

**LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COUNCIL  
REGULAR MEETING  
WEDNESDAY, NOVEMBER 18, 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 18, 2015. Following are the minutes of that meeting.

**I. Opening Prayer**

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

As we ask for this moment of silence.

As we walk on this way, these Elders, that pass through and they return our traditional values and our traditional ways.

This song was offered up to bring our prayers right to the Creator so they are going to start with a song to deliver that to the Creator, Giizhemanidoo. Miigwech.

**II. General Business**

**A. Call to Order**

The regularly scheduled Tribal Council meeting was called to order at 10:03 a.m.

**B. Roll Call**

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

Quorum established.

Others Present: Grace Hendler, Darleen Martin, Peggy & Jim Derouin, Vicky Tenbrink, Lee McCaslin, Linda Andre, Jennifer Crampton, Matthew Chandler, Steven Wheeler, Robert Medacco, Tom St. Dennis, Corey Jerome, Frank Beaver, Krystyne Medawis, Michael Medawis, Julie Wolfe, Terri Tyler.

Others Present That Did Not Sign In: George Le Vasseur, Mary Thomas, Ogema Romanelli, Officer Matt Umlauf, Elaine Porter, Jason Kennedy, Ron Pete, Connie Waitner, Shayne Machen.

Speaker Johnson said before they move onto approving the agenda he wanted to introduce a special guest they have in the audience today. Johnson said they have the Superintendent of the Holton Schools, Jason Kennedy. Johnson said to Jason Kennedy that he wanted to welcome him here to their Government Meeting and they look forward to working with him in the future.

Jason Kennedy said he is the Superintendent of Holton Public Schools and he comes to them this morning after reaching out to Ogema Romanelli in regards to future partnerships and really working to try to develop a friendship and a relationship with the Little River Band of Ottawa Indians. Kennedy said as they are well aware Holton Township has a Historic, this Tribe has a Historic presence in their community, and he came at it from both a personal and a professional side of things. Kennedy said his family originally from Manistee descend from a Koon line with 3<sup>rd</sup> Great Grandmother was a Koon and certainly have done a ton to try and understand his heritage, their heritage, the culture and he has also been in positions that was the former High School Principle at Oak Ridge and worked very closely with the late Robert Memberto. Kennedy said he knows many of the Memberto's, Medacco's, Wabindato's were students of his while at Oak Ridge and also Bernie Carlson he had her kids so there is a strong connection that he feels to a number of their Tribal members and when he looks at the Historic Presence of this Tribe in the Township where their School District lies he believed there are some amazing things that they could do to partner together. Kennedy said they as a Tribe look to expand their presence in Muskegon County he is hoping that they can become a partner and imagine their School District being able to instead of having their people have to learn the Spanish Language for a credit they work with their people to teach their Native Language to their people and give them credit for that. Kennedy said there is a number of things that they could do to really work to honor their heritage, their culture, and their language and he is here this morning to simply extend a hand and to develop a friendship or relationship with the Tribe that as the begin to build their presence in Muskegon County he wanted to make sure that Holton Public Schools is right there with them developing an Educational System that meets the relevant needs of their people. Kennedy said they have....it's about 5% of their population that are indigenous people but that is still 40 of the 800 or so students they have. Kennedy said many of those students are this Tribe's members and to think that they could have establish an Educational System that works to preserve their heritage, their culture while making education relevant to their students that they educate only helps their school system grow and prosper. Kennedy said he simply comes to them this morning looking for that olive branch that he is reaching out to them as extending a hand to begin developing a relationship and a friendship so that as they build their presence in Muskegon County know that Holton Public Schools is there and they are a supporter of what they are doing.

Ogema Romanelli said if he could just add on he thinks that their presence in Holton Schools could actually become a key partner with the Tribe in so many ways. Romanelli said a lot of people in the county believe that they are coming back to Muskegon County and the fact is and they can show that they have always had a presence and they still have a presence and connections to all the families and with their last known Reservation being there he thinks it is a key component and they look forward to working with them in the future. Romanelli thanked Jason Kennedy.

Speaker Johnson asked if there were any other comments from Council on this issue or this opportunity.

Councilor Di Piazza said no, other than Miigwech.

Speaker Johnson said he knew that Council has been very active recently with the Holton Township on economic opportunities and so forth. Johnson said Tom St. Dennis their Economic Development person his key point has been looking at various opportunities in that area so they look forward to this relationship.

### **C. Approval of Agenda**

**MOTION TO APPROVE THE AGENDA WITH THE REMOVAL OF CLOSED SESSION, UNDER X C.5 AND ADDING C.6;** by Di Piazza; supported by Wabindato.

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

Recorder Riley said he would just like to make a recommendation to the motion maker that they postpone Closed D.5 and Second Open Session Item B. until the next Council Meeting.

Councilor Medacco said it is not on the agenda though.

Speaker Johnson said Recorder Riley made a proposal to the agenda maker.....

Recorder Riley asked if it has to be on the agenda, the written one, to make it a change.

Councilor Medacco said he guessed so because this is what they are approving right here at the time when it comes out.

Recorder Riley said okay, he retracts his statement then. Riley said they will table it then.

**Roll Call #1**

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

Motion carried (9-0-0-0)

**D. Tribal Council Minutes**     11/7/15     11/12/15

**MOTION TO ACCEPT TRIBAL COUNCIL OPEN SESSION MINUTES DATED 11/7/15 AND 11/12/15 FOR FILING;** by Medacco; supported by Burger.

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

**Roll Call #2**

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

Motion carried (9-0-0-0)

**III. Continuing Business**

**A. Grants & Contracts**

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

**B. Budget Modifications**

- 1. Approval of Budget Modification MB-2015-\_\_ ; Authorizing the modification of the Lake Sturgeon Rehabilitation Budget, Program #1050-151 in the amount of \$10,786**

Tribal Council must approve the re-allocation of funds within a Program Budget that exceeds 10% of the total original Program Budget.

Steve Wheeler, Tribal CFO, represented this agenda item. Wheeler said this is a budget modification authorizing a modification in the amount of \$10,786 from Salaries & Fringes and various expense lines in the Lake Sturgeon Rehabilitation Budget to the Professional Fees Line item.

Councilor Medacco said he just wanted to let the membership know that items number one and two go together and all it is taking the funding from these two objectives so they can move forward later on in Closed Session with the Cramer Contract. Medacco said these two modifications are to help pay for the project.

**MOTION TO APPROVE RESOLUTION #15-1118-343;  
 APPROVAL OF BUDGET MODIFICATION MB-2015-85,  
 AUTHORIZING THE MODIFICATION OF THE LAKE  
 STURGEON REHABILITATION BUDGET, PROGRAM #1050-151  
 IN THE AMOUNT OF \$10,786; by Medacco; supported by Burger.**

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

**Roll Call #3**

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

Motion carried (9-0-0-0)

Speaker Johnson said before they move onto Item B.2 he just wanted to thank Frank Beaver and his staff for all the hard work they have done on the Sturgeon Program and he really looks forward to 2016 and another productive year as they did in 2015.

2. **Approval of Budget Modification MB-2015-\_\_ ; Authorizing the modification of the Restoration Monitoring Program Budget, Program #1050-161 in the amount of \$8,753**  
 Tribal Council must approve the re-allocation of funds within a Program Budget that exceeds 10% of the total original Program Budget.

Steve Wheeler, Tribal CFO, represented this agenda item. Wheeler said as Council Medacco noted this is Part B of the budget mod and this is for Restoration Monitoring Program and it is authorizing the modification of \$8,753 to move from Salaries & Fringes to Professional Fees and Supplies.

**MOTION TO APPROVE RESOLUTION #15-1118-344;  
 APPROVAL OF BUDGET MODIFICATION MB-2015-86,  
 AUTHORIZING THE MODIFICATION OF THE RESTORATION  
 MONITORING PROGRAM BUDGET, PROGRAM #1050-161 IN  
 THE AMOUNT OF \$8,753; by Medacco; supported by Lewis.**

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

**Roll Call #4**

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

Motion carried (9-0-0-0)

Speaker Johnson said before they move on he just wanted to apologize to the membership that they are trying to work on this screen here and try to get it so they stay along with them as they move forward on these amendments or these resolutions.

**3. Approval of Budget Modification MB-2015-\_\_ ; Authorizing the modification of the Elders Meals Program in the amount of \$1,600**

Tribal Council must approve the re-allocation of funds within a Program Budget that exceeds 10% of the total original Program Budget.

Steve Wheeler, Tribal CFO, represented this agenda item. Wheeler said this is seeking approval of a budget modification to the Elders Meal Program in the amount of \$1,600 and this is for freezer repair which is just moving money from Client Services to Equipment Repair and Maintenance.

**MOVE TO APPROVE RESOLUTION #15-1118-345;  
APPROVAL OF BUDGET MODIFICATION MB-2015-87,  
AUTHORIZING THE MODIFICATION OF THE ELDERS MEALS  
PROGRAM IN THE AMOUNT OF \$1,600;** by Burger; supported by Di Piazza.

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

Darleen Martin, Tribal #0575, said this is the second time this freezer has went down on them and they have already fixed it once. Martin said their service calls are \$500 a piece and this last one cost them two service calls. Martin asked why do they have to keep fixing something when it is broken all the time over there and just get a new one in because this is the second time this has been around. Martin said this is the same unit.

Ogema Romanelli said he thinks they are looking at that too because he thinks it is an issue when they have IT problems that are down for a week out there at least and they are looking at seeing what they can do. Romanelli said again when his server went down he was without a day and a ½ and they have some important business that they are dealing with and they just cannot afford this. Romanelli said again if they look at their next year's Budget he thinks it is very important that they take care of and have the equipment needed to say that one doesn't correspond with the other and he is not blaming IT on this but he is saying that they need to get the right equipment because they now have housing and 70 units and a lot of business that they are doing and the can't afford for IT problems to

this magnitude so they are absolutely looking at it and hopefully they resolve it once and for all on some of those.

**Roll Call #5**

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

Motion carried (9-0-0-0)

- 4. Approval of Budget Modification MB-2015-\_\_ ; Authorizing the transfer of funding from the Clinic Operations Budget to the Contract Health Budget in the amount of \$175,000**  
 Tribal Council must approve any reduction in amounts appropriated for the provision of direct services to Tribal members.

Steve Wheeler, Tribal CFO, represented this agenda item. Wheeler said this authorizes the transfer of funding from the Clinic Operations Budget to the Contract Health Budget in the amount of \$175,000. Wheeler said the Clinic Contract Health Director has determined that they are going to need \$175,000 in additional funding to pay Contract Health and Extended Health Claims throughout the rest of this Calendar Year so they have identified funding in Clinic Operations from various sources that they can move to the Extended Health and Contract Health Line Items to pay for those claims as they come through.

**MOVE TO APPROVE RESOLUTION #15-1118-346; APPROVAL OF BUDGET MODIFICATION MB-2015-88, AUTHORIZING THE TRANSFER OF FUNDING FROM THE CLINIC OPERATIONS BUDGET TO THE CONTRACT HEALTH BUDGET IN THE AMOUNT OF \$175,000; by Burger; supported by Medacco.**

Speaker Johnson asked if anybody was going to abstain and that it was open for discussion. Johnson said again he just wanted to thank the Ogema and his staff in regards to the Clinic that they are not asking for a supplemental but doing a budget modification within their own group to support this request and it's good that they are showing they're doing some things down there and he is hoping that the Affordable Care Act has some impact on this to help them out also in their Budgets.

**Roll Call #6**

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

Motion carried (9-0-0-0)

**5. Approval of Budget Modification MB-2015-\_\_ ; Authorizing the reduction of the Governmental Center Budget to provide funding for legal costs in the amount of \$23,943**

Tribal Council must approve the re-allocation of funds within a Program Budget that exceeds 10% of the total original Program Budget.

Steve Wheeler, Tribal CFO, represented this agenda item. Wheeler said this authorizes the budget modification reducing the Governmental Center Building Budget to provide funding for legal costs in the amount of \$23,943. Wheeler said they have identified some excess funding sources and they want to move that to the Legal Department to pay for some legal invoices.

**MOVE TO APPROVE RESOLUTION #15-1118-347; APPROVAL OF BUDGET MODIFICATION MB-2015-89, AUTHORIZING THE REDUCTION OF THE GOVERNMENT CENTER BUILDING BUDGET TO PROVIDE FUNDING FOR LEGAL COSTS IN THE AMOUNT OF \$23,943; by Burger; supported by Di Piazza.**

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

**Roll Call #7**

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

Motion carried (9-0-0-0)

**6. Approval of Budget Modification MB-2015-\_\_ ; Authorizing the modification of the Unified Legal Department Budget to provide funding for legal costs in the amount of \$103,154**

Tribal Council must approve the re-allocation of funds within a Program Budget that exceeds 10% of the total original Program Budget.

Steve Wheeler, Tribal CFO, represented this agenda item. Wheeler said this is authorizing the modification of funding within the Unified Legal Department Budget to fund legal costs in the amount of \$103,154. Wheeler said again they have identified funding sources within that department and just modifying it to Professional Fee Line Item to pay for some outstanding legal bills.

**MOTION TO APPROVE RESOLUTION #15-1118-348; APPROVAL OF BUDGET MODIFICATION MB-2015-90, AUTHORIZING THE MODIFICATION OF THE UNIFIED LEGAL DEPARTMENT BUDGET TO PROVIDE FUNDING FOR**



**LEGAL COSTS IN THE AMOUNT OF \$103,154;** by Medacco;  
 supported by Lewis.

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

**Roll Call #8**

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

Motion carried (9-0-0-0)

**C. Approval of Budgeted Expenditure**

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

**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 the reports for Operations or Financials.

**V. Acceptance of Commission Reports**

- A. **Binojeeuk Commission**  **October 2015**
- B. **Enrollment Commission**  **None Submitted**
- C. **Gaming Commission**  **October 2015**
- D. **Health Commission**  **October 2015**
- E. **Housing Commission**  **None Submitted**
- F. **Natural Resource Commission**  **October 2015**
- G. **Commerce Commission**  **October 2015**

**MOTION TO ACCEPT THE COMMISSION REPORTS FOR BINOJEEUK COMMISSION, GAMING COMMISSION, HEALTH COMMISSION, NATURAL RESOURCE COMMISSION AND COMMERCE COMMISSION DATED OCTOBER 2015 FOR FILING;** by Medacco; supported by Di Piazza.

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

**Roll Call #9**

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

R. Wittenberg-Yes	V. Johnson – Yes	S. Lewis – Yes
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Motion carried (9-0-0-0)

**VI. Acceptance of Committee Minutes and Other Entities**

- A. Elders Committee Minutes  October 2015
- B. Little River Casino Resort Preference Report  October 2015
- C. LRBOI Tribal Government Preference Report  October 2015

*Councilor Medacco left the meeting room at 10:27 a.m.*

**MOTION TO ACCEPT THE ELDERS COMMITTEE MINUTES, LITTLE RIVER CASINO RESORT AND THE LITTLE RIVER BAND OF OTTAWA INDIANS TRIBAL GOVERNMENT PREFERENCE REPORTS DATED OCTOBER 2015 FOR FILING;**  
 by Di Piazza; supported by Wabindato.

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

**Roll Call #10**

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

Motion carried (8-0-0-1)

**VII. Old Business**

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

**VIII. New Business**

- A. Consideration of Appointment of Matthew Chandler to the Enrollment Commission

This appointment is for Seat #5 with a term ending 9/20/19.

Speaker Johnson noted that Matthew Chandler was in the audience if they have any questions for him.

*Councilor Medacco came back into the meeting room at 10:28 a.m.*

**MOTION TO APPROVE THE APPOINTMENT OF MATTHEW CHANDLER TO THE ENROLLMENT COMMISSION;** by Crampton; supported by Burger.

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

**Roll Call #11**

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

Motion failed (1-8-0-0)

**B. Consideration of Appointment of Krystyne Medawis to the Enrollment Commission**

This appointment is for Seat #4 with a term ending 9/20/19.

Speaker Johnson said he believed that Krystyne Medawis is in the audience.

**MOTION TO APPOINT KRYSTYNE MEDAWIS TO THE ENROLLMENT COMMISSION;** by Crampton; supported by Burger.

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

**Roll Call #12**

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

Motion carried (9-0-0-0)

Speaker Johnson said let it be noted that this for Seat #4 with a term ending 9/20/19.

**IX. Concluding Business**

**A. Next Meeting Date(s) - Wednesday, December 2, 2015**

Speaker Johnson reminded everyone that during the business update is the time to talk about business items.

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

Ogea Romanelli said again he wanted to thank the Holton Schools Superintendent Jason Kennedy for meeting and they will have more discussions later today as they go along and he really appreciates that. Romanelli said he appreciates Tom St. Dennis' work in that area as well and he thinks with Council if they can all work together there are some things they can accomplish over the next few months. Romanelli said he also wanted to say that they had their Employee's Meeting yesterday and he wanted to thank Council for their support

in the.....what are they calling it.....the one time check and appreciate the Council members for showing up yesterday which is appreciated by the employees too he is sure. Romanelli said he wanted to thank the General Manager, Ron Pete, and the Assistant General Manager, Connie Waitner for the big turkeys. Romanelli said they will just call them big turkeys right and thinks the employees thanks them too so thanks a lot for being there and thank them for that. Romanelli said some of the items that they talked over with the employees again are morale problems and they are working at them and trying to work through them. Romanelli said he thinks they are making some progress. Romanelli said they had the four Leads who spoke to the Council a few weeks back and he thinks it is working but are still adjusting and trying to make this thing happen. Romanelli said they did discuss that and also discussed the smoking areas. Romanelli said IHS and Health Services put out a report that said they need to eliminate any smoking within 25 feet and they set a couple of smoking sheds that are out about 70 feet. Romanelli said again if they want to go further they are welcome to do so with that. Romanelli said his main objective was just to comply with IHS Standards and nothing more at this time. Romanelli said that doesn't mean that they don't look at other options as they go forward. Romanelli said they continue to work do things in Muskegon working on different projects and again they are keeping Council updated as to what they do and working through that. Romanelli said they just got a.....he thinks within the last week in the Muskegon Chronicle put out another very supportive article of their Muskegon Casino Project basically requesting the Federal Government to act as quickly as they can to get this project moving because there are people in the area that are somewhat frustrated with the length of time again they are not the first one to propose a casino in the area and this has been going on since the mid-90's but they are the first ones to take real serious action and come as far as they have so they are appreciative of it. Romanelli said they have much support in the area and again timing he thinks is very critical here so they will send those comments from the Chronicle onto to D.C. and let them know of what the thoughts are. Romanelli said this one was written by the Chronicle Board of Directors so he thinks they have some clout there too. Romanelli said other than that he thinks they are good and cannot think of anything else.

Julie Wolfe, Tribal #1062, said she has two questions. Wolfe said one is yesterday at the meeting they said that the Federal Government has been positive and made a motion on their activity in Muskegon and it was kind of brief and she didn't get the whole thing. Wolfe said she was wondering if they could explain a little bit on that.

Ogema Romanelli said where they are at in the process now is that the Federal Government meaning the Department of Interior put on a Scoping Hearing in Muskegon about 3-4 weeks ago and his timing kind of gets jumbled but they put on a Scoping Hearing and that was to get community input on this phase of the project which is the environmental work, etc. Romanelli said once they got that they are doing a Scoping Report and they have been doing a lot of work behind

the scenes now calculating and working with the information they got from that. Romanelli said what they got was very positive and they have already reported back to them that they have done some work and that it is a positive showing. Romanelli said once this happens then they also have to go through the environmental work that they are doing currently doing. Romanelli said they are going to be doing one more hearing that has to happen again very much like the Scoping Hearing and this gets frustrating for everybody such as the Tribal members, for the community but it is part of the process. Romanelli said he was in D.C. a couple of weeks ago again after the Scoping Hearing and they already heard about how positive the meeting was and that there was plenty of input. Romanelli said in a venue of 500 seating there was over 600 people there and that reflects positively on their project and what they are doing. Romanelli said people think that things don't get to D.C. well they do and so it is still moving forward so that is what he thinks Julie Wolfe may be referring to.

Julie Wolfe said that was a great explanation. Wolfe said the other part she wanted to see if she could get clarified because she is not understanding that either. Wolfe said they are going around Section 9 in their Compact with a two-part determination but she doesn't fully understand a two-part determination.

Ogema Romanelli said a two-part determination is a new process that the government is using to take land into trust and in their situation again, every Tribe is different 550 Tribes and 550 different ways of doing things because they are their own government. Romanelli said in their process they have to use this two-part determination which is a lengthy process and there has been extra steps that have been added along the way since when they got their first casino here and so they are taking the two-part determination process is the way they are going and they are not going around the Section 9 it was deemed that they.....it was basically irrelevant in this situation. Romanelli said that no has utilized a Section 9 Amendment that the Governor signed off on.

Speaker Johnson said he would like to add onto that on the two-part determination as Councilor Burger said at the Elders Meeting that is what really a driver for the two-part determination is their needs or requirements. Johnson said by that it is how they have been with the economic turn down with Gun Lake coming into place and how their finances to show how it is impacting them and where they really need this opportunity in Muskegon to help support their services here that is being sacrificed because of the things that have changed and that is what drives this two-part determination. Johnson said that is a catalyst for this. Johnson said he would just like to add to the Ogema's comments and sees that Ron Pete and Connie Waitner is in attendance but wanted to echo what was said about the turkeys and also hosting the Elders Meeting at the Resort along with hosting the meeting for the employees there. Johnson said they really appreciate that and shows how working together closer and trying to get things done as a one group of people and he really appreciates all they have done to help them out in moving forward on this. Johnson said the other thing is he wanted to thank the Ogema

and his staff because they are very close on the Budget and are going to have roll call vote on the Budget in Second Open and again this is like their third or fourth year in a row in which they may have a Budget before the end of the year for the following year coming up and that is hard work not only for Council but more importantly for the staff to put all those numbers together for them so they can digest this stuff and do a solid vote on this coming in Second Open. Johnson said he just wanted to say Miigwech to the Ogema and his staff for helping them out to get to this point.

### C. Legislative Affairs Update

Speaker Johnson asked if there were any updates because there is a big one out there.

Councilor Burger said her and Councilor Crampton are smiling really big today. Burger said the House of Representatives passed HR 511 yesterday by a very big majority 249 votes. Burger said the real key element to that was they got 24 Democrats who supported the Bill in the House and one of those supporters, Democratic Supporters was Dan Kildee, Representative Huizenga who is in one of their southern districts, and their Representative Dan Benishek also supported the Bill and Michigan went on the party lines. Burger said Kildee was the only Democrat that stuck outside and voted yes. Burger said the Bill has also passed their Committee in the Senate side and they are waiting for the full Senate vote and it came out of committee as a Closed Bill which means they can't really offer up amendments to the Bill to the draft language on the Senate side so hopefully it is very hopeful that this will pass. Burger said the only fly in the ointment is yesterday the White House issued what is called an Administrative Policy Statement when the President issues this he puts an official position forward on a piece of legislation. Burger said this is what it states, "*The Administration is deeply committed to respecting Tribal Sovereignty and maintaining Government to Government relationships with Indian Tribes as well as protecting American Workers and enforcing Federal Labor Laws. The Administration cannot support the HR 511 the Tribal Sovereignty Act of 2015 as currently drafted because it does not include provisions as explained below.*" Burger said what is really important in the statement is that it did not say that he would veto it usually he issues that language if he is going to veto a Bill. "*The President's commitment to Tribal Sovereignty is taking many forms and he established a White House Counsel of Native American Affairs and reaffirmed the Tribal authority to prosecute Non-Indians under the Violence Against Women Act and promoting Tribal Self-Determination by signing into law the Helping Expedite the Advanced Responsible Homeownership which is called the Hearth Act so Tribes can lease their lands without approval of the Secretary of Interior but at the same time the President is firmly dedicated to American Workers. The Administration vigorously enforces Federal Labor Laws and has repeatedly emphasized the importance of strengthening Workers Rights to Collective Bargaining. He is encouraging and he is encouraged by the efforts of some Tribal Governments to*

*balance these important interests and find common ground when formulating Compacts to operate casinos on Tribal Lands under the Federal Indian Gaming Regulatory Act and in these Compact's several of the Tribes have agreed to establish their own Labor Relations Policies." And what he would like to see as effectively is Tribes passed in their Labor Relations Policies and Laws the same protections for labor that the National Labor Relations Act affords organized Labor and the right to organize.* Burger said many of them have done that already so they will see what happens when it comes out of committee, like she said, he didn't say that he would veto it so he has one opportunity to really stand up and stand behind what he has been saying right along was that he was the President that believes and agrees with Tribal Sovereignty and the inherent right of Tribes to govern their lands. Burger said so she is waiting to see what is going to happen but her and Councilor Crampton are smiling because this is a biggy.

Councilor Crampton said he just wanted to add that right now as it stands the Democrats has been historically in favor of Tribes and Labor so this is a big decision for them. Crampton said he thinks that community support and hearing from their constituents would be something that weighed heavily on the President. Crampton said maybe they should draft a letter of support and if any of the membership out there, no matter where they live or who their Representative is, contact them and tell them they support S248.

Councilor Burger said S248 and HR 511 and let's get it done. Burger said they can always go on the White House's website because there is usually a box for commentary that they can send directly to the White House and electronically it goes that same day.

Speaker Johnson said he would like to add to this also as Councilor Burger indicated there were 24 Democrats supporting this action and the 249 that voted in favor of it however, he felt or learned at least that Charlie Rangell played a very strong role on getting those extra votes because they were thinking that maybe they could get 20 votes but got more than that and again he thanks.....if that is the case Charlie Rangell for supporting the Tribe and moving forward on this issue to benefit them in the future about their sovereignty. Johnson said also they have a meeting tomorrow morning with the Units of Government and they are going to be talking a little about the Sewer Project and things are moving very well on the Sewer Project where they will have some very good things to share with the Units of Government after tomorrow.

*Someone came to the podium that did not identify herself said that S248 and the HR511 relates to all of the Tribes so she is wondering and she was thinking about contacting some of the Tribes in her area and she is wondering if they talked to the Tribes here in Michigan the Councils to see if they officially also supports the Bills.*

Councilor Crampton said they are already on it.

Councilor Burger said they have been very supportive all the other Tribes have been very supportive of that effort.

*The woman at the podium asked if they will be sending something officially from the Council. She said also there are some letters that she passed out at the Membership Meeting and they are on the website that they can print out and she was encouraging all the members to send those out but they did have to look up their Representatives information to put on the envelop and stamp so hopefully they got a lot of members to send those out but the letters are still out there so they can download them and she would encourage their members to do that.*

Speaker Johnson thanked a woman named Linda.

Recorder Riley asked if she could please state her name and Tribal I.D. # for the record.

Linda Andre, Tribal #3211.

Speaker Johnson said he would like to add to what was just announced that Representative Tom Cole he believed is the member of the Cherokees or Chickasaws in Oklahoma and he was one of the co-sponsors of this Bill. Johnson said he also wanted to recognize him and his efforts in helping them out here.

#### **D. Public Comment Period**

Robert Mc Caslin, didn't give Tribal #, said he just received word from their Historic Preservation Council over there, Jay Sam, to fill out some paperwork with Mary Thomas to preserve the Aki for next Wednesday night to do a Historical Preservation part. Mc Caslin said so the will be setting up and asking to use Aki and invite everybody along that journey. Mc Caslin said he just wanted to get that on the record so.....and invite all of them everybody that is here.

Councilor Di Piazza asked what time.

Robert Mc Caslin replied that he said in the evening so it isn't set up and is still in that process of being set up but he guessed.....

Councilor Di Piazza said he knew he talked about a Presentation and asked if he still.....

Robert Mc Caslin said he is still moving forward on that.

Councilor Di Piazza asked if that was going to happen next Wednesday.



Robert Mc Caslin said there is and that is just going to be the historical part of the Ottawa people and all how all this links together. Mc Caslin said then they will set up a different environmental committees and bring them in here and show presentations.

Ron Pete, Tribal #4158, thanked the Speaker for his kind words and the Ogema for his words yesterday. Pete said he wanted to again than Council and the government sitting that he didn't get a chance to do is to express on behalf of himself and all the Elders for them to have that Council Meeting at their Elder's Conference in November and knew it was enjoyed by all and he was glad that it was such a great thing and hasn't heard nothing but positive comments after that from any Elder or all the Elders. Pete said he thought that went very well and hopefully they will consider that again next year to reach a lot of constituents all at once and for them to see a Government Meeting in action. Pete said he also wanted to say one more and this is kind of a community message, he knows every year for the last 4-5 years, their Assistant General Manager Connie Waitner and her sisters along with a group of ladies all get together and on Thanksgiving coming up this week from 12-2:00 p.m. at Aki they serve Thanksgiving Dinner to anyone in the community, anyone in their community that wants to come, it is free of charge. Pete described that they come and they cook and bake and do all kinds of nice things and feed a few hundred people. Pete said everyone is invited so if they just don't have anywhere to go or anything like that is a great place to come and get some really good family fellowship. Pete said that is what that is all about.

Speaker Johnson thanked Ron Pete. Johnson said he also wanted to thank Connie Waitner's Family for hosting it.

***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 Medacco; supported by Burger.

**Roll Call #13**

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

Motion carried (9-0-0-0)

The meeting was adjourned at 10:52 a.m.

**XI. Open Session**

The Council reconvened in Open Session at 12:21 p.m.

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

**Roll Call #14**

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

Motion carried (9-0-0-0)

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

**MOTION TO MOVE FROM CLOSED SESSION MOTION, ROLL CALL AND VOTE FOR BIDS & CONTRACTS C.1 THROUGH 4 AND ITEM #C.6 AND CLOSED SESSION D, ITEM 5, THE RESOLUTION, MOTION, ROLL CALL AND VOTE;** by Riley;  
supported by Medacco.

Recorder Riley apologized and said he meant Resolution number D. Riley asked Councilor Medacco if he still supported him.

Councilor Medacco said yes he does support him.

Speaker Johnson said he didn't hear his support which is why he kept asking.

Councilor Medacco said the Speaker asked if Councilor Wittenberg supported.

Speaker Johnson said that is because he thought he said it.

Councilor Medacco said the Speaker was looking right at him.

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

**Roll Call #15**

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

Motion carried (0-0-0-0)

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

**MOTION TO APPROVE RESOLUTION # 15-1118-349,  
RATIFICATION OF CRAMER FISH SCIENCE CONTRACT; by  
Medacco; supported Burger.**

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

**Roll Call #C-3**

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

Motion carried (9-0-0-0)

**MOTION TO APPROVE RESOLUTION # 15-1118-350,  
APPROVING TRIBAL OGEMA'S EXECUTION OF AGREEMENT  
WITH STONY POINT STUDIO; by Medacco; supported by Burger.**

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

**Roll Call #C-4**

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

Motion carried (9-0-0-0)

**MOTION TO APPROVE RESOLUTION # 15-1118-351,  
APPROVING TRIBAL OGEMA'S EXECUTION OF AGREEMENT  
WITH RCA, LLC; by Burger; supported by Medacco.**

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

**Roll Call #C-4**

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

Motion carried (9-0-0-0)

**MOTION TO APPROVE RESOLUTION # 15-1118-352,  
APPROVAL OF THE SERVICE AGREEMENT WITH MICHIGAN  
CONSULTANTS AND AUTHORIZING THE OGEMA TO  
EXECUTE THE SAID AGREEMENT; by Medacco; supported by  
Lewis.**

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

**Roll Call #C-5**

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

Motion carried (9-0-0-0)

**MOTION TO APPROVE RESOLUTION # 15-1118-353, APPROVAL OF CONTRACT FOR LEGAL SERVICES PROVIDED BY DAVID WELLS FOR SERVICES RELATED TO CONTRACT REVIEW AND DRAFTING;** by Medacco; supported by Lewis.

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

**Roll Call #C-6**

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

Motion carried (9-0-0-0)

**MOTION TO APPROVE RESOLUTION # 15-1118-354, LITTLE RIVER CASINO RESORT CAPITAL EXPENDITURE BUDGET WITH THE CAVIATE NOT TO EXCEED 4.8%;** by DiPiazza; supported by Medacco.

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

**Roll Call #C-11**

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

Motion failed (4-5-0-0)

**MOTION TO RECONSIDER RESOLUTION # 15-1118-354, LITTLE RIVER CASINO RESORT CAPITAL EXPENDITURE BUDGET WITH FINAL NOW THEREFORE IT IS RESOLVED THAT THE LITTLE RIVER BAND OF OTTAWA INDIANS MANDATES THE LITTLE RIVER CASINO RESORT TO AMEND THE FY2016 CAPITAL EXPENDITURE BUDGET NOT TO EXCEED 4.5% OF THE PROJECTED GROSS REVENUES;** by Burger; supported by Crampton.

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

**Roll Call #C-12**

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

Motion carried (8-1-0-0)

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

**B. Acceptance of the 2016 Government Operations Budget**

The Budget & Appropriations Act of 2013 along with the Constitution requires Tribal Council to approve the Government Operating Budget for each year.

Councilor Burger asked to table it or postpone it.

Recorder Riley said either way it comes up the next meeting.

Councilor Burger said two weeks from now.

Speaker Johnson said December 2<sup>nd</sup>.

Councilor Burger reiterated two weeks from now which is December 2<sup>nd</sup>.

Recorder Riley said to table it then because they are waiting on another Budget.

**MOVE TO TABLE THIS ITEM;** by Riley; supported by Crampton.

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

Councilor Burger said she doesn't know if they have to table the Government's Budget because they have to do their thing and they are just adopting the Budget which is what they need for operations.

Recorder Riley said the Budget & Appropriations requires them to balance and it is contingent upon distribution though.

Councilor Burger reiterated that she doesn't know if they have to wait for distribution or why it has to be balanced but just based on distribution.

**Roll Call #16**

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

Motion carried (7-2-0-0)

**XII. Adjourn**

**MOTION TO ADJOURN THE MEETING;** by Burger; supported by Wabindato.

**Roll Call #17**

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

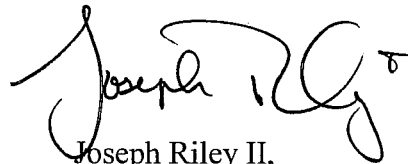
Motion carried (8-1-0-0)

The meeting was adjourned at 12:26 p.m.

Respectfully Submitted,



Grace A. Hendler  
Transcribing Assistant



Joseph Riley II,  
Tribal Council Recorder