



**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, MAY 17, 2017
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 17, 2017. Following are the minutes of that meeting.

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

Speaker Johnson thanked Recorder Riley. Johnson said he wanted to welcome everybody to their Council Meeting for May 17th and at this point he would like to start off the meeting with a Silent Prayer at this point.

I. Opening Prayer

Tribal Council engaged in a Silent Prayer.

Speaker Johnson said Ahaaw.

II. General Business

A. Call to Order

The regularly scheduled Tribal Council meeting was called to order at 10:01 a.m.

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

B. Roll Call

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

Quorum established.

Others Present: Diane Lonn, Karen Love, Terri Burmeister, Kelly Maser, Bill Willis, Tammy Burmeister, Mike Walter.

Others Present That Did Not Sign In: Grace Hendler, Mary Thomas, Ogema Romanelli, Officer Umlauf, Kenny Pheasant, Rebecca Liebing, Shayne Machen, Caitlin Rollins, Paul Mooney, Israel Stone.

Speaker Johnson thanked Recorder Riley. Johnson said he noticed on the agenda that they do not have the Partial Report submitted to them by the Election Board so as they move forward on the Approval of the Agenda for Item C he would entertain a motion at this point.....Johnson repeated that he will entertain a motion to add the Partial Report in Second Open. Johnson said this will give them an opportunity at this.....during Closed Session to have discussion with the Unified Legal people on this item. Johnson recognized Recorder Riley.

C. Approval of Agenda

MOTION TO APPROVE THE AGENDA FOR WEDNESDAY, MAY 17th, 2017 WITH THE FOLLOWING ADDITION OF THE APRIL HEALTH COMMISSION REPORT V D; THE ADDITION OF THE VAN EERDEN BULK CRAB PURCHASE IN CLOSED SESSION, THE REVISION TO THE OGEMA'S COMPENSATION AND THE ADDITION UNDER SECOND OPEN OF THE ELECTION BOARD'S REPORT; by Riley; supported by Di Piazza.

Speaker Johnson asked if anybody was going to abstain.

Councilor Crampton said Speaker Johnson.

Speaker Johnson said it was open for discussion. Johnson recognized Ogema Romanelli.

Ogema Romanelli said the Election Report.....Partial Report is going to be in Second Open.

Speaker Johnson said yes.

Ogema Romanelli questioned that there is going to be discussion in closed.

Speaker Johnson said yes with the legal.....with Unified Legal on the.....on the report itself. Johnson said there are some questions that they have.

Ogema Romanelli said o-o-o-okay, alright. Romanelli said well then, alright, he guessed that is enough for right now. Romanelli thanked them.

Speaker Johnson asked if there was any other discussion on the item. Johnson said yes.

Someone spoke from the audience and it wasn't picked up on the tape recording.

Speaker Johnson said please come to the ___ so they can get this recorded and to give their name.

Terri Burmeister, Election Board Member, said just.....she just wondered when the Second Open is going to be.

Speaker Johnson replied usually its right.....right after their Closed Session.

Terri Burmeister said so that is later this afternoon.

Speaker Johnson said no it can be this morning depends on how fast Closed Session goes.

Terri Burmeister said okay, alright and thanked him. Burmeister said that is what she needed to know.

Speaker Johnson said okay and it is Terri Burmeister.

Terri Burmeister said yeah.

Speaker Johnson said okay and thanked her. Johnson asked any other discussion on this item. Johnson asked Recorder Riley to do a roll call.

Roll Call #1

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

Motion carried (5-0-2-2)

Recorder Riley said the agenda is adopted.

Speaker Johnson said okay that moves them into Tribal Council Meeting Minutes. Johnson said he will entertain a motion to accept them for 5/10/17.

Councilor Di Piazza said oop, they had Diane Lonn.

Diane Lonn said she would like to know as a Tribal member and member of the audience why Councilor Lewis and Councilor Crampton are abstaining.

Speaker Johnson recognized Councilor Crampton.

Councilor Crampton said usually the Speaker asks them beforehand if they are going to abstain but he had the same apprehension as the Ogema does. Crampton said his concerns are the same as the Ogema he does believe. Crampton said that is discussing something in Closed and then putting it back in Open.

Speaker Johnson asked Councilor Lewis if she wanted to respond as well.

Councilor Lewis said the same she just.....yeah.

Speaker Johnson said ditto okay. Johnson said now moving back into the Tribal Council Minutes for 5/10/17. Johnson said he will entertain a motion to accept those minutes. Johnson recognized Councilor Lewis.

D. Tribal Council Minutes □ 5/10/17

MOVE TO ACCEPT THE MINUTES FOR TRIBAL COUNCIL FOR FILING FOR 5/10/17; by Lewis; supported by Crampton.

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion. Johnson asked Recorder Riley to do a roll call.

Roll Call #2

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

Motion carried (7-0-0-2)

Recorder Riley noted the minutes are accepted.

Speaker Johnson said that moves them into Continuing Business.

III. Continuing Business

A. Grants & Contracts

1. Approval to Submit Grant Application to the U.S. Department of Housing and Urban Development (HUD) to the FY2017 Indian Community Development Block Grant (ICDBG) in an amount not to exceed \$600,000 for the costs of Phase 2 Improvements to the Little River Band of Ottawa Indians' Gathering Grounds

The proposed project will follow Phase 1 Improvements to the Gathering Grounds site that are currently under way. Phase 2 efforts will pick-up where Phase 1 efforts leave off. Project planning basically follows the Gathering Grounds Planning Charrette that was completed in 2013. However, the originally discussed project plans for Phases 3 and 4 have been removed indefinitely from the project.

Speaker Johnson said he has Chuck Fisher coming forward on A.1. Johnson said to Chuck Fisher that he had the floor.

Chuck Fisher, from the Grants Department, represented this agenda item. Fisher thanked them and said hello. Fisher said the consideration that is before the Council involves the.....an application to HUD for the ICDBG that is the Indian Community Block Grant.....Community Development Block Grant and apologized. Fisher said what they are trying to do with that is continue the Phase 2 that is involved with the improvements that are currently on-going at the Pow Wow Grounds or the Gathering Grounds. Fisher said Phase 1 that is the work that is being undertaken now has been basically designed and put into the ground as a result of a.....as a result of the funding through the Bureau of Indian Affairs and the Tribe. Fisher said Phase 2 picks up where Phase 1 leaves off and carries the entire project through to its conclusion and that is the package of that.....this particular application involves. Fisher said it will provide the property with.....he doesn't have his notes with him.....with a Welcome Center, an additional bathroom, renovate the existing bathroom and pavilion, it will provide a shade area for the dancers, it will finish up the landscaping and do most of the other work that is not included in Phase 1 to bring the entire property to a level of finish that is of high quality. Fisher said they have about a \$600,000 Budget to accomplish that just before coming in he hasn't seen the Budget Figures yet but they should be in his mailbox when he gets back. Fisher said most of the formula related to the application is complete with the exception of the Budget. Fisher said all of the sections of the application itself are completed and all the attachments and supplementary information are complete. Fisher said the application is due tomorrow. Fisher said there should be no issues with getting it in and having a finished application that is also of high quality so. Fisher said they talked about this in the Agenda Review on Monday. Fisher said he will open the floor for any questions. Fisher said yes ma'am.

Speaker Johnson asked Chuck Fisher if he was done with his presentation.

Chuck Fisher answered yes.

Speaker Johnson said it is open for discussion and a motion. Johnson recognized Diane Lonn and asked her to come forward.

Diane Lonn, Tribal #0194, said okay she understands that the first will be done before the Pow Wow, right. Lonn said the first sec.....the first.....

Chuck Fisher replied correct.

Diane Lonn said they are now asking for the second. Lonn asked when will the second be done.....when is he projecting.

Chuck Fisher said it looks like that will be finished sometime next year. Fisher said with the way the project stands and if the funding comes through it is scheduled and should be the first part of August then some of Phase 2 can possibly be undertaken yet this year however in the application it is being

represented as ___ Project with a six month or so planning period preceding the actual construction. Fisher said all these details will kind of be sorted out in a final form.

Speaker Johnson said okay and recognized Israel Stone.

Israel Stone, Tribal #1735, said it is unrelated to this item. Stone repeated unrelated to this item before they moved on from the last piece Councilor Wittenberg seen him he had a his hand up because he had questions unrelated to the last item they were discussing and so he doesn't know if he can get those questions answered after they.....he doesn't know what the process is at this point but he was trying to get in the queue to have discussion on the last.....the previous item which he believed was the agenda.

Speaker Johnson said the agenda was two items ago.

Israel Stone said so.

Speaker Johnson said they can entertain that discussion in Business Update at that point, okay. Johnson asked any other questions in regards to this presentation or motion. Johnson recognized Councilor Di Piazza.

Councilor Di Piazza said so the grant is due tomorrow, correct.

Chuck Fisher said yes.

Councilor Di Piazza said the application.....

Chuck Fisher said yes.

Councilor Di Piazza said it is just an application and the match would be 25%.

Chuck Fisher said it's.....it's actually called leveraging and it's not a match per say and not really a requirement but they know actually it kind of is required due to the points that are awarded because of the match. Fisher said those points are kind of precious and they can't afford to lose them by not offering a Tribal Leveraging in the form of cash. Fisher said the maximum points that are available are predicated on a 25% match. Fisher said that may amount to somewhere in the neighborhood of \$150,000 at a cost to the Tribe if the project is funded. Fisher said on the other side of that it will completely complete the property.

Speaker Johnson said to Councilor Di Piazza okay.

Councilor Di Piazza said okay.

Speaker Johnson said it is still open for discussion or motion. Johnson recognized Councilor Crampton.

Councilor Crampton said not that he would know but what does he.....when it's finished.....when it's completed what does he think the worth would be.....the dollar amount worth that they would be getting.

Chuck Fisher asked in the application or the other.....

Councilor Crampton said the total project when it's done because this is just ____.

Chuck Fisher said as he understands the total of Phase 1 is somewhere in the neighborhood of about a million and a half. Fisher said that is a combination of BIA Funds and Tribal Funds. Fisher said if this project comes in within that would be another \$750,000 so the overall project would be just over \$2 million he would guess.

Councilor Crampton said thanks.

Chuck Fisher said okay.

Speaker Johnson recognized Recorder Riley.

Recorder Riley said um he thinks it is closer to \$1.3 and the last he checked the Tribal Contribution to Phase 1 was around \$390,000 and the Grant Contribution was around \$870,000.

Chuck Fisher asked does that include the.....

Recorder Riley said change orders yes.

Chuck Fisher said the additional change order okay. Fisher said then it is closer to \$2 million.

Speaker Johnson recognized Councilor Di Piazza.

Councilor Di Piazza said if there is no more discussion he would like to make a motion.

Speaker Johnson said to Councilor Di Piazza that he had the floor.

**MOTION TO APPROVE RESOLUTION #17-0517-172;
APPROVAL TO SUBMIT GRANT SUBMISSION TO THE U.S.
DEPARTMENT OF HOUSING & URBAN DEVELOPMENT
UNDER THE FY2017 INDIAN COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM (ICDBG) IN AN AMOUNT NOT TO**

**EXCEED \$600,000 FOR PHASE 2 IMPROVEMENTS TO THE
LRBOI GATHERING GROUNDS; by Di Piazza; supported by Riley.**

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion. Johnson asked Recorder Riley to do a roll call.

Roll Call #3

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

Motion carried (7-0-0-2)

Recorder Riley confirmed Resolution #17-0517-172 is passed.

Chuck Fisher thanked them all.

Speaker Johnson thanked Chuck Fisher. Johnson said that moves them into Item B.

B. Budget Modifications

- 1. Acceptance of contract funds from the Department of Interior-Government to Government (G2G) IRR Program and approving a modification to the Operating Budget MB-2017-__ in the amount of \$258,669.91**

The Tribe has received funding from the Bureau of Indian Affairs for 2017.

Speaker Johnson said to Bill Willis that he had the floor.

Bill Willis, Budget Coordinator, represented this agenda item. Willis said good morning and thanked them. Willis said the Tribe has been awarded additional funds for 2017 from the Department of Interior under the Government to Government or G2G Indian Reservations Roads Program in the amount of \$258,669.91 which just needs to be added to the Budget. Willis said so they need to accept the funds and amend the Operating Budget.

Speaker Johnson said okay and recognized Recorder Riley.

**MOVE FOR THE APPROVAL OF RESOLUTION #17-0517-173;
ACCEPTANCE OF CONTRACT FUNDS FROM THE U.S.
DEPARTMENT OF INTERIOR-GOVERNMENT TO
GOVERNMENT (G2G) IRR PROGRAM AND APPROVING A
MODIFICATION TO THE OPERATING BUDGET MB-2017-28 IN
THE AMOUNT OF \$258,669.91; by Riley; supported by Friedel.**

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion. Johnson asked Recorder Riley to do a roll call.

Roll Call #4

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

Motion carried (7-0-0-2)

Recorder Riley confirmed Resolution #17-0517-173 is passed.

Bill Willis thanked them.

Speaker Johnson thanked Bill Willis. Johnson said at that point moving onto Acceptance of Reports.

C. Approval of Budgeted Expenditure

IV. Acceptance of Reports

A. Report of the Tribal Ogema

- 1. **Operations Report** None Submitted
- 2. **Financial Report** None Submitted

Speaker Johnson noted they do not have anything there.

V. Acceptance of Commission Reports

- A. **Binojeeuk Commission** April 2017
 - B. **Enrollment Commission** None Submitted
 - C. **Gaming Commission** April 2017
 - D. **Health Commission** None Submitted

 - E. **Housing Commission** None Submitted
 - F. **Natural Resource Commission** April 2017
 - G. **Commerce Commission** April 2017
- No Meeting**

Speaker Johnson said under Section V Acceptance of Commission Reports they have received several of them here. Johnson asked Recorder Riley if there was anything they need to act on.

Recorder Riley responded no.

Speaker Johnson said there was one comment that was brought to his attention. Johnson said they just got the Health Commission Report in and they only have two people on the commission, Health Commission. Johnson said he knows that

in the past what they have done is when they run low like in the Binojeeuk Commission they have one of the Liaisons there to help in regards to voting. Johnson asked if this is a consideration they need to do for the Health Commission because they only have two.

Councilor Crampton said he doesn't believe they have a Health Commission Liaison do they.

Speaker Johnson said yes they have one.

Councilor Lewis said yup, her. Lewis said she is it.

Speaker Johnson said the other one they had was Jessica Burger but they have never filled Jessica Burger's seat.

Councilor Crampton said okay that is where he was confused.

Speaker Johnson recognized Recorder Riley.

Recorder Riley said he believed the provision that he is talking about is in the Commissions Ordinance and is an exclusive to just the Binojeeuk Commission so that would be covered already.

Speaker Johnson said alright. Johnson said it is so noted. Johnson asked if there was anything else in the Commission Reports. Johnson said then let them move onto the next item.

VI. Acceptance of Committee Minutes and Other Entities

- | | |
|--------------------------------------------------------|------------------------------------------------|
| A. Elders Committee Minutes | <input type="checkbox"/> None Submitted |
| B. Little River Casino Resort Preference Report | <input type="checkbox"/> April 2017 |
| C. LRBOI Tribal Government Preference Report | <input type="checkbox"/> None Submitted |

Speaker Johnson said with the Elders Committee they just got formed that next month they will have something to supply them with. Johnson said they did receive the Little River Casino Resort Preference Report but they have not received the Government Preference Report. Johnson asked if there were any updates they.....or anything they need to act on with the Resort's Preference Report.

Recorder Riley said not at this time.

Speaker Johnson said okay then let them move into Old Business.

VII. Old Business

Reports that are due:

Reports received:

- A. **Financial Report**
March 2017 **None Submitted**
- B. **Enrollment Commission** **March 2017**
- C. **Housing Commission**
March 2017 **None Submitted**
- D. **Natural Resource Commission**
 - 1. **February 2017**
 - 2. **March 2017**
- E. **Commerce Commission**
 - 1. **May 2016**
 - 2. **June 2016**
 - 3. **January 2017**
 - 4. **February 2017**
No Meeting
 - 5. **March 2017**
No Meeting

- F. **Elders Committee Minutes**
March 2017 **None Submitted**

- G. **LRBOI Tribal Government Preference Report**
May-December 2016 **None Submitted**

Speaker Johnson said they have reports due still for the March and also for the Housing Commission for March. Johnson said they have received the Enrollment Commission and they have received the Natural Resource and Commerce Commission. Johnson asked is there anything they need to act on in those items.

Recorder Riley said ahh no.

Speaker Johnson recognized Israel Stone.

Israel Stone asked if this would be the appropriate place for.....*the rest of his comments were not picked up on the tape recording.*

Speaker Johnson said ehh, sure at this point.

Israel Stone, Tribal #1735, said he came in at the tail end of the discussion on the approval of the agenda and he believed that was what the question was in regard to um ins.....about the abstentions. Stone said but his concern is he is here as an Election Board Representative today and his concern is they all have the same confusion he believes as to what's happening with that item. Stone said he will tell them why, um when they um, ratified his appointment to the Election Board he took it seriously and one of the things he said was while he is there for the short period of time he wants this to be a transparent process. Stone said they all know that the election has had its share of issues um, this time around and they wanted it to be a transparent process for everybody. Stone said so the concern he

has is the counting of the ballots takes place in a public forum um, the Election Board Hearings takes place in a public forum um, any challenges filed in court takes place in a public forum so all the members can hear what the consideration is that is being given to um, the matters before all of them. Stone said um, his concern with he understood that the....the Election Report was being put.....placed in closed session and then moved out into the second open or moved to second open because people had questions that they wanted to ask. Stone said um, he personally as an Election Board Member would prefer to have those discussions take place here in front of the membership, on camera, um, so that it is transparent for everybody because he thinks everybody has their share of questions and concerns. Stone said um, the other issue or concern that he has with it is in the Constitution there really is no pro.....provision for them to discuss election matters in a closed session setting. Stone said um, it's tied strictly to legal matters, contracts, and employment issues and those things are spelled out in the Constitution so he is asking the Council to reconsider that. Stone said um, place this in open session so that they as the Election Board who had that public trust is.....ahh issue or interest with the membership can have that discussion with Tribal Council um, here in this forum so that nobody can ahh make any kind of accusations of wrong doing on their part or our part. Stone said um, to keep it transparent and open for the citizens um, so that they are aware of what's happening. Stone said ahh and he thinks that the same confusion the rest of his peers had that are sitting on the Election Board so um, he knows they submitted a Partial Final Report and the reason why it is a Partial Final Report as they know is the one category is under challenge currently in a couple of different places. Stone said um, they also feel that the....the election process um, was upheld on their end from the Election Board's standpoint. Stone said they followed their procedures um, and they believe that the majority of the citizens voted um, in that election for their candidates um, they believe that those candidates was the.....they believe what's the final report as submitted to Tribal Council as an acceptance or a denial. Stone said um, but they believe once it is submitted that election process has completed its cycle and um, as does the term for the election cycle. Stone said and so um, he would just kindly ask them for all of their sake that if they are going have discussions on that they do it here in front of the membership um, in this session so they can hear the considerations by you guys and by them and hear the dialogue so that none of them guys or none of them are accused of any kind of ahh, wrong doing um, whatsoever and that is just for transparency's standpoint. Stone said he doesn't want that to happen to you guys and he doesn't want it to happen to them. Stone said so Miigwech for their time.

Speaker Johnson thanked Israel Stone. Johnson said um, and he has to apologize to his colleagues here at the table and also the.....their people in attendance um, and when he says that is that the Enrollment Commission doesn't deal with the Election it is the Election Board and this was not the place to have that discussion. Johnson said to Israel Stone and it was his fault because as managing the meeting so he opened this discussion up so he is going to leave it like this. Johnson said

he has two people in the queue....he has Recorder Riley and Councilor Crampton. Johnson said to Recorder Riley to go ahead.

Recorder Riley said he guessed he has a question. Riley said um, alright, all this stuff is out in the open when those guys see to confer with their legal counsel do they do that with Tribal members present, out in the open. Riley said do they get legal opinions in a public forum.

Speaker Johnson said but that.....he don't.....they don't need to get into a discussion on it but he knows his feelings about that.

Recorder Riley said okay he apologizes.

Speaker Johnson said he knows exactly that he is feeling that. Johnson said to Councilor Crampton that he has the floor.

Councilor Crampton said that was his exact same question so he doesn't think they need to go down that road.

Speaker Johnson said alright and recognized Ogema Romanelli.

Ogema Romanelli thanked him. Romanelli said his concern is the same there are three things that go into closed session. Romanelli said it is either something in court, personnel issues, or contracts and he sees none of this in this because the only thing that was submitted was a Partial Final Report. Romanelli said if there is a part that is in court that's aside. Romanelli said what they have been given is a Partial Final Report. Romanelli said Final Reports are to be acted on by his understanding there is nothing that he believed should go into closed session. Romanelli said it allows for questions being ahh brought up on ethics or whatever the case is. Romanelli said he thinks it needs to be in open session. Romanelli said they are all in an awkward spot here. Romanelli said the Election Board had a rough time of it and they are trying to get through this thing and be as honest and open as they can with the membership. Romanelli said he just don't think that is right. Romanelli reiterated that he doesn't think its right going into closed.....second open either. Romanelli said in second open as they know historically there is no one in the audience at that time because it is hard to tell when they are going back into open session, there is not a set time, and the people have other things to do. Romanelli said he has a meeting at 1:00 and so the.....the.....he just thinks it allows for non-transparency. Romanelli thanked them.

Speaker Johnson said okay, may he add also to the common in regards to the purpose of closed session and is also.....the end of the sentence with pending legal issues and there are some legal issues going on with this election process. Johnson said and it is also and/or personnel so what he is trying to say here is this does have a legal issue at heart going on right now currently on the process.

Johnson said therefore they just want to get an opinion from the Unified Legal Department before they move and that is the reason why they elected to do this in closed, okay. Johnson said okay yes Israel Stone. Johnson asked Councilor Crampton if he saw his hand up, okay.

Israel Stone said to Speaker Johnson respectfully ahh, he understands what he is saying but the legal matters aren't with Tribal Council. Stone said the legal matters are with the Election Board um, as well as another candidate so it is not a legal matter that would be before.....that would be before ahh, Tribal Council. Stone said um, personnel ahh, really can't consider it under personnel because they are Elected Officials and clearly not under the Personnel Manual. Stone said um, again the issue becomes for him and the rest of the Election Board a transparency issue. Stone said the other thing is they submitted this report over a week ago that was had.....was plenty of time for legal review or legal questions to be asked. Stone said the other thing he wants to say because he don't want.....they need to understand he is here because he don't want any of them to be accused of any wrong doing either but anybody that has secured a seat on Tribal Council through this electoral process or lost a seat through this process at that point has a Conflict of Interest because they are receiving a paycheck which is a financial.....personal financial gain. Stone said they would have to abstain from any discussion or vote on that according to what the Constitution says and so that's why the transparency is important. Stone said he don't want this election to be flawed by people saying people that were elected influenced it or the people that were going out influenced it. Stone said that is why he thinks it is important to them that they have these discussions in an open setting so that everybody can see this was a fair process, it was above board, and nobody can claim that they did anything wrong or they as the Election Board did anything wrong. Stone said so he just.....he is just asking for transparency sake for not just himself but them as well and the rest of the Election Board and the citizens that they don't go down that road that causes concern or question in that way, okay. Stone said so that is all he is asking for and he understands if Council wants to move in the matter they cho.....so choose to do that's fine but this is the Election Board, himself on behalf of the Election Board, asking for this transpire in open session. Stone thanked them.

Speaker Johnson thanked Israel Stone. Johnson recognized Councilor Crampton.

Councilor Crampton said oh he thinks there is some confusion that needs to be clarified. Crampton said he abstained because he does have the same apprehension that he does about the process. Crampton said okay but while he don't believe he is portraying accurately is the fact that he thinks his colleagues want to confer with their lawyers the Election Board does not do that in front of the membership. Crampton said the Ogema does not do that in front of the membership and if they want the Council to do that he suggests the Election Board and the Ogema do the same which would open up a whole ____ of problems. Crampton said now there is.....he did abstain but he shares some of

the concerns. Crampton said he has never seen an election where there is a challenge by.....against one person and they held up the whole bracket. Crampton said that is not standard practice.

Speaker Johnson said no.

Councilor Crampton said if they want them to abstain the standard practice is not....or not.....not be included in the vote because their elected lost a seat. Crampton said that has not been a set precedent or practice in the past so they are breaking their practice there. Crampton said um, he just....he has a problem with the process but he understands wanting to confer with the legal. Crampton said there is a whole _____ with this. Crampton said there is no definition of final report in the definitions in the Election Ordinance. Crampton reiterated there is no definition of final report. Crampton said they sat in court yesterday and their attorney sat there and said it wasn't a final report it was a partial final report.

Israel Stone said that is what they said to Tribal Council.

Councilor Crampton said on record with the court.

Israel Stone said they said that.

Councilor Crampton said there is no definition in their own ordinance of final report.

Israel Stone asked Speaker Johnson if can he respond.

Speaker Johnson said well they are getting into a discussion on this item and just making a point he has Recorder Riley then.....yes. Johnson said so he will let him go at this point. Johnson recognized Recorder Riley.

Recorder Riley said just one final thing as far as closed session under Legal Matters one of the candidates did threaten to pursue legal action on this and that is why they need to discuss it in closed.

Israel Stone said okay he understands both of their points but a threat and an actual filing are two completely separate issues. Stone said if they filed legal action in court that is one thing and that is a legal matter at that point but at this point it is a threat. Stone said in response to Councilor Crampton's point on the final report.....the final report is at the determination of the Election Board. Stone said when they get the final voting numbers and confirmation from um the ballots and they submit that to them that's a final report. Stone asked why is it being held up. Stone answered okay he will venture down that path just a little bit.....why is the one category being held up because they don't know what the determination of the Hearings Officer is going to be, they don't know what the determination of what the Tribal Court is going to be. Stone said they could say the election stands

as it is, candidates could be sworn in, they could say that portion of the election was no good and it has to be reran. Stone said in that instance potentially they could have a whole new election in that category there is a lot of things so they as the Election Board said "*you know what*" they are not going to venture down that path and certify the one top candidate in that category because they don't know what the court's determination is going to be, they don't know what the Hearings Officer's determination is going to be on that category. Stone said there are no other pending challenges on any other category in this electoral process. Stone said that is the only one and in his view this is.....when they submit the Final Report it's on a vote of up or down. Stone said you guys are accepting it or you're not accepting it. Stone said but the fact of the matter is they did what they were required to do by the Election Ordinance and submit the report to Tribal Council. Stone said at that point it should have went on the Council's Agenda and they should have voted it up or down. Stone said if they don't like it being a Partial Report then vote it down but vote it down in front of the membership not through all these other discussions. Stone said now as it relates to actions he can't speak about that case because he doesn't know what that outcome is going to be. Stone said as they heard yesterday there is a lot of information that came out in that.....that session. Stone said um, but at the same time if they look at the breakdown of the candidates they have two candidates in this process um, that moved from the category they are in to another category so when the vote took place on...on.....on Election Day they essentially had vacated their seat that they were in and moved to another category. Stone said the question becomes.....if have heard the questions.....he seen the e-mail traffic.....the question becomes what one do they kick off. Stone said it is not about kicking anybody off. Stone said the people that ran in a different area at the point the election.....they certified the election and gave them the report had vacated those seats because they ran in another area they didn't run to re-secure the seats in the areas they were in. Stone said that is why it is not as complicated as what it was made out to be in his opinion. Stone said um, he just.....they know what all he is asking you guys for is not a debate and this is not an attack on anybody he wants transparency. Stone said the same thing Councilor Crampton said he wanted and so it is not and as far as the....the comment on the personal gain it's never.....this has never happened before. Stone said so a precedence wouldn't have been set a precedence would be set at the point where there was a challenge filed against a seated Council member seeking re-election and other candidates but the people that are on here which they have to look at is the conflict occurs essentially if for those that are in that process they are going to receive a paycheck, right, until the day they leave office or the seat changes or they are re-sworn in. Stone said so that is by the definition of the Constitution personal gain they are putting money in their pocket not saying illegally or wrong he is saying it is personal gain. Stone said that is the way they looked at it when they considered all this stuff so that is what they were trying to do is clear up a lot of these issues because there is only one challenge and that challenge relates to that one section of....of or slate of candidates that they didn't submit in the Partial Report. Stone said so guys he is trying to help them as much as he is trying to help them he doesn't want there to be an

accusation of some wrong doing done by any of you or any of them. Stone said this process has been hard enough as they know from primary to end it has been difficult enough. Stone said he doesn't want there to be more accusations or claims that there is some wrong doing that occurred because he believed they were all above board and that is every one of them but he wants to be transparent so people can't say they are not. Stone said that is you guys and them, okay, that is all.

Speaker Johnson said okay, he has Recorder Riley and Councilor Crampton.

Recorder Riley said he totally understands where Israel Stone is coming from. Riley said the position that they are in is one of caution where what they are talking about here is basically two words that are indirect conflict with one another partial and final. Riley said either something's done or it's not so do they end up with two Final Reports when it is all said and done. Riley said he means these are hypothetical questions by the way but do they end up with two Final Reports and is a Partial Report even a Final Report or what is going on. Riley said these are questions that they need to clear up among themselves and figure out and move forward with. Riley asked could this discussion had happened a little bit earlier, probably not, they had a full plate recently and it has been pretty hard connecting with one each other.one another sometimes and some of these issues they need to hash out face to face because there is a lot of questions that go back and forth. Riley said it is not as simple as sending an e-mail to somebody. Riley said he feels like that is where they are at and they wanted to be able to make a determination one way or another and that is why they put it in second open. Riley said they do need to confer with counsel on some of the aspects of the issue here.

Speaker Johnson said okay, and recognized Councilor Crampton.

Councilor Crampton said he is just wondering how that would play out if....if....if that was a Conflict of Interest for the people running in the Election to somebody that acts as a Board and that vote would be as a Board, how is that individual ____.

Speaker Johnson said he doesn't believe anybody said it was a Conflict of Interest on the Board.

Councilor Crampton said no he is talking about the Council.

Speaker Johnson said oh.

Councilor Crampton said but the fact of the matter is nobody vacates their seat they continue in their seat per the Constitution until the new members are sworn in so even if they filed in a different category they still retain that seat until the Swearing In.

Israel Stone made comments from the audience and they were not picked up on the recording.

Councilor Crampton said to Israel Stone that he himself just said that he was not sure.....the Election Board is not sure about several points...

Israel Stone made comments and explained his prior comments from the audience and they were not picked up on the recording.

Councilor Crampton said um-hum. Crampton said no there is only one person named.

Speaker Johnson agreed.

Israel Stone said but the whole seat is being.....

Councilor Crampton said okay, they had this before in the nine county where people have challenged against one person. Crampton said the Board has never wiped the whole slate and said none of them can be seated until that one challenge.....this is a specific challenge against to one person so there is some questions here that need to be answered.

Speaker Johnson said okay, he thinks they really discussed this a lot and at this point he wants to move on to the next item. Johnson said he believed they are into New.....Old Business.

Councilor Di Piazza said New Business A.

Recorder Riley said New Business A.

VIII. New Business

A. Amending Compensation for Tribal Court Judges

Tribal Council finds that the proposed Compensation Structure does not diminish any individual judge's compensation and approves amendment.

Speaker Johnson said it is open for discussion and/or a motion. Johnson recognized Recorder Riley.

**MOVE FOR THE APPROVAL OF RESOLUTION #17-0517-174;
AMENDING THE COMPENSATION FOR THE TRIBAL COURT
JUDGES;** by Riley; supported by Lewis.

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion. Johnson asked Recorder Riley to do a roll call. Johnson said oh, apologized, and recognized Diane Lonn.

Diane Lonn, Tribal #0194, said in 2015 they did a resolution setting compensation for Tribal Court Judges stating they were getting stipends so now they are increasing their stipends but they are not getting any benefits, right, or are they giving them benefits. Lonn said because if they are giving them benefits the.....two of the judges have other jobs so if they are giving them beni.....benefits they are becoming salary how can they have two full-time jobs then, that is her question. Lonn said if they already have a sheet here that says they are to get stipends that is in place and now all of a sudden they are saying they are going to give them compensation and two of the judges.....the Chief Judge and one of the other judges work full-time jobs and they are going to give them benefits which give to salary and regular employees. Lonn said that is her question and how can they do that. Lonn said they can't. Lonn said the rules say within the manual and everything that they cannot hold two jobs so how can they have a full-time job one working in forestry and one having their own attorney's place and now they are going to give them full compensation with benefits and make them salary and they got another full job. Lonn said because if she could do that she would have two full-time jobs too. Lonn said that is her question to all of them. Lonn said if they already passed this in 2015 it says they are going to get stipends and when the last person which would be the one judge when she has done it too she will go to a stipend based upon their resolution now they are.....they are not even getting rid of this resolution they are saying they are going to give these judges compensation with benefits that makes them salary or full-time employees. Lonn said tell her how they can be a full-time employee for their Tribe and work a separate full-time job.

Speaker Johnson said okay and thanked Diane Lonn.

Diane Lonn said that is her question to them.

Speaker Johnson asked Councilor Crampton if he had his hand up.

Councilor Crampton said no he was just wondering because they as Speaker and Recorder they are going to answer the question.

Recorder Riley said oh. Riley said they are not employees they are Elected Officials so there is.....

Diane Lonn said but they still are going to.....they still have two jobs. Lonn said she doesn't care if they are Elected Officials if they are going to have the Election Board or another Elected Official work a full-time job like they are and let's say Councilor Crampton gets a second full-time job is that allowable, no. Lonn asked so how are they doing these.

Recorder Riley said their benefits are on a prorated basis if she reads the.....

Diane Lonn said it doesn't matter they are still working another full-time job. Lonn asked how can they give them benefits when they are working another full-time job. Lonn said they are going against what their own rules say and they didn't even rescind the one that says stipends. Lonn said it says at the bottom when this last judge is done she will go to stipends or whoever gets that position. Lonn said that is her question she is just trying to be fair across the board as they said. Lonn said they don't even read their own resolutions. Lonn said oh, come on if they did they would have seen this.

Speaker Johnson said okay, and thanked Diane Lonn. Johnson asked if there was any other discussion on this item. Johnson recognized Ogema Romanelli.

Ogema Romanelli said yes, just for the record he wanted to say that the Tribal Council decided to combine the Ogema Compensation along with the Judge's Compensation. Romanelli said the Ogema was allowed to be in the Compensation discussions with the Judges in the beginning but at the end he was asked not to attend. Romanelli said just for the record he didn't really want to be in on the Judge's Compensation and is not sure that was part of his deal but the fact is that they moved the Judges and the Ogema together and were even going to have meetings with the two which he didn't receive an e-mail on and the last one that he remembers for the Judges was much different than this is and again that isn't his call. Romanelli said he just wants it noted for the record that he was asked to be part of it then he was asked not to attend the last meeting. Romanelli thanked them.

Speaker Johnson recognized Israel Stone.

Israel Stone, Tribal #1735, said the Constitution says they cannot diminish the salary of an Elected Official while in office. Stone said salaries and compensation should not be set until the last person elected in that office is due to go out. Stone said his question is purely from the standpoint of they are two major cases before the Tribal Courts involving himself, the Ogema and Tribal Council. Stone said the timing of this increasing the Judge's salary in the middle of those cases that is hearing that case makes it very suspect. Stone said her salary.....their salary should be set when their cur.....their next Judges are coming in just like them guys have to set it for the next Council members coming in. Stone said that should be set as the next Judges are elected to come in. Stone reiterated to do this in the middle of two major cases that in front of the Tribal Courts gives a perspective that doesn't look good. Stone said he just wanted to get that on the record. Stone said he would ask them to wait on this until after those matters are either resolved or follow the process as normally followed and when those Judges are getting ready to go out and there are new Judges coming in then set the salary for them just like them guys do for the Tribal Council. Stone said that's ah.....he means the timing is bad.

Speaker Johnson said okay and thanked Israel Stone. Johnson said ah just for the record.....he will get Recorder Riley.....is that they have been working on this compensation for the Elected Officials for quite some time now and because of that there has been a lot of cases in front of the courts involving Council so it is almost impossible to get away from that issue on timing. Johnson said they are going to always have cases presented ah, that is going to call Council into the courts so to point that one out is unfortunate, it really is but Council will.....in his eight years serving on Council whether as the Speaker or a Council member it has been many, many times and over the years they have been in the courts addressing many cases. Johnson said at any time.....at any one point and time one of those people on the other side of the bench could come up and say the timing on this compensation is terrible and they are right. Johnson said it is terrible but they can't get away from it. Johnson said at some point and time they have to make a decision. Johnson said it is unfortunate that Israel Stone or in this case or whatever cases are in front of them are.....are going to say well that may have impacted the decision. Johnson said he is hoping their Leadership in the courts are beyond that. Johnson said he thinks that they know that they have had discussions with them before this and that they look at the case on it's merit and not on the compensation they get. Johnson said he would never, ever question the integrity of their Judges because of that. Johnson recognized Recorder Riley.

Recorder Riley said ah yeah and this is exactly what he said actually, they know, this was on the agenda two to three weeks ago when Council did their own continuing compensation there was one final question hanging out there with the Judge's compensation which had to be answered and then to speak to the final meeting they had to do compensation that's entirely within Council's ballpark per the Constitution and to avoid the perception of this results driven thing that he is talking about. Riley said that is why they didn't have the Judges or the Ogema in the room, he means.....

Israel Stone said let him ask a clear question. Stone asked did they increase the salary for the Judges.

Recorder Riley replied yes.

Israel Stone said substantially. Stone said so let him make a point, yes, perception is a reality. Stone said he has been waiting for a decision from the Tribal Courts since February and he won't get into the details of it but he has been waiting since February. Stone said now a substantial increase _____ they say they try to avoid the perception. Stone said perception is a reality. Stone said that is what they have to understand on the other side of this he is not saying they have an integrity issue but he is saying perception is a reality. Stone said that is it and is just asking them to wait. Stone said it is not going to hurt anything to wait a little bit longer. Stone said this is not a dire matter if it doesn't happen.....the world doesn't end.

Councilor Crampton said the Speaker is not going to say anything but he is going to say something. Crampton said to Israel Stone that he is on the other side of this case so that should be known too so he.....

Israel Stone said he said that. Stone said he is not trying to hide that. Stone said he said it is himself and the Ogema have cases in front of the court.

Councilor Crampton said he will wait until he is finished. Crampton asked Israel Stone if he was done.

Israel Stone said to Councilor Crampton to go ahead.

Councilor Crampton thanked Israel Stone. Crampton said um, this should be explained a little bit better and what happened is Tribal Judges took a drastic decrease during the Budget process a few years ago and they ask them to correct it so the decrease that is on paper now where Diane Lonn held it up about stipends that was from the Budget process. Crampton said they took a heavy decrease so now it looks as though bumping them way back up when they are actually not. Crampton said it is going back to what it used to be. Crampton said there are a few increases that are minimal above what they are receiving before so it looks drastic compared to what is happening today.

Israel Stone said yeah he gets that. Stone said he is not questioning their integrity and he is not questioning their Judge's integrity. Stone said they need to understand that he is just.....

Councilor Crampton said this is an open case and he is discussing it.

Israel Stone said he is not discussing the merits of the case he is saying the issue is perception is a reality and he knows that. Stone said he has to give him at least that much. Stone said so he is not discussing.....

Councilor Crampton said he doesn't like perceptions he likes to get.....

Speaker Johnson said okay let's treat the floor regard.....he has the floor.

Israel Stone said that is all he is asking is wait until the decision is made and it is not the end of the earth.

Speaker Johnson said alright.

Israel Stone said don't put yourselves in a position to be questioned that is all he is asking them to do.

Speaker Johnson thanked Israel Stone. Johnson asked any other discussion on this item. Johnson said he will ask it again any other discussion on this item. Johnson asked Recorder Riley to do a roll call.

Roll Call #5

J. Riley - Yes	J. Friedel - No	F. Medacco - Absent
S. Crampton - Yes	G. DiPiazza - No	M. Wabindato - Absent
R. Wittenberg - Yes	V. Johnson - No	S. Lewis - Yes

Motion carried (4-3-0-2)

Recorder Riley confirmed Resolution #17-0517-174 is passed.

Speaker Johnson said okay that moves them on into the next one is the compensation for the Tribal Ogema.

B. Amending Compensation for the Tribal Ogema

Tribal Council finds that the proposed Compensation Structure does not diminish the Ogema's compensation and approves amendment.

Speaker Johnson said it is open for discussion and/or a motion. Johnson recognized Israel Stone.

Israel Stone, Tribal #1735, said on a percentage basis did the Ogema get the same consideration the Judges did.....in compensation.

Speaker Johnson repeated on a percentage basis, no.

Israel Stone said so.....listen he said this time and time again nothing new. Stone said their Council should be paid more their Ogema should be paid more. Stone said that is the highest sitting officer in their Tribe. Stone said they are some of the highest offices in the Tribe. Stone said now they have Judges making more than Tribal Council members. Stone asked does that make sense. Stone said their Judges is making more than the Ogema makes. Stone reiterated does that make sense. Stone said the two bodies that are responsible maybe not more but comparable. Stone said two bodies that are responsible for the well-being of the Tribe and they get comparable or less than other people. Stone said he gets comparable or less than somebody else. Stone said he would suggest one thing to you guys because he feels strongly about that. Stone said if they are committed and they are here putting their time in so they should be paid more money and he should be paid more money. Stone said establish a Compensation Committee. Stone reiterated establish a Compensation Committee of citizens that will decide every term what their salaries is going to be, what his salary is going to be and what the Judges is going to be. Stone said so that way nobody could ever say "well you guys gave yourself a big raise." Stone said or they gave the Ogema a big raise or blah, blah, blah, blah. Stone said so consider a Compensation

Committee but his original question was back to why wasn't the Ogema given the same consideration as the Tribal Judges on a percentage basis.

Speaker Johnson said okay.

Israel Stone went on to say he is the Chief Executive.

Speaker Johnson said yup, okay.

Israel Stone said so that is it, he is done with his five minutes.

Speaker Johnson said alright and thanked Israel Stone. Johnson said it is still open for discussion and/or a motion. Johnson recognized Councilor Wittenberg.

Councilor Wittenberg said he agrees with Israel Stone and he knows what the thing is how long has this been going on. Wittenberg said it is not this Council it has been going way back so let's look at the whole picture.

Israel Stone made comments from the audience and they were not picked up on the recording.

Councilor Wittenberg said they know. Wittenberg thanked them.

Speaker Johnson said okay and recognized Ogema Romanelli.

Ogema Romanelli said one question he have within the um, the compensation is it shows vacation "*the Ogema is to give two weeks advance notice when going on vacation*" and asked if that has been asked of any other Elected Official.

Speaker Johnson recognized Councilor Crampton.

Councilor Crampton said he thinks the provision is in there because his office needs to be taken over by the Speaker then ___ needs to be put in place and a ___ and thinks that is the only reason that is put in there.

Ogema Romanelli said okay then his question was has any other Elected Official been demanded to give a two weeks' notice.

Speaker Johnson said yeah.

Ogema Romanelli said he is.

Recorder Riley said just them between themselves give notice.

Councilor Crampton said ___ have to keep building and running the whole Tribe which is him and the Speaker.

Ogema Romanelli said well he is going to tell them flat out it will be a chance in hell that he is going to give them two weeks' notice. Romanelli said he thinks it is offensive, it's offensive. Romanelli said the other thing he wanted to talk about is 2008.....to 2008 when Council gave themselves the additional raises checks were given out and the Council gave themselves a significant raise back in the day. Romanelli said Tribal Council Speaker increased the wage \$15,000 for the year because back in 2008 go to 2008 to 2017 that is \$135,000 more that has been paid out because of that raise. Romanelli said the Tribal Council Recorder same thing was given a \$16,000 raise per year which equates to \$148,000 since the raises were given, COLA. Romanelli said each Council member was given an \$18,000 \$387.00 raise COLA back there nine years which equates to \$165,000 times seven. Romanelli said the total of those increases to date are \$1,442,000. Romanelli said \$1.5 million in those years the Tribal Judges, at least some, got increases as well, 2000, the year 2000. Romanelli said the Tribal Ogema got zero through these years, zero increase. Romanelli said that is offensive. Romanelli said it is offensive not only to him but to the office of the Ogema and so when they say, and he will be quite honest with them and he has no shame in this, he worked his butt off well over 50-60 hours a week and has for ten years. Romanelli said to ask that he give two weeks' notice is insulting at best especially to a group of people that won't give them weekly, monthly updates as to where they are at and what they are doing. Romanelli said so he takes this they are going to vote on it and they can not vote on it doesn't really matter to him. Romanelli said he has been insulted enough through his time. Romanelli said he has given notice that he is on his last time....term he served going on three terms which hasn't been done before. Romanelli said he has less than two years left in his term. Romanelli said to give him a raise of this sort and say they are comparable not even a chance. Romanelli said back in 2011 and every year since and before the Ogema has requested parody, fairness. Romanelli read back in 2011 "*Romanelli said he is not asking for an Ogema Raise necessarily but about equality, Romanelli said he was asking for the possibility of Council to reduce their salary back to the 2000 level, Romanelli said this is about fairness and equality in compensation.*" Romanelli said so and just one more thing and he will sit down. Romanelli said he is not only making the same amount or having got a raise he was also decreased in compensation. Romanelli said he now makes less than their first Ogema back in 1999 because the amount of time off has been cut in half. Romanelli said whereas they gave the Oldgema, old he is old, he gave the prior Ogema six weeks' vacation and give him three weeks' vacation and in about the first five years he pretty much gave all those days back because he had so much work. Romanelli said with that said go ahead and vote the way they are going to vote.

Speaker Johnson said it is still open for discussion and/or a motion.

Israel Stone asked a question from the audience and did not step up to the podium and it was not picked up on the recording.

Speaker Johnson said yes, yes, it was left alone. Johnson reiterated that it was left alone.

Councilor Crampton said it was a standard continuation.

Israel Stone said well he has a question to that would be um, is it a possibility for them guys to look at the same kind of percentage basis, the same percentages that occurred um, for the Ogema and look at res.....he is going to be honest with them he has no problem paying Council or the Ogema that is committed and that is here. Stone said them guys should not.....he is just going to say it.....there should not be Directors in this organization that make more than their Elected Leadership. Stone said it shouldn't be....shouldn't happen. Stone said them guys need to reconsider the Ogema's Compensation they need to consider the Council's Compensation but he is going to ask for them to do with equality, make it fair, and make it equitable. Stone said if they don't want to do it themselves have a Compensation Committee do it. Stone said have them look at it and make recommendations to them guys. Stone said he doesn't know the increases contemplated in here and he doesn't know if the Ogema's open to sharing it. Stone asked the Ogema if this got him back to where he was. Stone said to Council does this get him back to where he was, sorry he was supposed to address them.

Ogema Romanelli said it is an increase over what.....well what he was making, yes. Romanelli said what he suggested to the Council and the Council has met many times with the Judges over their compensation and him not so much. Romanelli said what he requested was simply increase his compensation at the same percentage, COLAs, going back to when they increased theirs. Romanelli said 2000 up increase his equally, fairly, there. Romanelli said he doesn't want a raise per say he wanted to be compensated not a significant amount of money he has to tell them. Romanelli said he is willing to negotiate but when they realize \$1.5 million has been spent to date.

Israel Stone said so he guessed his recommendation would be that they apply the same percentage to themselves, the Ogema's Office as they did to the Judges and just make that their precedent going forward. Stone said they said a percentage going into it and they know what that is whether it is 10%, whether it is 15%, or whatever it is and it is fair across the board thing and when they pass it they can pass it all in one resolution because they know that percentage of increase is going to be the same for everybody that is coming into office or seated in office whether it be Judge, Ogema, Council or whatever the case may be but do it the easy way. Stone said set it by percentage and make sure that everybody gets a fair shot um, at their increase.

Speaker Johnson said okay it is still open for discussion and/or a motion.

**MOVE FOR THE APPROVAL OF RESOLUTION #17-0517-175;
ESTABLISHING THE COMPENSATION FOR THE TRIBAL
OGEMA; by Riley; supported by Di Piazza.**

Speaker Johnson said it is open for discussion and saw some hands in the audience. Johnson recognized Diane Lonn. Johnson said they were sitting there discussing it between the two of them and he didn't know which one wanted to come forward. Johnson said remember this has to do with the Ogema's Compensation.

Diane Lonn, Tribal #0194, said she agrees with what Israel Stone said but as he just said it is dealing with that but she thinks they also need to look at their employees. Lonn said they work very hard and it has been 14 years that they have not had a raise and that isn't fair. Lonn said if they want to give themselves one or the Ogema she has no problem but also think of their employees because without the employees this place would not survive. Lonn thanked them.

Speaker Johnson said okay for the record that is not totally accurate because what they have done on the ahh.....the Valliant Report all those people are not being paid minimum all got escalated up and got pay increases to get them at least to the minimum. Johnson said then there were select few people within the organization that got increases throughout the years so to say none of them got it is inaccurate.

Diane Lonn made a comment from the audience and it wasn't picked up on the recording.

Speaker Johnson said to Diane Lonn that they are not getting into a discussion he is just clearing the record, okay. Johnson said he has a motion here and he had somebody in the audience either Terri Burmeister or.....

Tammy Bowen, Tribal #0351, said she just has a general question um, that if they could answer it. Bowen asked if they negotiated with the Judges as to their compensation. Bowen said the Election Board was never notified what their compensation is going to be um, they didn't realize that it was negotiable so they she is just questioning. Bowen said she knew originally they used to get election period \$150 and they dropped that down last year to \$125 non-election period. Bowen said they used to get \$125 and it dropped down to \$100 so she hears of all these increases and she totally agrees with the Ogema. Bowen said the Ogema should be increased he works hard and so does the Council and they should be compensated but they are also Elected Officials and never, ever is it considered as to all the time and effort that they put in and they do a lot of it on their own time also without even turning in stipends. Bowen said so she is just asking Council if it is negotiable if they could please meet with them also. Bowen thanked them.

Speaker Johnson said very good and they will put that down noted as a work session potentially with the Election Board on compensation. Johnson said they have not done that with the Election Board. Johnson said they done it in the

Budget in the beginning of the year but they have not done it throughout. Johnson asked Recorder Riley if he saw his hand.

Recorder Riley said yes, and what happened with the Judges wasn't so much a negotiation as they came to them with a proposal and they didn't use their proposal. Riley said they used other determinations in order to come up with what they came up with. Riley said yeah that's it.

Speaker Johnson said okay. Johnson recognized Tammy Bowen.

Tammy Bowen was speaking from the audience and it wasn't picked up on the recording.

Speaker Johnson asked Councilor Crampton if he saw his hand.

Councilor Crampton said well he ____.

Tammy Bowen said according to the Constitution when it talks about compensation it doesn't say anywhere in there about being negotiable.....negotiated with the Judges, the Election Board, so she is not sure how that happened um, she is just.....some clarification as to she thought they were following their Constitution so how can it.....things like that be negotiated.

Speaker Johnson said he is going to respond to that. Johnson said the Constitution tells where the power lies on regards to the.....the um, increases in compensation.....that tells it very clearly but it doesn't spell out how that process is identified. Johnson said that is up to the people who make a decision, okay. Johnson said if they want to do the negotiation they can the Constitution does not prohibit that, okay. Johnson said to Councilor Crampton that he had the floor.

Councilor Crampton said he is not aware, maybe he has been wrong for all these years, that they are the body that gives employees raises.

Speaker Johnson said right.

Councilor Crampton said they keep getting asked that over and over again. Johnson said they know that is not true and why doesn't the Speaker or Recorder say no that is not true and that is not the process. Crampton said it is submitted by the Ogema and they can ratify it or move it forward but they don't do that.

Speaker Johnson said yeah.

Councilor Crampton said and he heard the Ogema, he heard the Council, he heard the Election Board, and he heard the Judges but what about the membership. Crampton said with notes of 2010 that things aren't running right and they haven't corrected it. Crampton said the membership hasn't gotten an increase and

they are looking at a decrease and is that a job well done? Crampton asked should anybody be getting raises?

Speaker Johnson said okay and he's got a bunch of hands going up from that. Johnson said he just wants to make sure they stay focused on the agenda item that they have here and that is the compensation for the Ogema but he just.....just to be safe and follow-up he knows that Council does not impact on individuals as far as their compensation as far as employees however they do have the power by legislation and by Budget to approve in the Budget a 3% across the board for all the employees. Johnson said they can do those kinds of things and they also have the OSIYO.....not the OSIYO but the Valliant Report which they did and they did take action which got increases on the employees. Johnson said he is going to end that discussion on it and wants to get focused back now on the compensation for the Ogema. Johnson asked any other discussion on the Ogema's compensation. Johnson recognized Ogema Romanelli.

Ogema Romanelli said he just has to clear up that he do believe that the Judges were in negotiations. Romanelli said he was in the meetings and he wants to also clear up the.....the separation for the employee's wages is not that cut and dry or that it is all the Ogema. Romanelli said they do have the Valliant Report that impacts it and they do have the Budget which there are changes that are made to the Budget from the Council to the Ogema so to say that it is simply the Ogema verses Council and the Ogema has all the wherewithal to make these changes in compensation to.....the employees is not correct. Romanelli said that is all he wanted to say. Romanelli thanked them.

Speaker Johnson recognized Recorder Riley.

Recorder Riley said he calls the question.

Speaker Johnson said the question has been called. Johnson asked Recorder Riley to do a roll call.

Roll Call #6

J. Riley - Yes	J. Friedel - No	F. Medacco - Absent
S. Crampton - No	G. DiPiazza - Yes	M. Wabindato - Absent
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (5-2-0-2)

Recorder Riley confirmed Resolution #17-0517-175 is passed.

Speaker Johnson said that moves them onto the next item. Johnson recognized Recorder Riley.

Recorder Riley said just a quick thing for the record so the.....he means the membership knows that the compensation was increased from \$75,000 to \$90,000. Riley asked if that was.....that's right.....is that correct.

Councilor Di Piazza said yes.

C. Authorizing the Donation of \$500 to the Sandy Corley Memorial Cancer Run on behalf of Mercy Health and the Fremont Harley Owners Group

The Tribal Leadership has determined that donations to organizations which contribute to the well-being of our community are appropriate for the purposes established by the Revenue Allocation Plan and the restrictions imposed by IGRA.

Speaker Johnson said it was open for discussion. Johnson said they are still on Item C, Authorizing the Donation of \$500. Johnson recognized Israel Stone.

Israel Stone asked from the audience what time they were going back to second open so he can.....

Speaker Johnson said probably 1:00.

Israel Stone made other comments from the audience but they were not picked up on the recording and do not appear here.

Speaker Johnson recognized Recorder Riley.

**MOVE TO APPROVE RESOLUTION #17-0517-176;
AUTHORIZING THE DONATION OF \$500 TO THE SANDY
CORLEY MEMORIAL CANCER RUN ON BEHALF OF MERCY
HEALTH AND THE FREMONT HARLEY OWNERS GROUP; by
Riley; supported by Lewis.**

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion. Johnson asked Recorder Riley to do a roll call.

Recorder Riley said he just wanted to add real quick this is \$250 from Council and \$250 from the Ogema on this donation so there is no confusion.

Speaker Johnson said yes. Johnson said it is so noted. Johnson asked if there was any other discussion on this item. Johnson asked Recorder Riley to do a roll call.

Roll Call #7

J. Riley - Yes	J. Friedel - Yes	F. Medacco - Absent
S. Crampton - Yes	G. DiPiazza - Yes	M. Wabindato - Absent

R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes
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Motion carried (7-0-0-2)

Recorder Riley confirmed Resolution #17-0517-176 is passed.

Speaker Johnson said okay that moves them onto Item D.

D. Authorizing Permanent Adoption of Amendments to the Budget & Appropriations Act of 2013, Ordinance #13-100-04

Tribal Council posted the Amendments for a 30 Day Public Comment Period and held a final Work Session on May 11, 2017; Amendments are ready for permanent adoption.

Speaker Johnson said it is open for discussion and/or a motion.

MOVE TO APPROVE RESOLUTION #17-0517-177; PERMANENT ADOPTION OF AMENDMENTS TO BUDGET & APPROPRIATIONS ACT OF 2013, ORDINANCE #13-100-04; by Riley; supported by Lewis.

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion. Johnson asked Recorder Riley to do a roll call.

Roll Call #8

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

Motion carried (7-0-0-2)

Recorder Riley confirmed Resolution #17-0517-177 is passed.

Speaker Johnson said that moves them on.

E. Authorizing the Donation of \$5,000 to the Manistee Area Chamber of Commerce for Downtown Fireworks

The Tribal Leadership has determined that donations to organizations which contribute to the well-being of our community are appropriate for the purposes established by the Revenue Allocation Plan and the restrictions imposed by IGRA.

Speaker Johnson said this is sponsored both by the Tribal Council and the Tribal Ogema. Johnson said it is open for discussion or a motion. Johnson recognized Councilor Di Piazza.

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

**MOTION TO APPROVE RESOLUTION #17-0517-178;
AUTHORIZING THE DONATION OF \$5,000 TO THE MANISTEE
AREA CHAMBER OF COMMERCE \$2,500 COMING FROM
TRIBAL COUNCIL AND \$2,500 FROM THE OGEMA; by Di Piazza;
supported by Friedel.**

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion. Johnson said what he would like to do if this gets passed is have a check signing celebration of some sort in which they get the media there to show the contribution that.....if it gets passed to the community on behalf of what the government is doing to help support this community. Johnson asked any other discussion on this item. Johnson recognized Councilor Crampton.

Councilor Crampton said um well, something is starting now that Speaker Johnson mentioned checks and it has been bugging him for a long time is that when they give out their checks it always says LRRCR on the checks. Crampton said when other Tribes give out their checks it says the Tribe. Crampton said that is not a separate government and that is not a separate Tribe that is something that is underneath this Tribe and he would like those checks to say the Tribe from now on instead of something that they operate. Crampton said that is enough advertisement and they have their own marketing. Crampton said this Tribe needs to be promoted just like other Tribes do.

Speaker Johnson recognized Recorder Riley.

Recorder Riley said he just wanted to ah inform everybody as part of this donation they are also approving the use of their logo because their logo is going to be on the front page of the Manistee Forest Festival Flyers. Riley said the Resort also made a contribution to this so their logo is going to be on there also so both of their logos are going to be on there. Riley said also with the other donation that they just did their logo is going to be included on the t-shirt for ahh....that they give out for the Sandy Corley Memorial Run coming with t-shirts so.

Speaker Johnson asked any other discussion or a motion on this item.

Recorder Riley said the motion is made.

Speaker Johnson asked the motion is made, okay. Johnson reiterated any other discussion on this item. Johnson asked Recorder Riley to do a roll call.

Roll Call #9

J. Riley - Yes	J. Friedel - Yes	F. Medacco - Absent
S. Crampton - Yes	G. DiPiazza - Yes	M. Wabindato - Absent

R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes
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Motion carried (7-0-0-2)

Recorder Riley confirmed Resolution #17-0517-178 is passed.

Speaker Johnson thanked Recorder Riley. Johnson said that moves them into Concluding Business.

IX. Concluding Business

A. Next Meeting Date(s) - Wednesday, May 24, 2017

B. Ogema Weekly Status and Business Update

Speaker Johnson said they have the Business Update and he will turn it over to the Ogema.

Ogema Romanelli said for the sake of time he has nothing exciting to report at this time so. Romanelli thanked them.

Speaker Johnson said that moves them to any questions to the Ogema on business. Johnson said okay, at this point then he will turn it over to the Legislative Affairs Update.

C. Legislative Affairs Update

Speaker Johnson asked anything going on with Legislative Affairs. Johnson recognized Councilor Crampton.

Councilor Crampton said um, a lot to report but where to start is the question. Crampton said the GOP is....is spelled in madness as far as he can see. Crampton said trying to track that is crazy. Crampton said he guessed that is it they just have to keep....they have to keep their eyes open and watch what goes on there. Crampton said like he said it is just a whirlwind at the moment.

Speaker Johnson said okay. Johnson recognized Councilor Di Piazza.

Councilor Di Piazza said well he will just say he and Councilor Friedel went to the United Tribes last week. Di Piazza said they met with the.....they did a resolution against the Red Skins for one of the ___ schools. Di Piazza said the United Tribes have been having some problems down there with that logo against the Native children. Di Piazza said they guess they will see how that turns out. Di Piazza said they wanted to start just that aspect instead of a blanket statement condemning any mascot aspect. Di Piazza said also met with Jack Bergman the Congressman from the First District. Di Piazza said it was a little different. Di Piazza said he wanted to answer questions that a lot of the other Tribes had asked him and it was on Line 5 and what he was going to try and look into and also the healthcare with the now.....Trumpcare. Di Piazza said Trumpcare or what is it.

Recorder Riley said a disaster.

Councilor Di Piazza said at any rate a lot of the Tribes are very concerned with that um and also had some training for the first day on the Indian Child Welfare Training which was mainly for Binojeeuk so they got up to speed on that also. Di Piazza said but it was good with Jack Bergman because he was going to get back with everybody on Line 5 and he was.....didn't know all the particulars on it just coming into office.....he thinks it was a lot to consume for him and they will have to keep an eye on that also. Di Piazza said Friday 5:30 there is going to be Line 5 Demonstration or.....not demonstration but actually a seminar up in Phesabetown.

Councilor Lewis said Grand Traverse Resort it is a Water Symposium on Line 5.

Speaker Johnson asked Councilor Di Piazza if he was done.

Councilor Di Piazza said he thinks so.

Speaker Johnson recognized Councilor Lewis.

Councilor Lewis said that is what she was going to say was that everybody is invited May 19th Grand Traverse Resort, Water Symposium regarding Line 5.

Speaker Johnson said okay. Johnson recognized Councilor Friedel.

Councilor Friedel said actually it is in Leelanau ain't it. Friedel said Leelanau Sands is where it is at.

Councilor Lewis said oh, it is at the Sands, okay, she thought it was at the Resort.

Councilor Friedel said also they have Tight Lines For Troops this weekend too. Friedel said he himself on Friday and Saturday is going to be donating his time as well. Friedel said as far as ICWA Training up to the United Tribes it was great to be able to get up to speed on a lot of the ICWA MIPAA which is the Michigan Indian Pref.....Parents Association Act. Friedel said yeah it was a lot of training.....four hours in training with ICWA and got up to speed. Friedel said not all the way up to speed but getting there.

Speaker Johnson recognized Recorder Riley.

Recorder Riley said just kind of bringing it back a little bit more in-house here. Riley said they got the new Budget & Appropriations Regulations that will be on the agenda within a couple of weeks moving forward so anybody still has any comments he encourages them to submit those. Riley said they are also working on the Inland Fishing Regs he believed they will have the Commercial Fishing Regs on the agenda next week. Riley said um, also they will be starting to work

on the Tribal Gaming Ordinance in about a month so if anybody has any interest in that, the work sessions will be on the calendar. Riley said also Council is going to be soon working together with the Housing Commission, Housing Department, and the Executive side to start the early stages of planning for an Elders Complex out at Aki so.

Speaker Johnson said okay. Johnson said they are still on Legislative Affairs Updates. Johnson said he just wanted to also add to it that the Units of Government Meeting will occur tomorrow at 9:00 a.m. at the City Hall. Johnson said also he got a nice short e-mail from the Tribal Liaison from the Governor David Nyberg and he was.....wants to meet with the new Council after they get sworn in and have just a brief discussion. Johnson said this is the first time this has ever happened in which the Governor is reaching out to the new Elected Officials and they also have a meeting he believed tomorrow with the U.S. Attorney at 1:00 over at the Casino. Johnson said again getting back to David Nyberg over the years they have done a lot of work and they talk about the Sewer Project and they are looking at the new Sewer Project moving forward and the Governor has taken a lot of interest in the things they have been doing to make this a community of choice and he thinks they are on the right road with the Governor and his staff and the people in Lansing to move forward at least be looked at as a favorable Tribe in the State of Michigan with the Governor. Johnson said that is all he has to say there. Johnson asked anything else on Legislative Affairs Updates.

D. Public Comment Period

Speaker Johnson said Public Comments and it is open to Tribal members at this point. Johnson said okay with that said they are going into closed session.

The purpose of closed session is to discuss business matters considered privileged or confidential involving consideration of bids/contracts, pending legal issues, and/or personnel matters.

Speaker Johnson said at this point he will entertain a motion to end first open at 10:24.

MOVE TO END FIRST OPEN AT 11:24; by Riley; supported by Lewis.

Roll Call #10

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

Motion carried (7-0-0-2)

The meeting was adjourned at 11:25 a.m.

XI. Open Session

The Council reconvened in Open Session at 1:13 p.m.

MOTION TO GO INTO SECOND OPEN AT 1:13; by Lewis;
supported by Friedel.

Roll Call #11

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

Motion carried (7-0-0-2)

Recorder Riley noted they are in second open.

Speaker Johnson said to Recorder Riley that moves them into Item A is Items to move from Closed to Open and do they have anything.

A. Items moved from Closed to Open Session

MOTION TO MOVE THE MOTION AND ROLL CALL VOTE FROM CLOSED SESSION C.1 TO OPEN SESSION; by Riley;
supported by Di Piazza.

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

Roll Call #12

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

Motion carried (7-0-0-2)

Recorder Riley noted the items are moved.

The following motion and roll call vote was moved from Closed to Open Session.

MOTION TO APPROVE RESOLUTION # 17-0517-180, RATIFICATION OF CARDINAL HEALTH AGREEMENT; by Riley; supported by Friedel.

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 - Absent	J. Riley - Yes
J. Friedel - Yes	M. Wabindato - Absent	S. Lewis - Yes

Motion carried (7-0-0-2)

This concludes the item moved from Closed to Open Session.

B. Acceptance of Election Board Partial Final Report

Speaker Johnson said it is open for discussion and/or a motion. Johnson recognized Councilor Friedel.

Councilor Friedel asked what is the number.

Councilor Di Piazza said it is just a motion.

Councilor Friedel said if there are no further questions he wanted to make a motion.

Speaker Johnson said to Councilor Friedel that he had the floor.

**MOTION TO ACCEPT THE PARTIAL FINAL REPORT FOR 2017
GENERAL ELECTION DATED MAY 17, 2017 AT 11:53 A.M;** by
Friedel; supported by Di Piazza.

Speaker Johnson said okay this is by motion only, is he correct.

Councilor Di Piazza said he believed so.

Speaker Johnson asked does he have a support. Johnson said he has Councilor Di Piazza supporting this action. Johnson asked if anybody was going to abstain.

Councilor Lewis said abstain.

Speaker Johnson said Councilors Crampton and Lewis. Johnson said he will ask the procedure on this one is he will start off in the order of abstentions. Johnson asked Councilor Crampton if he wanted to explain why he is going to abstain.

Councilor Crampton said he is still unclear on processes of Partial Final Report is the title and they are supposed to accept the Final Report. Crampton asked is this the last report they are going to accept because this is the final one right because Black's Law of Definition is conclusion.

Speaker Johnson said okay.

Councilor Crampton said wait, wait, wait. Crampton said this is discussion because he is asking him about an abstention.

Speaker Johnson said yes that's right. Johnson said they are not going to get into that discussion.....

Israel Stone said how can he ask a question. Stone said okay.

Speaker Johnson said he may have a more rhetorical he thinks though.

Councilor Crampton said it was and apologized.

Speaker Johnson said okay Councilor Lewis.

Councilor Lewis said yeah she is abstaining.....she would prefer if it was a full report. Lewis said it is too uncertain.....the paperwork that.....they know.

Speaker Johnson said at this point his take on this is abstaining is where they have a personal conflict or they are going to receive something or lack of knowledge on the subject. Johnson said if what they are saying is because it is a full report it is incomplete then that would warrant a no vote rather than an abstention if she felt that way.

Councilor Lewis said no everything that was presented to her she is like it is too uncertain for her.

Speaker Johnson said okay they are going to take them one at a time then. Johnson said to Israel Stone that he will get to him.

Israel Stone was speaking from the audience and it wasn't picked up on the tape recording.

Speaker Johnson said to Israel Stone pardon.

Israel Stone repeated what he had said but it still wasn't picked up on the tape recording.

Speaker Johnson said that is what he is going to do right now. Johnson said the next step on the abstention is ask Council on each person individually whether that is a valid reason to abstain. Johnson said a quick yes or no vote will be require....will be required. Johnson recognized Councilor Crampton.

Councilor Crampton said he has a procedural question. Crampton said that vote takes place when there is a mention of a Conflict of Interest and nobody stated a Conflict of Interest.

Speaker Johnson said no but the reason why he is asking is this reason to abstain and not a conflict but is this reason to abstain. Johnson said usually confl..... abstention is involved with lack of knowledge on the subject or they have a Conflict of Interest. Johnson said that is what the abstentions is usually based on, okay. Johnson said with that said he believed there is plenty of knowledge left here and he doesn't know whether it is for Conflict of Interest. Johnson said he can ask that question to each..... on a roll call vote. Johnson said does the person have legal grounds to ab.....has grounds to abstain. Johnson said not that they can't because it is spelled out very well they can still abstain.

Councilor Crampton said um-hum.

Speaker Johnson said but Council will voice their opinion on this position so he would like to do a roll call vote on Councilor Crampton and does he have grounds for abstaining. Johnson recognized Councilor Crampton.

Councilor Crampton said again he is going to protest and the procedure is for a Conflict of Interest that's when they get to vote.

Speaker Johnson said um-hum.

Councilor Crampton said so if they are going to vote on his abstention.....

The Election Board were making comments from the audience and they were not picked up on the tape recording.

Speaker Johnson said no.

The Election Board continued making comments from the audience and they were not picked up on the tape recording.

Councilor Crampton said what he said was that he is going to object to the procedure because the procedure calls for a vote if there is a Conflict of Interest stated and there has been no Conflict of Interest stated.

Speaker Johnson said okay.

Councilor Lewis said so it shouldn't be voted on.

Speaker Johnson said at this point for procedural end of it. Johnson said the question is does Councilor Crampton have a Conflict of Interest on this specific i....item.

Councilor Crampton said he didn't say a Conflict of Interest.

Speaker Johnson said the vote has not been taken yet but he announced he does have a Conflict of Interest. Johnson said at this time they will do a roll call. Johnson explained yes means he has a Conflict and no means he doesn't.

Roll Call #13

J. Riley - No	J. Friedel - No	F. Medacco - Absent
S. Crampton - Abstain	G. DiPiazza - No	M. Wabindato - Absent
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Votes (3-3-1-2)

Speaker Johnson said so moving onto Councilor Lewis same question. Johnson asked does she have a Conflict of Interest. Johnson said yes means she does and no means she doesn't.

Councilor Crampton said that is not what Speaker Johnson said last time.

Speaker Johnson said to Recorder Riley to do a roll call vote.

Roll Call #14

J. Riley - No	J. Friedel - No	F. Medacco - Absent
S. Crampton - No	G. DiPiazza - No	M. Wabindato - Absent
R. Wittenberg-Yes	V. Johnson - No	S. Lewis - Abstain

Votes (1-5-1-2)

Councilor Crampton said no she didn't state a Conflict of Interest.

Councilor Di Piazza said it doesn't really matter, no.

Speaker Johnson said okay it so noted. Johnson said now moving back to the roll call.....they did have a motion in place. Johnson asked any more discussion on the motion for the.....and recognized Israel Stone.

Israel Stone said just a point of order on the Constitution as it pertains to abstention. Stone said it says when a Council member has a personal interest or issue or matter to be voted on by Tribal Council other than those common to other Tribal members which would require balancing personal interest against the interest of the Tribe such member shall abstain from voting on the matter due to Conflict of Interest. Stone said abstention relates only to Conflict of Interest and it is not lack of knowledge and it is clear in the Constitution. Stone said so he is confused as to why.....he agrees with Councilor Crampton in the fact that why did they do a roll call vote because it is not a procedural thing. Stone said the Constitution is very clear that it is a Conflict of Interest that is personal to them, they have a personal gain by voting on that. Stone said so he guessed he is confused as to where they are at with this.

Speaker Johnson recognized Councilor Crampton.

Councilor Crampton said there has been lots of confusion on that interpretation. Crampton said that is a mandate that they must abstain if they have a personal interest.

Speaker Johnson said yes.

Councilor Crampton said it does not mean that is the only rationale that they could abstain on.

Speaker Johnson recognized Recorder Riley.

Recorder Riley said he just has a question about the report since that is what they are on.

Israel Stone thanked him.

Recorder Riley asked is there any question or challenge relating to Councilor Crampton's seat because he noticed in the report every.....every Official was named with the exception of him and it was his understanding only the one Candidate was in question at this time.

Israel Stone said that is incorrect. Stone said the way that Recorder Riley phrased it makes it sound like there is no conflict related to the entire category when in fact the whole category is in question because depending on what the courts rule he doesn't know what the outcome of that is going to be neither does the rest of the Election Board. Stone said they could in essence rule that.....the one Candidate as ineligible. Stone questioned what happens to the other 118 votes. Stone said those are all things that has to be figured out by the courts and the Election Board process that could potentially affect other seats in that area. Stone said they don't know that. Stone said when they went to that proceeding on.....yesterday um....um.....the courts were under the understanding that this was held at bay.....this cat.....this entire category was held at bay by the Election Board. Stone said they understood that the stay was placed by the Election Board.....um and that issue was raised for.....those Council members that were in the room are aware that that issue was raised by the Judge that was already stayed by the Election Board. Stone said they can't determine the final outcome of what is going to happen with this, the court has to, they have to go through the Election Board Hearing Process and they don't know what that outcome is going to be. Stone said so in essence they can't say with certainty um that they can swear in other people from that category because they don't have that answer yet. Stone said they do know everybody else has been presented to them has been duly elected, app.....approved by the Election Board in a final report format with no challenges and are eligible to be seated in office. Stone said that is the best answer he can give him on that.

Recorder Riley said one more question. Riley asked has.....and he knows the circumstances where they need.....he just needs clarification here.....has it happened before where a whole category rather than just one seat has been put forward in a final or partial final report or however this is being submitted.

Israel Stone said this is a unique situation because of the way the Constitutional Amendments occurred and moved more seats into the category that Councilor Crampton is in. Stone said and so with that happening and there being three Candidates and there were not enough Candidates in that category for a Primary Election um that is where the issue arises from because Councilor Crampton was actually the second highest go getter in the category. Stone said the following two Candidates um were within.....one was within 20 votes and the other one was within 25 votes he believed. Stone said and so when they look at it depending on what the court ruling would determine they don't know what that outcome is going to be. Stone said they may say the.....the Candidate in question is eligible then the problem resolves itself and at that point they can move forward with certifying that part of the Election. Stone said if the courts were to rule he is ineligible then obviously there are other courses of action that would have to occur because now there is 118 votes out there that are unaccounted for. Stone said and so they don't hold that outcome....that is how at the court level and at the Election Board Hearing level.

Recorder Riley said okay and thanked Israel Stone.

Speaker Johnson asked if there was any other discussion on this item. Johnson said he will remind his colleagues at the table here they can still abstain even though they did a.....

Councilor Crampton said yup.

Speaker Johnson said did a quick thing nothing is stopping them. Johnson said with that said any other discussion on this item. Johnson asked Recorder Riley to do a roll call please.

Roll Call #15

J. Riley - Yes	J. Friedel - Yes	F. Medacco - Absent
S. Crampton - Abstain	G. DiPiazza - Yes	M. Wabindato - Absent
R. Wittenberg- No	V. Johnson - Yes	S. Lewis - Abstain

Motion carried (4-1-2-2)

Recorder Riley noted the report is accepted.

XII. Adjourn

Speaker Johnson said so moved with that said he will entertain a motion....a motion to end second open at 1:26. Johnson said oh, wait.....he has a motion in place here and ah.....there is no discussion at the motion because he has recognized um.....procedurally he has two people acknowledging it and so forth so he has Councilor Di Piazza making it and asked Councilor Lewis if she was supporting it.

Councilor Lewis said support, yup.

Speaker Johnson said there is no discussion. Johnson said with that said do a roll call.

MOTION TO END SECOND OPEN AT 1:26; by Di Piazza; supported by Lewis.

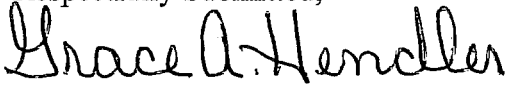
Roll Call #16

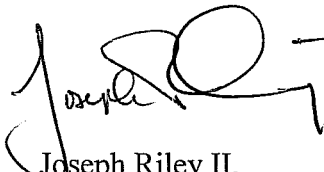
J. Riley - Yes	J. Friedel - Yes	F. Medacco - Absent
S. Crampton - Yes	G. DiPiazza - No	M. Wabindato - Absent
R. Wittenberg-Yes	V. Johnson - Yes	S. Lewis - Yes

Motion carried (6-1-0-2)

The meeting was adjourned at 1:27 p.m.

Respectfully Submitted,


Grace A. Hendler
Transcribing Assistant


Joseph Riley II,
Tribal Council Recorder