

LITTLE RIVER BAND OF OTTAWA INDIANS TRIBAL COUNCIL REGULAR MEETING WEDNESDAY, MARCH 27, 2019 LITTLE RIVER BAND GOVERNMENT CENTER

OPEN SESSION MINUTES

The Little River Band of Ottawa Indians held a meeting at the Little River Band Government Center on March 27, 2019. Following are the minutes of that meeting.

Recorder Lewis said to Speaker Riley that the recorder is on.

Speaker Riley thanked Recorder Lewis. Riley said welcome everybody to their meeting for Wednesday, March 27th. Riley said they will get started with their Opening Prayer Councilor Pete is going to do that for them this morning. Riley thanked Councilor Pete.

I. Opening Prayer

Ron Pete, Tribal Elder, offered the Opening Prayer.

Our Heavenly Father, our Creator.

Thank you for giving us another glorious day.

Thank you for blessing this day with all the blessings that you are going to bestow on us.

May we pay those forward to our unfortunate ones that aren't blessed as much.

Bless all of us on trips home or wherever we are going today.

Watch over us.

Watch over our Police and our Fire Department and our First Responders.

Be with them today and bring them home safe to their families.

Bless all of our Military people wherever they are serving in this country or around the world.

Thank you for their service.

Thank you for our Veteran's service.

Bring those personnel home to a grateful Nation and their loving families.

Amen.

II. General Business

A. Call to Order

The regularly scheduled Tribal Council meeting was called to order at 10:02 a.m.

Speaker Riley asked Recorder Lewis to do a roll call please.

B. Roll Call

	J. Riley - Pres	sent J. Friedel	- Present	D. Corey -	Present
ſ	S. Crampton - Pres	sent G. DiPiaz	za - Present	R. Pete -	Present
Ī	R. Wittenberg-Pres	sent D. Lonn -	Absent	S. Lewis -	Present

Quorum established.

Recorder Lewis said they had a quorum.

Others Present: Julia Nickleson, Matt Chandler, Jennifer Crampton.

Others Present That Did Not Sign In: Grace Hendler, George Le Vasseur, Mary Thomas, Ogema Romanelli, Officer Patrick Gilles, Elise Mc Gowen-Cuellar.

C. Approval of Agenda

MOTION TO APPROVE THE AGENDA FOR MARCH 27, 2019 WITH THE FOLLOWING CHANGES OF III C.1. IS AN ADD, VIII G. AND H. IS AN ADD; by Lewis; supported by Friedel.

Speaker Riley asked is there any abstentions. Riley said no abstentions. Riley asked is there any discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #1

J. Riley - No	J. Friedel - Yes	D. Corey - Yes
S. Crampton - Yes	G. DiPiazza - No	R. Pete - No
R. Wittenberg-Yes	D. Lonn - Absent	S. Lewis - Yes

Motion carried (5-3-0-1)

Recorder Lewis said the agenda has been approved for March 27, 2019.

D. Tribal Council Minutes □ 3/20/19

Speaker Riley recognized Recorder Lewis.

MOVE FOR THE APPROVAL OF TRIBAL COUNCIL MINUTES FOR 3/20/19 FOR ACCEPTANCE AND FILING; by Lewis; supported by Pete.

Speaker Riley asked are there any abstentions. Riley said no abstentions. Riley asked any discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #2

J. Riley - Yes	J. Friedel - Yes	D. Corey - Yes
S. Crampton - Yes	G. DiPiazza - Yes	R. Pete - Yes
R. Wittenberg-Yes	D. Lonn - Absent	S. Lewis - Yes

Motion carried (8-0-0-1)

Recorder Lewis said Tribal Council Minutes have been accepted for filing for 3/20/19.

III. Continuing Business

- A. Grants & Contracts
- B. Budget Modifications

Speaker Riley said they have nothing under Grants & Contracts or Budget Modifications.

C. Approval of Budgeted Expenditure

1. Approval for Councilor Friedel to attend the 2019 NRCC Spring Dinner and Summit in Washington, D.C. on April 2, 2019

The Spring Dinner and Summit will be held at the St. Regis in Washington, D.C.

Speaker Riley asked Councilor Friedel if he would like to give a brief description of what this is.

Councilor Friedel said Monday they got the e-mail from one of their lobbyists that they were having an NRCC Dinner. Friedel said it is a Native Talks and it is actually going to be some Native Policy Updating on what is going on. Friedel said then at evening there will be a dinner and the Keynote Speaker will be Donald Trump. Friedel said so they all kind of asked if who wanted to go and since he has been doing the NRCC that he volunteered to go.

Speaker Riley said okay. Riley asked are there any questions or a motion on this item. Riley recognized Recorder Lewis.

Recorder Lewis said she would like to make a motion.

MOVE FOR THE APPROVAL OF COUNCILOR FRIEDEL TO ATTEND 2019 SPRING DINNER AND SUMMIT IN WASHINGTON, D.C. ON APRIL 2, 2019; by Lewis; supported by Corey.

Speaker Riley asked are there any further discussion. Riley apologized. Riley asked will there be any abstentions.

Councilor Friedel raised his hand.

Speaker Riley said Councilor Friedel will be abstaining. Riley recognized Ogema Romanelli. Riley asked does he have discussion.

Ogema Romanelli said yeah he just wanted to say this is no reflection on the Councilor but he just question the speed with which this was done. Romanelli said they just went through this thing last week with the 50% and how quick it was put on the agenda. Romanelli said he understands there was some Face Book chatter about putting another item that was sent to him about putting it on the agenda yet they are postponing that. Romanelli said this one was the Memo just came out on Monday and now they are going to approve this and put it on the agenda. Romanelli said he just finds that a little....a problem with that and quite honestly he is not sure they need to go to this Republican thing. Romanelli said they know it was sent to him and others. Romanelli said they are familiar with what it is and at this time it wasn't a big deal. Romanelli said they are now going to as he sees on the agenda not have a quorum for the April 3rd Meeting because of people being gone. Romanelli said he understands there is other people that are going to be going to the Self-Governance as well so they have all the different people going to be gone so there won't be a quorum. Romanelli said that is just his two cents worth. Romanelli said it is no reflection on the Councilor it is just the situation.

Speaker Riley recognized Recorder Lewis.

Recorder Lewis said okay she knows that her and Ron Wittenberg had put in for Self-Governance a while back and it kind of happened that same way where it was kind of put on and they didn't mean to do that. Lewis said Self-Governance is something that they go to each year. Lewis said she understands what he is talking about the other work session and she did contact that person to get that put back on but because people are on travel and she does just want to say that Councilor Friedel they know she has seen him when he is out networking for them and she had no idea why this Republican Party information came to them so late. Lewis said it did and it is something that they did discuss. Lewis said everybody understood so they were pretty much in agreement on that but she does want to say "thank you" to Councilor Friedel because he does represent them very well. Lewis said when they go places with him they know there is many people like a lot Congress do come up and acknowledge him. Lewis said she thinks he is doing a good job. Lewis said sorry about how it happened like that and she doesn't know why it happened that way but.....

Ogema Romanelli said but they allow these things to get on the agenda in short order and that is part of his problem. Romanelli said again he is not disputing his abilities while he is out, not at all, but he just questions it. Romanelli said last year and here they go talking about the Travel Budget for the Tribal Council as well. Romanelli said he means they had an issue last year where there was a lot

of travel through Tribal Council and now it looks like it may be headed in that same direction. Romanelli said that is all he had to say.

Recorder Lewis thanked Ogema Romanelli.

Ogema Romanelli thanked them all.

Speaker Riley said all right is there any other discussion on this item. Riley apologized. Riley recognized Councilor Crampton.

Councilor Crampton said yes it was first offered up to him because he is the Federal Liaison.....one of the Federal Liaisons but he pointed out that Mr. Friedel has been doing work with the Republican side so it should probably go to him. Crampton said he thinks that the Tribe has been reactive on these issues and played boogeyman with them going out and being active in the community and with other agencies and other entities like the Federal Government. Crampton said other Tribes are way ahead of them in that area and they are active in that and send a lot more people than they send. Crampton said they need to move on past this boogeyman attitude and actually get into what is really affecting Tribes out there. Crampton said they need to be involved and he doesn't think they would be in the current situation in Muskegon if they had actually reached out and talked to people.

Speaker Riley recognized Councilor Lewis.

Recorder Lewis said again she just, they know, apologies to the membership why this item came on at such late notice she doesn't know but herself she feels it is something important so.

Speaker Riley said okay. Riley said all right if there is nothing further. Riley asked Recorder Lewis to do a roll call.

Roll Call #3

J. Riley - Yes	J. Friedel -	Abstain	D. Corey -	Yes
S. Crampton - Yes	G. DiPiazza -	Yes	R. Pete -	No
R. Wittenberg-Yes	D. Lonn -	Absent	S. Lewis -	Yes

Motion carried (6-1-1-1)

Recorder Lewis said travel has been approved for Councilor Friedel to attend the 2019 NRCC Spring Dinner and Summit in Washington, D.C. on April 2, 2019.

Speaker Riley thanked Recorder Lewis.

IV. Acceptance of Reports

A. Report of the Tribal Ogema

		1.	Financial Report	□ None Sub	mitted
	most		y said it looks like they are wa one he thinks. Riley asked G orrect.	•	-
	Grace	e Hendle	er replied yes.		
	Coun	cilor Pe	te said yes.		
	Speal	ker Rile	y said they are waiting for Fel	bruary. Riley sa	iid okay.
V.	Acce A. B. C. D. E. F.	Binoj Enro Gami Healt Hous	of Commission Reports leeuk Commission llment Commission ing Commission th Commission ing Commission ing Commission ral Resource Commission	☐ February ☐ February ☐ February ☐ None Sub ☐ February ☐ None Sub	2019 2019 mitted 2019
	Gami on He	ng for F ealth and	y said they have Binojeeuk fo February and Housing for Feb d Natural Resources. Riley as these reports.	ruary. Riley sai	id they are still waiting
VI.	Acce A. B. C.	Elder Little	of Committee Minutes and rs Committee Minutes River Casino Resort Prefer rs Board Report		☐ February 2019 ☐ February 2019 ☐ March 2019
	River said l if any shoul Com	Casino e believ body wid menti plaint w	y said they have the Elders Co Preference Report and they of yed there was a recent filing the rants to view it they can speak on that the Ethics Board Reports as Non-Meritorious so. Riley these items.	lo have the Ethich hat is now going with their Admort wasthe fi	cs Board Report. Riley g to be in Open Session nin. Riley said oh, he nding was that the
VII.	Old 1	Busines	s		
	Repo	rts that	t are due: January 2019		Reports received:
	A. B.		icial Report ral Resource Commission		☐ January 2019
	ъ.		ember 2018		☐ None Submitted

Speaker Riley said they got the January Financial Report and they are still waiting on the September 2018 Report from the Natural Resource Commission. Riley said he is not entirely sure that that exists due to the circumstances. Riley asked Gary Di Piazza as Liaison could he please get them to submit something saying that......

Councilor Di Piazza said he has asked.

Speaker Riley said just document what the reason is why......

Councilor Di Piazza said he has asked for it.

Speaker Riley said......to write down to the best of their recollection what was discussed in September. Riley said he knows it is a long time ago but he means there should be something.

Councilor Di Piazza said well he said he had problems getting the recorder back, the laptop back after that one resigned so. Di Piazza said he has asked for an email just to state that it was non-recoverable but he hasn't.....Grace Hendler has not received that he guessed so.

Speaker Riley said okay. Riley asked all right are there any other questions or discussion on these specific reports.

Councilor Wittenberg said yes.

Speaker Riley recognized Ron Wittenberg.

Councilor Wittenberg said on Natural Resources he believed that there was brought up on numerous times about them getting them reports in. Wittenberg said it is just as he stated that they never complied.

Speaker Riley said yep and that is.....that is probably why Item F. is on here later on so. Riley said all right is there anything further on the reports. Riley said nope, okay.

VIII. New Business

A. Authorizing Permanent Adoption of Amendments to the Health Commission Ordinance #06-150-06

The Tribal Council has drafted amendments to change the name of Contract Health Service to Purchase and Referred Care, formatting and grammar changes.

Speaker Riley said oh, Elise Mc Gowen-Cuellar is going to represent this. Riley said one of their wonderful attorneys.

Elise Mc Gowen-Cuellar, Unified Legal Department Attorney, represented this agenda item. Mc Gowen-Cuellar said her greeting in Anishinaabemowin. Mc Gowen-Cuellar said so the Tribal Council posted this amendment for 30-day public comment period and had a final work session on March 18th to review any comments or issues submitted during the 30-day comment and no public comments were submitted for these amendments. Mc Gowen-Cuellar said she thinks.....let's see the ordinance is to change the name of Contract Health Services to Purchase and Referred Care. Mc Gowen-Cuellar said they did some formatting and grammatical changes.

Speaker Riley asked were there any other changes. Riley said he knows that they had met with the Health Commission and because they have a.....they are kind of limited in their capacity. Riley said they asked them specifically if there is anything that they would like to see added that would get.....make them able to do their job better.

Elise Mc Gowen-Cuellar said she would point him to 6.03 B, C and D. Mc Gowen-Cuellar said there is a little bit of adjustment to what the commission shall hear and in accordance to the procedures of the commission so.

Speaker Riley said okay and thanked Elise Mc Gowen-Cuellar.

Elise Mc Gowen-Cuellar said they clarified that so.

Speaker Riley said all right are there any questions or a motion on this item. Riley recognized Councilor Pete.

Councilor Pete thanked Speaker Riley. Pete said if there is no questions he is prepared to make a motion.

MOTION TO APPROVE RESOLUTION #19-0327-070; ADOPTION OF AMENDMENTS TO THE HEALTH COMMISSION ORDINANCE #06-150-06; by Pete; supported by Lewis.

Speaker Riley asked are there any abstentions. Riley said all right no abstentions. Riley asked is there any further discussion on this item. Riley said no discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #4

J. Riley - Yes	J. Friedel -	Yes	D. Corey -	Yes
S. Crampton - Yes	G. DiPiazza -	Yes	R. Pete -	Yes
R. Wittenberg-Yes	D. Lonn -	Absent	S. Lewis -	Yes

Motion carried (8-0-0-1)

Recorder Lewis confirmed Resolution #19-0327-070 has been approved.

B. Authorizing Permanent Adoption of Amendments to the Rehabilitation for Licensure Ordinance #11-400-10

The Tribal Council has drafted amendments to correct errors and clarify the Burden of Proof Requirements for Tribal Court Review.

Speaker Riley recognized Elise Mc Gowen-Cuellar.

Elise Mc Gowen-Cuellar, Unified Legal Department Attorney, represented this agenda item. Mc Gowen-Cuellar said so the amendments to this ordinance are to correct the errors and clarify the Burden of Proof requirement for Tribal Court Review. Mc Gowen-Cuellar said this was posted for......these amendments were posted for 30-day comment and there was a final work session on March 18th to review any comments or issues. Mc Gowen-Cuellar said no public comments were submitted for these amendments. Mc Gowen-Cuellar said so specifically the Burden of Proof integrity and Gaming starts with the Burden of Proof to establish fitness or eligibility to attain or maintain a Non-Gaming or Gaming Employee License shall be upon the applicant or licensee as the case may be. Mc Gowen-Cuellar said they made that language clear.

Speaker Riley said right, right. Riley said it's not new language this language was actually everywhere else in all the regulations and in the ordinance it was just in this specific ordinance where it was reversed so this is a consistency issue.

Elise Mc Gowen-Cuellar said then the other changes to the appeal to......the Court of Appeals.....all appeals to the Tribal Court Appeals shall be made in writing in accordance with their rules. Mc Gowen-Cuellar said she thinks they had in there 14 days and that is not the same as their rules so they just wanted to clear that up.

Speaker Riley said right, right. Riley asked appeals are 28 days is it.

Elise Mc Gowen-Cuellar said she believed so or 21 something like that.

Councilor Pete said it is.

Speaker Riley said all right do they have any questions or a motion. Riley recognized Councilor Pete.

Councilor Pete said to Speaker Riley okay if there are no questions he is prepared to make the motion.

MOTION TO APPROVE RESOLUTION #19-0327-071; ADOPTION OF AMENDMENTS TO THE REHABILITATION FOR LICENSURE ORDINANCE #11-400-10; by Pete; supported by Wittenberg.

Speaker Riley asked are there any abstentions. Riley said all right no abstentions. Riley asked any discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #5

J. Riley - Yes	J. Friedel - Yes	D. Corey -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	R. Pete -	Yes
R. Wittenberg-Yes	D. Lonn - Absent	S. Lewis -	Yes

Motion carried (8-0-0-1)

Recorder Lewis confirmed Resolution #19-0327-071 has been approved.

C. Authorizing Permanent Adoption of Amendments to the Gaming Commission Ordinance #04-400-04

The Tribal Council has drafted amendments to address Commissioner status, correcting grammar and resolving formatting issues.

Speaker Riley called upon Elise Mc Gowen-Cuellar.

Elise Mc Gowen-Cuellar, Unified Legal Department Attorney, represented this agenda item. Mc Gowen-Cuellar said these amendments to this ordinance are to address Commissioner Status, correcting grammar and resolving formatting issues. Mc Gowen-Cuellar said they posted these proposed amendments for 30-day public comment and the final work session was March 18th. Mc Gowen-Cuellar said she feels like she said this before. Mc Gowen-Cuellar said there were no comments......no public comments submitted. Mc Gowen-Cuellar said so specifically the changes are to Gaming Commissioners the Gaming Commission shall be composed of no less than three but no more than five Commissioners. Mc Gowen-Cuellar said one of the Gaming Commissioners need not be an enrolled member of the Tribe but must meet the qualifications as listed. Mc Gowen-Cuellar said that qualification is that the one Non-Tribal Member shall have at least ten years of Executive Level Business expertise in the Gaming Operation and/or Gaming Regulatory Compliance.

Speaker Riley said right and he believed that was added just simply because the Gaming Commission is such a....he guessed experience based in technical type position that it may be good for them at some point to get somebody on there with a lot of experience rather than training every single person from the ground up but the idea is mostly to make sure they are training their own people.

Elise Mc Gowen-Cuellar said if and they are....she thinks the Gaming Commission if she is not mistaken is fully staffed.

Speaker Riley yes they have a full commission.

Elise Mc Gowen-Cuellar said there are five Tribal members on there.

Speaker Riley said all right. Riley recognized Recorder Lewis.

Recorder Lewis said if there is no further questions she would like to make a motion.

MOVE FOR THE APPROVAL OF RESOLUTION #19-0327-072; ADOPTION OF AMENDMENTS TO THE GAMING COMMISSION ORDINANCE #04-400-04; by Lewis; supported by Pete.

Speaker Riley asked are there any abstentions. Riley said all right no abstentions. Riley asked discussion. Riley said all right no discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #6

J. Riley - Yes	J. Friedel - Yes	D. Corey -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	R. Pete -	Yes
R. Wittenberg-Yes	D. Lonn - Absent	S. Lewis -	Yes

Motion carried (8-0-0-1)

Recorder Lewis confirmed Resolution #19-0327-072 has been approved.

Speaker Riley said to Recorder Lewis that she would be waiting awhile for that response.

Recorder Lewis said exactly.

D. Posting of Natural Resource Commission Camping Regulations (R500-01:NRC 04) for 30-Day Public Comment Period

The Natural Resource Commission determined that designated Campsite Permit costs should be changed, the definition of Closed Area needs to be included in the Regulation and formatting changes.

Speaker Riley recognized Councilor Di Piazza.

Councilor Di Piazza said yes this is just for 30-day comment period right this minute. Di Piazza said eventually the commission wants to charge \$20.00 per week and \$500.00 per season if they choose to stay there all season. Di Piazza said Campground Opening is April 1st and does close October 31st subject to the weather. Di Piazza said freezing utilities but it is up for a 30-day comment so that being said.

Recorder Lewis said okay she just wanted to include also that they did have a work sessions regarding it being \$10.00 for Elders she means so they are going to have another work session regarding that. Lewis said that is something that is still on the table also so.

Elise Mc Gowen-Cuellar said she also wanted to add that there is proposed language to define the closed area and that is closed area means the property defined in the Natural Resource Commission, Chapter 3, Hunting, Trapping and Gathering Regulation for the 1836 Territory. Mc Gowen-Cuellar said please....she don't.....she thinks that is number confusion that they are giving her.

Speaker Riley said well the confusion is.....

Elise Mc Gowen-Cuellar said but what.....

Speaker Riley said the confusion is he is saying \$500.00 per season and he is trying to figure out at \$20.00 a week if that's......

Elise Mc Gowen-Cuellar said she doesn't know.....she doesn't claim to know math well so she will trust whoever worked that one out but this is the commission and they are looking forward to comments during this 30 day comment period. Mc Gowen-Cuellar thanked them.

Speaker Riley said okay. Riley asked is there a motion.

Councilor Di Piazza said that being said.

Speaker Riley said okay Gary Di Piazza.

Councilor Di Piazza said he will make the motion.

MOTION FOR POSTING THE NATURAL RESOURCE COMMISSION CAMPING REGULATIONS (R500-01:NRC 04) FOR 30-DAY COMMENT PERIOD; by Di Piazza; supported by Pete.

Speaker Riley asked are there any abstentions. Riley said all right no abstentions. Riley asked any further discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #7

J. Riley - Yes	J. Friedel - Yes	D. Corey - Yes
S. Crampton - Yes	G. DiPiazza - Yes	R. Pete - Yes
R. Wittenberg-Yes	D. Lonn - Absent	S. Lewis - Yes

Motion carried (8-0-0-1)

Recorder Lewis said the motion has passed for posting of Natural Resource Commission Camping Regulations R500-01:NRC 04 30-Day Comment Period.

Speaker Riley thanked Recorder Lewis.

E. Confirmation of Appointment of Richard Koon to the Natural Resource Commission

This appointment is for Seat #5 with a term ending 9/20/2021.

Speaker Riley said they met with Richard Koon he believed on Monday and he just wanted to say he thinks he is going to be a great addition to the commission should he be confirmed. Riley said obviously he probably gave away his vote. Riley recognized Councilor Di Piazza.

Councilor Di Piazza said if there are no questions he will make the motion.

MOTION TO CONFIRM APPOINTMENT OF RICHARD KOON TO THE NATURAL RESOURCE COMMISSION FOR SEAT #5 ENDING ON 9/20/2021; by Di Piazza; supported by Friedel.

Speaker Riley asked are there any abstentions. Riley said all right no abstentions. Riley asked any discussion on this item. Riley asked Recorder Lewis to do a roll call.

Roll Call #8

J. Riley - Yes	J. Friedel - Yes	D. Corey - Yes
S. Crampton - Yes	G. DiPiazza - Yes	R. Pete - Yes
R. Wittenberg-Yes	D. Lonn - Absent	S. Lewis - Yes

Motion carried (8-0-0-1)

Recorder Lewis said okay the motion has passed for Confirmation of Appointment of Richard Koon to the Natural Resource Commission.

F. Authorizing Discontinuing Payment of Stipends to the Natural Resource Commission until in Compliance with the Commissions Ordinance regarding Monthly Reporting

The Natural Resource Commission shall not receive further stipends until their monthly report has been submitted for September 2018 and January & February 2019 in order to receive their stipends.

Speaker Riley asked do they have..... Riley recognized Councilor Di Piazza.

Councilor Di Piazza said if there are no questions he will make the motion.

MOTION TO APPROVE RESOLUTION #19-0327-037; DISCONTINUE PAYMENT OF STIPENDS TO NATURAL RESOURCE COMMISSION UNTIL IN COMPLIANCE WITH THE COMMISSIONS ORDINANCE REGARDING MONTHLY REPORTING; by Di Piazza.

Speaker Riley said 073 not 037.

Councilor Di Piazza asked 037.

Councilor Friedel said 073.

Speaker Riley said 073.

Recorder Lewis said 073.

Councilor Di Piazza said well anyways. Di Piazza amended the motion and resolution.

MOTION TO APPROVE RESOLUTION #19-0327-073; DISCONTINUE PAYMENT OF STIPENDS TO NATURAL RESOURCE COMMISSION UNTIL IN COMPLIANCE WITH THE COMMISSIONS ORDINANCE REGARDING MONTHLY REPORTING; by Di Piazza; supported by Friedel.

Speaker Riley asked are there any discussion on this particular item. Riley said all right with no discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #9

J. Riley - Yes	J. Friedel -	Yes	D. Corey -	Yes
S. Crampton - Yes	G. DiPiazza - N	Yes	R. Pete -	Yes
R. Wittenberg-Yes	D. Lonn -	Absent	S. Lewis -	Yes

Motion carried (8-0-0-1)

Recorder Lewis confirmed Resolution #19-0327-073 has been approved.

Speaker Riley thanked Recorder Lewis.

G. Amending the Schedule of Regular Meetings for the Tribal Council for Calendar Year 2019 by the Cancellation of the Wednesday, April 3, 2019 Tribal Council Meeting

The Tribal Council wishes to cancel the meeting scheduled for Wednesday, April 3, 2019 due to lack of quorum being able to be present.

Speaker Riley asked do they have any discussion and/or a motion. Riley recognized Councilor Di Piazza.

Councilor Di Piazza said he will make the motion.

MOTION TO APPROVE RESOLUTION #19-0327-074; AMENDING THE SCHEDULE OF REGULAR MEETINGS FOR THE TRIBAL COUNCIL FOR CALENDAR YEAR 2019 BY THE CANCELLATION OF THE WEDNESDAY, APRIL 3, 2019 TRIBAL COUNCIL MEETING; by Di Piazza; supported by Friedel.

Speaker Riley asked are there any abstentions. Riley said all right no abstentions. Riley asked any discussion. Riley recognized Councilor Crampton.

Councilor Crampton said this is for April 3rd and he knows that Jamie Friedel will gone and Ron Wittenberg and Sandy Lewis that will leave six Council Members. Crampton asked who is the one that can't make it here.

Councilor Friedel said one will be on vacation.

Recorder Lewis said yes, vacation.

Councilor Pete said yeah he will answer that for him. Pete said he will be gone tomorrow. Pete said his wife and family are leaving on a vacation to Mexico that they planned four months ago.

Councilor Crampton said okay.

Councilor Pete said that he got approved by the Speaker and the Recorder for the vacation. Pete said he will be gone.

Councilor Crampton said he was asking because that was an issue that was made with three Councilors on business he was wondering why they can't have the...it the meeting.

Councilor Pete said he will be the one that is taking the approved vacation.

Councilor Crampton said okay and thanked Councilor Pete.

Speaker Riley said all right and okay. Riley asked any further discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #10

J. Riley - Yes	J. Friedel - Yes	D. Corey -	Yes
S. Crampton - Yes	G. DiPiazza - No	R. Pete -	No

R. Wittenberg-Yes D. Lonn - Absent S. Lewis - Yes

Motion carried (6-2-0-1)

Recorder Lewis confirmed Resolution #19-0327-074 has been approved.

H. Resolution in Support of the Amicus Brief Supporting the Constitutionality of the 2010 Indian Health Care Improvement Act Amendments in the Affordable Care Act

The Little River Band of Ottawa Indians Tribal Council hereby submits a Resolution in Support of the Amicus Brief arguing Indian Health Care Improvement Act Amendments in the Affordable Care Act are not unconstitutional.

Speaker Riley said once again they go to the great State of Texas and their wonderful record with litigating cases regarding the rights of Tribes. Riley recognized Elise Mc Gowen-Cuellar.

Elise Mc Gowen-Cuellar, Unified Legal Department Attorney, represented this agenda item. Mc Gowen-Cuellar said right so this is a late add because they found out about this last night at 7:30 at night. Mc Gowen-Cuellar said last year District Court Judge in Texas issued a broad decision over turning the entire Affordable Care Act and he also overturned the Indian Health Care Improvement Act Amendments which Congress enacted as part of the Affordable Care Act. Mc Gowen-Cuellar said this case is now on appeal with the U.S. Court of Appeals for the 5th Circuit. Mc Gowen-Cuellar said the Law Firm, Hobb, Strauss and Synawski have been working on an Amicus to be filed with the Circuit that yesterday the Justice Department announced that it is changing it prior litigation position and now arguing that the entire Affordable Care Act is unconstitutional. Mc Gowen-Cuellar said so that means they are going to be arguing to have everything removed including the updates to the Indian Health Care Improvement Act that had nothing to do with the mandate in the lawsuit that was initially challenged. Mc Gowen-Cuellar said so the ULD is asking for the Tribe to sign onto the Amicus Brief in support of the Indian Health Care Improvement Act amendments.....oops sorry almost said addendums.....amendments to show support.

Speaker Riley said okay and they know for their membership out there some of them might be asking why is this important to them. Riley said specifically the amendments to the ACA on the Indian Health Care Improvement Act actually secure funding for their very own Clinic downstairs and if that is overturned then they are going to have another battle in Congress to make sure that the funding levels are appropriate all over again. Riley said so that is that. Riley asked do they have any other discussion, questions or a motion. Riley recognized Recorder Lewis.

Recorder Lewis said she would like to make a motion.

MOVE FOR THE APPROVAL OF RESOLUTION #19-0327-075; RESOLUTION IN SUPPORT OF THE AMICUS BRIEF SUPPORTING THE CONSTITUTIONALITY OF THE 2010 INDIAN HEALTH CARE IMPROVEMENT ACT AMENDMENTS IN THE AFFORDABLE CARE ACT; by Lewis; supported by Di Piazza.

Speaker Riley asked are there any abstentions. Riley said all right no abstentions. Riley said he has a question. Riley asked Elise Mc Gowen-Cuellar did they actually get to read the order and opinion yet.

Elise Mc Gowen-Cuellar answered no. Mc Gowen-Cuellar said no they haven't but.....

Speaker Riley said he is curious on what grounds the whole thing is unconstitutional. Riley asked Elise Mc Gowen-Cuellar if she could pull that up on WestLaw and send a copy to him so he can read it.

Elise Mc Gowen-Cuellar said not a problem. Mc Gowen-Cuellar said she does know that this is.....she believed this is a part of the litigation tactic they are deciding to include everything in it so it is just their position as of right now. Mc Gowen-Cuellar said hopefully they can find out more as they know....as the arguments take place so and more Amicue are filed.

Speaker Riley said right, right and she knows he....nobody knows what.....what is going to be decided should it even make it to the.....the _____ Petition that is even going to be accepted or what the Supreme Court is going to decide on it. Riley said so he means he thinks they should proceed as if everything is going to go away and be as cautious as possible. Riley said in that he probably would recommend that Councilor Friedel meeting with Congress people and Senators next week make mention on how important the Indian Health Care Improvement Act portion is and possibly use it as a talking point and talk about Stand Alone Legislation should something happen here. Riley said they know just to kind of get ahead of....ahead of this. Riley asked do they have any other discussion. Riley recognized Councilor Crampton.

Councilor Crampton said just that the unconstitutionality becomes....comes to the individual ____ mandate. Crampton said that was the ruling last year now the Justice Department just switching their stand saying now they support that ruling.

Speaker Riley said right, right.

Councilor Crampton said so that is basically what the unconstitutionality of it is.

Speaker Riley said okay. Riley said all right no further discussion. Riley asked Recorder Lewis to do a roll call.

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J. Riley - Yes	J. Friedel - Yes	D. Corey -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	R. Pete -	Yes
R. Wittenberg-Yes	D. Lonn - Absent	S. Lewis -	Yes

Motion carried (8-0-0-1)

Recorder Lewis confirmed Resolution #19-0327-075 has been approved.

Speaker Riley thanked Recorder Lewis.

IX. Concluding Business

- A. Next Meeting Date(s) Wednesday, April 10, 2019
- B. Ogema Weekly Status and Business Update

Ogema Romanelli thanked Speaker Riley. Romanelli said he just wants to say that for the only real item he has is that their Budget Meeting is being set up for August. Romanelli said they do this for the membership as required by their Constitution to present what they have for their Budget to the membership. Romanelli said it is always held on the first Saturday of August. Romanelli said they have done that repeatedly probably for 6-8 years at least and they normally hold it from 9:00 until noon. Romanelli said the reason they did that was to correspond with the Elders because so that the Elders didn't have to get out an extra time so that they did the Budget Meeting from 9 to noon and then the Elders could hold their meeting at noon on. Romanelli said he now understands that Tribal Council is putting a Council Meeting together on that same Saturday at 10:00. Romanelli said he thought about moving their Budget Meeting to 3:00 or something in the afternoon. Romanelli said then he thought about moving it to 8:00 or 7:00 which doesn't make sense then they have people that come in from Muskegon so he is going to hold to the same timelines. Romanelli said it is going to be on the first August of.....first Saturday in August and it will remain the same hours which is 9:00 to noon. Romanelli said the only difference is that he will have to figure out where they are going to go. Romanelli said he understands that Tribal Council is going out to Aki with their....with their Council Meeting and the Elders usually have their picnic out here at the campground so he will either have his meeting here or at the campground.

Speaker Riley said he thinks they need to sit down and talk to each other and coordinate it so that it is appropriate. Riley said he thinks Council can move the meeting until what 2:00 in the afternoon when the picnic is over or whatever. Riley said they don't want to do any overlap because the reason they are having a meeting on Saturday is so that people have an opportunity to come. Riley said they don't want them to have to make a choice.....

Ogema Romanelli said understood, yes.

Speaker Riley said.....where to go so.

Ogema Romanelli said he doesn't want to confuse them with the Budget Meeting. Romanelli thanked Speaker Riley. Romanelli said he would appreciate that. Romanelli said he thinks that is the only.....there is only a couple of other clean up items. Romanelli said he guessed when members are calling about the ____ forum....the forum has been cancelled. Romanelli said they were told that the Ogema cancelled the forum and the Ogema did not cancel the forum. Romanelli said he didn't start the forum and he didn't cancel it. Romanelli said they were told....he was told that the Recorder told a Tribal member that it was the Ogema that cancelled it. Romanelli said he did not so.

Recorder Lewis said no she didn't just so he knows. Lewis said she knows people hear things here and there. Lewis said where that ends up on the telephone line but she did not say that.

Ogema Romanelli thanked Recorder Lewis. Romanelli said he appreciates that. Romanelli said the only other thing is he doesn't think the boogeyman comment was necessary. Romanelli said just an FYI. Romanelli thanked them.

Speaker Riley said all right. Riley said he didn't see anybody's hand up to make a question or comment. Riley asked did anybody have anything and apologized.

C. Legislative Affairs Update

Speaker Riley said does anybody have anything for Legislative Affairs Update at this point. Riley recognized Councilor Crampton.

Councilor Crampton said just the aforementioned of an attack on the ACA. Crampton said it will impact Tribes hugely and they shouldn't be part of it. Crampton said their obligations to them and their Treaty Obligations shouldn't be mandated by their Budgetary Constraints. Crampton said they need to be reminded of that over and over and over and over again. Crampton said they are not part of their Budget. Crampton said they gave them five million acres of property and the rent is due.

Speaker Riley said all right. Riley recognized Councilor Corey.

Councilor Corey said Saturday Line 5.....the crew has been on their walk for water and they are going to end Saturday at the Capitol Building with a rally. Corey said they have asked everybody who is interested to attend.

Speaker Riley said okay. Riley asked anything else for Legislative Affairs.

D. Public Comment Period

Speaker Riley said all right public comment period. Riley recognized Matt Chandler.

Matt Chandler, Tribal #1687, said good morning. Chandler said there has been a lot of talk about the whole getting something on the agenda then having it taken off. Chandler said Valerie Chandler has been sharing with him. Chandler said a long time ago over six months ago he suggested that they come up with a matrix so that everybody is on the same playing field. Chandler said these are the steps that have to be taken whether they are Tribal Council or a citizen to get something on the agenda instead of yeah they will put it there then it gets taken off. Chandler said he has asked for an SOP and he hasn't seen an SOP on how to get things on the agenda so he thinks that would solve a lot of the problems of yes or no if it is in writing. Chandler thanked them.

Speaker Riley said if he looks at the Meeting Procedures Ordinance it is pretty well outlined in there. Riley said it says that it has to be in eight days in advance and it gives.....what is it.....five or six things that all have to be included in it. Riley said he thinks they can make a cheat sheet for people just to make it easier for them though. Riley said he thinks that is definitely doable.

Matthew Chandler said the reason why he said matrix he knows when he was doing the Emergency Response for the Coast Guard he just finished up that project 30 days ago. Chandler said in there that matrix if this kind of spill happens they can contact this person, this person, this person with telephone numbers and stuff like that. Chandler said they can do the same thing where, okay, they have an agenda item this is the form that has to be filled out, this is the timeframe that it has to be to this person and once they have that check list or matrix done then the person can say they filled out all the information now why isn't it on the agenda because they did everything they asked them to do.

Speaker Riley said um-hum.

Matthew Chandler said having that check list or that matrix probably make it easier for citizens to understand that they do have a power to put something on the agenda. Chandler said just a suggestion. Chandler thanked them.

Speaker Riley thanked Matthew Chandler. Riley recognized Councilor Crampton.

Councilor Crampton said yeah like the Speaker said there is an outline on how to do this in the Meeting Procedures Ordinance. Crampton said the problem has been since 2005 has been the late adds and it is Council that is allowing it. Crampton said he knows that Councilor Medacco was a strong supporter of sticking to the rules and he mentioned it all the time. Crampton said he voted a lot against approving the agenda. Crampton said the adds that.....he has been counting the majority of the adds that come from the Executive side not the

Council side. Crampton said Council has allowed them and it has been a practice of them over the years. Crampton said if they just stuck to the rules. Crampton said it seems to be only an issue when somebody puts on something they don't like.

Speaker Riley recognized Recorder Lewis.

Recorder Lewis said even her own self being Recorder she is being put in a situation where yesterday it was okay no adds, no adds, and then five minutes later somebody come up and said she's got to add this. Lewis said so she is kind of going back and forth. Lewis said she usually tries not to say no to people but they know they have consensus with people going on this and that so it is back and forth. Lewis said herself she tries to put things on just to get things moving and keep business going so they will get this figured out. Lewis thanked them.

Speaker Riley said right, right. Riley said they know it all depends on the item he means some items are legitimately they can't wait until the next Council Meeting. Riley said specifically on this one he thinks they know the Amicus Brief or the they know the travel that would have taken place April 2nd they know that is not something that can.....can be decided after the date that it actually happens or with the court case. Riley said they want to make sure they are on top of these things so there is a time when additions are necessary and they know sometimes...they know during the operations process things come up unanticipated or whatever and they have to be amendable to that sometimes but they know it does get abused at times he believes so.

Councilor Crampton said it gets abused a lot.

Speaker Riley said all right. Riley asked anything else under public comment. Riley said all right closed session.

Councilor Crampton said they have a.....

Speaker Riley apologized. Riley said he didn't see that. Riley asked could she step up to the podium...

Julia Nickelson asked from the audience why don't they send two of them to that breakfast in Washington.

Speaker Riley said he has to ask her....

Julia Nickelson said from the audience that they can get more done in that audience than they can do at that table.

Speaker Riley said he has to ask her to step up to the podium because otherwise it won't pick it up on the microphone so they can't get it in the minutes. Riley said

he is sorry if she has trouble walking. Riley said they don't have microphones that move real well. Riley said maybe they should get a portable one for that purpose.

Julia Nickelson repeated why don't they send two of them for that breakfast in Washington because she has been to a lot of meetings and she always got more done out in the audience than she did at that table.

Speaker Riley said yeah they've.....

Julia Nickelson said they got to be someone who will be able to talk and don't worry about what people think or say. Nickelson said they got to be up there for themselves and for who they are sponsoring. Nickelson said she means they are up there for a reason and use that for a reason. Nickelson said they would like..... Nickelson thanked Jamie Friedel for that good report on his last trip there. Nickelson said they need more like that and then come back and put it out what they learned and what they thought they could do while they are there and put it in that paper. Nickelson said that is what their paper is for.

Speaker Riley said um-hum.

Julia Nickelson said so everyone will know then they don't have to come over here and find out they should get it in the paper. Nickelson said there is a lot of people from way out that would like to know what is going on. Nickelson said if they are going on these trips and spending this much money they should come back with something for everybody to read in that paper. Nickelson said they have that paper use it.

Speaker Riley said yep.

Julia Nickelson said Jamie Friedel did the other day and everybody appreciated that.

Speaker Riley said okay. Riley thanked Julia Nickelson.

Julia Nickelson said send two of them somebody that can talk and know how to get around and not somebody who is bashful. Nickelson said don't be pushed aside go up there and be aggressive they have to be aggressive when they go to these places.

Speaker Riley said um-hum.

Julia Nickelson said she has been to a lot of them big meetings and she usually got her way but them guys are going to have to learn to do these things. Nickelson said if they are going to go go and go what they are sent to do and come back with what they send them for. Nickelson thanked them.

Speaker Riley thanked Julia Nickelson. Riley recognized Recorder Lewis.

Recorder Lewis said they know she thinks the future there is just something like a side thought that she had is she would really like to see like a Tribal member go on some of these trips with them so then they have insight and understanding to see what they are doing because it is a lot of work that they are doing but she would like to have them be a little bit of hands on. Lewis said she thinks just a random pick and she is not sure how that would even work it is just a thought she had that she would love to see. Lewis said they know for here and there that a Tribal member and she means that would have been nice if they would have had time they know if they had been notified early enough that Jamie Friedel could have had somebody like a Tribal member go with him and be a part of that process so just a thought.

Speaker Riley said to Recorder Lewis that yeah, and he agrees with that and he actually talked about that before, last year they talked about getting an intern.....

Recorder Lewis said that was the Tribal.....

Speaker Riley said yeah and getting a Tribal member intern to they know come during the summer and follow Council around. Riley said work with them or whatever and kind of learn the ropes so that way they are developing future leadership so they see what the job is because one of the biggest things they hear about Tribal Council is when people get on it is not what they expected, not at all so they know that's still something that he would like to see done. Riley said he is not sure if they have it in the Budget this year but.....

Recorder Lewis apologized. Lewis said she forgot that they talked.....okay go ahead.

Speaker Riley recognized Councilor Crampton.

Councilor Crampton said to Recorder Lewis to finish up.

Recorder Lewis said she was just going to say sorry because she forgot they had a conversation last year.

Councilor Crampton said he was just going to say that he thinks that is a wonderful idea and that he supports that whole-heartedly. Crampton said sending people out like Jamie Friedel he means people have to understand they got to recognize talents that they have at hand. Crampton said before Jamie Friedel was on Council he worked at the C-Store even Council would say did they find out what was going on in the Tribe and did they stop by the C-Store because everybody stopped and talked to Jamie Friedel. Crampton repeated everybody. Crampton said even Council would go down to the C-Store and say what is going on with the Tribe and talk to Jamie Friedel. Crampton said that is the truth.

Crampton said he has the gift of gab and does a good job when he is out there. Crampton said he would really like to see the idea that Sandy Lewis and Joe Riley were just talking about implemented because right now they have even Council Members lying to the membership and saying that they are out there on vacations. Crampton said he just returned from a meeting where they wake up in the morning at 7:00 they go down and they sit at the meeting until 8:00 at night. Crampton said if they try to get up and have......go out for lunch or dinner they slide a plate in front of them and say no, no, no sit right here they have another speaker coming in five minutes and they can eat now. Crampton said they want to get out of that chair, they want to pull their hair out and they want to just.....they get back to their room at 8:00 at night and they go to sleep and wake up the next day to start. Crampton said that is what they do. Crampton said so he supports that idea so the membership can actually see who is telling the truth and who is up there lying.

Speaker Riley said okay. Riley said all right with that they will be going into Closed Session now.

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.

Tribal Council recessed at 10:50 a.m.

VIII. Open Session

The Tribal Council reconvened in Open Session at 11:44 a.m.

Speaker Riley asked Recorder Lewis to do a roll call to establish quorum.

J. Riley -	Present	J. Friedel -	Present	D. Corey -	Present
S. Crampton -	Present	G. DiPiazza -	Present	R. Pete -	Present
R. Wittenberg	-Present	D. Lonn -	Absent	S. Lewis -	Present

Quorum established.

Recorder Lewis said they had a quorum.

A. Items moved from Closed to Open Session

Speaker Riley asked Recorder Lewis do they have any items to move from Closed to Open.

Recorder Lewis responded yes.

MOTION TO MOVE MOTION, ROLL CALL AND VOTE FOR RESOLUTION #19-0327-076 AND 077; by Lewis; supported by Friedel.

Speaker Riley asked are there any abstentions. Riley said all right no abstentions or discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #12

J. Riley - Yes	J. Friedel - Yes	D. Corey - Yes
S. Crampton - Yes	G. DiPiazza - Yes	R. Pete - Yes
R. Wittenberg-Yes	D. Lonn - Abser	nt S. Lewis - Yes

Motion carried (8-0-0-1)

Recorder Lewis said all right motion, roll call and vote for Resolution #19-0327-076 and 077.

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

MOTION TO APPROVE RESOLUTION # 19-0327-076, RATIFICATION OF AGREEMENT WITH MUTUAL OF OMAHA; by Pete; supported by DiPiazza.

Roll Call #C-3

R. Wittenberg – Yes		S. Crampton	S. Crampton - Yes		G. DiPiazza – Yes	
D. Lonn -	Absent	D. Corey –	Yes	J. Riley –	Yes	
J. Friedel -	Yes	R. Pete -	Yes	S. Lewis -	Yes	

Motion carried (8-0-0-1)

MOTION TO APPROVE RESOLUTION # 19-0327-077, APPROVING CONTRACT WITH BIG FIRE LAW & POLICY GROUP; by Crampton; supported by Friedel.

Roll Call #C-4

F	R. Wittenberg – Yes		S. Crampton - Yes		G. DiPiazza - Absent	
I	D. Lonn -	Absent	D. Corey –	Yes	J. Riley –	Yes
J	. Friedel -	Yes	R. Pete -	Absent	S. Lewis -	Yes

Motion carried (6-0-0-3)

This concludes the items moved from Closed to Open Session.

IX. Adjourn

Speaker Riley asked would anybody like to make a motion to adjourn at 11:46.

Councilor Di Piazza said no.

MOTION TO ADJOURN AT 11:47; by Crampton; supported by Wittenberg.

Speaker Riley recognized Councilor Pete.

Councilor Pete said he is a little confused he thought they just talked about the donation and doing it out here. Pete asked aren't they doing that.

Speaker Riley said it has to go on next week.

Recorder Lewis said a week after because of all the paperwork, etc.

Councilor Pete apologized. Pete said then he thought he was confused about that.

Recorder Lewis said no.

Speaker Riley said no.

Councilor Pete said then he has nothing else.

Speaker Riley said right now they are discussing the agenda so they have to maintain topic. Riley said alrighty. Riley said he is sorry not the agenda but the adjournment.

Councilor Pete said okay sorry.

Speaker Riley asked does anybody have discussion on the adjournment. Riley said well all right. Riley said no discussion on the adjournment. Riley asked Recorder Lewis to do a roll call.

Roll Call #13

J. Riley - Yes	J. Friedel -	Yes	D. Corey -	Yes
S. Crampton - Yes	G. DiPiazza	- No	R. Pete -	Yes
R. Wittenberg-Yes	D. Lonn -	Absent	S. Lewis -	Yes

Motion carried (7-1-0-1)

The meeting was adjourned at 11:47 a.m.

Respectfully Submitted,

Grace A. Hendler

Transcribing Assistant

Sandra Lewis,

Tribal Council Recorder