



**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, MAY 23, 2018
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 23, 2018. Following are the minutes of that meeting.

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

Speaker Riley thanked Recorder Lewis. Riley said he would like to welcome everybody to their meeting for May 23rd. Riley said they are going to get started with their Opening Prayer and believes that Grace Hendler is going to do that for them today.

I. Opening Prayer

Grace Hendler, Tribal Elder, offered the Opening Prayer.

Lord our Father, thank you for this glorious day and for the days to follow.
Bless our Tribal People and the people who need your assistance.
Bless our Tribal Leaders as they travel for business.
Keep us safe and watch over us.
Amen.

II. General Business

A. Call to Order

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

Speaker Riley asked Recorder Lewis to do a roll call.

B. Roll Call

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

Quorum established.

Others Present: Shannon Mc Kay, Shanaviah Canales, Frank Figgels, Jennifer Crampton, Jason Cross, Boo Battice.

Others Present That Did Not Sign In: Grace Hendler, George Le Vasseur, Officer Ryan Szpliet, Caitlin Rollins, Rebecca Liebing, Elise Mc Gowen-Cuellar.

C. Approval of Agenda

Speaker Riley recognized Recorder Lewis.

MOTION TO APPROVE THE AGENDA FOR WEDNESDAY, MAY 23rd WITH THE FOLLOWING CHANGES; III C.5 IS AN ADD, VII B. IS AN ADD, VIII E. IS MOVED TO CLOSED, VIII F. IS AN ADD, VIII G. IS AN ADD, VIII H. IS AN ADD, X B.2.a. IS MOVED FROM OPEN, X C.2 IS POSTPONED; by Lewis; supported by Pete.

Speaker Riley asked is there any discussion on the agenda. Riley asked Recorder Lewis to do a roll call.

Roll Call #1

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

Motion carried (7-1-0-1)

Recorder Lewis said the approval of the agenda for Wednesday, May 23, 2018 has been approved.

Speaker Riley said before they move on he would just like to make a statement. Riley said there are quite a few additions to this agenda and if people could try to get their things in on time it would be appreciated. Riley said that way it can be posted and people can be notified as to what is going to be on there.

D. Tribal Council Minutes □ 5/16/18

Speaker Riley recognized Councilor Pete.

MOTION TO APPROVE TRIBAL COUNCIL MINUTES FOR 5/16/18; by Pete; supported by Lewis.

Speaker Riley asked are there any discussion on the minutes. Riley asked Recorder Lewis to do a roll call.

Roll Call #2

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

Motion carried (8-0-0-1)

Recorder Lewis said approval for Tribal Council Minutes for 5/16/18 has been accepted for filing.

Speaker Riley thanked Recorder Lewis.

III. Continuing Business

A. Grants & Contracts

1. Approving the grant application for the FY2019 Tribal Victim Services/Victims of Crime Act (VOCA) Grant Solicitation

The Tribe is currently receiving VOCA Funding from the Department of Justice and now are being encouraged to resubmit for funding that will be channeled through the Michigan Department of Health and Human Services (MDHHS).

Speaker Riley said Shanaviah Canales is representing this.

Shanaviah Canales, Domestic Violence Coordinator, represented this agenda item. Canales said good morning.

Speaker Riley said good morning.

Shanaviah Canales said she is requesting for the program to apply for the VOCA Grant which is now has changed to Tribal Victim Services. Canales said so they have to reapply and see if they can apply for it. Canales said they don't know how much money they are asking for yet because she hasn't gotten there yet. Canales said there is no match.

Speaker Riley recognized Councilor Pete.

Councilor Pete asked is this motion only.

Councilor Medacco said no this is.....

Speaker Riley said this is resolution.

Councilor Pete said okay sorry.

**MOTION TO APPROVE RESOLUTION #18-0523-152;
APPROVAL OF A GRANT APPLICATION FOR THE MICHIGAN**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES (MDHHS)
FY 2019 TRIBAL VICTIM SERVICES/VICTIMS OF CRIME ACT
(VOCA) GRANT SOLICITATION; by Pete; supported by Friedel.**

Speaker Riley said alright he has a question. Riley asked is this a competitive grant.

Shanaviah Canales said only with the other Tribes but not really.

Speaker Riley said yes.

Shanaviah Canales said there is 12 Tribes and they are offering 13 Awards how is that.

Speaker Riley said okay, not exactly and can they get two of the awards here.

Shanaviah Canales said there is another program for Victim Services.

Councilor Crampton said if they don't get it there is a problem, right.

Shanaviah Canales apologized and asked what was that.

Councilor Crampton repeated if they don't get it there is a real problem, right.

Shanaviah Canales said right.

Speaker Riley asked is there any discussion on this VOCA Grant Application. Riley asked Recorder Lewis to do a roll call.

Roll Call #3

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

Motion carried (8-0-0-1)

Recorder Lewis confirmed Resolution #18-0523-152 has been approved.

Speaker Riley thanked Shanaviah Canales.

2. Approval to submit an Enterprise Section 4 Grant-Aki Phase 4 Utility Design Completion (Electric and Gas)

The Tribe currently has plans for Sewer and Water Infrastructure and is in need of awarding grants up to \$50,000 for this purpose. There is no matching requirement by the Tribe.

Speaker Riley said he just paused there because it doesn't make a lot of sense to him but it looks like Lyle Dorr their grants person is going to represent this. Riley said to Lyle Dorr that he had the floor.

Lyle Dorr said the other side of it is and he thought he redid.....that is a different one that got into.....he had sent one through. Dorr said there is a match that he mentioned at the meeting there is a 3-1 match on that grant. Dorr said it is for the planning pieces to get them ready for actually completing the project and hopefully within a couple of years they can get some funding to start those on the back end. Dorr said the other one is Gary Lewis was in with them so when he started to leave he came in and met with him. Dorr said Gary Lewis said their department has some unfinished business with planning to the tune of like \$27,000. Dorr said he put in there \$50,000 because that was going to be more than enough for what they needed but potential for the grant is up to \$100,000 and they could incorporate his stuff into it. Dorr said he doesn't know how much it would be and he is thinking between the two of them maybe \$60-70,000. Dorr said he would like to be able to modify that request for the application.

Speaker Riley said okay and is there any discussion or a motion on this. Riley recognized Councilor Pete.

Councilor Pete said okay he will make that motion.

**MOTION TO APPROVE RESOLUTION #18-0523-153;
APPROVAL OF A GRANT APPLICATION TO ENTERPRISE FOR
A SECTION 4 CAPACITY BUILDING GRANT WHICH WOULD
ALLOW COMPLETION OF AKI PHASE 4 UTILITY PLANNING
OF ELECTRIC AND GAS INSTALLATION;** by Pete; supported by
Lewis.

Speaker Riley asked are there any abstentions or is there any discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #4

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

Motion carried (8-0-0-1)

Recorder Lewis confirmed Resolution #18-0523-153 has been approved.

Speaker Riley thanked Lyle Dorr.

3. Approving Grant Application for the FY2018 Grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction Solicitation

Through this Grant Program Indian Tribes receive support and technical assistance from planning, developing, and implementing changes in their Criminal Justice Systems necessary to exercise SDVCJ.

Shayne Machen, Tribal Prosecutor, represented this agenda item. Machen said correct, good morning and thanked them for having her. Machen said this grant will allow them to begin the changes to the Criminal Justice System and their laws that they need to change to implement what is commonly referred to as VOWA. Machen said that is basically just the ability to prosecute Non-Native Offenders who commit Domestic Violence, Stalking, Dating Violence, Intimate Partnership Violence or PPO Violations on Tribal Land. Machen said so there is no match to this grant and is a competitive grant and they are planning to offer ten awards between \$300,000 and \$450,000. Machen said her hope is they can use the money to make the changes that they need to change to their system.

Speaker Riley said now he has a question because this is the one where they need all their judges to be law-trained or is that a different one.

Shayne Machen replied they need a law-trained judge to oversee these cases.

Speaker Riley said just who oversees the case has to be a law-trained judge.

Shayne Machen said correct so she is in the process of creating an MOU that the court would agree to either use a law-trained judge or to bring in a visiting judge who is law-trained to oversee the cases.

Speaker Riley said okay. Riley recognized Councilor Crampton.

Councilor Crampton said maybe he is wrong but he was under the impression that if they were going to do this that they needed absolute parity with other courts in the way of Public Defender or Public Defense for the.....

Shayne Machen said it is not absolute parity there is like a list of things they have to do so they do need a Public Defender for indigent defendants. Machen said they do need the right to a jury pool that includes not just Natives so her plan would be to include anyone who is working on the Reservation that includes Casino Employees. Machen said that is the way the Nottawaseppi is doing it and that is the way a number of the other Tribes around the country who have casinos under their jurisdiction are doing it is to create a kind of wider pool of jurors.

Speaker Riley said just....just to add to that. Riley said they actually in this year's Budget Council did ask for money to be set aside for indigent defense in

their Court System so that is already something that is being worked on. Riley said he doesn't think they have agreements just yet do they.

Shayne Machen answered no.

Speaker Riley said okay. Riley asked any other discussion or a motion. Riley recognized Councilor Friedel.

Councilor Friedel said if there is no further questions he would like to make a motion.

**MOTION TO APPROVE RESOLUTION #18-0523-154;
APPROVING THE GRANT APPLICATION FOR THE FY2018
TRIBAL GOVERNMENTS TO EXERCISE SPECIAL DOMESTIC
VIOLENCE CRIMINAL JURISDICTION GRANT
SOLICITATION;** by Friedel; supported by Pete.

Speaker Riley asked are there any other discussion on this or any abstentions rather. Riley said alright any further discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #5

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

Motion carried (8-0-0-1)

Recorder Lewis confirmed Resolution #18-0523-154 has been approved.

Speaker Riley thanked Shayne Machen.

B. Budget Modifications

Speaker Riley said it looks like they have nothing under Budget Modifications this week.

C. Approval of Budgeted Expenditure

1. Approval for Diane Lonn to attend 2018 Office on Violence Against Women Tribal Consultation in Sioux Falls, South Dakota August 21-22, 2018

Participation in the 13th Annual Government to Government Violence Against Women Tribal Consultation includes the Department of Justice, Department of Interior and the Department of Health and Human Services.

Speaker Riley said just to note that Councilor Lonn is actually not here today because she had some follow-up appointments related to her recent surgery. Riley asked do they have a motion or.....recognized Recorder Lewis.

MOVE FOR THE APPROVAL FOR DIANE LONN TO ATTEND THE 2018 OFFICE ON VIOLENCE AGAINST WOMEN TRIBAL CONSULTATION IN SIOUX FALLS, SOUTH DAKOTA AUGUST 21-22, 2018; by Lewis; supported by Pete.

Speaker Riley asked are there any abstentions or further discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #6

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

Motion carried (8-0-0-1)

Recorder Lewis said the motion has carried for approval for Diane Lonn to attend 2018 Office on Violence Against Women Tribal Consultation in Sioux Falls, South Dakota August 21-22, 2018.

2. Approval for Diane Lonn to attend the Uniting Three Fires Tribal Leadership Summit at Mackinac Island September 25-26, 2018

The Goal of the Summit is to inform and educate Tribal Leaders from the 12 Tribes of Michigan about the emerging issues related to Domestic Violence and Sexual Assault in Indian Country.

Speaker Riley asked do they have a motion or discussion on this item. Riley recognized Councilor Pete.

Councilor Pete thanked Speaker Riley. Pete said he will make a motion.

MOTION FOR APPROVAL FOR DIANE LONN TO ATTEND THE UNITING THREE FIRES TRIBAL LEADERSHIP SUMMIT AT MACKINAC ISLAND SEPTEMBER 25-26, 2018; by Pete; supported by Lewis.

Speaker Riley asked are there any abstentions or any discussion on this one. Riley asked Recorder Lewis to do a roll call.

Roll Call #7

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|---------------|-----|---------------|-----|--------------|-----|
| J. Riley - | No | J. Friedel - | Yes | F. Medacco - | Yes |
| S. Crampton - | Yes | G. DiPiazza - | Yes | R. Pete - | Yes |

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

Motion carried (7-1-0-1)

Recorder Lewis said travel for Diane Lonn to attend the Uniting Three Fires Tribal Leader Summit at Mackinac Island September 25-26, 2018 has been approved.

- 3. Approval for Ron Wittenberg to attend the Statewide Tribal Opioid Summit in Mt. Pleasant, Michigan June 13-15, 2018**
The Conference is being held at the Soaring Eagle Casino & Resort.

Speaker Riley recognized Recorder Lewis.

Recorder Lewis said she would like to make a motion.

MOVE FOR THE APPROVAL OF RON WITTENBERG TO ATTEND THE STATEWIDE TRIBAL OPIOID SUMMIT IN MT. PLEASANT, MICHIGAN JUNE 13-15, 2018; by Lewis; supported by Friedel.

Speaker Riley asked are there any abstentions or any further discussion on this one. Riley said actually he has a question for.....okay Councilor Crampton go ahead.

Councilor Crampton said he just wanted to let the Council know that he will probably be attending this too but he is not going to put in for travel because if he can't get there when he ___ from his house but the reason he wanted to attend this is he had a discussion in Washington on this very subject. Crampton said he thinks they are going in the wrong direction because they are looking at treatment and what happens afterwards. Crampton said the question he asked on this Opioid Epidemic is this is not something or not a business where they advertise and don't take out a billboard and they don't take out a commercial. Crampton said it is friend to friend _____. Crampton said people know who these people are that are bringing death to the Reservation and they need to confront it there at the doorstep. Crampton said they don't need to look for treatment in costly measures and need to start taking responsibility.

Speaker Riley recognized Recorder Lewis.

Recorder Lewis said she just wanted to add to that. Lewis said when she was out in Washington, D.C. giving testimony she did speak about the Opioids and a lot of it is planting a seed and nipping it before it even happens. Lewis said they really need to give their people hope and they need to give them goals and something to look forward to is what she had stated out there so she is in full

support of it by educating their people, getting them trained or whatever it is they have to do so they don't even want to go down that road.

Speaker Riley recognized Councilor Wittenberg.

Councilor Wittenberg said yeah and that is.....he knows himself he has been attending these different Opiates not only South Carolina then Washington and then here in the community. Wittenberg said it is true that this one here all the Tribes are getting together and seem to acknowledge what is going on within their Tribes but also they are absolutely right it is that after care. Wittenberg said they can go into treatment and can stay in there but it is what is going on afterwards and that is what they need to, he feels, look at also. Wittenberg said he knows himself the different Opiates Conferences that he has been to that has been brought up that it is the after care and what the people do and they have to fill it back in where the Opiates were taking its place.

Speaker Riley said there is a couple of things that.....one of the things that he is disappointed with this whole initiative and it is overall it is not with the education piece or anything like that it is the fact that once they get the government involved in these things what they do is lump everybody up into a group. Riley said from what he is hearing from certain people that he knows and from doctors that he knows is that they are being placed on strict quotas as to how much they can give out which completely rules out the individual circumstances. Riley said a doctor who has been in practice for longer will tend to have more Elderly patients and more people who are receiving end of life care and have pain management issues. Riley said where somebody who has been in practice for a couple of years is going to have less than that.....far less than that. Riley said he thinks when they start to group everybody up rather than look at individual circumstances he thinks it just is wrong. Riley said it is something that is bad from every standpoint that he can think of because every person has different circumstances and it is not to take away from the overall issue that it is an epidemic but he thinks that the focus on the individual here needs to be what prevails because everybody that has issues with this might have it for a different reason and it is not.....there is not a one size fits all fix to this problem. Riley said that is all he has to say about that. Riley asked is there any other discussion. Riley recognized Boo Battice.

Boo Battice, Tribal #2644, said he would like to thank them for putting all the efforts they can within the last month three of the people he knew and grew up with in the town actually overdosed on Heroin. Battice said they do need to pay as much attention as they can and he would like to thank them guys. Battice said just a little bit of FYI watching a show the other day on studies of drugs they put a bunch of rats in the same size cage with water, drugs and they ended up going to the drugs because of boredom. Battice said they put the rats in another cage with a wheel, things to do, toys, and only one out of the rats ended up going to the drugs. Battice said if they can find things for these people to do instead of drugs helps. Battice thanked them for all their efforts.

Speaker Riley asked was it double blind or was there a confirmation study done or is this just where the findings are singular in nature.

Boo Battice answered this study was done back when Nancy Reagan did the "NO" on drugs. Battice said it was done a long time ago where they keep the people's brain busy instead of.....instead of pushing to drugs they do it because of boredom a lot of the times and they can't afford to go have fun.

Speaker Riley said he thinks it makes a lot of sense but there is a lot of times they often times fall victim to confirmation by them too so it.....he means he thinks there is a point there and thinks what Boo Battice is talking about a contributing factor to the overall problem. Riley said he thinks that is just a small part of it. Riley thanked Boo Battice for sharing that.

Boo Battice said he would like to thank them again for pointing out that yes every individual is an individual.

Speaker Riley recognized Councilor Crampton.

Councilor Crampton said he just wanted to add that he is aware of the study that Boo Battice is talking about and there had been similar studies but since the Reagan era the potency of even Marijuana has gone up exceedingly above what it was before.

Boo Battice said the episode that he was watching was only testing Opiates and not testing any other drugs.

Councilor Crampton said the potency of that has gone up too.

Boo Battice said yes and thanked Councilor Crampton.

Speaker Riley thanked Boo Battice. Riley said if there is no further discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #8

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

Motion carried (8-0-0-1)

Recorder Lewis said the motion has carried for approval for Ron Wittenberg to attend the Statewide Tribal Opioid Summit in Mt. Pleasant, Michigan June 13-15, 2018.

4. Approval for Jamie Friedel to attend the 2018 NRCC Summer Meeting July 13-15, 2018

The Meeting is being held at the Nemaquin Woodlands Resort in Farmington, Pennsylvania.

Speaker Riley said just for background NRCC is actually the National Republican Congressional Committee. Riley said these meetings are a good place to be able to have sit down meetings and some good private conversations with Elected Representatives and their staff who are also present. Riley asked do they have discussion or a motion on this item. Riley recognized Recorder Lewis.

Recorder Lewis said she would like to make a motion.

MOTION FOR APPROVAL FOR JAMIE FRIEDEL TO ATTEND THE 2018 NRCC SUMMER MEETING JULY 13-15, 2018; by Lewis; supported by Wittenberg.

Speaker Riley asked are there any abstentions. Riley recognized Councilor Friedel and asked him to speak up for his abstention. Riley asked is there any other discussion on this. Riley asked Recorder Lewis to do a roll call.

Roll Call #9

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

Motion carried (6-1-1-1)

Recorder Lewis said the motion has carried for Jamie Friedel to attend the 2018 NRCC Summer Meeting July 13-15, 2018 has been approved.

5. Approval for Jamie Friedel to attend 2018 Office on Violence Against Women Tribal Consultation in Sioux Falls, South Dakota August 21-22, 2018

Participation in the 13th Annual Government to Government Violence Against Women Tribal Consultation includes the Department of Justice, Department of Interior and the Department of Health and Human Services.

Speaker Riley asked is there a motion or discussion on this item. Riley recognized Councilor Crampton.

Councilor Crampton said he would like to make a motion.

MOTION FOR APPROVAL FOR JAMIE FRIEDEL TO ATTEND 2018 OFFICE ON VIOLENCE AGAINST WOMEN TRIBAL

CONSULTATION IN SIOUX FALLS, SOUTH DAKOTA AUGUST 21-22, 2018; by Crampton; supported by Wittenberg.

Speaker Riley asked are there any abstentions. Riley asked Councilor Friedel if it is him again.

Councilor Friedel responded yes.

Speaker Riley asked is there any other discussion on this item. Riley asked Recorder Lewis to do a roll call.

Roll Call #10

| | | | | | |
|----------------|-----|---------------|---------|--------------|-----|
| J. Riley - | Yes | J. Friedel - | Abstain | F. Medacco - | Yes |
| S. Crampton - | Yes | G. DiPiazza - | Yes | R. Pete - | Yes |
| R. Wittenberg- | Yes | D. Lonn - | Absent | S. Lewis - | Yes |

Motion carried (7-0-1-1)

Recorder Lewis said the motion has carried for approval for Jamie Friedel to attend the 2018 Office on Violence Against Women Tribal Consultation in Sioux Falls, South Dakota August 21-22, 2018.

Speaker Riley recognized Councilor Medacco.

Councilor Medacco said he wanted to make a comment. Medacco said he just wanted to give an FYI because he wanted Council to know that these travels that have been approved that their Travel Budget will be less than 10% and this is only five months of the year. Medacco reiterated just an FYI.

Speaker Riley and Councilor Pete thanked Councilor Medacco.

IV. Acceptance of Reports

A. Report of the Tribal Ogema

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

Speaker Riley said it looks like they have none submitted this week from the Operating Report, Financial Report and Accounting Report.

V. Acceptance of Commission Reports

- A. **Binojeeuk Commission** **April 2018**
- B. **Enrollment Commission** **None Submitted**
- C. **Gaming Commission** **April 2018**
- D. **Health Commission** **April 2018**
- E. **Housing Commission** **April 2018**

F. Natural Resource Commission None Submitted

Speaker Riley said they have received April 2018 for Binojeeuk, Gaming, Health, Housing and they are still waiting on Enrollment and Natural Resource. Riley asked is there any discussion on those reports. Riley asked Councilor Di Piazza what does he have there.

Councilor Di Piazza said reports of Natural Resource and he doesn't see that on there.

Speaker Riley said so it got missed right there. Riley said it looks like the Natural Resource Commission Reports for February and March were submitted under Old Business.

VI. Acceptance of Committee Minutes and Other Entities

- A. Elders Committee Minutes April 2018**
- B. Little River Casino Resort Preference Report April 2018**

Speaker Riley said the Elder's Committee Minutes and the Little River Casino Resort Preference Report were submitted. Riley asked are there any questions or discussion on those.

VII. Old Business

Reports that are due:

Reports received:

- A. Accounting Report
March 2018 Due None Submitted**
- B. Natural Resource Commission**
 - 1. February 2018**
 - 2. March 2018**

Speaker Riley said the March Accounting Report is due and the Natural Resource Commission Reports for February and March were received. Riley asked is there any discussion.

VIII. New Business

- A. Resolution to Require the Tribal Court to Report all Tribal Court Convictions to Michigan's L.E.I.N.**

The Michigan Law Enforcement Information Network is a statewide computerized information system that serves Michigan's Criminal Justice Agencies by maintaining a Filing System of accurate and timely documented information readily available to all Criminal Justice Agencies. Tribal Court wants to report convictions to ensure the safety of its Members and Community.

Speaker Riley said Shayne Machen is representing this one as well and that she had the floor.

Shayne Machen, Tribal Prosecutor, represented this agenda item. Machen said good morning again. Machen said the LEIN System that Michigan uses is the statewide data base that houses all of the criminal convictions that occur in State Court. Machen said that data base forwards those convictions to the FBI for their data base and to NIX which is the data base that everybody uses in Michigan to conduct background checks if they wanted to purchase a firearm. Machen said currently the Tribal Court doesn't uniformly forward convictions to LEIN which they ___ sometimes where they have people who have been convicted of violent offenses and nobody but the Tribal Court knows about that. Machen said she had listed a number of reasons in the resolution why this is concerning for Domestic Violence Victims or Victims of Dating Violence or issues like that. Machen said so the resolution would require that all convictions whether for citations or misdemeanors be forwarded to the LEIN System so that the other Law Enforcement Agencies have knowledge of them.

Speaker Riley recognized Councilor Pete.

Councilor Pete thanked Speaker Riley. Pete said just a comment from his understanding in their meeting is that basically what happens is right now in Tribal Court is someone is convicted of it it doesn't go out to the State Court so if someone is convicted in the State Court is looked at as a first offense instead of possibly a second offense is that true.

Shayne Machen said that is correct. Machen said the Tribal Court forwards them on a case by case basis. Machen said some convictions are forwarded and some aren't but that is correct. Machen said there is the case where they may not be aware to look at the Tribe for Domestic Violence Conviction and so their second Domestic Violence Offense would be considered a First Offense.

Councilor Pete said so by passing this though and having that it will ensure that all those cases are forwarded to the link, right.

Shayne Machen said starting today.

Councilor Pete said perfect. Pete said to Speaker Riley that he will make a motion.

Speaker Riley said go ahead.

**MOTION TO APPROVE RESOLUTION #18-0523-155;
RESOLUTION TO REQUIRE THE TRIBAL COURT TO REPORT
ALL TRIBAL COURT CONVICTIONS TO MICHIGAN'S L.E.I.N;**
by Pete; supported by Di Piazza.

Speaker Riley asked are there any abstentions. Riley asked any further discussion. Riley recognized Councilor Crampton.

Councilor Crampton said he just wanted to.....he thinks Shayne Machen brought it up yesterday is that without this somebody convicted in Tribal Court would actually be able to go out and buy a gun.

Shayne Machen said correct.

Councilor Crampton said okay.

Speaker Riley said another thing he wanted to just point out is that this does not apply to previous convictions it is from here going out, correct.

Shayne Machen said that is the way the resolution is written yes.

Speaker Riley said alright. Riley said so if there is any further discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #11

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

Motion carried (8-0-0-1)

Recorder Lewis confirmed Resolution #18-0523-155 has been approved.

B. Approval of Victim Services Program using a modified Tribal Logo Seal for educational and awareness purposes

The LRBOI Victim Services Program wants to use this modified logo in creating all written material for their program including brochures, ads, invitations, letters, video, web and all other written visual material that is intended for the public.

Speaker Riley said Shanaviah Canales is representing this one and that she had the floor.

Shanaviah Canales, Domestic Violence Coordinator, represented this agenda item. Canales said yes she is asking if she could use the Tribal Seal for the Victim Service Program. Canales said the reason she is asking is because she noticed when.....it's not really identifying Little River Band.....the Victim Service Program doesn't show like they are associated so she wanted to figure out a way to put them together. Canales said so she is asking if they can use a modified.....that she can't find it now.

Councilor Crampton said is it the one with the feather.

Shanaviah Canales asked do they have it on their screens, oh awesome.

Councilor Crampton said to George Le Vasseur that there is a picture of it if he could put it up.

Councilor Di Piazza said they need to ask Grace Hendler.

Councilor Crampton said Grace Hendler and apologized.

Grace Hendler said she didn't know which one she had.....chosen because there are many of them in the packet.

Shanaviah Canales said she doesn't know how many people can see it from here.

Speaker Riley said okay while that is being brought up. Riley asked do they have any questions or a motion on this item. Riley recognized Councilor Di Piazza.

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

**MOTION TO APPROVE RESOLUTION #18-0523-156;
APPROVAL OF VICTIM SERVICES PROGRAM USING A
MODIFIED TRIBAL LOGO SEAL FOR EDUCATIONAL AND
AWARENESS PURPOSES; by Di Piazza; supported by Friedel.**

Shanaviah Canales said to Grace Hendler there it is.....go back one page.

Speaker Riley asked are there any abstentions. Riley asked any further discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #12

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

Motion carried (8-0-0-1)

Recorder Lewis confirmed Resolution #18-0523-156 has been approved.

C. Amending Housing Regulation Chapter 1-Eligibility Procedures for Tribal Rental Homes

The Housing Commission has requested Tribal Council to make Amendments to Eligibility Criteria, Need for Housing, Waiting List Administration-Removal from Waiting List-Failure to Respond to

Requests for Information, File Maintenance-Eligible-Incomplete-Pending-Inactive and updates to formatting, numbering and alphabetizing.

Speaker Riley said Elise Mc Gowen-Cuellar is going to represent this for them.

Elise Mc Gowen-Cuellar said she thinks Speaker Riley did that perfectly. Mc Gowen-Cuellar said so this is just an amendment. Mc Gowen-Cuellar said last year there were two amendments to Chapter 1 and the first chapter changes did not make the second changes so they are just trying to clear it up and make sure everything that they already approved is in the code or the regulations.

Speaker Riley asked any questions or a motion on this item. Riley recognized Councilor Di Piazza.

Councilor Di Piazza said he has one question. Di Piazza said in Section 3 is that still if they own a home they still qualify for Fair Market or is that no longer in place.

Recorder Lewis said yeah she thought that was in place.

Speaker Riley said to Councilor Di Piazza that has been for a while.

Recorder Lewis said still if it is Fair Market.

Councilor Di Piazza said he thought they were going to change that portion or not.

Councilor Medacco said it is still there in the first sentence.

Councilor Di Piazza said he was just checking.

Speaker Riley said okay motion or.....ah. Riley recognized Recorder Lewis.

Recorder Lewis said she would like to make a motion.

**MOVE FOR THE APPROVAL OF RESOLUTION #18-0523-157;
APPROVING AMENDMENTS TO HOUSING REGULATIONS
CHAPTER 1-ELIGIBILITY PROCEDURES FOR TRIBAL
RENTAL HOMES; by Lewis; supported by Wittenberg.**

Speaker Riley asked are there any abstentions. Riley asked any further discussion. Riley recognized Councilor Medacco.

Councilor Medacco said he just wanted to make a comment. Medacco thanked Frank Figgels for his years of service since this will be his last official.....last

official Tribal Council Meeting as the Director of Housing. Medacco thanked Frank Figgels again for his time and service.

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

Roll Call #13

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

Motion carried (8-0-0-1)

Recorder Lewis confirmed Resolution #18-0523-157 has been approved.

D. Approving Letter of Support for the Little River Band of Ottawa Indians Victim Service Program

The Victim Services Program needs an Executed Letter of Support to be sent to the Michigan Department of Health and Human Services Bureau of Grants and Purchasing that will be submitted with their VOCA 2019 Grant Application.

Speaker Riley said to Shanaviah Canales that she is coming right back up again. Riley said she might as well stay. Riley said go ahead.

Shanaviah Canales, Domestic Violence Coordinator, represented this agenda item. Canales said she is asking them if they would all sign a Letter of Support to attach with the Solicitation for the VOCA Grant.

Councilor Crampton said oh yeah.

Speaker Riley recognized Councilor Pete.

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

**MOTION TO APPROVE RESOLUTION #18-0523-158;
APPROVING A LETTER OF SUPPORT FOR THE LITTLE
RIVER BAND OF OTTAWA INDIANS FAMILY SERVICES
DEPARTMENT VICTIM SERVICES PROGRAM; by Pete; supported
by Lewis.**

Speaker Riley asked are there any abstentions or discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #14

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

Motion carried (8-0-0-1)

Recorder Lewis confirmed Resolution #18-0523-158 has been approved.

Shanaviah Canales thanked them. Canales said she is done.

E. Authorizing Unified Legal Department to include the Little River Band of Ottawa Indians as Signatory on Amicus Curiae Brief in Support of the Indian Child Welfare Act and the Defendants in Brackeen v. Zinke

The Association on American Indian Affairs, the National Congress of American Indians and the National Indian Child Welfare Association are seeking Signatories to an Amicus Curiae Brief in support of the case.

This item was moved to Closed Session.

F. Approval to Ratify Amendments to the Organizational Chart and Application of the Tribe's Personnel Regulations, Policies and Procedures for Tribal Council

In reviewing the Organizational Chart it was noted that the current chart does not accurately depict the hierarchy of the Tribal Council and an updated chart needs to be adopted.

Speaker Riley asked do they have a motion or discussion on this. Riley recognized Councilor Pete.

Councilor Pete said okay this is for discussion. Pete apologized. Pete said he has left his in his office so it is not in front of him. Pete said could.....he is not quite sure what is this differ and what do they currently have and does it affect anything or what does it affect.

Recorder Lewis said okay what they are doing is putting Grace Hendler and Kathleen Bowers under them. Lewis said she knows recently that they have Mandatory Meetings that they need to go to and the last meeting they went to they were learning how to do Track It and miscellaneous things that they have been doing for years. Lewis said it is just _____.....umbrella them under Council.

Councilor Pete said so his follow-up so they weren't under Tribal Council before.

Recorder Lewis said they are under Tribal Council that is the thing they are under them anyways.

Councilor Pete said they weren't in the Organizational Chart.

Recorder Lewis said yeah so.

Councilor Pete said so that is really the only change to it.

Recorder Lewis said including it in a way, yeah.

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

Recorder Lewis said she would like to make a motion. Lewis asked is that going to be 159.

Speaker Riley said it would be 159 because she didn't use that one.

**MOVE FOR THE APPROVAL OF RESOLUTION #18-0523-159;
APPROVAL TO RATIFY AMENDMENTS TO THE
ORGANIZATIONAL CHART AND APPLICATION OF THE
TRIBE'S PERSONNEL REGULATIONS, POLICIES AND
PROCEDURES FOR TRIBAL COUNCIL;** by Lewis; supported by
Wittenberg.

Speaker Riley asked are there any abstentions. Riley asked any discussion. Riley recognized Councilor Crampton.

Councilor Crampton said he thinks it is more appropriate to say that the way they are doing this it doesn't currently reflect their actual duties.

Speaker Riley said okay. Riley asked Recorder Lewis to do a roll call.

Roll Call #15

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

Motion carried (5-3-0-1)

Recorder Lewis confirmed Resolution #18-0523-159 has been approved.

- G. Authorization to Participate in Nationwide Elder Needs Assessment**
The Members Assistance and Family Service Departments would like to conduct an Elder Needs Assessment to determine unmet needs of the Tribe's Elder population with the goal of creating and/or modifying programs to meet these needs.

Speaker Riley said Jason Cross is representing this their Family Services Director and that he had the floor.

Jason Cross, Family Services Department Director, represented this agenda item. Cross said good morning. Cross said the Family Services Department and Members Assistance Department in cooperation with the National Resource Center on Native Aging are putting together a survey that they are going to send out to all Tribal Elders nationwide at the beginning of June. Cross said so they can take a look at the programs they offer to make sure that those programs are what the Elders would like and what they would need to make sure they are in alignment with the needs of that population.

Speaker Riley recognized Councilor Pete.

Councilor Pete said okay if there is no further discussion he is prepared to make a motion.

**MOTION TO APPROVE RESOLUTION #18-0523-160;
AUTHORIZATION TO PARTICIPATE IN NATIONWIDE ELDER
NEEDS ASSESSMENT;** by Pete; supported by Wittenberg.

Speaker Riley asked are there any abstentions. Riley said alright any further discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #16

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

Motion carried (8-0-0-1)

Recorder Lewis confirmed Resolution #18-0523-160 has been approved.

Jason Cross thanked them.

Tribal Council thanked Jason Cross.

H. Approval of Right-of-Way Documents for the Casino Parcel Road Construction Project

The Bureau of Indian Affairs needs a resolution approved by Tribal Council in order to convey Right-of-Way and Easement Rights to the Tribe for road construction on the Casino Parcel Road Project.

Speaker Riley said Steve Parsons their Planning Department guy is here to represent this and that he had the floor.

Steve Parsons, Planning Department Coordinator, represented this agenda item. Parsons said good morning. Parsons said first he wanted to thank Council for adding this item at the very last minute. Parsons said he apologizes for getting it to them this late but there were some complications in getting the documents just so for the BIA to accept. Parsons said essentially what this is they will be having a Construction Project done at the Casino Resort hopefully beginning sometime in June. Parsons said what it is going to be is basically a reconstruction of the ring that goes around the outside of the front of the building and then the parking lot that sits inside that ring road. Parsons said because the Casino Resort is on Tribal Trust Property the BIA is involved in this as they would be in any other trust issues. Parsons said they have to issue them a Right-of-Way to be able to perform the construction. Parsons said it gets complicated because in essence they are going to be sending a resolution or he will be sending it on their behalf to the BIA requesting a Right-of-Way which they will issue back to them. Parsons said he knows it doesn't make a lot of sense but that essentially is how it works. Parsons said so what this resolution is basically making the request to the Bureau. Parsons said attached to the resolution is going to be a survey of the property, property description and essentially the boundaries of the Right-of-Way they are going to be granting to them. Parsons said he will leave it there and see if they have any questions.

Speaker Riley asked any questions or a motion on this item. Riley recognized Councilor Pete.

Councilor Pete said okay if there are no other questions he will make the motion.

**MOTION TO APPROVE RESOLUTION #18-0523-161;
APPROVAL OF RIGHT-OF-WAY AND EASEMENT FOR
CONSTRUCTION ON THE CASINO PARCEL ROAD, #2001;** by
Pete; supported by Lewis.

Speaker Riley asked are there any abstentions. Riley said he just wanted to say "*thank you*" for all the work that has been put into this. Riley said the repaving and some of the issues with the parking lot over there as Councilor Pete can speak to are long overdue.

Councilor Pete thanked Speaker Riley and said yes.

Steve Parsons said just an additional comment he wanted to also give some acknowledgement to Mike Burmeister the Director of Facilities. Parsons said he was very instrumental in working with them to determine what needed to be done and essentially the reason this thing took a little longer is that process was more involved than they thought it was going to be. Parsons said Mike Burmeister did a great job and he is very excited about this as they all are so. Parsons said again he wanted to thank them for considering this so "*thank you.*"

Speaker Riley asked is there any further discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #17

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

Motion carried (8-0-0-1)

Recorder Lewis confirmed Resolution #18-0523-161 has been approved.

IX. Concluding Business

A. Next Meeting Date(s) - Wednesday, June 6, 2018

Speaker Riley said that meeting is two weeks from now so everybody knows they won't be meeting next week because of the Holiday.

B. Ogema Weekly Status and Business Update

Speaker Riley said it looks like their Ogema is not here today. Riley asked did he send anybody from staff to represent him today or no.

C. Legislative Affairs Update

Speaker Riley asked does anybody have anything for Legislative Affairs at this point. Riley recognized Councilor Di Piazza.

Councilor Di Piazza said just back to...his apologies....back to the Housing one which would be VIII C. Di Piazza said he is reading like 1.3 all the rental and Fair Market Value are going to fall under that criteria of if they own a home they are not eligible to rent a Fair Market. Di Piazza said he doesn't want an explanation but would like some clarification later. Di Piazza said also the 2.1 under definitions that they.....

Speaker Riley said they already passed this on the agenda.

Councilor Di Piazza asked are they saying that it needs to be....

Councilor Crampton said there was discussion time at that time.

Speaker Riley said alright so he thinks.....

Councilor Di Piazza said he just brought it up finding that in here and that is not what was said.

Speaker Riley said he thinks they can discuss that afterwards and if there is an issue they can address it maybe bring it back up for reconsideration. Riley asked is there anything for Legislative Affairs. Riley recognized Councilor Crampton.

Councilor Crampton said yes there are three Ojibwe women running for Minnesota Governorship so if they know anybody in Minnesota call them. Crampton said one is Debra Topping from the Fond du Lac Ojibwe. Crampton said yesterday in Minnesota they also.....the Governor also stopped an Enbridge Pipeline from being allowed to pass all EPA Regulations and just head straight forward. Crampton said so it is not just them it is the whole country. Crampton said it looks like actually one is about snakes running across the United States.

Speaker Riley said to Councilor Crampton that he said he had three things. Riley said that sounds like two.

Councilor Crampton said there was three women.

Speaker Riley said okay Legislative Affairs, anybody else.

D. Public Comment Period

Speaker Riley asked at this point they will open it up for Public Comment. Riley said no public comments today.

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

Tribal Council recessed at 10:54 a.m.

XI. Open Session

Tribal Council reconvened in Open Session at 12:01 p.m.

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

Quorum established.

A. Items moved from Closed to Open Session

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

Recorder Lewis replied yes they do.

**MOTION TO MOVE RESOLUTION #18-0523-162 AND
RESOLUTION #18-0523-163; by Lewis; supported by Medacco.**

Speaker Riley asked are there any abstentions or discussion. Riley asked Recorder Lewis to do a roll call.

Roll Call #18

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

Motion carried (8-0-0-1)

Recorder Lewis said Resolution #18-0523-162 and Resolution #18-0523-163 is moved to open.

The following resolutions were moved from Closed to Open Session and will be attached to these minutes.

Resolution #18-0523-162

Resolution #18-0523-163

This concludes the items moved from Closed to Open Session.

XII. Adjourn

Speaker Riley asked do they have a motion to adjourn at 12:03.

MOTION TO ADJOURN AT 12:03; by Medacco; supported by Pete.

Speaker Riley asked Recorder Lewis to do a roll call.

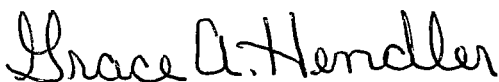
Roll Call #19

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

Motion carried (8-0-0-1)

The meeting was adjourned at 12:03 p.m.

Respectfully Submitted,



Grace A. Hendler
Transcribing Assistant



Sandra Lewis,
Tribal Council Recorder



**Little River Band of Ottawa Indians
Tribal Council**

2608 Government Center Drive
Manistee, MI 49660
(231) 723-8288

Moved to
Open 5/23/18

Resolution #18-0523-162

Authorizing the Unified Legal Department to include Little River Band of Ottawa Indians as a Signatory on the Amicus Curiae Brief in Support of Defendants in Brackeen v. Zinke, No. 4:17cv-00868 (N.D. Texas)

- WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Aníshinaábek* (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and
- WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and
- WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and
- WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and
- WHEREAS, the Tribe adopted amendments to the Constitution on July 11, 2016 which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; and
- WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) of the Constitution to provide for the public health, peace, morals and education and general welfare of the Little River Band and its members; and
- WHEREAS, the Tribal Council is authorized by Article IV, Section 7(e) to employ legal counsel; and
- WHEREAS, Plaintiffs in *Brackeen v. Zinke*—which include the States of Texas, Indiana, and Louisiana—have brought a lawsuit against Interior Secretary Ryan Zinke and other Federal Defendants in the United States District Court for the Northern District of Texas (N.D. Texas), requesting the court to declare that certain sections of the Indian Child Welfare Act of 1978 (ICWA) ((Pub. L. 95-608, 92 Stat. 3069, enacted November 8, 1978) *codified at*

25 U.S.C. § 1901 et seq.) are unconstitutional, and to set aside the Department of the Interior's 2016 ICWA regulations as unlawful; and

WHEREAS, four Tribes have since intervened as Defendants: Cherokee Nation, Oneida Nation, Quinault Indian Nation, and Morongo Band of Mission Indians; and


WHEREAS, the Association on American Indian Affairs, National Congress of American Indians, and National Indian Child Welfare Associations are seeking signatories to an Amicus Curiae Brief in support of Defendants that (1) explains why ICWA was enacted and its continuing relevance today, (2) demonstrates how ICWA operates as an example of cooperative federalism to promote the best interests of Indian children, and (3) defends the constitutionality of ICWA; and


WHEREAS, Tribal Council is committed to the welfare, care, and protection of Indian children and families and the exercise of the Tribe's rights and responsibilities under ICWA.

NOW THEREFORE IT IS RESOLVED, that the Tribal Council hereby authorizes the Unified Legal Department to include Little River Band of Ottawa Indians as a signatory on the Amicus Curiae Brief in Support of Defendants in *Brackeen v. Zinke*, No. 4:17-cv-00868 (N.D. Texas).

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Open Session of the Little River Band of Ottawa Indians Tribal Council held on May 23, 2018 at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.


Sandra Lewis, Tribal Council Recorder


Joseph Riley II, Tribal Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Unified Legal Department



Little River Band of Ottawa Indians
2608 Government Center Drive
Manistee, MI 49660
(231) 723-8288

Moved to
Open 5/23/18

Resolution # 18-0523-163

Ratification of Sub-Contractual Agreement between the Inter-Tribal Council of Michigan, Inc. And the Little River Band of Ottawa Indians for the Head Start & Early Head Start Program

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Aníshinaábek* (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribe adopted amendments to the Constitution on July 11, 2016 which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council is vested with the authority, under Article IV, Section 7(b), to ratify contracts to be entered into by the Tribe; and

WHEREAS, the Tribal Council has received a sub-contract from the Inter-Tribal Council of Michigan, Inc.; and

WHEREAS, the contract has been reviewed, edited and approved by the LRBOI Unified Legal Department; and

WHEREAS, nothing in this Contract shall be construed to be a waiver of the sovereign immunity of the Little River Band of Ottawa Indians or any of its subordinate enterprises or entities and

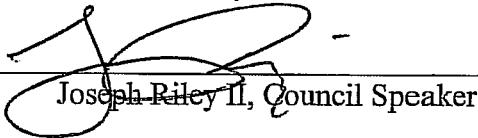
WHEREAS, Venue for any dispute arising out of this Contract shall be the Little River Band of Ottawa Indians Tribal Court. This Contract, and any disputes arising out of this Contract, shall be governed by the laws of the Little River Band of Ottawa Indians.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Ogema to execute the Agreement with the Inter-Tribal Council of Michigan, Inc. incorporating the contents of this resolution.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on May 23, 2018, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.


Sandra Lewis, Council Recorder


Joseph Riley II, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema