



Approved 4/27/22

**LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COUNCIL  
EMERGENCY MEETING  
FRIDAY, MARCH 11, 2022  
LITTLE RIVER BAND  
VIA ZOOM  
GOVERNMENT CENTER**

**EMERGENCY OPEN  
SESSION MINUTES**

The Little River Band of Ottawa Indians held an Emergency Meeting at the Little River Band Government Center on March 11, 2022. Following are the minutes of that meeting.

Acting Speaker Johnson: uh so good afternoon, everyone we are here um on March 11, 2021, at oh my gosh 2022 at 1pm uh for an emergency meeting um

Acting Recorder DiPiazza: Next order of business would be.

Acting Speaker Johnson: um, so we will call this meeting to order.

**I. Call to Order**

Um and we do have just want to make a note and let everyone aware that um our Speaker Julie she is currently still not feeling well enough. uh so she is out so we will have to do a uh pro temp recorder um for today so Council any suggestions? any volunteers?

Acting Recorder DiPiazza: anybody gonna volunteer?

Acting Speaker Johnson: volunteers anybody?

Councilor Guenthardt: looks like it's you Gary.

I'll nominate.....I'll nominate Gary.

Acting Speaker Johnson: Do I have support for Gary to be recorded for this

Acting Recorder DiPiazza: it's a resolution

Acting Speaker Johnson: oh yeah, I'm sorry Tom I need a resolution can you give him

Acting Recorder DiPiazza: 039.

Councilor Guenthardt: I'll make a motion of that resolution 03/ 09 is today the 9<sup>th</sup> or the 10<sup>th</sup>?

Acting Speaker Johnson: Todays the 11<sup>th</sup>

Councilor Guenthardt:

**MOTION TO APPROVE RESOLUTION #22-0311-039 FOR MAKING  
GARY SPEAKER PRO TEMP FOR THE DAY; By Guenthardt.**

Acting Recorder and Acting Speaker: Recorder.

Councilor Guenthardt: Recorder, Recorder, Recorder sorry Recorder

Councilor Lewis: I support that

**MOTION TO APPROVE RESOLUTION #22-0311-039 FOR MAKING  
GARY RECORDER PRO TEMP FOR THE DAY; By Guenthardt; supported  
by Lewis.**

Councilor Guenthardt: I'm trying to drive you know

Acting Recorder: Well, pull over

Councilor Guenthardt: Oh, hell no I'm going down the expressway for Christ's sake

Acting Speaker Johnson: language please

Councilor Guenthardt: okay I'm sorry. I apologize

Acting Speaker Johnson: any discussion on the motion council? Roll call please

Acting Recorder DiPiazza:

**Roll Call #1**

T. Guenthardt – Yes	C. Champagne – No	S. Wever -	Yes
G. DiPiazza - Yes	P. Johnson -	Yes	
R. Wittenberg- Yes	J. Wolfe -	Absent	S. Lewis - Yes

Motion carried (6-1-0-1)

Then why didn't you do it?

Acting Speaker Johnson: Stop it.

Acting Recorder DiPiazza: one two three four five six in favor one against and one absent  
uh resolution 22-0311-039 is passed

Acting Speaker Johnson: okay um.

Acting Recorder DiPiazza: guess who's doing it next time

Acting Speaker Johnson: Stop it

Sara Agosa: Excuse me I had a question. I had a question about the motion. Is the public able to ask questions?

Acting Recorder DiPiazza: Not right now we can only discuss what's on the agenda

Sara Agosa: Well, that was my question why is another recorder pro temp being selected right now? and who is the Speaker?

Acting Speaker Johnson: um, you missed that when uh when you were coming in and...

Sara Agosa: okay

Acting Speaker Johnson: our current speaker uh Julie is out ill for today still so, with this emergency meeting that would as things go recorder gets bumped up to Speaker, so I am the temporary Speaker for this. So, we had to do a pro temp recorder for this meeting. Okay. Oh

Sara Agosa: thank you

Acting Recorder DiPiazza: sorry

Acting Speaker Johnson: okay moving on to uh.

## **II. Roll Call**

Acting Recorder DiPiazza: Roll call

Acting Speaker Johnson: Please do

T. Guenthardt - Present	C. Champagne -Present	P. Johnson -	Absent
G. DiPiazza - Present	S. Wever -	Present	
R. Wittenberg- Present	J. Wolfe -	Absent	S. Lewis - Present

Quorum established.

Acting Recorder Di Piazza said one, two, three, four, five, six, seven, yeah, seven are present one is absent we have a quorum at 1:06 p.m.

## **III. Open Session**

Acting Speaker Johnson: moving on the uh next topic it is

### **A. Resolution Authorizing Little River Band of Ottawa Indians as Signatory**

**of Brief of Amicus Curiae in Support of Enbridge v. Whitmer Defendants'  
Opposition to Plaintiffs' Motion for Summary Judgment.**

Um so, um explanation. Go ahead Elise

Attorney McGowan- Cuellar: yes, thank you. Thank you so I appreciate everyone um coming to this meeting this afternoon and calling this emergency meeting. We received notice yesterday afternoon that uh Bay Mills along with Little Traverse and hopefully more additional tribes will be signing on to an amicus brief um objecting to Enbridge's motion for summary judgment against governor Whitmer in the line five litigation. Um this amicus brief was drafted by the team at Earth Justice on behalf of the Bay Mills Indian community in the uh. I apologize I'm trying not to cough um this is uh this is an emergency meeting because they need a response by the tribes before Monday so or sorry Sunday so being that this is the last business day prior to their need I put it on for emergency requests if there's any questions, please let me know

Councilor Wittenberg and Acting Recorder DiPiazza: yes, No go ahead

Councilor Wittenberg: Elise if you uh how many uh nations are uh getting on this if you and if you could uh what do we got 12 uh nations here uh representing the state of Michigan and how many did you uh that you know of are getting in on this I would seem to think all 12 would unanimously you know get on it but just curious

Attorney McGowan- Cuellar: yeah, absolutely, so as of last night, when we got the email, we knew that Little Traverse was on board and Bay Mills is on board so Little River is unique because to do amicus briefs um and to sign on we have resolutions of support by tribal council. Other nations have other procedures on how they approve that. So as of now we knew the two that didn't have to take it to their tribal councils our Bay Mills and Little Traverse and then hopefully you are correct that everyone will sign on um this is uh a very important topic and everyone has always expressed concern regarding line five so it should be by the end of it more than just the three of us. I will keep and I will file with um Grace the final amicus briefs that is filed and then I will give you guys an update prior to Wednesday's meeting on who signs on

Acting Speaker Johnson: thank you uh Gary you're next

Acting Recorder DiPiazza: yeah, you Ron asked that question, but you said it needs it it needs to be in by Sunday night or Sunday

Attorney McGowan- Cuellar: yeah, that's what they're requesting due to the uh nature of our court rules a brief has to be filed within a certain amount of time before the court so that the court will review them this is in federal court and so, I received that information from Earth Justice and that is why we're moving forward

Acting Recorder DiPiazza: okay Miigwech

Attorney McGowan- Cuellar: Miigwech

Acting Speaker Johnson: um any other questions uh from council? any other questions from citizens? will anybody abstain? And would anybody like to mo make a motion?  
Gary

Acting Recorder DiPiazza: its 040

Councilor Wittenberg: uh if there's no other questions, I'd like to make a

**MOTION TO APPROVE RESOLUTION #22-0311-040; RESOLUTION AUTHORIZING LITTLE RIVER BAND OF OTTAWA INDIANS AS SIGNATORY OF BRIEF OF AMICUS CURIAE IN SUPPORT OF ENBRIDGE V. WHITMER DEFENDANTS' OPPOSITION TO PLAINTIFFS MOTION FOR SUMMARY JUDGEMENT;** by DiPiazza; supported by Wittenberg.

Acting Recorder DiPiazza: Support

Acting Speaker Johnson: okay so we have a motion by Ron support by Gary. Any diss last minute discussion by council? roll call please

**Roll Call #2**

T. Guenthardt – Yes	C. Champagne – Yes	S. Wever -	Yes
G. DiPiazza - Yes	P. Johnson - Yes		
R. Wittenberg- Yes	J. Wolfe - Absent	S. Lewis -	Yes

Motion carried (7-0-0-1)

Acting Recorder Di Piazza said seven in favor and one is absent Resolution #22-0311-040 has passed.

Acting Speaker Johnson: thank you

Attorney McGowan- Cuellar: Miigwech

Acting Speaker Johnson: only thing left to do is adjourn.

**IV. Adjourn**

Acting Recorder DiPiazza said I'll make a motion.

**MOTION TO ADJOURN THIS CLOSED SESSION OR EMERGENCY OPEN MEETING;** By DiPiazza; support by Wittenberg.

Acting Speaker Johnson: okay so we have motion from Gary support by Ron. Council any discussion? Motion please or roll call please

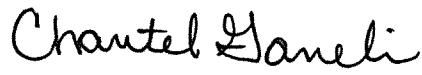
**Roll Call #3**


T. Guenthardt – Yes	C. Champagne – Yes	S. Wever -	Yes
G. DiPiazza -	Yes	P. Johnson -	Yes
R. Wittenberg-	Yes	J. Wolfe -	Absent
S. Lewis -	Yes		

Motion carried (7-0-0-1)

Acting Recorder Di Piazza said seven in favor and one is absent we've adjourned this uh, Emergency Open Session Meeting at 1:14.

Respectfully Submitted,

  
Chantel Gamelin,  
Transcribing Assistant

  
Gary DiPiazza,  
Acting Tribal Council Recorder