Call #16

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (9-0-0-0)

VI. Acceptance of Committee Minutes

A. Elder Meeting Minutes of 6/12/04

Medahko noted that the minutes do not accurately reflect what actually happens at the elders meeting. Porter will convey this to the secretary of the elders committee.

MOTION TO ACCEPT FOR FILING THE ELDER MEETING MINUTES OF JUNE 12, 2004; by Porter; supported by McCatty.

Roll Call #17

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (9-0-0-0)

Speaker Parsons called a recess at 11:08 a.m., to allow Jo Anne House to set up projector equipment necessary to deliver her report.

The meeting reconvened at 11:21 a.m.

VII. Legislative Legal Department

Jo Anne House indicated that she created the Council's web page to give the presence on the Tribe's web site. House reviewed the web information, and gave a demonstration of the information available and how it can be accessed. House indicated that she recommends a link to include the proposed legislation under consideration.

The Ogema recommended that the agendas be added to the file with the minutes. The Recorder confirmed that agendas are kept on file in the permanent record.

House indicated that she has a formal report in writing that will be submitted for the next agenda. House noted that she has an additional report on the agenda in closed session today.

MOTION TO ACCEPT THE VERBAL REPORT FROM LEGISLATIVE ATTORNEY, JO ANNE HOUSE; by Medahko; supported by Porter.

Roll Call #18

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (9-0-0-0)

IV. Old Business

A. Central Michigan University Contract

Contract to study home range size, habitat use and relative abundance of bobcats in the Lower Peninsula. Nate Svoboda indicated that there is research ongoing at CMU that will work with LRB's research, in response to a question by McCatty regarding the selection of this contractor to work on the grant. Mitchell noted that Dr. Tom Gehring had made a presentation to the Commission during one of the Natural Resource Commission meetings, and the Commission supports the contract with Dr Tom Gehring.

**MOTION TO APPROVE RESOLUTION # 04-0721-298,
AUTHORIZING EXECUTION OF AGREEMENT WITH
CENTRAL MICHIGAN UNIVERSITY FOR SERVICES
RELATING TO BOBCAT RESEARCH UNDER THE TRIBE'S US
FISH & WILDLIFE SERVICE GRANT;** by Kleeman; supported by
McCatty.

Roll Call #19

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (9-0-0-0)

B. Wage Grid Corrections

Approval of amendments to wage/salary Scale and job descriptions to current employees and positions of the Tribal Government. Sam asked if the adjustments would include appropriate merit increases that the employee had already earned, Fletcher responded yes, and merit increases that had been earned by the employee will be included with the adjustments. McCatty asked why the individual adjustments are not detailed out. Fletcher responded that the changes are consistent with the previous actions proposed. It was also clarified that the adjustment will be retroactive to the date when the original modifications were approved.

**MOTION TO APPROVE RESOLUTION # 04-0721-299,
APPROVAL OF AMENDMENTS TO WAGE/SALARY SCALE
AND JOB DESCRIPTIONS TO CURRENT EMPLOYEES AND
POSITIONS OF THE TRIBAL GOVERNMENT;** by Stone; supported
by McCatty.

Roll Call #20

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	No
L. McCatty –	No	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	No	J. Sam –	Yes

Motion carried (6-3-0-0)

C. Migizi Business Camp Report

A report was requested to be submitted detailing the activities and expenses of the camp. It was noted that a written report was turned in to Kathleen Block during this meeting. Fletcher asked that information requests be placed through her office, the Recorder responded that the request was addressed to her and Yvonne parsons, and noted that since the Manager was in attendance during the meeting, and the request was made at that time directly to her, the Recorder believed the report request was clearly communicated to the Tribal Manager at that time.

Israel Stone stated that any requests of the Tribal Manager that are made to the Casino should be placed with either himself or Brian Medacco as Business Board members, rather than the Tribal Manager making the request directly to the property.

MOTION TO POSTPONE; by Kleeman supported by Ruiter.

Roll Call #21

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (9-0-0-0)

V. New Business

A. Current Tribal Grants

This is requested information on the current status of Tribal Grants. This is for information only. No action necessary.

B. Vehicle Purchase

The Utilities Department has one vehicle. The 2004 budget has been submitted with line item #5299 for vehicle purchase. Due to the necessary travel for routine daily assignments and travel for training, have had to use personally owned vehicle to accomplish daily assignments.

Stone asked if there are enough funds to cover the purchase, as the CFO has indicated that the tribe is currently operating in the red. McCatty noted that on July 20, 2004, the CFO had indicated to both she and Kleeman that the tribe is still in operating in the red.

The Ogema noted that the money is budgeted, and when money is encumbered, the estimated revenues from the casino come in above or below projections. Ogema noted that there is expected a shortfall in cash flow at certain times of the year. Ogema noted that rather than make request for appropriation for money from the unrestricted funds, the budget is being modified to move unspent money within budgets.

Sam requested a cash flow analysis, noting that there has been enough historical performance of the casino to complete a report, including government spending. Sam noted that even though the budget projections include spending throughout the year, there has not been an analysis completed that includes expenditures.

**MOTION TO POSTPONE PENDING CORRECTION OF THE
RESOLUTION AND CERTIFICATION OF FUNDS AVAILABLE
FROM THE CFO by Kleeman; supported by Ruiter.**

Roll Call #22

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	No	S. Parsons –	No
E. Porter –	No	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (6-3-0-0)

C. Natural Resources Commission Resolution #04-0707-01

The Natural Resource Commission is forwarding Resolution # 04-0707-01 to Tribal Council for information purposes. This Resolution is an Emergency Regulation Adopting 2004 On-Reservation Inland Fishing Regulations, including Tribal Lands And Waters Adjacent Thereto and Flowing Through those Lands. Mitchell informed the Council that the Uniform Conservation Code is near completion with the three tribes, and one modification may include reducing certain offenses from criminal to civil, so that infractions are not held against the member as criminal

charges. Mitchell gave the example that a member that holds a casino license for employment, if cited for a fishing violation that has a criminal charge associated with it, could be in jeopardy of losing the license necessary to stay employed by the Casino.

D. Council Lodge Training: Child Protection Services And Spousal and Elderly Abuse

To approve a contract with Council Lodge Institute to provide above training to staff in Manistee instead of staff traveling to Las Vegas, NV. This will train additional staff at a reduced cost.

**MOTION TO APPROVE RESOLUTION # 04-0721-300,
AUTHORIZING EXECUTION OF AGREEMENT WITH
COUNCIL LODGE INSTITUTE FOR SERVICES RELATING TO
TRAINING ON CHILD PROTECTION SERVICES & SPOUSAL
AND ELDERLY ABUSE;** by Stone; supported by Medahko.

Roll Call #23

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (9-0-0-0)

E. Approval of Budget Modification Amending the the Economic Development budget, Program #1000-148 and Transferring Funds to the Tribal Ogema budget, Program #1000-102 in the amount of \$2,930

This item was removed during approval of the agenda.

F. Approval of Budget Modification Amending the Members Assistance Budget, Program 1000-137 and Transferring Funds to the Tribal Ogema Budget, Program #1000-102 in the amount of \$10,042

This item was removed during approval of the agenda.

G. Approval of Budget Modification Amending the Housing Administration Budget, Program #1000-124 and Transferring Funds to the Tribal Ogema Budget, Program #1000-102 in the amount of \$40,000

This item was removed during approval of the agenda.

**H. Approval of Budget Modification Amending the
Prosecutor Budget, Program #1000-112 and Transferring
Funds to the Tribal Ogema Budget, Program #1000-102
In the amount of \$20,000**

This item was removed during approval of the agenda.

**I. Approval of Budget Modification Amending the
Prevention Network Grant Budget, Program #4326-000,
And Transferring Funds to the General Obligations
Budget, Program #1000-156 in the amount of \$1,708**

The Tribe provided a \$6,600 cash match to the Prevention Network Grant but only incurred \$4,892 in expenses. Tribe is in the process of closing-out the Prevention Network Grant, and has \$1,708 in unused tribal revenue (cash match) that needs to be transferred back into the General Obligations budget, Program #1000-156 – Account #6120, Grant Match.

**MOTION TO APPROVE RESOLUTION # 04-0721-301,
APPROVAL OF BUDGET MODIFICATION AMENDING THE
PREVENTION NETWORK GRANT BUDGET, PROGRAM #4326-
000, AND TRANSFERRING FUNDS TO THE GENERAL
OBLIGATIONS BUDGET, PROGRAM #1000-156 IN THE
AMOUNT OF \$1,708; by Stone; supported by Kleeman.**

Roll Call #24

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (9-0-0-0)

J. GVSU Contract

Contract with Grand Valley State University for river monitoring under the Tribal Wildlife Grant.

**MOTION TO APPROVE RESOLUTION # 04-0721-302,
AUTHORIZING EXECUTION OF AGREEMENT WITH GRAND
VALLEY STATE UNIVERSITY FOR SERVICES RELATING TO
ASSESSMENT OF RIPARIAN HABITAT RESTORATION IN THE
MANISTEE RIVER CORRIDOR UNDER THE TRIBE'S US FISH
& WILDLIFE SERVICE GRANT; by Kleeman; supported by McCatty.**

Roll Call #25

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (9-0-0-0)

K. Election Board – Stipends

Requesting consideration of updated payments for Election Board members prior to any new appointments being made. Last compensation Approved in October 2002. Parsons noted that the currently seated election board terms would expire within this week. Parsons noted that there are no new appointments forthcoming. Parsons noted that there needs to be an election board in place to conduct the upcoming general election, and the current members of the board have requested an increase in the stipend, due to the increased number of meetings and time involved in the service of the board due to other matters that have been handled by the board in the recent months.

Ogema Sprague noted that there were people interested in serving on the board, but once made aware that they would have to run for the position in the general election, and the appointment would be temporary, they expressed that they would rather run for office than be appointed in the temporary capacity.

MOTION TO TABLE UNTIL LATER IN THE MEETING; by McCatty; supported by Porter.

Roll Call #26

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (9-0-0-0)

L. Gaming Commission – Job Descriptions – Organizational Structure

Review and proposed action regarding job description for Gaming Commission support offices.

MOTION TO POSTPONE; by Kleeman; supported by Stone.

Roll Call #27

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (9-0-0-0)

M. Lease for 2004 Ram Dodge 4x4 Extended Cab Pickup

This lease will be grant funded and be used for the Bobcat Program #4119.

Discussion regarding the potential waiver of sovereign immunity ensued. It was noted that the contract modification as executed does not provide a waiver of sovereign immunity. McCatty asked that the Ogema submit to the Tribal Council the original documentation including the completed purchase order request and the purchase agreement.

**MOTION TO APPROVE RESOLUTION # 04-0721-303 ,
RATIFICATION OF CONTRACT WITH WATSON'S MANISTEE
CHRYSLER, INC. AND AUTHORIZATION OF OGEMA TO
ENTER INTO THE CONTRACT TO LEASE A RAM 2500 QUAD
CAB 4 X 4 PICKUP TRUCK FOR THE BOBCAT PROGRAM
#4119 (GRANT FUNDED) AS AMENDED;** by McCatty; supported by
Porter.

Roll Call #28

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	No
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	No	J. Sam –	Yes

Motion carried (7-2-0-0)

N. Voice over IP solution

We have several sites that are not connected to our current phone system. Proposed by MIS as a cost-saving measure. Stone asked if the system can be moved in the event that the Tribal Government changes buildings.

Resolution to be modified to reflect the actual contract amount of \$97,741.74

**MOTION TO APPROVE RESOLUTION # 04-0721-304,
RATIFICATION OF CONTRACT WITH NETCOM FOR THE
PURPOSE OF FUNDING THE PURCHASE OF A PHONE
SYSTEM FOR OFF SITE PROPERTIES AS AMENDED;** by Stone;
supported by Porter.

Roll Call #29

I. Stone – Yes	B. Medacco – Yes	T. Kleeman – No
L. McCatty – Abstain	P. Medahko – No	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – No	J. Sam – Yes

Motion carried (5-3-1-0)

**MOTION TO APPROVE RESOLUTION # 04-0721-305,
SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF
\$97,741.74; by Stone; supported by Porter.**

Roll Call #30

I. Stone – Yes	B. Medacco – Yes	T. Kleeman – No
L. McCatty – No	P. Medahko – No	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – No	J. Sam – Yes

Motion carried (5-4-0-0)

O. Netcom Software Contract

Appropriate funds to pay remainder of contract.

Resolution to be modified to reflect account #2000-403.

Discussion regarding the contract matters ensued. Jo Anne house recommended that the contract discussion take place in closed session due to liability issues involved.

**MOTION TO APPROVE RESOLUTION # 04-0721-306,
SUPPLEMENTAL APPROPRIATIONS FOR INFORMATION
SERVICES DEPARTMENT FOR THE PURPOSE OF FUNDING
THE PURCHASE OF A PHONE SYSTEM FOR OFF SITE
PROPERTIES INSERTING #2000-403; by Kleeman; supported by
Porter.**

Roll Call #31

I. Stone – Yes	B. Medacco – Yes	T. Kleeman – Yes
L. McCatty – Yes	P. Medahko – Abstain	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – Yes	J. Sam - No

Motion carried (7-1-1-0)

**MOTION TO MOVE NETCOM TO CLOSED SESSION AS R-1;
McCatty; supported by Medahko.**

Roll Call #32

I. Stone – Yes	B. Medacco – No	T. Kleeman – No
L. McCatty – Yes	P. Medahko – Yes	S. Parsons – Yes
E. Porter – Abstain	P. Ruiter – No	J. Sam – Abstain

Motion carried (4-3-2-0)

P. LRCR Budget Approval Process – after Transition

TOC is requesting the Tribal Council to approve the attached budgeting and budget approval process for the LRCR. There will need to be changes to the Budget and Appropriations Ordinance.

House reviewed the approval process for the budget approval, noting the decision was made to identify the information is forwarded to the Ogema, for the purpose of identifying the revenues necessary to fund the government budget. The Ogema would make the request by resolution to Council, and then the process is completed at the board level of the casino, and returned back to the government for completion of the government-operating budget. House noted that McCatty raised some issues with the process, and the concerns will be addressed by the amendment language to the Budget and Appropriations Ordinance. McCatty indicated that an estimated revenue projection to the Ogema would be necessary, and it is a step that is not included in the chart proposed.

The Ogema noted that there were substantial matters that are not included in the chart that have been verbalized. The Ogema is not in consensus with the chart.

Sam asked if the Director of Finance in the chart references the Director from the Casino or for the Government. It was noted that the reference to the position means the Finance director from the Casino.

McCatty noted that the purpose of the chart is to approve the concept that will give direction for the legislation changes. House stated that the request is to approve the concept by motion.

MOTION TO APPROVE THE LRCR BUDGET APPROVAL PROCESS; by Kleeman; supported by Medacco.

Roll Call #33

I. Stone – Yes	B. Medacco – Yes	T. Kleeman – Yes
L. McCatty – Yes	P. Medahko – Yes	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – Yes	J. Sam – Yes

Motion carried (9-0-0-0)

Q. Articles of Organization – LRCR Board of Directors

New organizational structure for LRCR Board of Directors. TOC is completing the Board of Director's position descriptions for mailing to membership.

Ogema Sprague noted that he has not been able to have an independent legal review of the document. In article six, Sprague voiced that he sees a problem with the requirements. Sprague voiced that both Stone and Medacco have been excellent Business Board representatives, and noted that the language limits his ability by placing restrictions on the people that he can submit for appointment. Sprague noted that he does not agree with the document, he has not had the time to allow for independent legal review, and believes the document infringes on the Ogema's office, and the constitutional requirements of the office.

McCatty – on page one, item 2c, strike the "s" on those two participates and encourages. On page 6 item 7quorum, strike on the second line, end the line to read a quorum of the board of directors, three, two of which are board members that are members of the little river band. Discussion of the quorum language ensued. House noted that there is a potential that the members of the Board may not have the requisite number of members of the tribe that are seated members on the board. Ogema Sprague noted that his goal would be to have the board be all tribal members. Ogema Sprague commented that there was not a work session on this agenda item, and there are works sessions called for items that in his opinion are of less importance.

McCatty voiced that she does not believe that 7 quorum, is not worded properly. Also under item 10-removal letter b, disenrollment. McCatty asked that the language be clarified to make sense.

Israel Stone agreed with Ogema Sprague that the goal should be to fill the entire board with members, and commented that he believes that there are members that meet those requirements now. Stone noted that this issue has been reviewed during TOC meetings for weeks, and the Ogema has had opportunity to attend those meetings to comment. Stone noted that he believes there are many members that will meet the criteria to sit on the board of directors.

Medahko voiced that she believes the qualifications are too high, noting that we have had difficulty to fill positions in the past, employment positions at casino and government, and the criteria is too high. Medahko noted that citizens have voiced that the qualifications are too high for employment positions, and recommended that experience be lowered to 5 years. Medahko item #10-removal by council, we are empowering the

people but cannot remove for reasons other than the three items listed. Medahko noted that misconduct is not listed, or if they commit felony or committing fraternization, to allow council to remove. Medahko noted that letter b under that section is not clear. House noted that experience requirements were set following lengthily discussions at the TOC meetings. House reviewed the removal provisions, noting that item 10 looks short, but the provisions that Medahko is concerned about is included in the document. Medahko asked about the resolution that establishes compensation. House noted that the compensation is intended to off set the amount of time due to initial workload that is expected to be heavy during the first period of operation, and the reduction is to the normal compensation.

Rick Sprague asked who is the Transition Oversight Committee. Parsons responded, the Ogema, Brian Medacco, Israel Stone, Elaine Porter, and Steve Parsons. Additional participants include Jim LaPorte, and Flint Richards. Parsons noted that the only voting members acted officially on the committee. Rick Sprague voiced that he did not support creating a board that was composed of non-tribal members with a majority. Parsons indicated that the board is a 5-member board and three of the board members must be tribal members, so the majority will always be members of Little River Band. Rick Sprague voiced support for members to be involved at every level. Stone noted that the board is 7 members in total, 2 of which are ex-officio being the Ogema and General Manager, 5 members have a vote, and two the two others are also there.

Parsons noted that the structure of the board is set to allow members that do not reside here to serve on the board, by the stipends and expense reimbursements.

Ruiter commented that lowering the qualifications puts tribal members down. She doesn't think anything should be lowered just because of being tribal members, and members will meet the qualifications. She voiced that she wants qualifications to stay as is, because there is tribal members that will meet the qualifications.

MOTION TO APPROVE RESOLUTION # 04-0721-307, AS SUBMITTED; by Kleeman; supported by McCatty.

Roll Call #34

I. Stone – Yes	B. Medacco – Yes	T. Kleeman – Yes
L. McCatty – Yes	P. Medahko – No	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – Yes	J. Sam – No

Motion carried (7-2-0-0)

R. Approval of Expenditure by Veterans Warrior Society

Medacco voiced that the expenditure is for 15 uniforms to be worn during ceremony or other official representation on behalf of the Society.

**MOTION TO APPROVE RESOLUTION # 04-0721-308,
APPROVAL OF EXPENDITURE BY VETERANS WARRIOR
SOCIETY FOR COLOR GUARD UNIFORMS IN THE AMOUNT
OF \$7,474.50; by Kleeman; supported by Stone.**

Roll Call #35

I. Stone – Yes	B. Medacco – Yes	T. Kleeman – Yes
L. McCatty – Yes	P. Medahko – Yes	S. Parsons – Yes
E. Porter – Yes	P. Ruiter – Yes	J. Sam – Yes

Motion carried (9-0-0-0)

Presentation was made by Medahko to Al Medacco of Red Tail Hawk feather, tobacco and sage in thanks for making the arrow, and noted that the arrowhead was hand crafted by Medacco.

VI. Concluding Business

- A. Next Meeting Date(s) – July 28, 2004**
- B. Public Comment Period**

Rick Sprague voiced that he was glad to hear about the transition process for assuming the management of the casino. Rick Sprague commented that a seamless transition must be put forward on all issues, to establish a unified front. Rick Sprague commented that council is too adversarial amongst themselves, and voiced that he believes votes are made due to personal matters rather than based on the merits of the agenda items.

Steve Jobs commented that there are many members that don't meet minimum requirements for the positions at the casino. He believes he faithfully represents the tribe, and he has been working to improve himself on the property. Jobs noted that he has been working in a casino since he was 21 years old, and probably won't meet minimum requirements for some positions. Jobs noted that people are being intimidated and quitting, and jobs noted that he feels that he is being forced out the door. He noted that he has not had his review, and he has been on property for one year. Jobs recommended that the tribe provide incentives for members to pursue their educations. Jobs voiced that he believes that there should be someone more involved in the casino issues, and asked Council to either get involved, or create another position similar to the tribal liaison position that used to be on property.

Rick Sprague commented that he believes that we need to hold to tribal preference, and we need to protect people, there is a corporate culture that came into existence because the Tribe did not have control over the enterprise. Rick Sprague noted that tribal preference means hiring tribal members.

Medahko voiced that there are three members sitting on tribal council right now that were subjected to the types of environment that is being discussed during this meeting. Medahko voiced that she doesn't believe that there is recourse for our people. Medahko voiced that she believes that there is a clique at the casino, and believes that things need to be made right for our people. Medahko noted that she is not forgetting what it is like for members at the casino. Medahko noted that you are a constituent that put us in office, and you are still a tribal citizen, and it is your right to say something to me. Medahko noted that the Indian way is to look out for one another, and we don't have to follow the dominate culture, and we can do things differently to get our people in positions that they need to be in.

Jobs voiced that he wishes that there could be an on the job training program instituted in the casino.

Ruiter noted that no one ever gets something for nothing. Ruiter voiced that it takes years to get established, and that members should pursue educations and other steps to move up in the organization.

Rick Sprague reiterated that tribal preference needs to be pushed forward. Rick Sprague voiced that there are standards being prescribed by Council that council members themselves could not even meet to be employed. Rick Sprague voiced that he believes that tribal members are being left out in the cold.

Joan Spalding voiced that she believes that there is a big problem in the application of tribal preference. Members are being passed over for others that do not have the qualification level either. Spalding voiced that Tribal Council needs to address the issue, and stated that tribal members are being turned away from positions of authority and leadership. Spalding requested that Council conduct an audit of hiring. Spalding noted that the enterprise is for the self-sufficiency of our people. The only body that can do anything about it is the Tribal Council. Spalding also noted that college education requirements for the gaming industry is not necessarily compatible, and noted that sometimes college degree requirements may not meet the training specifics necessary for gaming industry positions. People that held those positions in the past did not have the qualifications listed.

Stone voiced that people need to work toward career progress. Stone commented on Rick Sprague's comments about council members voting for personal reasons and noted that he votes his heart what he believes is best for the people.

Al Medacco voiced that personal feelings are being brought out, and he knows that there are tribal members that he wouldn't work for. Al Medacco noted that there are members out at the casino that are holding back tribal members. Al Medacco voiced that the casino is for the purpose of making money for us, and he wouldn't hire a person just because they are tribal members, they must be qualified for the position.

Rick Sprague restated his position about tribal preference.

Speaker Parsons stated 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 Sam.

Roll Call #36

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Yes	J. Sam –	Yes

Motion carried (9-0-0-0)

This portion of Open Session was adjourned at 2:52 p.m.

MOTION TO GO INTO SECOND OPEN SESSION; by Stone; supported by Medahko.

Roll Call #37

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Absent	J. Sam –	Yes

Motion carried (8-0-0-1)

MOTION TO OPEN PROPERTY TAX DISPUTE LETTER AND RESOLUTION #04-0721-309, MOTION & ROLL CALL VOTES; by Kleeman; supported by Stone.

Roll Call #38

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Absent	J. Sam –	Yes

Motion carried (8-0-0-1)

MOTION TO APPROVE RESOLUTION # 04-0721-310, ELECTION BOARD MILEAGE REIMBURSEMENT SUBMITTED ON APPROPRIATE MILEAGE REIMBURSEMENT FORMS; by Kleeman; supported by Sam.

Roll Call #39

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	No	P. Medahko –	Abstain	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Absent	J. Sam –	Yes

Motion carried (6-1-1-1)

MOTION TO ADJOURN; by Stone; supported by Kleeman.

Roll Call #40

I. Stone –	Yes	B. Medacco –	Yes	T. Kleeman –	Yes
L. McCatty –	Yes	P. Medahko –	Yes	S. Parsons –	Yes
E. Porter –	Yes	P. Ruiter –	Absent	J. Sam –	Yes

Motion carried (8-0-0-1)

The meeting was adjourned at 8:30 p.m.

Respectfully Submitted,



Mary Bower
Transcribing Assistant



Kathleen Block
Transcribing Assistant



Janine M. Sam
Tribal Council Recorder