

**LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COUNCIL  
REGULAR MEETING  
WEDNESDAY, MAY 11, 2016  
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 May 11, 2016. Following are the minutes of that meeting.

**I. Opening Prayer**

Grace Hendler, Tribal Elder, offered the Opening Prayer.

Thank you Creator and Mother Earth for all that you have provided and blessed our families with.

Please continue to watch over our Tribe and our Tribal Leaders as they journey to help make those hard decisions for the Tribe.

Miigwech, Miigwech, Miigwech. Ahaaw.

**II. General Business**

**A. Call to Order**

The regularly scheduled Tribal Council meeting was called to order at 10:00 a.m.

**B. Roll Call**

J. Riley - Present	J. Burger- Present	F. Medacco- Present
S. Crampton - Present	G. DiPiazza- Present	M. Wabindato -Present
R. Wittenberg-Present	V. Johnson – Present	S. Lewis – Present

Quorum established.

Others Present: Steve Parsons, Robert Medacco, Rebecca Liebing, Al Patricio, Tom St. Dennis, Jennifer Crampton, Diane Lonn, Bill Willis, Frank Beaver.

Others Present That Did Not Sign In: Grace Hendler, George Le Vasseur, Mary Thomas, Ogema Romanelli, Officer from Public Safety, Jake Kequom, Jason Holguin.

**C. Approval of Agenda**

**MOTION TO APPROVE THE AGENDA WITH NO ADDS AND JUST THE WAY THAT IT IS;** by Di Piazza; supported by Burger.

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion.

**Roll Call #1**

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

**D. Tribal Council Minutes**      5/4/16

**MOTION TO ACCEPT THE TRIBAL COUNCIL MINUTES FOR 5/4/16 FOR FILING;** by Medacco; supported by Lewis.

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion.

**Roll Call #2**

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

**III. Continuing Business**

**A. Grants & Contracts**

Speaker Johnson noted that they do not have anything for Grants & Contracts.

**B. Budget Modifications**

- 1. Acceptance of contract funds from the U.S. Department of Interior-Bureau of Indian Affairs and approving a modification to the Operating Budget MB-2016-\_\_ in the amount of \$11,000**

The contract funds are awarded as part of the 2015 Self-Governance Compact for Automated Election Services (AES) for the Secretarial Election that will be on July 11, 2016.

Speaker Johnson said he believed that Bill Willis was representing this item but he doesn't see him in the audience. Johnson said it is open for discussion.

**MOVE TO APPROVE RESOLUTION #16-0511-132;  
 ACCEPTANCE OF CONTRACT FUNDS FROM THE U.S.  
 DEPARTMENT OF INTERIOR-BUREAU OF INDIAN AFFAIRS  
 AND APPROVING A MODIFICATION TO THE OPERATING  
 BUDGET MB-2016-18 IN THE AMOUNT OF \$11,000; by Burger;  
 supported by Wabindato.**

Speaker Johnson asked if anybody was going to abstain. Johnson said let it be noted that Bill Willis joined the Council Meeting at 10:03 a.m. should there be any questions or discussion on this item. Johnson said he would invite Bill Willis to come forward to answer the questions or add onto this discussion.

Bill Willis, Budget Coordinator, represented this agenda item. Willis apologized because he got tied up somewhere else. Willis said he doesn't know if Council has acted on this yet. Willis said back in March Council approved the amendment to the Multi-year Funding Agreement with the Bureau to include this \$11,000 and then subsequent to that he thinks it was April that Council approved creating the team of people who will help assist in the Secretarial Election and this is kind of the third piece to this which is the actual acceptance of the money. Willis said the money is going to be put in the Election Board Program Account so the money will be spent in accordance with that.

Speaker Johnson thanked Bill Willis. Johnson said he knows they discussed this at Agenda Review on Monday and Council was quite aware of what the issue at hand was and what they are voting on however their membership wasn't and he is glad that Bill Willis showed up at 10:03 a.m. so he could share with their public what is happening here and he really appreciates it.

**Roll Call #3**

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

Speaker Johnson said he just wanted to comment to the public this is the money they are using for the election for the changes to the Constitution so they are moving forward on this.

**C. Approval of Budgeted Expenditure**

Speaker Johnson noted they do not have anything for Item C.

**IV. Old Business**

- |                                       |  |
|---------------------------------------|--|
| <b>A. Operations Report</b>           | <input type="checkbox"/> <b>March 2016</b>     |
| <b>B. Financial Report</b>            | <input type="checkbox"/> <b>None Submitted</b> |
| <b>C. Health Commission</b>           | <input type="checkbox"/> <b>None Submitted</b> |
| <b>D. Natural Resource Commission</b> | <input type="checkbox"/> <b>None Submitted</b> |

Speaker Johnson noted that they did receive the Operations Report for March. Johnson said he is going to ask the Recorder if there were any action items that they needed to add onto that.

Recorder Riley responded nope.

Speaker Johnson said let it be noted that they are accepting the reports for March 2016 for filing and because there is no action they don't have to do a motion on this item. Johnson went on to note they haven't received the Financial Reports, Health Commission Report, or the Natural Resource Commission Report.

**V. New Business**

**A. Approval of 30 Day Posting of the Natural Resource Commission Regulations-Hunting, Trapping and Gathering Regulations for the 1836 Ceded Territory**

On May 2, 2016 the Natural Resource Commission approved the Regulations for the 1836 Ceded Territory to be forwarded to Tribal Council to Post for 30 Day Public Comment.

Councilor Di Piazza, Liaison to the Natural Resource Commission, explained that the commission has brought forward the Hunting, Trapping and Gathering Regulations for 1836. Di Piazza said there is just a few minor changes and one that actually under the Gathering they added the Tribal Sanction of events are exempt from permitting requirements for gathering on Tribal Lands that would include the Sugar Shack. Di Piazza said that is so they can gather the sap to make maple syrup and wood for it and things along that order but if it is a sanctioned event they no longer need a permit to gather. Di Piazza said it will be up for a 30 Day Posting.

**MOTION TO APPROVE 30 DAY POSTING OF THE NATURAL RESOURCE COMMISSION REGULATIONS-HUNTING, TRAPPING, AND GATHERING REGULATIONS FOR THE 1836 CEDED TERRITORY; by Di Piazza; supported by Lewis.**

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion. Johnson said he would like to add to Councilor Di Piazza's comments in the fact that there was another change in there which was not really significant but it is a change. Johnson said that was to exercise their rights on land owned by non-Tribal members has to be done with a written permission and not a verbal. Johnson reiterated that it has to be done in writing to allow that to happen.

Johnson said he just wanted everybody to be aware of that also. Johnson asked if there was any other discussion on this item.

**Roll Call #4**

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

Speaker Johnson said at this point he wanted to thank the Natural Resource Commission for the hard work they did to get this thing completed and he knows that membership will appreciate reading this and commenting on it as necessary.

**B. Approval of the Revised Government to Government (G2G) Tribal Transportation Program Agreement between the Little River Band of Ottawa Indians (LRBOI) and the Bureau of Indian Affairs (BIA) Department of Interior**

G2G Tribal Transportation Agreement between LRBOI and USDOJ/BIA needs to be approved again because of Federal Highway funding reauthorization in 2016 under the Fixing America's Surface Transportation (FAST) Act enacted in December 2015.

Steve Parsons, from the Planning Department, represented this agenda item. Parsons said they covered this to some extent on Monday during Agenda Review so he will give the short version of this item then see if there are any questions. Parsons said essentially this is a requirement for the Tribe because in December of 2015 the U.S Congress passed what is called the FAST Act which is the acronym for it. Parsons said it is basically the re-authorization of Federal Highway Monies for the next four years and that is where they get their funding from the BIA Roads Program. Parsons said that being the case and the fact that they have a Program Agreement with the BIA, the Government to Government Agreement, by which they in essence take control of their BIA Funding and manage it themselves. Parsons said because that agreement is in place and the funding legislation has changed they are required to amend their current agreement to have it reflect the funding coming from the FAST Act as opposed to what was called MAP-21 which was the previous Federal Highway Funding Bill. Parsons said that is the short version and he probably made it longer than he should have so he guessed he will stop there and see if they have any questions for him either from Monday or today.

**MOTION TO APPROVE RESOLUTION #16-0511-133;  
APPROVAL OF THE REVISED GOVERNMENT TO  
GOVERNMENT TRIBAL TRANSPORTATION PROGRAM  
AGREEMENT BETWEEN THE LITTLE RIVER BAND OF  
OTTAWA INDIANS AND THE BUREAU OF INDIAN AFFAIRS**

**(BIA), U.S DEPARTMENT OF THE INTERIOR;** by Medacco;  
 supported by Di Piazza.

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion.

**Roll Call #5**

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

**C. Authorization to Post for 30 Day Public Comment the LLC Ordinance #14-800-02**

Tribal Council is required to post proposed Amendments to Ordinances for 30 days prior to their adoption.

Tom St. Dennis, from the Commerce Department, represented this agenda item.

**MOTION FOR AUTHORIZATION TO POST FOR 30 DAY PUBLIC COMMENT THE LLC ORDINANCE #14-800-02;** by Di Piazza; supported by Burger.

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion.

**Roll Call #6**

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

**D. Approval of the Proposal to Support the Muskegon Food Hub Phase 2 Plan-Letter of Support**

Muskegon is known as the Transportation Hub because of access to highways, rail, water and air. This Project will greatly assist specialty crop producers and beginning farmers in West Michigan in connecting to new markets and will provide healthy and local food to the Muskegon Community, the West Michigan Region, and to the Chicago Market.

Tom St. Dennis, from the Commerce Department, represented this agenda item. St. Dennis said essentially they are offering a Letter of Support for some people that were working on in Muskegon to generate a concept of Sustainable Food Hub that would offer potentially Tribal jobs as well as can support their food needs as they develop in Muskegon. St. Dennis said this is a group of people, an

influential group of people, out of the University of Arkansas that have offered to work with them and the locals in Muskegon to help develop Sustainable Food Strategies.

**MOTION TO APPROVE RESOLUTION #16-0511-134;  
APPROVAL OF LETTER OF SUPPORT TO THE MUSKEGON  
FOOD HUB PHASE 2 PLAN;** by Medacco; supported by Di Piazza.

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion.

**Roll Call #7**

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

**VI. Concluding Business**

**A. Next Meeting Date(s) - Wednesday, May 18, 2016**

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

Ogema Romanelli said to Tom St. Dennis that he was going to try and catch him on his way back. Romanelli said that he has a new person working in his department and if he would like to do the introduction.

Tom St. Dennis said they are very blessed to have Jason Holguin, a Tribal member, move back from Texas to come up and become involved in the Workforce Development. St. Dennis said Jason Holguin has some Accounting background and some tremendous skills in Microsoft Word as well as Excel. St. Dennis said what Jason Holguin is helping them focus on is continuing to more finally analyze profitability and use of their capital wisely so that is the plan. St. Dennis said to Jason Holguin that he hasn't thrown him under the bus yet.

Ogema Romanelli asked what the last name was. Romanelli said oh, okay. Romanelli said thanked Jason Holguin for joining them and this is doing exactly what they want to do is bring people back to the area. Romanelli thanked Jason Holguin and wished him good luck. Romanelli thanked Tom St. Dennis. Romanelli said they have been on some travel and he was just recently at United Tribes Meeting in the U.P with Councilor Di Piazza. Romanelli said there is a lot going on with the United Tribes and the two main things that were brought up is they are starting to get some candidates like Lonn Johnson and of course Gary Peters was up there which was nice but the two main issues that were up this last meeting were the Line 5 which is the Enbridge Line that is under the Mackinaw Bridge that is 50 plus years old and believed it is closer to 60. Romanelli said there is concern that should be shut down and they have a Line 6 that is in place

that has twice the capacity. Romanelli said what they are asking for is Bill Schutte to actually shut it down and he can that with his signature alone. Romanelli said the Tribes are all on board stating that they believe this should be shut down and it is not only the Tribes but a lot of people who are concerned with it. Romanelli said Enbridge is the one that they know had the big spill in Kalamazoo several years back and these are some older lines. Romanelli said they know that any kind of spill would be devastating to the area especially their economy and to their Great Lakes if it were to happen so that was one of the big issues. Romanelli said the second one is their Soo Locks are older too and again they are need of desperate repair. Romanelli said there is a lot of commerce that goes through those locks and there is a need to be working on them. Romanelli said there has been talk of this for many, many years. Romanelli said actually he thinks the Federal Government took some action a long time ago however it hasn't happened for whatever reason. Romanelli said those were the two things on that agenda. Romanelli said the week before he was on travel to Washington, D.C with Tom St. Dennis and Speaker Johnson and they had a quick trip in and out of there with the Department of Interior. Romanelli said he knows that there are Council members that also have been on travel and they appreciate that because there is a lot of work that has to be done whether it is on State or Local Level but on the Federal Level as well so the travel is appreciated. Romanelli said they are looking at putting a couple of flag poles up in front of the building which should probably had been done when the building was built to display the U.S Flag and the Tribal Flag in the area right outside the doors so they talked about it at the Round Table yesterday. Romanelli said he has already spoken with Maintenance again and they know that they can grab one pole that they believe is usable from the old Community Center but they may have to purchase the second pole and he is getting bids right now so that should be done fairly shortly. Romanelli said they are also talking about possibly moving two of their departments. Romanelli said that would be the Maintenance Department and possibly Natural Resources Department. Romanelli said the reason for the move is because they are trying to clear out Big Blue with all the scrap and stuff that is going out there plus the location doesn't work. Romanelli said the idea they have they would like to move their departments into the area that is between the Government Center and their Housing area with the Community Center in between. Romanelli said they have the Bull Property which they have been kind of utilizing off and on with Utilities and Maintenance, etc. Romanelli said they are looking at maybe moving those two. Romanelli said Natural Resources were in some terrible trailers for a long time and had more mice than they had employees out there so they moved them to the Ninth Street Center for a while but it doesn't quite work for the what the total intent was so they are looking at the broader picture of trying to move Natural Resources Department. Romanelli said this isn't a short-term goal but is long-term. Romanelli said also moving the Maintenance Department out at the Bull Property. Romanelli said part of the problem is that the Bull Property buildings are in poor disrepair and he doesn't know that is better to just put up a new pole building and they could do a Butler Building that has a little office space at one end and storage or whatever they need



at the other end. Romanelli said he doesn't know which is better but they are looking at all possibilities but just an idea that is what they are kind of talking about where they would like to go. Romanelli said from the last meeting he understands there were some concerns about the moving forward of an appointment on Enrollment Commission and he would like to address that as well. Romanelli said when he selects candidates for commissions there are several things that he looks at.....there is criteria that he looks at. Romanelli said one of the first things that the looks at is the date the paper was completed and he does that chronologically so if there is one before the other they go back to the earliest one that was sent in. Romanelli said a lot of times the initial application isn't sent in at the same time that the rest of the paperwork is sent in so those dates might vary. Romanelli said the other thing they have to look at is to see if the paperwork sent is within the one year timeframe that is required so they look at that. Romanelli said the other thing they look at is if the person is on other committees because as they know when he became Ogema there were people that were sitting on four and five committees and there was an objection to that. Romanelli said so if someone is sitting on another committee and another applicant isn't they look at that because they try to take the one that is not sitting on another committee for example. Romanelli said they look to see if their backgrounds are beneficial to the committee which they are applying for because sometimes they don't also coincide. Romanelli said another thing they look at is gender because they have for example in the past Council has brought it to their attention that for example on the Natural Resources Commission there is a need to have male and female input on that commission so they also look at gender. Romanelli said that is the same thing with Binojeeuk if they are dealing with children should they have a male and female perspective so they look at that at times. Romanelli said the other thing they look at is the background checks if they know something in someone's background that may prevent them they have to look at that as well. Romanelli said in the case of the Enrollment Commission from last week, back in October of 2015, they had four applicants for that group. Romanelli said the names were Matthew Chandler, Krystyne Medawis, Chuck Fisher and Sandra Mc Caslin. Romanelli said at that time the Council interviewed all four candidates and they sent two names forward, Matthew Chandler and Krystyne Medawis. Romanelli said at the time when it came up for selection they did not select Matthew Chandler so he went back to the well of those four people and grabbed the other two names and looked at them then pulled one forward. Romanelli said that is show that process happened but that is the criteria they used on a regular basis. Romanelli said it is not an easy process and over the years he has tried to include Council as much as possible to kind of handle it so that they.....Council has the right and the ability to do interviews and he appreciates them doing interviews because that helps them get a handle on it but he knows from time to time there has been questions whether the Ogema is putting one person ahead of another. Romanelli said that is the criteria that he uses and has always been the criteria he used. Romanelli said if there are any questions to feel free to address them with him. Romanelli said he thinks that is pretty much it for his report.

Councilor Crampton said well his concern was initially when they had the four applicants in he thinks they only interviewed three because Chuck Fisher had indicated that he was withdrawing his name because he didn't really want to be on there. Crampton said Chuck Fisher indicated at that time he was approached by another Commission member that asked him to be on that and he withdrew his name so they interviewed the three.

Ogema Romanelli said they didn't interview Chuck Fisher.

Councilor Crampton said he came in for a few minutes and said that he was withdrawing his name so he withdrew his name from the list. Crampton said they had another applicant, who was the third one that was on there, and they rated all three of them. Crampton said he thinks the ones that had the highest points was the order that the Ogema read them in but Sandra Mc Caslin also got points and she was the third at that time. Crampton said since then his concern was she came in here three or four times asking why she wasn't put forward then they just recently interviewed Chuck Fisher again for his appointment and he told them exact same story that he was approached by Diane Lonn and asked to be on that commission.

Ogema Romanelli said it would be.....because he takes everything into consideration and what he got back from the Council didn't indicate that Chuck Fisher was not.....that he withdrew his name. Romanelli said he put forward and they said after the interviews they put two names forward so in the future if that happens please let him know because it does play into the way they look at putting people name's forward. Romanelli said that would have been helpful to the commission.

Councilor Crampton said he would like to see instead of recycling it everybody gets an opportunity because that only seems to apply when they want to hire certain people that they got to get new opportunities for other people but then when they go to appoint certain people and other Commissioners object to that appointment then they get to recycle it. Crampton said he wanted to see the opportunities spread among everybody.

Ogema Romanelli said right and so many times too people say that they put their name in or whatever and this isn't the case with Sandra Mc Caslin but they said they have turned in their paperwork or they have their name in there but a lot of the times that isn't the case. Romanelli said next time if that happens if he could have a report back from the Council as to what took place with the interviews would be helpful too because in this case he put four names forward two names came back and the assumption was that they were all four going to be interviewed and if something happened in the process would be helpful for him to know and he will base his decisions on those things too.

Councilor Burger said this is an interesting process because constitutionally the Ogema's Office makes appointments and the responsibilities of the Tribal Council is to ratify the appointments. Burger said that is their only responsibility because it is not their responsibility to interview those candidates and not their responsibility to back those candidates but is the responsibility of the Executive's Office constitutionally to take care of those items. Burger said they had this discussion yesterday briefly and one of the things that she thinks needs to change in the process is that an appointment just needs to be made and the recommendations should come from the Executive as per the Constitution as to why that individual is suitable. Burger said they don't need to know who else is being appointed or who else is in consideration but just need to know the appointed individual. Burger said the second thing that she thinks could happen is because they are the body that ratifies that appointment to the subordinate organizations that they create as per the Constitution is that they could interview that individual out there in the public forum and the transparency would be very apparent as to their suitability for the membership. Burger said then they could take the vote in closed session as to whether or not they ratify that appointment. Burger said she thinks in going forward that her recommendation to this body, the legislative body, is going to be to implement that process because she for one have to agree with the Ogema's comment that they don't need to get beat up on Face Book and they don't need to get beat up in the public media when they have constitutional authorities that direct how those things go. Burger said that will require that the Ogema's is going to have to interview those appointees then he is going to have to provide the Council with a written directive as to why they should be appointed. Burger said they can formulate comments based on the authorities they create in those subordinate organizations and question those individuals as to their suitability to that particular commission or committee then take the vote. Burger said that is going to be her recommendation.

Speaker Johnson said before he entertains the Ogema he just wanted to respond because it is very refreshing to hear this coming from Councilor Burger because serving on Council for as many years as he has he has had his colleagues on Council wanting to know who else is on the list. Johnson said even confronting the Ogema who else is on the list because when they got the name forward they were not satisfied and may have had some idea that there were other people to consider and as presented by Councilor Burger is the Ogema to bring that name forward and it is not them to ask who else is on the list. Johnson said it is his job or her job whoever the Ogema is to bring the name forward and for them to take a vote on it. Johnson said he appreciates her comment here and he asks his colleagues to remember this in the future as these names are being brought forward it is a name that they will be taking into consideration and they will do what they have to make a decision to take their roll call vote on it.

Ogema Romanelli said the Ogema would be absolutely willing to do it that way where he or she puts one name forward to the Council to be ratified. Romanelli said there is two problems with that. Romanelli said first one is over 50% of the

names he puts forward in the past since he has been Ogema have been denied. Romanelli said the other problem is what Councilor Burger also mentioned which he mentioned the other day is the Face Book Postings etc. that encourage or try and paint a different picture or sometimes brought up in Council Meetings. Romanelli said he will absolutely bring one name forward and give the justification for doing so in the future however the other thing is for interviewing they are going to have to change what is currently listed in the Regs because the Regs say that the Council has the opportunity to interview.

Councilor Burger said they can do that right here.

Ogema Romanelli said right and they can do that. Romanelli suggested that should be done in open as well so there is more transparency and less likelihood of people being able to say that something went wrong in the process. Romanelli said if Council wants to interview in open public and make notice of it the Ogema will bring one name forward and give some justifications as to why that person was selected. Romanelli said they don't need to know the other names and in the past the Council has asked that all names be brought forward because there has been rumor that this one applied or that one applied and how come that name didn't come forward. Romanelli said the short of it usually is the fact that they didn't turn in their paperwork or it has been over a year like two years since they turned in their paperwork or in the case that Councilor Crampton mentioned maybe the person had a change of heart in the process. Romanelli said sometimes they call the person and they say they are no longer interested because they have a job that would conflict with it or for whatever reason. Romanelli said so if Council will change the Regs or if they are going to continue to interview he would suggest that the Council would also interview. Romanelli said the Ogema can interview and make the selection determining that and then the Council.....the name goes forward and the Council would interview that person but he would caution that the Face Book and especially they can't control Face Book but they can control what happens in open session or in Membership Meetings and he would ask that all Elected Officials agree with this process and support the process because that is the best way they can do it.

Councilor Crampton said he disagrees with the most transparent process for the membership because the way that they arrived at the situation they have today is that they did have a formal process before and there were members that even came into these meetings and complained that they have been on the list for a year. Crampton said the Ogema agreed to give them the list of names and let them interview and it became a more transparent process. Crampton said he actually liked that process now he doesn't believe that they have to go back to being so formal where they don't include the membership input because again it wasn't Council members thinking that there was some people out there, they are representatives of the people, and there were people coming to them and complaining that their names have been on the list for a year or months, months and months and nothing was happening.

Ogema Romanelli said much of that information was misinformation.

Councilor Crampton said yes, and see that is when they got transparency.

Ogema Romanelli said he thought giving all the names that he had if they had a question and he says these four names come forward and they have a fifth one that states they turned in theirs then they can hash it out beforehand. Romanelli said they can say this is the reason this person's name is not on there or if they have mistaken somehow they can say bring that name forward and bring it to Council. Romanelli said that seems like the fairer process to him but he is willing to go with whatever Council wants to do.

Councilor Crampton said he would like to refine this process that they have right now by working the bugs out of it and look at what they have produced so far. Crampton said there is a lot less of infighting and people coming in complaining.

Ogema Romanelli agreed.

Councilor Crampton said then they can look back at what they have if they went back to the old process.

Ogema Romanelli said right.

Councilor Burger said she guessed she cannot agree with her colleague but because constitutionally it is very clear how the process is to unfold. Burger said the interview can occur right here. Burger said she goes back to the Checks and Balances that are created in government through the process of their Constitution. Burger said the Ogema appoints and this body ratifies. Burger said they don't have to accept the nomination because that is not required.

Ogema Romanelli said right.

Councilor Burger said they can vote no but if everyone wants to be exposed to the interview process at one time she is all for it as long as everyone gets asked the same questions. Burger said when she talks about transparency when they do things back in their little work room there is no discussion out here on the open floor and no discussion that the membership hears. Burger said there is nothing that is transparent to the membership as a whole unless they talk about it when they come out of that little room so that is why she endorse and will continue to endorse to the Ogema to make his appointment and they will ratify it. Burger said they will interview them here in open session then the membership will see how the interview is conducted and if they make the appointment that the membership doesn't agree with the will let them know but nine times out of ten they seem to agree with them. Burger said she is a student of the Constitution and that is where she goes back to each and every time. Burger said what does the Constitution

direct the bodies do and she is very concerned that sometimes they get away from those Constitutional Authorities and blur the lines too far that it creates the lack of Checks and Balances in their government.

Speaker Johnson said they had a healthy discussion before.....then said to the Ogema to go ahead.

Ogema Romanelli said he just wanted to say and he will go with whatever this Council decides between the two options and thinks that transparency is a big thing. Romanelli said the problem with the idea that over 50% of the appointments are not supported is that it delays the process and sometimes it is the Binojeeuk or whatever these are key appointments and it takes the process even longer so they are having an opening on those committees or commissions that need a quorum and that was the hope and the intent to bring it before Council so they wouldn't go through that and he is not going through the process of submitting a name or getting it on the Council's agenda or going through it and it gets voted down then they have to go through the process all over again that they just give all the names. Romanelli said it is a little more transparent to give them all the names but he is absolutely willing to do whatever this Council decides. Romanelli said they give him which way they want to do and he is good with it. Romanelli said he understands what they are saying because they go constitutionally what does it say the Ogema appoints and the Council ratifies and it is real simple. Romanelli said the processes are not laid out and they can do what they want because they have their own Constitution which is the LRBOI Constitution and not the U.S Constitution.

Councilor Burger said that is the Constitution she is talking about.

Ogema Romanelli said within that they say that the Council can do interviews too so he is okay with either way but just let him know and let them massage it until they get it down pat because he thinks they are on the right path. Romanelli said as Councilor Crampton said maybe they just have to take what they have and what they have done so far and clear up those little inadequacies or whatever they have going and not go back to the old process. Romanelli said either way he is fine and they just let him know.

Recorder Riley said just his point about the Binojeeuk Commission writing some of the ordinances their key commissions have mandatory appointments when they are below a certain level so Council can't refuse the candidate because it is a mandatory appointment. Riley said they took that ability away from themselves when they wrote that law so he is just pointing that out.

Speaker Johnson said he is glad this was brought forward because.....he has himself in the cue here finally.....and thinks this is an excellent item to have in their Round Table discussions with the Ogema or even set up a work session on this item in which they can come to some kind of agreement in regards on how

they want to move forward on these appointments because he thinks it is very important. Johnson said the other thing is that they also have a podium up here for the public to come up and voice their opinions and ask those questions. Johnson said for example it was brought to their attention on transparency. Johnson said if a person knows they have submitted their name for an appointment and has not been brought forward that person can come up during the business discussion and/or Public Comment and ask Council or the Ogema why their name wasn't brought forward. Johnson said they can ask that question at that point and it is open for the public which is what that podium is for. Johnson said now the Ogema and the Council may decline to discuss it in great detail but at least it's out there for them and for the transparency that is being asked for to use that tool. Johnson said he just wanted to throw that out here but he thinks more importantly they need to have the Round Table discussion and move forward on this thing to make sure that they are following the Constitution to its fullest extent and if there is some flexibility in the Constitution that allows them to move a little bit to the right or the left on this issue then let them do it in that discussion. Johnson said he has one other business item that he wants just to bring forward to the Ogema and to the membership is the fact that George Le Vasseur and Recorder Riley worked together in regards to Public Comments on here and what they are going to have is, not today, but in the future they are going to do a dry run to make sure it is working fine is a timer because in their Procedures Ordinance in Public Comment they would like to keep it to five minutes. Johnson said there will be a timer up there and down here so they know when that five minutes expires. Johnson said the reason why he is sharing this with the Ogema also is at the Membership Meeting because as they noticed some things get carried away a little bit there and maybe once they try this here and find it successful they can adapt it to also the Membership Meeting when they get up there on stage to discuss issues on behalf of the public.

Ogema Romanelli remarked that it very much appreciated.

Speaker Johnson asked if there was anything else in the Business Update.

### **C. Legislative Affairs Update**

Councilor Di Piazza said he has like three things. Di Piazza said one is on June 13<sup>th</sup> Natural Resource Commission will be doing the Elk and Bear Draw and that will be at the Clinic the Natural Resource Building. Di Piazza said that starts at 5:00 if anybody is interested if they applied for an Elk or a Bear Permit feel free to come in, they are drawing names. Di Piazza said there is four Elk Permits this year and can't quite recall the Bear Permits but usually they get quite a few of them but they do have four Elk this year. Di Piazza said there is one Elder and then three other permits. Di Piazza said the other thing, like the Ogema was saying, the United Tribes they had a sit down with Lon Johnson and tentatively Lon Johnson is a candidate for Michigan's 1<sup>st</sup> District which will take Benishek's spot because he is termed out. Di Piazza said he wanted to come to

the Elder Meeting on June 4<sup>th</sup> and present himself so they are trying to set that up for June 4<sup>th</sup> at noon for luncheon and possibly 1:30 for Tribal members to come in and meet the candidate. Di Piazza said the other thing on their ventures at United Tribes he has been trying to get the flags for the other Tribes and has acquired Bay Mills to hang up at Aki maadiziwin. *Di Piazza presented the Bay Mills Flag to the Ogema.*

Ogema Romanelli said to Councilor Di Piazza that he said there were several other flags.

Councilor Di Piazza replied that he thinks they are missing six.

Ogema Romanelli asked Councilor Di Piazza if he could give a list of the names.

Councilor Di Piazza said yes and doesn't have them right in front of him but yes.

Ogema Romanelli thanked Councilor Di Piazza. Romanelli said he will try and get all 12 of the Federally Recognized Tribes' Flags up.

Councilor Di Piazza said that is all he had.

Speaker Johnson asked if there was anything else on Legislative Affairs. Johnson said he has one item. Johnson said they are going to have the Units of Government Meeting coming up a week from tomorrow and they are going to propose he believed that Director Beaver will be there to discuss a Letter of Support from the community on closing Enbridge 5. Johnson said they are going to ask that the community do a resolution or motion to help support closing the Enbridge 5. Johnson said that is the biggest item with those folks. Johnson said that is all he has to report in regards to Legislative Affairs.

Councilor Di Piazza said if they bring up Line 5 and like the Ogema was saying there is quite a head of steam going on that to get it closed and it looks like most of the candidates running for any offices jumped on board to close that line. Di Piazza said he is speculating that it is probably going to happen because it is an election year and it is a possibility.

Recorder Riley asked Councilor Di Piazza if he believed what people say when they are campaigning.

Councilor Di Piazza said that one he does because on their way up to Bay Mills every half hour there was a radio commercial to close Line 5 so they are hammering the community and what can happen. Di Piazza said even today at the Mackinaw Bridge he knows they are having a rally to close Line 5. Di Piazza asked does he believe them he doesn't know but guesses they will find out \_\_\_\_\_ but he knows it is getting a pretty good head of steam ahead of itself and it may just happen on its own.



**D. Public Comment Period**

No Public Comments were offered.

*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.*

**MOVE TO ADJOURN FIRST OPEN AT 10:46;** by Riley; supported by Di Piazza.

**Roll Call #8**

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

The meeting was adjourned at 10:46 a.m.

**VIII. Open Session**

The Council reconvened in Open Session at 11:33 a.m.

**MOTION TO GO BACK INTO OPEN SESSION;** by Riley; supported by Burger.

**Roll Call #9**

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

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

**MOTION TO MOVE RESOLUTIONS #16-0511-135 TO 138 TO OPEN SESSION; RESOLUTION, ROLL CALL AND VOTE;** by Riley; supported by Medacco.

**Roll Call #10**

J. Riley - Yes	J. Burger- Yes	F. Medacco- Yes
S. Crampton - Yes	G. DiPiazza- Yes	M. Wabindato -Yes
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

*The following items were moved from Closed Session to Open Session.*

**MOTION TO APPROVE RESOLUTION # 16-0511-135,  
 APPROVAL TO SEND CERTIFIED LIST OF ELIGIBLE VOTERS  
 TO THE BUREAU OF INDIAN AFFAIRS FOR UPCOMING  
 SECRETARIAL ELECTION;** by Burger; supported by Medacco.

Speaker Johnson asked if anyone was going to abstain from the vote.

**Roll Call #C-3**

R. Wittenberg - Yes	S. Crampton - Yes	G. DiPiazza - Yes
V. Johnson - Yes	F. Medacco - Yes	J. Riley - Yes
J. Burger - Yes	M. Wabindato - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

**MOTION TO APPROVE RESOLUTION # 16-0511-136,  
 AUTHORIZING EXECUTION OF COMMERCIAL-INDUSTRIAL  
 LISTING AGREEMENT (EXCLUSIVE RIGHT TO SELL)  
 REGARDING 375 RIVER STREET IN MANISTEE, MICHIGAN  
 BETWEEN THE TRIBE AND COLDWELL BANKER ALM  
 REALITY & ASSOCIATES, INC.;** by Burger; supported by Medacco.

Speaker Johnson asked if anyone was going to abstain from the vote.

**Roll Call #C-4**

R. Wittenberg - Yes	S. Crampton - Yes	G. DiPiazza - Yes
V. Johnson - Yes	F. Medacco - Yes	J. Riley - Yes
J. Burger - Yes	M. Wabindato - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

**MOTION TO APPROVE RESOLUTION # 16-0511-137,  
 RESOLUTION TO APPROVE TRIBAL OGEMA TO EXECUTE  
 THE AGREEMENT WITH HALLMARK CONSTRUCTION, INCL  
 FOR THE BUILD-OUT OF THE NEW PHARMACY OPERATION  
 WITHIN THE EXISTING TRIBAL CLINIC OPERATION;** by  
 Medacco; supported by Riley

**Roll Call #C-5**

R. Wittenberg - Yes	S. Crampton - Yes	G. DiPiazza - Yes
V. Johnson - Yes	F. Medacco - Yes	J. Riley - Yes
J. Burger - Yes	M. Wabindato - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

**MOTION TO APPROVE RESOLUTION #16-0511-138, APPROVAL OF CONTRACT WITH AUTOMATED ELECTION SERVICES TO PROVIDE ELECTION SUPPORT SERVICES FOR THE SECRETARIAL ELECTION ON JULY 11, 2016, NOT TO EXCEED \$11,000; by Burger; supported by DiPiazza.**

**Roll Call #C-6**

R. Wittenberg - Yes	S. Crampton - Yes	G. DiPiazza - Yes
V. Johnson - Yes	F. Medacco - Yes	J. Riley - Yes
J. Burger - Yes	M. Wabindato - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

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

**IX. Adjourn**

**MOVE TO END SECOND OPEN AND ADJOURN FOR THE DAY AT 11:35; by Burger; supported by Riley.**

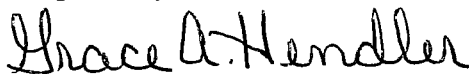
**Roll Call #11**

J. Riley - Yes	J. Burger - Yes	F. Medacco - Yes
S. Crampton - Yes	G. DiPiazza - Yes	M. Wabindato - Yes
R. Wittenberg - Yes	V. Johnson - Yes	S. Lewis - Yes

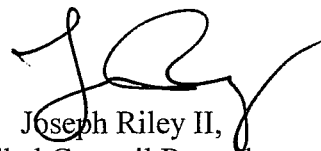
Motion carried (9-0-0-0)

The meeting was adjourned at 11:35 a.m.

Respectfully Submitted,



Grace A. Hendler  
Transcribing Assistant



Joseph Riley II,  
Tribal Council Recorder