



Approved 8/3/22

**LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COUNCIL  
REGULAR MEETING  
WEDNESDAY, MARCH 16, 2022  
LITTLE RIVER BAND  
VIA ZOOM  
GOVERNMENT CENTER**

**OPEN SESSION  
MINUTES**

The Little River Band of Ottawa Indians held a meeting at the Little River Band Government Center on March 16, 2022. Following are the minutes of that meeting.

Speaker Wolfe said good morning everyone they are here for Wednesday, March 16<sup>th</sup> at 10:00 regularly scheduled Tribal Council Meeting. Wolfe said first she will go over the List of Participants to ensure that everyone that is on attendance online is eligible to be here. Wolfe said when she calls their user name please....when she calls their user handler please identify their name and their Tribal I.D. number and if they are Tribal Staff. Wolfe said Vicki.

Ron Pete said #4158.

Speaker Wolfe said okay, then she has phone number 231 215-2739.

Karen Love said #2494.

Speaker Wolfe said 231 398-6837.

Brad Pringle said his name and Comptroller General. Pringle thanked them.

Speaker Wolfe said #5274, Rebecca Groh. Wolfe asked Rebecca if she was able to hear or respond. Wolfe said last call for #5274 Rebecca Groh. Wolfe said seeing no response Recorder please escort them to the Waiting Room. Wolfe said then they have Al Metzger.

Al Metzger said #0890, Tribal member.

Speaker Wolfe said Chantel Gamelin.

Chantel Gamelin said staff.

Speaker Wolfe said Chelsea Densmore.

Chelsea Densmore said #3225.

Speaker Wolfe said Cindy Champagne.

Councilor Champagne said Tribal Council.

Speaker Wolfe said Connie Waitner.

Connie Waitner said #0022.

Speaker Wolfe said Christina Eckor.....Eckhoff.

Christina Eckhoff said yes, hi, she is a Community member she is not a Tribal member. Eckhoff said she didn't realize this is only for Tribal members. Eckhoff said she would love to attend but if she needs to step out she is happy....she is happy to do that.

Speaker Wolfe said yeah, they would please ask her to leave it is only open to Tribal members.

Christina Eckhoff said okay. Eckhoff thanked them will do. *Christina Eckhoff left the meeting at 10:05 a.m.*

Speaker Wolfe said Grace Hendler or G. Hendler. Wolfe said okay, her audio is not coming through.

Grace Hendler said her name and Staff member.

Speaker Wolfe said okay. Wolfe thanked her. Wolfe said Gary Lewis.

Gary Lewis said Utility Director.

Speaker Wolfe said Laura Echelbarger.

Laura Echelbarger said #2276.

Speaker Wolfe said Martha Howell.

Martha Howell said #3635.

Speaker Wolfe said Sandra Lewis.

Councilor Lewis said Tribal Council.

Speaker Wolfe said Sandy M.

Sandy Mezeske said #0018.

Speaker Wolfe said Sara Agosa.

Sara Agosa said #4478.

Speaker Wolfe said Santana Acker.

Santana Acker said hey, how is it going. Acker asked can they hear him.

Speaker Wolfe said yes.

Santana Acker said #4221.

Speaker Wolfe thanked him. Wolfe said Staci Cheney.

Staci Cheney said #0992.

Speaker Wolfe said Val M.

*Valerie Mc Donnell made a comment but it could not be heard clearly what she said on the ZOOM recording.*

Speaker Wolfe said that didn't come across clearly can she please repeat.

Val Mc Donnell said #4340.

Speaker Wolfe thanked her.

Val Mc Donnell said Tribal I.D.

Speaker Wolfe said Valerie Chandler.

Valerie Chandler said Tax Officer and Tribal member #0236.

Speaker Wolfe said Venus Wilson.

Venus Wilson-Torres said staff and Tribal member.

Speaker Wolfe asked is that everybody on the list. Wolfe said okay, phone number 231 233-3255.

Samantha Shoup said #3989.

Speaker Wolfe thanked her. Wolfe said 231 299-7355. Wolfe said phone number 231 299-7355 please identify themselves for the record. Wolfe said last call for phone number 231 299-7355 please identify themselves for the record. Wolfe asked did they drop off. Wolfe said okay, in going through that list it appears that

everyone that is on as Participants is eligible to participate. Wolfe said please mute their phone if they are calling in by phone and have not done so. Wolfe said in the audience they do have Comptroller, Steve Wheeler and Binojeeuk Commissioner, Corey Wells. Wolfe said just for those that cannot see them at this time. Wolfe said um, moving on that moves them to Item I.

## **I. Opening Prayer**

Speaker Wolfe said please take a moment of silence.

## **II. General Business**

### **A. Call to Order**

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

### **B. Roll Call**

Speaker Wolfe said Councilor Johnson please do a roll call.

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

Quorum established.

Acting Recorder Johnson said seven present and one absent quorum established.

Speaker Wolfe thanked her.

### **C. Approval of Agenda**

Speaker Wolfe said she will entertain a motion to approve the agenda. Wolfe said Councilor Di Piazza.

Councilor Di Piazza said he will make a motion.

**MOTION TO APPROVE THE AGENDA WITH THE FOLLOWING CORRECTIONS; UNDER III A, MOVED FROM CLOSED, RATIFICATION OF AGREEMENT TO CONTRACT WITH DENNIS GARTLAND, UNDER VIII NEW BUSINESS A IS POSTPONED, UNDER CLOSED X A IS AN ADD, BIG FIRE 1 P.M, UNDER BIDS & CONTRACTS, C.1 IS REVISED, CONTRACT APPROVAL FOR JWC AND C.2 IS MOVED TO OPEN, D.5 HAS BEEN REMOVED; by Di Piazza.**

Speaker Wolfe asked does she have support on the motion.

**MOTION TO APPROVE THE AGENDA WITH THE FOLLOWING CORRECTIONS; UNDER III A, MOVED FROM CLOSED, RATIFICATION OF AGREEMENT TO CONTRACT WITH DENNIS GARTLAND, UNDER VIII NEW BUSINESS A IS POSTPONED, UNDER CLOSED X A IS AN ADD, BIG FIRE 1 P.M, UNDER BIDS & CONTRACTS, C.1 IS REVISED, CONTRACT APPROVAL FOR JWC AND C.2 IS MOVED TO OPEN, D.5 HAS BEEN REMOVED;** by Di Piazza; supported by Wever.

Speaker Wolfe asked is there any discussion on the approval of the agenda. Wolfe said seeing none Pam please do a roll call.

**Roll Call #1**

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

Motion carried (7-0-0-1)

Acting Recorder Johnson said seven in favor and one absent.

**D. Tribal Council Minutes     ☐ 03/03/22 Emergency**

Speaker Wolfe asked any abstentions on the item.

Councilor Lewis said she will make a motion.

**MOTION TO ACCEPT TRIBAL COUNCIL MINUTES FOR 3/3/22 EMERGENCY;** by Lewis; supported by Wittenberg.

Speaker Wolfe asked is any discussions from Tribal Council or Tribal members. Wolfe said seeing none Pam please do a roll call.

**Roll Call #2**

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

Motion carried (7-0-0-1)

Acting Recorder Johnson said seven in favor and one absent motion is passed. Johnson said um, housekeeping they do have a Zoom User waiting to be let in.

Speaker Wolfe said thanks. Wolfe said she can admit them and she will check and see if they're.... Wolfe said so they just had a new Participant that was joined to the meeting. Wolfe said Zoom User can they please identify themselves for the

record. Wolfe repeated Zoom User please identify themselves for the record. Wolfe said it doesn't appear that they have audio. Wolfe asked can they turn on their camera.

Jenea Shaw said #4641.

Speaker Wolfe said okay. Wolfe thanked her.

Jenea Shaw said she is welcome.

### **III. Continuing Business**

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

##### **1. Ratification of Amendment to Contract with Dennis, Gartland & Niergarth**

Additional fees and time is needed to complete the 2020 Financial Audit.

Speaker Wolfe said this is being brought forward by the Tribal Ogema with designee Steve Wheeler. Wolfe said she sees him at the podium. Wolfe said she will let him give them an overview of the item.

Steve Wheeler, Tribal CFO, represented this agenda item. Wheeler thanked her. Wheeler said good morning. Wheeler said um, as mentioned in the work session and the Agenda Review. Wheeler said it is a ratification of an amendment to their contract with Dennis, Gartland & Niergarth they are their Auditors that perform their Annual Audit. Wheeler said they are under contract for the years....Audit Years 2020, 2021 and 2022. Wheeler said um, they communicated with them a few months ago and they want to um, amend their contract price by \$9,000 um, due to um, it is taking longer to complete this audit. Wheeler said um, there was an automatic extension by the Department of Interior normally their audit would be filed September 30<sup>th</sup> this is for the 2020 Audit. Wheeler said that was extended automatically to March 31<sup>st</sup> because of the ah, they know, the Pandemic situation in the world. Wheeler said it is taking them longer to get all the information together and to them and longer for them to do it. Wheeler said um, um, some of the items that needed more time were due to funding received by the CARES Act and some of the delays resulted in the turnover replacement of the Controller in the Finance Department Staff so. Wheeler said um, he is happy to say though as of today the Auditors have all they need um, they are completed with their information for 2020. Wheeler said they have had that for a few weeks um, they should be receiving reports hopefully by the end of this week. Wheeler said um, they have already reviewed um, the preliminary draft Financial Statements and tied it to their General Ledger so a lot of the hard work is done they are just waiting for the report to come back....to come back to them so they can get it in front of Council and file it with the Federal Clearing House by March 31<sup>st</sup> which is their due date. Wheeler said so this is a ratification or a....yeah, a ratification

of the amendment to the 2020 Audit Contract only. Wheeler said like he said it is \$9,000.

Speaker Wolfe asked does that conclude his presentation.

Steve Wheeler thanked them.

Speaker Wolfe said okay, she will ask for any abstentions from Tribal Council on this item. Wolfe repeated any abstentions from Tribal Council on this item. Wolfe said seeing none she will open it for discussion with Tribal Council. Wolfe asked is there any comments for Tribal Council on this item. Wolfe said Councilor Champagne she has the floor.

Councilor Champagne said yes, Steve, question for him. Champagne said he said they had a contract with them now they want \$9,000 more. Champagne said in the contract was it for a particular job that they were contracting for the amount. Champagne said was it a dollar amount that they were contracting for hour service, Champagne said she guessed she doesn't understand if he has a signed contract how they are coming back and asking for more money.

Steve Wheeler said okay, so the.....yeah, the original contract for the 2020 Audit was \$38,500. Wheeler said it was in that original contract if there were any.....if there is more time needed or any delays experienced that they could come forward for an amendment to that agreement and that is what this represents.

*At 10:18 a.m. Speaker Wolfe left her seat to close the door to Council's Chambers.*

Councilor Champagne asked was it Little River that was asking for a delay or was it the contracted himself asking for the delay.

Steve Wheeler said it was primarily on their side like he said they experienced some delays in the replacement of the Controller position and getting some of the information for the CARES Act together for them to properly produce the audit and they did have the automatic extension which led to more time to get this together but it is taking them more time too. Wheeler said they originally performed the field work back in May and June of 2021 and having to come back and revisit it. Wheeler said so that's why. Wheeler thanked them.

Councilor Champagne thanked Steve.

Speaker Wolfe asked does she have additional comments or questions Cindy. Wolfe said seeing none it is still open for discussion with Tribal Council. Wolfe said seeing none she will open it up for questions or discussions from Tribal members. Wolfe said seeing one in the queue, Sara Agosa, she has the floor.

Sara Agosa, Tribal #4478, said her question is why this company is auditing 2020 and not 2021. Agosa said if they are given additional funding and time when is it expected this audit will be completed. Agosa thanked them.

Steve Wheeler said okay, so yeah, they are auditing 2020 Audit that they need to finish. Wheeler said they have a three year contract to also audit 2021 and 2022. Wheeler said 2021 Audit will start basically when this one is finished and they receive the report and submitted to the Federal Clearing House so they expect to receive the final report like he said either later this week or next week regardless the final report will be filed with the Federal Clearing House by March 31<sup>st</sup> that is the date that is required for the extension it was automatically granted by the Department of Interior. Wheeler thanked them.

Speaker Wolfe said okay, thanks for his response. Wolfe asked any further questions or discussions from Tribal members. Wolfe said okay, seeing none she will entertain a motion on this item.

*Sara Agosa and Councilor Lewis spoke at the same time but their comments could be heard on the ZOOM recording.*

Councilor Lewis said she would like to make a motion.

Sara Agosa said she had an additional question.

Councilor Lewis asked does she make the motion or wait for the question.

Speaker Wolfe said go ahead and make the motion.

**MOTION TO APPROVE RESOLUTION #22-0316-041;  
RATIFICATION OF AMENDMENT TO CONTRACT WITH  
DENNIS, GARTLAND & NIERGARTH;** by Lewis; supported by  
Wittenberg.

Speaker Wolfe said Councilor Di Piazza go ahead.

Councilor Di Piazza said Ron, Shirley if they are going to speak they got to hit the button....*the rest of his comment was not picked up clearly on the ZOOM recording.*

Councilor Wever said she thinks hers is on.

Councilor Di Piazza said oh, okay.

Councilor Wever said she really don't need one but.....*started laughing here.*

Councilor Wittenberg said hello.



Councilor Lewis said they can hear him.

Councilor Di Piazza said they weren't picking up very well.

Councilor Wever said oh.

Councilor Wittenberg said he doesn't have it on. Wittenberg said probably closer to um, his gibs.

Councilor Wever said she can speak up.

Councilor Lewis said yeah, they can hear everyone.

Councilor Wittenberg asked can they hear him now.

Councilor Lewis said yeah.

Councilor Wever said yes.

Councilor Wittenberg said okay. Wittenberg said he supports.

*Councilor Wever was heard laughing in the background on the ZOOM recording.*

Speaker Wolfe asked Sara Agosa if she had an additional question.

Sara Agosa said yes, her question is if 2021 still needs to be done will there be additional fees for this audit too.

Steve Wheeler said they don't foresee there being any additional fees for the 2021 Audit completion. Wheeler said um, they have already started on some of that information already and they have a Controller that is basically trained up already and ready, they know, go forth and get all that information together along with himself and the staff so he doesn't foresee that happening, Wheeler thanked them.

Speaker Wolfe asked any additional comments or discussion. Wolfe said please do a roll call Pam.

### **Roll Call #3**

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

Motion carried (7-0-0-1)

Acting Recorder Johnson said seven in favor and one absent motion is passed.

Speaker Wolfe thanked them. Wolfe said they do have one person in the Waiting Room and they will take time to admit them and make sure they are eligible to be here. Wolfe asked what is the phone number now. Wolfe said phone number 231 329-1568 please identify themselves for the record.

Shawnna Gonzalez said Tribal member #4700.

Speaker Wolfe said she couldn't understand her can she please repeat.

Shawnna Gonzalez said #4700.

Speaker Wolfe thanked her.

**B. Budget Modifications**

Speaker Wolfe noted there are none.

**C. Approval of Budgeted Expenditure**

Speaker Wolfe said again, there is none.

**IV. Acceptance of Reports**

**A. Report of the Tribal Ogema**

- 1. Operations Report** ☐ **None Submitted**
- 2. Financial Report** ☐ **December 2021**

Speaker Wolfe said Operations Report there is none submitted. Wolfe said A.2 Financial Report for December 2021. Wolfe asked are there going to be any Tribal Council abstentions on the item. Wolfe said she will open the item for discussion for Tribal Council. Wolfe said seeing none it is open for discussion or questions from Tribal members. Wolfe said again seeing no one in the queue she can entertain a motion on the item.

Councilor Lewis said she will make a motion,

**MOTION FOR ACCEPTANCE OF THE FINANCIAL REPORT  
FOR DECEMBER 2021; by Lewis; supported by Wittenberg.**

Speaker Wolfe asked any follow-up discussion or comments. Wolfe said seeing none Pam please do a roll call.

**Roll Call #4**

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

Motion carried (7-0-0-1)

Acting Recorder Johnson said seven in favor and one absent motion is passed.

**V. Acceptance of Commission Reports**

**A. Binojeeuk Commission**

☐ February 2022

Speaker Wolfe asked any abstentions on the item. Wolfe said seeing none she will open it up for discussion with Tribal Council. Wolfe said seeing none she will open it up for discussion for Tribal members. Wolfe said seeing or hearing none she will ask for a motion on the item. Councilor Di.....

Councilor Lewis said she will make a motion.

**MOTION TO APPROVE BINOJEEUK COMMISSION REPORT  
FOR FEBRUARY 2022; by Lewis.**

Speaker Wolfe asked do they have support on the item.

**MOTION TO APPROVE BINOJEEUK COMMISSION REPORT  
FOR FEBRUARY 2022; by Lewis; supported by Di Piazza.**

Speaker Wolfe asked any additional comments or questions at this point. Wolfe said seeing none Pam please do a roll call.

**Roll Call #5**

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

Motion carried (7-0-0-1)

Acting Recorder Johnson said seven in favor and one absent its passed.

Speaker Wolfe said okay, just housekeeping if they are participating by phone please mute their phones at this time.

**B. Enrollment Commission**

☐ None Submitted

Speaker Wolfe noted none are submitted.

**C. Gaming Commission**

☐ February 2022

Speaker Wolfe asked are there any abstentions on the item. Wolfe said seeing none it is open for discussion by Tribal Council. Wolfe said seeing none it is open for discussion for Tribal Council and Tribal members. Wolfe said again, seeing nothing....none she will call for a motion on the item.

Acting Recorder Johnson said she will make a motion.

**MOTION TO ACCEPT THE ENROLLMENT COMMISSION.....**

Acting Recorder Johnson corrected her motion:

**MOTION TO ACCEPT THE GAMING COMMISSION REPORT  
FOR FEBRUARY 2022; by Johnson.**

Speaker Wolfe asked do they have support on the motion.

**MOTION TO ACCEPT THE GAMING COMMISSION REPORT  
FOR FEBRUARY 2022; by Johnson; supported by Wever.**

Speaker Wolfe asked any follow-up discussion on that. Wolfe said seeing none Pam please do a roll call.

**Roll Call #6**

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

Motion carried (7-0-0-1)

Acting Recorder Johnson said motion.....seven yes and one absent motion is passed.

**D. Health Commission**

**☐ December 2021**

Speaker Wolfe asked any abstentions from Tribal Council on that. Wolfe said seeing none that moves them onto open discussion from Tribal Council. Wolfe said seeing none open discussion for Tribal Council and Tribal members. Wolfe said and seeing no one in the queue she will entertain a motion on the item.

Councilor Lewis said she will make a motion.

**MOTION TO ACCEPT THE HEALTH COMMISSION REPORT  
FOR DECEMBER 2021; by Lewis.**

Speaker Wolfe asked do they have support on the item.

**MOTION TO ACCEPT THE HEALTH COMMISSION REPORT  
FOR DECEMBER 2021;** by Lewis; supported by Johnson.

Speaker Wolfe asked any additional comments or discussion on the item. Wolfe said seeing none Pam please do a roll call.

**Roll Call #7**

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

Motion carried (7-0-0-1)

Acting Recorder Johnson said seven for, one absent motion is passed.

**E. Housing Commission**

☐ **February 2022**

Speaker Wolfe asked any abstentions from Tribal Council. Wolfe said seeing none she will open it for discussion before Tribal Council. Wolfe said seeing none she will open it for discussion for Tribal members. Wolfe said again, seeing none she will ask for a motion on the item.

Councilor Lewis said she will make a motion,

**MOTION TO ACCEPT THE HOUSING COMMISSION REPORT  
FOR FEBRUARY 2022;** by Lewis; supported by Johnson.

Speaker Wolfe asked any follow-up comments or discussions. Wolfe said seeing none Pam please do a roll call.

**Roll Call #8**

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

Motion carried (7-0-0-1)

Acting Recorder Johnson said seven in favor, one absent its passed.

Speaker Wolfe said then they do have a new guest that just arrived in the Waiting Room. Wolfe said they will admit them and have them verify themselves for the record. Wolfe said Galaxy A32 5G please identify themselves for the record. Wolfe said user Galaxy A32 5G please identify themselves for the record.

Robert Mc Caslin said #0748.

Speaker Wolfe thanked him. Wolfe said they are on Section V, Acceptance of Commission Reports F.

**F. Natural Resource Commission      ☐ None Submitted**

Speaker Wolfe noted none are submitted.

**VI. Acceptance of Committee Minutes and Other Entities**

**A. Little River Casino Resort Preference Report      ☐ None Submitted**

**B. Biskaabiiyang Committee      ☐ None Submitted**

Speaker Wolfe said Little River Casino Resort Preference Report none is submitted. Wolfe said Item B, Biskaabiiyang Committee none is submitted.

**VII. Old Business**

Speaker Wolfe noted there is none.

**VIII. New Business**

**A. Approval of Big Fire Law Invoice Totaling \$41,917.69 for January 2022 Legal Services**

Tribal Purchasing Regulations requires all \$25,001 and up invoices must be authorized by Tribal Council Resolution. The December Big Fire Law Invoice #2492 total invoice is \$41,917.69.

Speaker Wolfe noted this item has been postponed.

**B. Approve use of ARPA funds for COVID-19 identified project: Emergency Sewer Force Main Repair in the amount of \$30,605.83**

Bills accumulated to respond to emergency sewer repair that are eligible for expenditure guidelines for ARPA use to mitigate and respond to COVID-19 threats.

Speaker Wolfe said this is being brought forward by the Tribal Ogema with the designee of Gary Lewis. Wolfe said Mr. Lewis he has the floor.

Gary Lewis, Utility Director, represented this agenda item. Lewis thanked them. Lewis said so yes, this is for a request to pay the vendors that assisted them during an emergency during the New Year's Eve Holiday in the amount of \$30,605.83. Lewis said to give a little background to those that may not be aware of it. Lewis said so they were notified New Year's Eve at about 12.....12 p.m.....or yeah, 12 p.m. um, that there was sewage on the ground on US 31 there was a little bit of sewage on the ground so they went down there, assessed the problem, they had to shut down the Lift Station at what they call the Sheriff's Lift Station.....its right there in front of the Sheriff's Office there. Lewis said they shut that down so that no more sewage was going up the hill because that transfers all the sewage from

the township up the Waste Treatment Plant up here. Lewis said so they had to shut that down and isolate that then they had to cordon-off the area and put some lime down. Lewis said then from there was how do they get that sewage transported up to the Waste Treatment Plant without having pumps so fortunately they just bought a Vactor Truck so they were able to pump that down however being short staffed it made having to call in for some assistance um, and so they ended up calling in for Sanitation and Ace One came out for a little while so basically they were running back and forth with the Vac Truck and they were barely keeping up with the flows so . Lewis said what they did was the Vaporizations Coordinator came in on the second day because this was a continuing thing from Friday at noon until the next morning and when the Vaporizations Coordinator came in they coordinated the seepage haulers for them. Lewis said so they had seepage haulers come over there when they left the Vac Truck on station and they would pump into that truck and they would run it back and forth to the Waste Treatment Plant for them. Lewis said then that way they were able to get ahead of it a little bit so they had a little bit of a break in between. Lewis said it wasn't much but it was a little break and because they are short staffed they ended up having to call in Northern A1 with their Vac Trucks so they could get their staff here some time off so they could actually sleep and then calling in um, Elmer's Construction so that they could get a repair on the line then they finally had it all said and done was the following Monday he thinks it was around 5 p.m. that they had it all done up and then repaired, then partially buried, and he thinks Elmer's came back the next day and finished the bury there. Lewis said they will probably have to go down there themselves in the spring sometime and dress the area up a little bit and then they had to.....see they have two different ordinances they go by one is for the Tribe and the one is for the Manistee Township. Lewis said in that ordinance down there they have to follow because there is a Discharge Permit through the State so they have to follow their guidelines and so they did a public posting through the Manistee New Advocate describing what happened. Lewis said so what actually happens when they put the two pipes together there is a coupling that's in there and it's a fused coupling so it is heated up and it melts it together he thinks there wasn't a good adhesion on there and so it was leaking through a little bit but it was enough to have some surface um, wastewater on the top. Lewis said so that is it in a nutshell so they are asking for the ah, ARPA Funds to cover the cost for those emergency repairs and there is COVID in the wastewater as of last week's samples it was going down a little bit but it is still...it is still prevalent in the wastewater streams itself. Lewis said that is the end of his presentation.

Speaker Wolfe asked are there any abstentions on the item. Wolfe said okay, seeing none she will open it up for discussion with Tribal Council. Wolfe said looking for discussion with Tribal Council.

Councilor Di Piazza said he was just going to say great job getting it taken care of and mitigated so. Di Piazza said he knows he gave up his holiday and his hats off to them guys because yeah, that's....that's a....that's a dirty job.

Gary Lewis thanked him.

Councilor Di Piazza said Miigwech.

Speaker Wolfe said okay, any other Tribal Council have comments. Wolfe said seeing none she will open it up for discussion for Tribal members. Wolfe said seeing none she will entertain a motion on the item. Wolfe said Councilor Di Piazza go ahead.

**MOTION TO APPROVE RESOLUTION #22-0316-042; APPROVE  
USE OF ARPA FUNDS FOR COVID-19 IDENTIFIED PROJECT:  
EMERGENCY SEWER FORCE MAIN REPAIR IN THE AMOUNT  
OF \$30,605.83; by Di Piazza; supported by Lewis.**

Speaker Wolfe asked is there any other additional discussion on the item. Wolfe said seeing none Pam please do a roll call.

**Roll Call #9**

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

Motion carried (7-0-0-1)

Acting Recorder Johnson said seven for, one absent motion is passed.

Speaker Wolfe thanked them.

**C. Resolution Approving Binojeeuk Commission 2022 By-Laws**

The 2022- By-Laws of the Binojeeuk Commission were amended and adopted by the Binojeeuk Commission on March 4, 2022. The By-Laws are amended to change the regularly scheduled meeting to the first and third Friday of the month as well as amendments to correct the language to reflect the language as found in the Children's Protection Code.

Speaker Wolfe said this item is being brought forward by the Binojeeuk Commission with the Secretary representing. Wolfe said Corey Wells he has the floor.

Corey Wells, Binojeeuk Commissioner, represented this agenda item. Wells thanked them. Wells said as Speaker Wolfe said this is ah, their annual review of the By-Laws. Wells said they also changed the dates of the meeting from the first and third Tuesday of the month to the first and third Friday this was to better accommodate Commissioners, Council Liaisons and Family Services. Wells said people ah, so that everyone could actually make the meetings. Wells said they also changed some grammar errors that were in the Binojeeuk Commission and



with the help of Elise they went through and changed ah, some of the language to better reflect what was in the Child Care Ordinance so both the By-Laws and the Child Protective Ordinance lined up more closely. Wells said so they are just asking Council to review and accept the changes on this.

Speaker Wolfe thanked him for that presentation. Wolfe asked are there any abstentions on the item. Wolfe asked any abstentions by Tribal Council. Wolfe said seeing none she will open it for discussion with Tribal Council. Wolfe asked any comments by Tribal Council. Wolfe said okay seeing none she will put herself in the queue. Wolfe asked this is just an annual review of the By-Laws to update and make them current reflective of any changes as needed.

Corey Wells said yes, Speaker Wolfe.

Speaker Wolfe asked they do it once a year.

Corey Wells said he has only been on the commission a year so yes, successfully he has done this every year that he has been on the commission. Wells said yes, they are supposed to be done once a year. Wells said he is not sure if it has previously but they went through and did it this year to ah, make sure all the changes were reflective of the ordinance and everybody's schedules.

Speaker Wolfe said okay, thanks for that. Wolfe asked any additional comments by Tribal Council. Wolfe said she will open it up for comments from Tribal members. Wolfe said seeing none she will entertain a motion on the item. Wolfe said Councilor Di Piazza.

Councilor Di Piazza said he will make the motion.

**MOTION TO APPROVE RESOLUTION #22-0316-043;  
RESOLUTION APPROVING BINOJEEUK COMMISSION 2022  
BY-LAWS; by Di Piazza; supported by Lewis.**

Speaker Wolfe said again open for discussion or final comments on the item. Wolfe said seeing none Pam please do a roll call.

**Roll Call #10**

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

Motion carried (7-0-0-1)

Acting Recorder Johnson said um, seven for, one absent motion is passed.

Speaker Wolfe thanked her.

**IX. Concluding Business**

**A. Next Meeting Date(s) - Wednesday, March 23, 2022**

**B. Ogema Weekly Status and Business Update**

Speaker Wolfe said she sees him available. Wolfe said Ogema Romanelli he has the floor.

Ogema Romanelli thanked her very much. Romanelli said he really doesn't have much ah, this week other than he wanted to also congratulate Gary Lewis in the Utilities Department for their work on that emergency situation. Romanelli said it was appreciated they do a good job. Romanelli said the other thing is that ah, as Council knows the three Branches has been working together and trying to get some resolve to this ah, Budget holdup that they are doing. Romanelli said hopefully they can get through it in the next couple of weeks and \_\_\_ it. Romanelli said that's it. Romanelli said that is all he has. Romanelli thanked them.

Speaker Wolfe thanked him.

**C. Legislative Affairs Update**

Speaker Wolfe asked is there any updates from Tribal Council under Legislative Affairs. Wolfe said Councilor Di Piazza.

Councilor Di Piazza said um, just a couple of items. Di Piazza said the Sugar Shack is up and running. Di Piazza said he doesn't know any of the times on that but the sap is flowing. Di Piazza said he doesn't know. Di Piazza asked can Mr. Wells elaborate on that a little more.

Speaker Wolfe said sure.

Councilor Di Piazza said Miigwech.

Corey Wells, Natural Resource Department, said um, they will have the sap up and running. Wells said yesterday was the first day they didn't have it constantly freezing. *Wells laughing at this point.* Wells said they finally got some flow ah, today, tomorrow and Friday are covered but Saturday they are planning on having everybody out there. Wells said they might even have a cookout while they are out there so anybody that wants to show up at noon please feel free to come out and help. Wells said they will set up a schedule of who is boiling and whatnot probably around that dates so anybody wants to come out and help they are welcome because they need all the help they can get. Wells thanked them.

Speaker Wolfe said so just for Tribal members that don't know the Sugar Shack Property is located off of Schoedel Road it's about a half a mile down if they are coming off of 22.

Corey Wells said just down from the Justice Center.

Speaker Wolfe said the Sugar Shack Program is a Community Project so everyone is welcome to attend.

Corey Wells said the more the merrier.

Councilor Wittenberg said yeah, his question is ah, different ones asked him ah, is he the head of it because they wanted to know who to get in contact with, Corey.

Corey Wells said he guessed by default. *Corey Wells laughing at this point.*

*Both Councilor Wittenberg and Corey Wells were speaking at the same time and no one conversation could be followed clearly.*

Corey Wells said he just organized it because nobody else would so.

Councilor Wittenberg said well he can....just ah, okay he will tell them then if he doesn't mind.

Corey Wells said no, they can also get a hold of Julie.

Speaker Wolfe said unofficially last year they nominated Mr. Corey Wells for the Iskigamizige Ogema which is Sugar Bush Chief.

Councilor Wittenberg said okay, support.

*Everyone was laughing during this part of the conversation.*

Corey Wells said if they can't get a hold of him to please get a hold of those two and they can get a hold of him. Wells said the best way to do it is to just show up.

Councilor Wittenberg said right.

Corey Wells said show up on the weekend and somebody will always be there to be boiling as long as the sap is flowing so.

Councilor Wittenberg said great. Wittenberg thanked him.

Corey Wells thanked them.

Speaker Wolfe thanked him. Wolfe said she sees one person in the queue. Wolfe asked Sara Agosa if she had a comment.

Sara Agosa said she has some questions for Tribal Council.

Speaker Wolfe said she has the floor go ahead.

Sara Agosa, Tribal #4478, said her first question is regarding the NIGC and Gaming Commission. Agosa said she watched the video from last week and Pam stated that the Gaming Commission met with....with NIGA. Agosa repeated so her first question is. Agosa said she just wanted clarification on who the Gaming Commission met with because it was discussed in a recent Tribal Council Meeting there is a difference between NIGA and the NIGC. Agosa said she thought the NIGC did the regulatory functions and audits. Agosa said so that is her first question. Agosa said her second question is regarding the audits themselves Pam stated that ah, NIGA or she is guessing maybe its supposed to be the NIGC conducting an audit on licensing in accordance with 25 CFR 556 and 558 in that the Tribe was commended for 100% compliance. Agosa said 556 is Background Investigations for Primary Management Officials and 558 is Gaming Licenses for key employees and Primary Management Officials. Agosa said so her question to Council is can they elaborate on the entire audit process because this is only one aspect of the audit process from her understanding and she doesn't feel it should be in any way construed as a full audit. Agosa said so another question she had is what else did the NIGC audit and where can members find more information on this retor....is it posted publicly. Agosa thanked them. Agosa said those are her first questions.

*Councilor Johnson can be heard in the background on the ZOOM recording asking, "Do they post that report?"*

*Councilor Di Piazza replied in the background on the ZOOM recording, "I don't know."*

Acting Recorder Johnson said um, it isn't current yet the commission themselves have not received like the actual written report from um.....from ah....from them just yet. Johnson said they um, as of last night they haven't received it. Johnson said so they are actually still waiting for the ah, approved hard copy, if they will, um, of that report. Johnson said um, they actually do go over all the background and they ask several questions and they go through different things so um, as far as that goes. Johnson said that's it.

Sara Agosa said she has a follow-up question.

Speaker Wolfe said yeah, she still has the floor, go ahead.

Sara Agosa said well, she is still learning about the Gaming Commission so um, this is kind of.....she is learning as she asks these questions but she just wants to make sure she is clear. Agosa said so this particular audit it was just for the Background Investigations for PMO's and Gaming Licenses for key employees and not an audit for contract such as purchases for the casino or was this a Comprehensive Audit that went through every aspect of their casino operations.

*Tribal Council can be heard whispering amongst themselves in the background on the ZOOM recording.*

Acting Recording Johnson said she will have to get with her on that one.

Sara Agosa said okay. Agosa thanked them. Agosa said okay, she will follow-up with her Pam.

Speaker Wolfe said okay, next in the queue she sees Connie she has her hand raised. Wolfe said she has the floor.

Connie Waitner thanked her. Waitner said she can try to help answer a couple of those questions. Waitner said um, NIGC has a website that has a tremendous amount of information on it. Waitner said they will also post the audit or any findings in the status' once everything is submitted correctly. Waitner said um, and she highly recommends anybody go there and take a look because they also list when they have actual findings or they shut down a casino there is actually bulletins up and lawsuits that are issued that they post online for all the Tribes throughout the United States which becomes a very interesting read. Waitner said they are also a very big resource to Tribes in Indian Country because they actively provide work sessions in group settings and seek input from various Tribes. Waitner said the other thing she wanted to say is their Gaming Commission here, they are authorized, they, they find an auditor that audits the Resort. Waitner said the Resort has nothing to do with who they pick, how it's handled, they are notified who they're going to be and then they open their doors or transmit information. Waitner said that is done on a yearly basis. Waitner said that report then has to be filed with NIGC and she believed, and don't quote her on this, it is either the end of March or the end of April. Waitner said um, they are required by law to get that in. Waitner said so she doesn't know if she helped or caused more confusion but there is a couple of things that are very separate and that's their Regulators are definitely separate from the Resort so they have the authority to act upon audits and so on and so forth. Waitner said and from her understanding with...especially NIGC a lot of their focus is going to be on....on the licensing process, PMO's, key license and the contract review would normally be part of the Gaming Commission's um, hired Auditor that comes into the Resort to audit all of their records. Waitner said she hopes that helps but she would definitely um, don't hesitate to reach out to the Gaming Commission themselves because they are very knowledgeable and can help. Waitner thanked them.

Speaker Wolfe said okay, thanks for her comment. Wolfe said she sees some other citizens raised their hand to be in the queue. Wolfe said Staci Cheney she has the floor.

Staci Cheney asked are they in Public Comment.

Speaker Wolfe said Legislative Affair Update.

Staci Cheney said she will wait until they are in Public Comment. Cheney said she apologizes.

Speaker Wolfe thanked her. Wolfe said Sara Agosa she has her hand raised. Wolfe asked if she was wanting to comment on Legislative Affair Update.

Sara Agosa said yes, she has another question.

Speaker Wolfe said she has the floor.

Sara Agosa said she wanted to know when Ryan Champagne will be returned to his seat because she feels really uncomfortable that...that Tribal Council isn't functioning with nine members. Agosa said so she wanted an update and um, yeah, that is her question. Agosa thanked them.

Speaker Wolfe said okay, so that matter is in before the court and they don't have an update at this time with the return to his seat. Wolfe said so that would be the comment on that item. Wolfe asked any additional comments for Legislative Affair Updates. Wolfe said Councilor Di Piazza.

Councilor Di Piazza said just a couple. Di Piazza said um, with the rising price of gas, well actually the C-Store right now gas is like at \$3.89 until 10:00 today if they are out and about. Di Piazza said also keep in mind with gas prices going up there is going to be a lot of motorcycles out there. Di Piazza said he just encountered one yesterday that had no lights because it was more of a dirt bike. Di Piazza said so better keep an eye open, look twice maybe three times, there are probably a lot of motorbikes this year so. Di Piazza said that's it.

Speaker Wolfe said okay, thanks for his comment. Wolfe said Sara she still has her hand raised. Wolfe asked does she have an additional comment.

Sara Agosa said yes, it is regarding the 2022 Budget.

Speaker Wolfe said she has the floor.

Sara Agosa said um, she believed last week a lot of questions were raised about which buzet.....which Budget is in affect um, so she just wondered has Tribal Council consulted with an attorney to clear up this confusion and which Budget stands. Agosa thanked them. Agosa said that is her question.

Speaker Wolfe said so currently the Tribe does not have an adopted fiscal year 2022 Budget they are operating on a continuing resolution for March that was also in place for January and February to mirror the 2021 fiscal year Annual Budget. Wolfe said that concludes her comment. Wolfe asked is there any additional comments from Tribal members in Legislative Affairs Update or Tribal

Council. Wolfe said seeing none that moves them onto Item D, Public Comment Period.

**D. Public Comment Period**

*Chantel Gamelin entered the Lodge Room at 10:55 a.m. and spoke with Attorney Elise Mc Gowan-Cuellar.*

Speaker Wolfe seeing first in the queue they have Sara Agosa she has the floor.

Sara Agosa said her question is regarding the Enrollment Audit um, because the 2022 Budget hasn't been passed but the Enrollment Audit is supposed to be done um, why can't the Tribe use a monthly allocation to complete this audit which was passed by resolution because she believes there is also a vacancy in Enrollment with staffing so what's happened to that funding. Agosa asked can that be reallocated to complete this project. Agosa thanked them. Agosa said that is her question.

Speaker Wolfe said so for the 100% Enrollment Audit Tribal Council has to still and are working on issuing the RFP to start that process. Wolfe said it hasn't been done due to the turnover and the other things that have happened within Tribal Council. Wolfe said also with the Executive Staff leaving, the Enrollment Coordinator, so they haven't gotten very far with that but it is still on the books, something that is being pursued it is allocated in the 2022 Budget but of course 2022 Budget is not passed. Wolfe said so it is still something that is happening it is just not going at a faster rate and there is nothing they can do about it but they are doing their best job to make that complete. Wolfe said that is her comment. Wolfe asked any other Tribal Council wish to respond. Wolfe said okay, seeing none that moves them onto next in the queue they have Staci Cheney. Wolfe said she has the floor.

Staci Cheney thanked Speaker Wolfe. Cheney said um, she is actually going to ask a question about the Budget as well. Cheney said she is not sure if this is 100% accurate but from what she is hearing is that um, the Budget is going to be ruled on or decided on by Judge Sherigan on Friday of this week. Cheney said her first question is she is wondering if that is accurate.

Speaker Wolfe said Tribal Council has not received a notice from the court in regards to the 2022 Budget.

Staci Cheney said so there wasn't a meeting this....either Tuesday or Monday saying that they would have a determination on which Budget they would be using for 2022.

Speaker Wolfe said there was a meeting but there wasn't no court order. Wolfe said Tribal Council has not received an order from the court.

Staci Cheney said okay, then her next question is um, she knows right now that there's um, Budgets and lawsuits right now in the court and her question and major concern is that she wanted to know if it legal for a judge to decide on what Budget or if a Budget can be ruled on for Tribal Council to use for the 2020....the 2022 Budget. Cheney said if that doesn't quite make sense what she is saying is that they have always had Tribal....Tribal Council decide on the Budget um, and it seems as though from what she is understanding that Tribal Budget....that it is possible the judge may be making that decision and she wants to know if it is legal for that to happen for the judge to make the decision instead of Tribal Council to make that decision.

Speaker Wolfe asked any Tribal Council wish to respond.

Councilor Wittenberg said yeah, personally himself it depends on who she is asking.

*A comment was made in the background on the ZOOM recording but it wasn't heard clearly enough to know what was said or who said it.*

Councilor Wittenberg went on to say.....they might ask one and they may say yes and she might ask somebody else that would say no. Wittenberg said that would be his response on that since it their Tribal Court then ah, they can only go by what Tribal Court says. Wittenberg said in his opinion he feels and believes it is Tribal Council but it didn't go that far so that is why they are at where they are at so ah, in a good way he, just himself, ah, just rolling along with what comes before him. Wittenberg thanked them. Wittenberg said Miigwech. Wittenberg said that is just his opinion. Wittenberg said Ahaaw.

Speaker Wolfe said Councilor Di Piazza he can respond.

Councilor Di Piazza said well, he will say Constitutionally the courts rule on Constitutional matters, resolutions, ordinances so keep that in mind that they can rule on them things because it is right in their Constitution that the courts do these things so. Di Piazza said that is part of their fiscal responsibility so. Di Piazza said he is done.

Speaker Wolfe asked okay, any other Tribal Council wish to respond. Wolfe asked Staci if she had additional comments she still has the floor.

Staci Cheney said yes, she does. Cheney said um, her understanding and she has been reading um, a whole lot and she also has been getting attorney's advice from Indian Law is that that is the whole point of having separate Branches if they let....then why not let the court do everything. Cheney said um, if they allow them to make all the final decisions what is the point of having a Tribal um, a judicial ah, Legislative Branch and an Executive Branch because first they needed



to have a problem and it seemed like they really jumped the gun on a lot of these things so her question is um, a good question that she, she have is are they being represented by Big Fire still for the Budget.

Speaker Wolfe said yes, Tribal Council has an attorney throughout the Budget matter.

Staci Cheney said okay. Cheney said and um, and.....*sighed heavily here*.....and as citizens um, at well they are Tribal Council so as citizens they are also representing them is that correct.

Speaker Wolfe said it could be understood that way, yes.

Staci Cheney said okay....okay she is just trying to make sure she understands it all correctly because in the next couple of days there will be some citizens that are going to step up and um, and it is all because they are trying to do what is best for the Tribe so she just wanted to make that clear. Cheney said but she appreciates the answers that they have given them and um, it is a sad state of affairs when um, each Branch isn't doing the job they are supposed to do and she is not speaking completely to Tribal Council but um, she believed that there is a lot of people in the other Branches who have overstepped their grounds and um, and who should be sanctioned for that but she appreciates them giving her the opportunity to speak today. Cheney thanked them. Cheney said Miigwech. Cheney said she is done.

Speaker Wolfe said thanks for her comments. Wolfe said Councilor Wittenberg he has a response.

Councilor Wittenberg said yeah, ah, coming back at her on this and talking about and understanding ah, their courts ruling on what the Constitution but also in the same incident with the Soo Tribe up there it went...they had a thing similar to what they are going through ah, right now and they went to their court but the court shot right back to ah, their Council and said that is their job and that's what they do. Wittenberg said so it depends on how one looks and sees these things because ah, throughout Turtle Island now they are going to find many differences. Wittenberg thanked them. Wittenberg said Miigwech.

Speaker Wolfe said okay, now they are at the end of Public Comment but they have two guests in the Waiting Room and they are going to admit them and have them verify themselves for the record. Wolfe said the first one she believed is Tammy Bogue can she please identify herself for the record.

Tammy Bogue said #3179.

Speaker Wolfe said then they have Scott Wahr please identify himself for the record.

Scott Wahr said #4689.

Speaker Wolfe said okay. Wolfe thanked them, Wolfe said they are still in Item IX Public Comment. Wolfe said they have in the queue Connie Waitner. Wolfe said she has the floor.

Connie Waitner thanked the Speaker. Waitner said hers is kind of a follow-up to ah, a question Sara had asked regarding the Enrollment Audit. Waitner said at the meeting...recent meeting that the Ogema held ah, about a month ago there was discussion regarding the Enrollment Audit and what prompted that audit. Waitner said it was mentioned at that time that there had been an audit that had been completed and when she questioned that time was who performed the audit and were there audit findings. Waitner said um, so she is kind of curious as to how they stand on that because she had said before normal practice would be if an outside Auditor came in and there were findings then corrective measures would be put in place for those findings. Waitner said she didn't know if that report was available to citizens or not she doesn't know who performed the audit so she guessed she would like a little background because they are talking about spending \$150,000...possibly thousand dollars on this audit and she is just trying to justify that kind of dollar amount when in fact she thinks they have been audited five or seven times over the last 20 years so. Waitner said she just wanted to do a little follow-up with that. Waitner thanked the Speaker.

Speaker Wolfe asked any Tribal Council wish to respond. Wolfe said seeing none she will put herself in the queue. Wolfe said the 100% Enrollment Audit is reflective of the Annual Audit that happens every five years that is mandated under the Enrollment Commission Ordinance. Wolfe said what they did this year by this Tribal Council instead of doing a partial audit of several files they changed the scope of the audit or they planned to change the scope of the audit to include a 100% Enrollment Audit Files. Wolfe said she believed the last time they were audited was in 2016. Wolfe said that was the....she believed that was the last time they accepted an audit. Wolfe said to her knowledge there were no findings or inaccurate information that needed to be remediated but again she was not sitting up here and she did not believe that the report is published and available to Tribal membership. Wolfe said those are her comments. Wolfe asked Connie if she had additional comments her hand is still raised.

Connie Waitner said she is sorry she was under the impression that there was an outside Auditor that had recently audited which prompted this. Waitner said so she was just kind of curious because like in her particular case her initial enroll into the Tribe was um, by the BIA, they know, they had proof of lineage and so on and so forth that had to be submitted. Waitner said so her first certification came from them so she was just kind of curious because they are talking about different years and she doesn't know how many other people received those BIA letters but um, she was wondering how that going to apply. Waitner said she

thinks that is probably for a different conversation. Waitner said she was just curious to how this all came about that's all. Waitner said she know there has always been allegations of this one doesn't belong or that one doesn't belong which is absolutely ridiculous but um, it is what it is. Waitner said she just hates to see the Tribe waste that kind of money on something that would probably have no outcome. Waitner thanked them.

Speaker Wolfe said thanks for her comments. Wolfe said seeing next in the queue Sara Agosa she has her hand raised. Wolfe said she has the floor.

Sara Agosa said her comment is regarding the Budget and her observations have been that Tribal Council's power is constantly being eroded and she disagrees with that because Constitutionally Tribal Council is the governing body with fiscal oversight. Agosa said she disagrees that the Stay was issued and it has caused harm to Tribal members including her own family. Agosa said she would just like to ask Tribal Council to uphold the Constitution and the separation of powers doctrine because she feels the Judicial Branch should not interfere in the Budget process before it is completed. Agosa thanked them. Agosa said that is her comment.

Speaker Wolfe said okay, thanks for her comments. Wolfe said next in the queue they have Zoom user. Wolfe said they have the floor.

Jenea Shaw asked is that her.

Speaker Wolfe said she believed so Jenea, go ahead.

Jenea Shaw said she's got a question about the Budget. Shaw said so like funding like to help the Tribal citizens and stuff is that on hold because of the Budget or can they still help the Tribal members if they need help. Shaw said that is her question.

Speaker Wolfe asked any response from Tribal Council. Wolfe said seeing none she will put herself in the queue. Wolfe said yes, Tribal services are available. Wolfe said they are operating on a Continuing Resolution for the month of March which was also in January and February so those services are available.

Jenea Shaw said okay. Shaw thanked Julie very much for answering.

Speaker Wolfe said she was welcome.

Jenea Shaw said yep.

Speaker Wolfe said seeing next in the queue they have Scott Wahr. Wolfe said he has the floor.

Scott Wahr thanked the Speaker. Wahr said he would like to follow-up again with Connie's question regarding the Enrollment Audits. Wahr said if there were no findings back five years ago and they are going to continue to do this every five years ah, why are they going back 100% Enrollment Audit. Wahr asked can't they go back five years and see what changes if any have been made and audit that portion. Wahr said it seems like if they continue every five years to do a 100% Audit that they are going to continue to waste money.

Speaker Wolfe asked any response from Tribal Council. Wolfe said putting herself in the queue to respond. Wolfe said Councilor Champagne she secedes to her.

Councilor Champagne said yes, her comment on that is that she doesn't believe they had a 100% Audit for a long time and this is a partial audit it's the Enrollment who is always in question. Champagne said they continuously hear about people who aren't supposed to be in there and um, in the Tribe and by doing a 100% Audit....they have to do an audit anyways so why not do a 100% and put these questions to rest. Champagne asked why not just get it over with and then they will have an answer does everyone that is in the Tribe belong in the Tribe. Champagne said and if they belong in the Tribe what would they worry about the audit for. Champagne said she means she is not worried about the audit if they find that she doesn't belong in the Tribe then that is the way it is but she thinks for the benefit of the Tribe they have to do 100% and going forward they can start doing the five year like they had been in the past but they haven't had a 100% audit in a long time so she thinks it is a benefit. Champagne thanked them.

Speaker Wolfe said okay, thanks for her comment. Wolfe said Councilor Wittenberg he has the floor.

Councilor Wittenberg said yes, ah, and concerning that 100% and he knows ah, different members where they would turnaround and doing the audit, they know, how they would go back and pick this and that person or family or it could be an individual and ah, couple of them kept coming up....their names kept coming up. Wittenberg said well, to him if that is the case that would be happening why would they be doing the same name two or three times whatever it may be he would seem to think that person would be, they know, to it and they say that name came up before so let's not do it because they already did it. Wittenberg said so that is his thought on that. Wittenberg said if they are going to do it he would certainly seem to think they would do it if their name popped up and they from the last time their name pops up again well then, no, strike that name out because that name came up and went through so let's go back in there and pick a different name. Wittenberg said personally himself he has no problem ah, being whatever may be and that is just his thought he can himself accept whatever it may be. Wittenberg said just his thought. Wittenberg thanked them. Wittenberg said Miigwech.

Speaker Wolfe said okay, then putting herself in the queue. Wolfe said the 100% Enrollment Audit hasn't been done.....she thinks it was done in the original enrollment like when they had 1,017 members it hasn't been done complete by the Enrollment Ordinance it requires an audit every five years of membership. Wolfe said this Tribal Council thought it was in the best interests of the Tribal membership to change the scope of this five year annual audit to 100% Enrollment Audit. Wolfe said not to disenroll members not to look but to preserve and maintain the integrity of their rolls. Wolfe said to bring it forward to have the correctness and accurately completely documented so these roundabout questions that always seems to come up and cause dispend in the Tribe can be laid to rest with this audit. Wolfe said now a lot of people don't feel like that is going to be the actual outcome but when they have a 100% Enrollment Audit Files and the findings in there are minimal which they expect because they believe the accuracy of their Enrollment then when someone has the question about it then there is the document that says this is no longer a valid question so quit bringing it up and quit bringing it forward and quit causing this grief amongst their people. Wolfe said that is the intent behind the 100% Enrollment Audit its not to target a family or target a person it is to bring forward the accuracy and the integrity of their Tribal Enrollment Membership for those currently enrolled in their future generations. Wolfe said that is her comment. Wolfe said Mr. Wahr he still has his hand raised does he have additional comments.

Scott Wahr said yeah, so ah, if they do.....they do the 100% Audit now it comes out and everybody on Council is safe to say that as of whatever the audit happens 2022 ah, it is never to be done again from 2022 and back. Wahr said he guessed he is confused at how long they are going to continue to question what audit was done 100% last time.

Speaker Wolfe said so her as one sitting Council member doesn't believe once they have a complete, accurate, 100% Enrollment File that audit that they would need to continue with 100% enrollment. Wolfe said it is mandated by the Enrollment Ordinance to complete this audit every five years so there will be another audit that happens 2022 plus five so its in 2027 but that one she doesn't believe Council would say needs 100% enrollment every five years. Wolfe said that is why the ordinance requests this for an Enrollment Audit every five years. Wolfe said she believes this one is being requested and it benefits the membership to preserve the integrity of the rolls that's what is the intent once they complete this one time 100% order because they adjusted the parameters for a regularly scheduled enrollment audit she doesn't believe it is going to come up before in something that has to be brought forward every time. Wolfe said those are her comments. Wolfe asked any other Tribal Council wish to respond. Wolfe said okay, seeing none they will move to the queue.

Samantha Shoup said Madame Speaker.

Speaker Wolfe said they have Sara Agosa.

Samantha Shoup said Madame Speaker may she get in the queue please. Shoup stated her name and Tribal #3989.

Speaker Wolfe said okay, she will put her on, thanks. Wolfe said Sara Agosa she has the floor.

Sara Agosa said she has two comments. Agosa said first of all regarding the audit um, what she understands attending work sessions is that the Auditor that has been used for the past audits does not have expertise in Native American genealogy and she thinks it is really important with this RFP that the Tribe selects a Contractor who has experience with the Durant Roll and specifically Native American Genealogy. Agosa said her second comment is regarding the 2022 Budget her understanding is that the Budget in fact the majority of Council supports increase services and Education Work Force Development and possibly even increasing their Per Capita if she is understanding correctly and um, blocking this Budget. Agosa said this is a positive step for members especially in a Pandemic and certainly in the Education Department um, because increasing the extra Circular Activities Fund is....is in the works and being proposed and that would have a positive impact on K-12 youth. Agosa said many who have been drastically affected by this Pandemic including virtually schooling and the need for additional tutoring so she just wanted to state that for the record that blocking this Budget is actually blocking increase in services to members. Agosa thanked them. Agosa said that is her comment.

Speaker Wolfe said okay, thanks for her comment that moves them onto next in queue Ron Pete he has the floor. Wolfe repeated Ron he has the floor. Wolfe said she doesn't know if he is talking but he is still muted.

Ron Pete said okay, sorry he muted himself....once again he always mutes himself just to make sure he doesn't do some comment off the line. Pete said is that in regards to this 100% Audit that they are going to do. Pete said he has been coming up to the Resort and working up there in 2004 all the way up until this past June, every year he heard this person doesn't belong and they got proof on the stage this person doesn't belong and this person doesn't belong. Pete said they know what he, he, he is not trying to disagree with her, Madame Speaker, but he is just going to say when they are done with this 100% Audit and he doesn't care audit him....audit everybody....is that when it is done there are still people that are going to say this one doesn't belong in the Tribe and that one doesn't belong in the Tribe and they have proof here on their records up here. Pete said it is never going to stop and it is never going to stop. Pete said the reason is because they are a Per Cap Tribe and because if their descendants is getting somebody else's money and somebody is getting this or getting that. Pete said the other thing on the Budget, they know, he is so glad that Larry had gone to court over this thing because this thing does belong in court and they know what, he understands they do have Big Fire on here that is in Closed Meeting so he won't comment on that.

Pete said good luck with all that and again, take care of everyone on Tribal Council. Pete said he has to leave so have a good day. Pete thanked them.

Speaker Wolfe said okay, thanks for his comment. Wolfe said next in the queue they have Jenea Shaw.

Jenea Shaw said all right, as far as enrollment goes is it still open to like um, kids or is enrollment closed.

Speaker Wolfe said Enrollment is closed but it is open for newborn children and it is also enrolled for adult adoptees that just found out about their adoption.

Jenea Shaw said all right. Shaw thanked them. Shaw said she has a Tribal baby that is going to be born and that's why she asked. Shaw thanked them again.

Speaker Wolfe said congratulations. Wolfe said thanks for her comment. Wolfe asked is there any additional people who wish to be in the queue in Public Comment. Wolfe said seeing none that brings them onto Closed Session. Wolfe read the following:

***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.***

Speaker Wolfe said she will entertain a motion to end First Open. Wolfe said Councilor Di Piazza.

Councilor Di Piazza said he needs to push the button, anyways, he will make that motion.

**MOTION TO END FIRST OPEN;** by Di Piazza; supported by Wittenberg.

Speaker Wolfe asked is there any comments or discussion on that item. Wolfe asked is any abstentions. Wolfe said seeing none Pam please do a roll call.

**Roll Call #11**

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

Motion carried (7-0-0-1)

Acting Recorder Johnson said seven for, one absent motion is passed.

Speaker Wolfe said okay, they have ended First Open at 11:23 a.m.

## **XI. Open Session**

Speaker Wolfe said welcome back everyone it is March 16<sup>th</sup>. Wolfe said they are here for Second Open Session. Wolfe said she will entertain a motion to open Second Open.

**MOTION TO GO INTO SECOND OPEN;** by Wittenberg; supported by Lewis.

Speaker Wolfe asked any abstentions on the item. Wolfe asked any comments or discussion. Wolfe said seeing none Pam please do a roll call.

### **Roll Call #12**

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

Motion carried (5-1-0-2)

Acting Recorder Johnson said five in favor, one against, and two absent it's 2:31.

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

Speaker Wolfe said they only have one item and that is A. Wolfe said Councilor Di Piazza.

Councilor Di Piazza said he will make a motion.

**MOTION TO MOVE RESOLUTION #22-0316-044; RESOLUTION, MOTION AND ROLL CALL;** by Di Piazza.

Speaker Wolfe asked okay, does he have support.

**MOTION TO MOVE RESOLUTION #22-0316-044; RESOLUTION, MOTION AND ROLL CALL;** by Di Piazza; supported by Wittenberg.

Speaker Wolfe asked any abstentions on that. Wolfe said seeing none she will open it up for discussion with Tribal Council. Wolfe said it is open for discussion with Tribal members or Tribal Council. Wolfe said seeing none can they have a roll call.

### **Roll Call #13**

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



Motion carried (5-1-0-2)

Acting Recorder Johnson said five in favor, one against and two absent motion is passed.

*The following resolution, motion and roll call was moved from Closed to Open Session. The roll call vote is not numbered because that is how it appears on the roll call sheet.*

**MOTION TO APPROVE RESOLUTION #22-0316-044;  
RATIFICATION OF JWC ENVIRONMENTAL CONTRACT FOR  
THE FISCAL YEAR 2022, NTE \$33,000; by Di Piazza; supported by  
Wittenberg.**

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

Motion carried (7-0-0-1)

*This concludes the items moved from Closed to Open Session.*

## **XII. Adjourn**

Speaker Wolfe said she will entertain a motion to adjourn Second Open.

*Councilors Wever and Wittenberg were laughing and passing notes in the background on the ZOOM recording.*

**MOTION TO ADJOURN SECOND OPEN; by Lewis.**

Speaker Wolfe asked do they have support on her motion.

**MOTION TO ADJOURN SECOND OPEN; by Lewis; supported by  
Wittenberg.**

*Councilor Wever said, "simple," in the background on the ZOOM recording.*

Councilor Wittenberg said give it to her.

Councilor Wever said no, she doesn't want it.

Speaker Wolfe asked any abstentions on adjournment. Wolfe asked any comments or discussion. Wolfe said hearing or seeing none Pam please do a roll call.

**Roll Call #14**

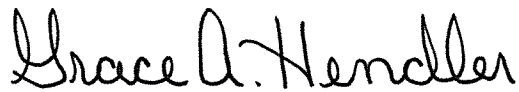
T. Guenthardt -Absent	C. Champagne -Absent	P. Johnson -	Yes	
Vacant	G. DiPiazza -	Yes	S. Wever -	No
R. Wittenberg- Yes	J. Wolfe -	Yes	S. Lewis -	Yes

Motion carried (5-1-0-2)

Acting Recorder Johnson said five in favor, one against and two absent at 2:33

Speaker Wolfe thanked everyone. Wolfe said they are adjourned at 2:33 p.m.

Respectfully Submitted,



Grace A. Hendler  
Transcribing Assistant



Pam Johnson,  
Acting Council Recorder