



**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COUNCIL
REGULAR MEETING
WEDNESDAY, NOVEMBER 12, 2015
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 November 12, 2015. Following are the minutes of that meeting.

I. Opening Prayer

Lee Mc Caslin, Tribal Elder, offered the Opening Prayer in Anishinaabemowin.

Miigwech Giizhemanidoo.

_____ Nmishoomis.

As I find today is a new beginning and he would like to give thanks to the Ogema and their Tribal Council into the wind _____ because he only knows a little bit about his language.

As we start this journey he asks the Creator to come in and bless each and every one of their relatives.

Miigwech.

II. General Business

A. Call to Order

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

B. Roll Call

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

Quorum established.

Others Present: Grace Hendler, Fran Pitts, Jennifer Crampton, Tom St. Dennis, Lee Mc Caslin, Connie Waitner, Ron Pete, Julia Nickleson, Michelle Lucas, Laurie Jackson, Bill Willis.

Others Present That Did Not Sign In: George Le Vasseur, Shayne Machen, Officer Patrick Gilles, Elaine Porter, Kathy Sam.

C. Approval of Agenda

MOVE TO APPROVE THE AGENDA FOR THURSDAY, NOVEMBER 12 WITH THE AMENDMENTS IN CLOSED SESSION TO REMOVE TWO ITEMS, ITEM C.3 AND D.1; by Burger; supported by Medacco.

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

Roll Call #1

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

Motion carried (8-0-0-1)

D. Tribal Council Minutes None Submitted

Speaker Johnson noted that they do not have any Tribal Council Minutes submitted for this meeting.

III. Continuing Business

A. Grants & Contracts

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

B. Budget Modifications

- 1. Acceptance of contract funds from the Department of Health and Human Services-2015 Low Income Home Energy Assistance Program (LIHEAP) and approving a modification to the Operating Budget MB-2015-__ in the amount of \$32.00**
 The Tribe has received additional funding for this program that will go into #5204-Client Services.

Bill Willis, Budget Coordinator, represented this agenda item. Willis said the first item is the acceptance of contract funds for the 2015 Low Income Home Energy Assistance Program and these are for all intents and purposes he thinks are year-end money that is being doled out. Willis said it is only \$32.00 but according to Tribal Law they have to accept it and amend the Operating Budget.

**MOTION TO APPROVE RESOLUTION #15-1112-334;
 ACCEPTANCE OF CONTRACT FUNDS FROM THE
 DEPARTMENT OF HEALTH AND HUMAN SERVICES-2015
 LOW INCOME HOME ENERGY ASSISTANCE PROGRAM
 (LIHEAP) AND APPROVING A MODIFICATION TO THE**

OPERATING BUDGET MB-2015-79 IN THE AMOUNT OF \$32; by Medacco; supported by Lewis.

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

Roll Call #2

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

Motion carried (8-0-0-1)

2. Acceptance of contract funds from the U.S Department of Agriculture-2016 Food Distribution Program and approving a modification to the Operating Budget MB-2015-__ in the amount of \$89,721

The Tribe has received a new award for the USDA Food Commodities Program.

Bill Willis, Budget Coordinator, and Laurie Jackson from the Commodities Department represented this agenda item. Willis said the Tribe has been awarded the 2016 Food Distribution or Food Commodities Program funding through the Department of Agriculture in the amount of \$89,721. Willis said once again they just need to accept the money and amend the Operating Budget. Willis said the match associated with this program has already been budgeted in 2015 so the match is covered.

MOTION TO APPROVE RESOLUTION #15-1112-335; ACCEPTANCE OF CONTRACT FUNDS FROM THE U.S. DEPARTMENT OF AGRICULTURE-2016 FOOD DISTRIBUTION PROGRAM AND APPROVING A MODIFICATION TO THE OPERATING BUDGET MB-2015-80 IN THE AMOUNT OF \$89,721; by Medacco; supported by Di Piazza.

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

Roll Call #3

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

Motion carried (8-0-0-1)

- 3. Approval of Budget Modification MB-2015-__ ; Authorizing the modification of the Commerce Department Budget, Program #1070-164 in the amount of \$10,100**
 Tribal Council must approve the re-allocation of funds within a Program Budget that exceeds 10% of the total original Program Budget.

Bill Willis, Budget Coordinator, represented this agenda item. Willis said this item is a budget modification associated with providing funding for the current approved salary review through the Valliant Study. Willis said instead of having to go back to ask for more money they found money within the Program Budget that could be utilized to fund those salary adjustments so basically that is what they are doing.

**MOTION TO APPROVE RESOLUTION #15-1112-336;
 APPROVAL OF BUDGET MODIFICATION MB-2015-81,
 AUTHORIZING THE MODIFICATION OF THE COMMERCE
 DEPARTMENT BUDGET, PROGRAM #1070-164 IN THE
 AMOUNT OF \$10,100; by Medacco; supported by Di Piazza.**

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

Roll Call #4

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

Motion carried (8-0-0-1)

- 4. Approval of Budget Modification MB-2015-__ ; Authorizing the modification of the Public Safety Budget, Program #4036 in the amount of \$1,800**
 Tribal Council must approve the re-allocation of funds within a Program Budget that exceeds 10% of the total original Program Budget.

Bill Willis, Budget Coordinator, represented this agenda item. Willis said Item #4 is similar in nature to the previous one in that there was salary adjustments authorized for certain employees in the Public Safety Department. Willis said once again this is under the Valliant Study and so they are just moving funds basically from Employee Insurance and Retirement to cover the affected fringes.

**MOTION TO APPROVE RESOLUTION #15-1112-337;
 APPROVAL OF BUDGET MODIFICATION MB-2015-82,
 AUTHORIZING THE MODIFICATION OF THE PUBLIC**

SAFETY BUDGET, PROGRAM #4036 IN THE AMOUNT OF \$1,800; by Medacco; supported by Lewis.

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

Roll Call #5

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

Motion carried (8-0-0-1)

5. Approval of Budget Modification MB-2015-__ ; Authorizing the modification of the Unified Legal Department Budget, Program #1020-109 in the amount of \$200,000

Tribal Council must approve the re-allocation of funds from one department to another.

Bill Willis, Budget Coordinator, represented this agenda item. Willis said this money is being made available to provide for on-going legal or outstanding legal fees that they have need to pay and the money is coming from several Program Budgets primarily from Employee and savings they have realized in Employee Insurance. Willis said they just need to move the money to pay a portion of the bill.

MOTION TO APPROVE RESOLUTION #15-1112-338; APPROVAL OF BUDGET MODIFICATION MB-2015-83, AUTHORIZING THE MODIFICATION OF THE UNIFIED LEGAL DEPARTMENT BUDGET, PROGRAM #1020-109 IN THE AMOUNT OF \$200,000; by Burger; supported by Lewis.

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

Roll Call #6

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

Motion carried (8-0-0-1)

6. Acceptance of contract funds from the Department of Health and Human Services-2015 Low Income Home Energy Assistance Program (LIHEAP) and approving a modification to the Operating Budget MB-2015-__ in the amount of \$19,049.00

The Tribe has received additional funding for this program that will go into #5204-Client Services.

Bill Willis, Budget Coordinator, represented this agenda item. Willis said once again these are funds that need to be accepted and the Operating Budget amended. Willis said these are 2016 Low Income Home Energy Assistance Program dollars for the upcoming cycle basically.

**MOTION TO APPROVE RESOLUTION #15-1112-339;
 ACCEPTANCE OF CONTRACT FUNDS FROM THE
 DEPARTMENT OF HEALTH AND HUMAN SERVICES-2016
 LOW INCOME HOME ENERGY ASSISTANCE PROGRAM
 (LIHEAP) AND APPROVING A MODIFICATION TO THE
 OPERATING BUDGET MB-2015-84 IN THE AMOUNT OF
 \$19,049; by Medacco; supported by Lewis.**

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion. Johnson said he just wanted to make a quick comment in this area. Johnson said he noticed that the cost of propane has been reduced close to 50% and he knows a lot of this money goes into helping Tribal people out especially through winter for heating their homes so this money should go a little bit further this year in helping their people out because of the cost of propone and that is good for their people. Johnson asked if there was anything else on this item.

Roll Call #7

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

Motion carried (8-0-0-1)

B. Approval of Budgeted Expenditure

Speaker Johnson noted that they do not have anything submitted under Approval of Budgeted Expenditures.

IV. Old Business

- A. **Financial Report** **None Submitted**
- B. **Enrollment Commission** **None Submitted**
- C. **Health Commission** **None Submitted**

Speaker Johnson noted that they do not have anything submitted to approve in front of them for Old Business so they will move on.

V. New Business

A. Adoption of Amendment to Budget & Appropriations Regulations, Chapter 1-Purchasing & Procurement Regulation

Revisions include Tribal Honorarium Ordinance and OMB Requirements under new "Super Circular."

Michelle Lucas, Purchasing Department, represented this agenda item. Lucas said the proposed changes to the Procurement Regulation are in conjunction with the change that was made by the Office and Budget.....or OMB.

Speaker Johnson asked if everybody can hear Michelle Lucas.

The audience stated no.

Speaker Johnson asked Michelle Lucas to please speak up a little louder.

Michelle Lucas said the proposed changes to the Procurement Regulation are actually changes that were made by OMB which is the Office of Management and Budget that is a department of the Federal Government. Lucas said they have streamlined requirements for Educational Institutions, Tribal Governments and State Institutions. Lucas said they have made them all one rather than having three separate.....three separate requirements. Lucas said so when they streamlined these requirements now the Tribe has additional requirements that they didn't have in the past. Lucas said some are more astringent and some are more lenient. Lucas said in addition to these changes they have also incorporated an ordinance that was passed by Tribal Council in 2014 then revised in 2015 and this is the Honorarium Ordinance. Lucas said this just makes it easier for the Purchasing Staff to have all those requirements from one document rather than two so they have incorporated those requirements.

MOTION TO APPROVE RESOLUTION #15-1112-340; ADOPTION OF AMENDMENT TO BUDGET AND APPROPRIATIONS REGULATIONS, CHAPTER 1-PURCHASING AND PROCUREMENT REGULATION; by Medacco; supported by Burger.

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

Roll Call #8

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

Motion carried (8-0-0-1)

VI. Concluding Business

A. Next Meeting Date(s) - Wednesday, November 18, 2015

Speaker Johnson said in the next three items he wanted everyone to be aware that the Business Update and they have the Legislative Affairs and Public Comments. Johnson said he invites everybody when they get into Business to talk about business items only. Johnson said Public Comments will be other items not covered under the other two items such as Legislative Affairs and Business.

B. Ogema Weekly Status and Business Update

Speaker Johnson noted the Ogema is absent and he is surprised. Johnson asked if there was anything in business that they would like to talk about.

C. Legislative Affairs Update

Councilor Crampton said just recently at the Elders Meeting it was brought up about the Reaffirmation of Grand River and the date has been pushed out by the Senate so the Committee is going to be recognizing that they have extended the date to March 2016. Crampton said that is their last legal option to move it so it will be heard by then.

Councilor Burger said they also have another Tribe in Michigan that just had their Legislative Reaffirmation come to the floor last week and that is the Burt Lake Band of Chippewa Indians. Burger said the other piece is the Senate Committee on Indian Affairs has also put forward legislation and she is trying to remember exactly who did that because it was not Testor but another member of the committee that the only mechanism that a Tribe will have for recognition will be a Congressional Reaffirmation. Burger said they will take the recognition process out of the Bureau of Indian Affairs and apologized for not having those.....that Bill number in front of her but she will have it for the next meeting. Burger said essentially what is happening is the government is not happy with Interior's process for recognition so they are going to make that now a Congressional Action as Tribes come in and wish to be recognized they will have to get Congress to agree and to approve legislation to recognize them similar to their process. Burger said it will be reaffirmation not necessarily recognition.

D. Public Comment Period

Fran Pitts, Tribal #1592, said this was for the Ogema but he is not here. Pitts said the property at Fruitport on the school property she has a question. Pitts asked where are they going to get ½ million dollars to pay that off. Pitts said it seems like every time they turn around it is not \$1,000 or \$2,000 it is millions. Pitts said they talk nothing less than a million dollars and she is wondering where all this money is coming from. Pitts said they have \$18 million sitting over there and they want \$180 million to get a casino and now they got another property bought

and there is going to be a balloon payment on that.....what is it.....in February she thinks and that is ½ million dollars. Pitts asked where is the money coming from and does that mean them. Pitts asked if that means less for them, for the people, and she is not talking just about Per Capita. Pitts said she knows that is what they are thinking but their health and all that. Pitts said that ½ million dollars has to come from somewhere. Pitts said no answers.....nobody knows.

Councilor Crampton said yes they do but didn't know if she was just being rhetorical. Crampton asked if he can answer.

Speaker Johnson said yes.

Councilor Crampton said what Fran Pitts is addressing is absolutely the opposite of what she is intending. Crampton said what Fran Pitts is intending is to say are the members going.....if it is going to be taken away from the members, and no, it is not going to be taken from the members. Crampton said there is money set aside for the purchases of these lands. Crampton said there are certain funds that are allocated for that. Crampton said what they are doing is expanding and looking to the future. Crampton said a lot of the people come up here and they come to the mike and say they are not taking care of the people now it is just the opposite. Crampton reiterated that they are looking toward the future and expanding into those areas. Crampton said if they get a casino down there they got more of their membership concentrated in Muskegon than any other place and they are going to need to duplicate services, they are going to need property, and they are going to want to have housing. Crampton said it is called a Seventh Generation Plan and they have to look to the future. Crampton said it is awful nice and convenient to say let's just take care of who they got now but they are not looking out for the future in doing that.

Fran Pitts asked what happens if they don't get the casino then they have more taxes to pay.

Councilor Crampton said if Fran Pitts would look to what just happened in Mackinaw he thinks that will answer her question.

Fran Pitts asked if she looked at what.....

Councilor Crampton reiterated what just happened with the Tribe in Mackinaw City he thinks that will answer her question.

Fran Pitts said it has been so long that she just.....she knows they are working on it and she is not talking about that but she can't understand.....they know.....they are not that big of a casino here and they are going to have four restaurants. Pitts said she has been in Vegas a million times and she doesn't any of them has four restaurants but they are depending on the food population to pay for their bills and that but the heck with the slots. Pitts said they have too many

restaurants in there a deli, and they are going to have the other one and one in the Sports Bar and they have the Buffet. Pitts said she doesn't know maybe they will make money...yeah...but like she said they can go to any casino in Michigan and nobody has four restaurants so why do they need four restaurants and why couldn't that space be used for more slots. Pitts said then they are taking away the dancing from the people for polka and they don't realize how many older people love to go in there and polka but it's gone and they are not getting it back. Pitts said they got to.....they are doing.....she doesn't know. Pitts said they are taking away and think they are giving back but what are they giving back just food. Pitts said that is why they all look like they do. Pitts said she is serious she just doesn't understand a lot of this and she tried to and she thinks about it. Pitts said she read over the papers that they got the other day and she is just.....she doesn't know.....she just doesn't understand a lot of it and maybe someday she will but it is getting to the point that she doesn't know who to ask anymore. Pitts said Councilor Crampton is her main source for asking questions because there is nobody else on there that she would even think of asking. Pitts said she doesn't think she would get the right answer so she is really is upset with everything and apologized. Pitts said she is getting old and one of these days they won't see her up at the podium but while she is here she is going to b_____.

Robert Mc Caslin, Tribal #0748, said he is looking at Legislative Affairs and he would like to comment on that. Mc Caslin said he will be here for the next while and he would like to put on some screenings that provides the information that people need around the area here. Mc Caslin said sitting in Manistee right now they see those ___ trains that they were referred back to for crude oil sitting in their town and he will have a short piece on that. Mc Caslin said he would also like to do the history and has a presentation for that and he is getting his Power Point ready for that for the history of their people, the Ottawa. Mc Caslin said also yesterday the Wampum Belt as they look to the East they have their own Wampum Belt prior to that as a celebration of 1764 and he has information on that so he would like to make everything aware of that. Mc Caslin said that is a celebration day for them as their governments take it off. Mc Caslin said what he is asking Council here is he needs some help because he needs a Projector Screen and maybe a computer where maybe he can plug these CD's in and play for the community or maybe at Aki or wherever he can find availability here. Mc Caslin said he has people of other Tribes interested in the history and historical ceremony being performed around this area. Mc Caslin said he looks at and he got to sit in on some Council Meetings but he is taking care of his sister right now so that is his priority, his family then he is working around it to meet Council or commissions and when he is here he is well seasoned in both fields and the industry of the casino and also oil field so he looks at that as being a well-seasoned person. Mc Caslin said the people that presentations that are going to be brought forward will be professors that educate or are professors that teach college.

Councilor Di Piazza said the Lodge here has a Projector and also everything he needs to if he has it on a thumb drive to give his presentation. Di Piazza said the best thing would be to get a hold of Kathleen Bowers to set up a time at some point preferably after 5:00. Di Piazza said if he needs to he can hang out if it is after hours so he can utilize the Lodge here. Di Piazza said it seats 170 people.

Julia Nickleson, Tribal #0834, said what she wanted to know is she was coming out of the meeting room on Saturday and they were carrying the piano out of there and she stopped them to ask them where they were taking it to. Nickleson said they said they were putting it in storage. Nickleson said they don't pay that kind of money for a piano to put into storage because in dampness a piano made of wood would warp and lose its tune and everything else. Nickleson said they should put it back where it was up by the fireplace because it isn't hurting anything.

Councilor Di Piazza said the warehouse where it is probably going to be stored is heated and dry. Di Piazza said the piano had to come out because that whole front tier is coming down. Di Piazza said they had more people trip up on them two steps coming in.

Julia Nickleson said she has.

Councilor Di Piazza said they had more people trip on them four steps than anything in the casino.

Speaker Johnson said what Councilor Di Piazza is saying is there is construction going on with that \$18 million upgrade and with all that construction going on to protect the piano they are moving it into the warehouse where he indicated it was heated and they will bring it back once the construction is completed.

Julia Nickleson said okay thank you.

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.

MOTION TO ADJOURN THE FIRST OPEN SESSION; by Burger;
supported by Lewis.

Roll Call #9

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

Motion carried (8-0-0-1)

The meeting was adjourned at 10:32 a.m.

VIII. Open Session

The Council reconvened in Open Session at 11:15 a.m.

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

Roll Call #10

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

Motion carried (8-0-0-1)

A. Items moved from Closed to Open Session

MOTION TO MOVE MOTION AND ROLL CALL VOTE FOR RESOLUTION #15-1112-341 AND RESOLUTION #15-1112-342; by Crampton; supported by Medacco.

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

Roll Call #11

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

Motion carried (8-0-0-1)

There were no items to be moved from Closed Session to Open Session.

MOTION TO APPROVE RESOLUTION # 15-1112-341, APPROVING TRIBAL OGEMA’S EXECUTION OF AGREEMENT WITH WESTSHORE CONSULTING; by Burger; supported Medacco.

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

Roll Call #C-3

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

Motion carried (8-0-0-1)

MOTION TO APPROVE RESOLUTION # 15-1112-342, APPROVING TRIBAL OGEMA'S EXECUTION OF EXTENSION TO AGREEMENT WITH ADVANTAGE MECHANICAL REFRIGERATION, INC.; by Burger; supported by Medacco.

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

Roll Call #C-4

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

Motion carried (8-0-0-1)

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

IX. Adjourn

Speaker Johnson said there being no other business but he wanted to thank Shannon Crampton for filling in for the Recorder because he did an outstanding job.

MOTION TO ADJOURN THE MEETING; by Medacco; supported by Lewis.

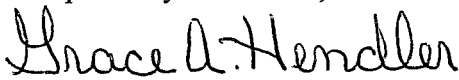
Roll Call #12

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

Motion carried (8-0-0-1)

The meeting was adjourned at 11:18 a.m.

Respectfully Submitted,



Grace A. Hendler
Transcribing Assistant



Shannon Crampton
Acting Council Recorder