

**LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COUNCIL  
REGULAR MEETING  
WEDNESDAY, NOVEMBER 30, 2016  
LITTLE RIVER BAND  
GOVERNMENT CENTER**

**OPEN SESSION  
MINUTES**

The Little River Band of Ottawa Indians held a meeting at the Little River Band Government Center on November 30, 2016. Following are the minutes of that meeting.

**I. Opening Prayer**

Terri Tyler, Tribal Elder, offered the Opening Prayer in Anishinaabemowin.

**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 - Present	Vacant	F. Medacco- Present
S. Crampton - Present	G. DiPiazza- Present	M. Wabindato -Present
R. Wittenberg-Present	V. Johnson - Absent	S. Lewis - Present

Quorum established.

Others Present: Tammy Bowen, Carol Gibner, Kelly Maser, Archie Martell, Corey Jerome, Boo Battice, Jamie Friedel, Al Metzger, Jennifer Crampton, Terri Tyler, Diane Lonn, Don Mac Donald, Gary Lewis.

Others Present That Did Not Sign In: Grace Hendler, Drew Jewrick, Ogema Romanelli, Rebecca Liebing, Jason Holguin, Officer Umlauf, Elaine Porter, Jake Kequom.

**C. Approval of Agenda**

**MOTION TO APPROVE THE AGENDA WITH THE FOLLOWING CHANGES; UNDER APPROVAL OF BUDGETED EXPENDITURES, C.1 FOR POSTPONEMENT; UNDER NEW BUSINESS V A. POSTPONEMENT, NEW BUSINESS V E. REVISED; IN CLOSED SESSION UNDER BIDS & CONTRACTS**

**C.4 POSTPONEMENT, AND ALSO IN CLOSED SESSION D.1 FOR POSTPONEMENT; by Medacco; supported by Lewis.**

Acting Speaker Riley asked if anybody was going to abstain.

**Roll Call #1**

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

Motion carried (6-1-0-1)

1 Vacant

Acting Recorder Di Piazza noted the agenda is approved.

**D. Tribal Council Minutes  11/16/16**

**MOTION TO ACCEPT THE TRIBAL COUNCIL MINUTES FOR 11/16/16 FOR FILING; by Medacco; supported by Lewis.**

Acting Speaker Riley asked if anybody was going to abstain and is there any discussion on this item.

**Roll Call #2**

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

Motion carried (7-0-0-1)

1 Vacant

Acting Recorder Di Piazza noted the minutes are approved for 11/16/16.

**III. Continuing Business**

**A. Grants & Contracts**

Acting Speaker Riley noted they have nothing under Grants & Contracts.

**B. Budget Modifications**

- 1. Approval of Budget Modification MB-2016-\_\_ ; Authorizing the modification of the 2015 Indian Housing Block Grant Budget, Program #4350 in the amount of \$1,070**  
 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 is a request by the Housing Department to modify the 2015 Indian Housing Block Grant to basically move money around to cover some existing deficits in an attempt to close out the grant.

Acting Speaker Riley asked if there was any discussion or a motion on this item.

**MOTION TO APPROVE RESOLUTION #16-1130-359;  
 APPROVAL OF BUDGET MODIFICATION MB-2016-68,  
 AUTHORIZING THE MODIFICATION OF THE 2015 INDIAN  
 HOUSING BLOCK GRANT, PROGRAM #4350 IN THE AMOUNT  
 OF \$1,070; by Medacco; supported by Wittenberg.**

Acting Speaker Riley asked if anybody was going to abstain and is there any further discussion on this item.

**Roll Call #3**

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

Motion carried (7-0-0-1)

1 Vacant

Acting Recorder Di Piazza confirmed Resolution #16-1130-359 is passed.

2. **Approval of Budget Modification MB-2016-\_\_ ; Authorizing the modification of the Bureau of Indian Affairs Great Lakes Restoration Initiative Budget, Program #4086 in the amount of \$5,651**  
 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 again this is a request by the Natural Resource Department to modify the BIA Great Lakes Restoration Initiative Program to basically put more funds into Professional Fees to provide for more consulting services related to the Sturgeon Project. Willis said a couple of Natural Resource personnel are here should Council have any specific questions.

Acting Speaker Riley asked if there are any questions, discussion, or a motion on this item.

**MOTION TO APPROVE RESOLUTION #16-1130-360;  
 APPROVAL OF BUDGET MODIFICATION MB-2016-69,**

**AUTHORIZING THE MODIFICATION OF THE BUREAU OF INDIAN AFFAIRS GREAT LAKES RESTORATION INITIATIVE BUDGET, PROGRAM #4086 IN THE AMOUNT OF \$5,651; by Lewis; supported by Medacco.**

Acting Speaker Riley asked if anybody was going to abstain and is there any further discussion on this item. Riley said to Acting Recorder Di Piazza to do a roll call or make his comment.

Acting Recorder Di Piazza asked what is it going to be used for, again, please for the membership.

Corey Jerome, Natural Resources Department, said they have been working on a report with their Sturgeon Program and those funds are hoping to finalize that document.

Acting Speaker Riley asked if there was any follow-up discussion to that. Riley asked Acting Recorder Di Piazza to do a roll call.

**Roll Call #4**

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

Motion carried (7-0-0-1)  
1 Vacant

Acting Recorder Di Piazza confirmed Resolution #16-1130-360 is passed.

**3. Acceptance of contract funds from the U.S. Department of Interior-Bureau of Indian Affairs and approving a modification to the Operating Budget MB-2016-\_\_ in the amount of \$152,473**

The Tribe has received a modification of additional funding for the 2016 BIA Self-Governance Compact.

Bill Willis, Budget Coordinator, represented this agenda item. Willis said these funds are additional appropriation that was given to the Tribe specific to Contract Support Costs under the 2016 Self-Governance Compact with the Bureau of Indian Affairs. Willis said they just need to accept the money and amend the Operating Budget.

Acting Speaker Riley asked if there are any discussion or a motion on this item.

Acting Recorder Di Piazza asked how much have they received so far.

Bill Willis said he knew he was going to ask that and he didn't bring that information with him but it is more than they projected they would get. Willis said early in the year they received like ¾ of a million bucks in Contract Support Costs which in that of itself exceeded what they projected so.....he can get Council that number but he just doesn't have it with him right now.

**MOTION TO APPROVE RESOLUTION #16-1130-361;  
 ACCEPTANCE OF CONTRACT FUNDS FROM THE U.S.  
 DEPARTMENT OF INTERIOR-BUREAU OF INDIAN AFFAIRS  
 AND APPROVING A MODIFICATION TO THE OPERATING  
 BUDGET MB-2016-70 IN THE AMOUNT OF \$152,473; by Medacco;  
 supported by Di Piazza.**

Acting Speaker Riley asked if anybody was going to abstain and is there any discussion or questions on this item.

**Roll Call #5**

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

Motion carried (7-0-0-1)  
 1 Vacant

Acting Recorder Di Piazza confirmed Resolution #16-1130-361 is passed.

4. **Approval of Budget Modification MB-2016-\_\_ ; Authorizing the modification of the Election Board Budget; Program #1010-106 in the amount of \$5,170**  
 This modification is for additional meeting stipends specifically associated with a Special Election.

Tammy Bowen, Election Board Secretary, represented this agenda item. Bowen said this additional money well actually it is not additional money it is moving their Budget around for stipends to send out the mailing that they have already sent out and they have different meetings to slate the candidates, do the background checks, and they have to meet with their attorney on that so this is just to cover that time separate from the General Election.

Acting Speaker Riley asked if there are any questions or discussion or a motion on this item.

**MOTION TO APPROVE RESOLUTION #16-1130-362;  
 APPROVAL OF BUDGET MODIFICATION MB-2016-71,  
 AUTHORIZING THE MODIFICATION OF THE ELECTION  
 BOARD BUDGET, PROGRAM #1010-106 IN THE AMOUNT OF**

**\$5,170 FOR ADDITIONAL MEETING STIPENDS SPECIFICALLY ASSOCIATED WITH THE SPECIAL ELECTION;** by Medacco; supported by Wittenberg.

Acting Speaker Riley asked if anybody was going to abstain and are there any questions on this item.

**Roll Call #6**

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

Motion carried (7-0-0-1)

1 Vacant

Acting Recorder Di Piazza confirmed Resolution #16-1130-362 is passed.

**C. Approval of Budgeted Expenditure**

**1. Appropriating funds for Expenditures during the First Quarter of FY2017 in accordance with Section 5.07 of the Budget & Appropriations Act of 2013**

Section 5.07 requires that Tribal Council appropriate funds for expenditures for upcoming fiscal quarters by March 1, June 1, September 1, and December 1.

Acting Speaker Riley noted that Item 1 has been postponed.

**2. Approval of Expenditure for SonoSite Edge II Veterinary Ultrasound Unit**

This item is an approved purchase through the Environmental Protection Agency Budget #4223 that has objectives to determine the sex and maturity of Adult Lake Sturgeon using non-invasive techniques and is accomplished with the use of a portable ultrasound Unit.

Corey Jerome, Fisheries Biologist, represented this agenda item. Jerome said again this is a budgeted item out of 4223 to meet a grant objectives covering Lake Sturgeon Adult Program that they are looking to start up.

Acting Recorder Di Piazza asked what exactly is the ultrasound going to be used for.

Corey Jerome answered to determine non-invasively sex and maturity of the Adult Sturgeon that are doing their spring migration for spawning.

Acting Speaker Riley asked if there are any questions or a motion on this item.

**MOTION TO APPROVE RESOLUTION #16-1130-363;  
 APPROVAL OF EXPENDITURE FOR SONOSITE EDGE II  
 VETERINARY ULTRASOUND UNIT; by Medacco; supported by Di  
 Piazza.**

Acting Speaker Riley asked if anybody was going to abstain and are there any more questions on this item.

**Roll Call #7**

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

Motion carried (7-0-0-1)

1 Vacant

Acting Recorder Di Piazza confirmed Resolution #16-1130-363 is passed.

**IV. Old Business**

- A. Operations Report**  None Submitted
- B. Financial Report**  None Submitted
- C. Enrollment Commission**  None Submitted
- D. Health Commission**  None Submitted
- E. Housing Commission**  None Submitted
- F. Natural Resource Commission**  None Submitted
- G. Commerce Commission**  September 2016
- H. Little River Casino Resort Preference Report**  None Submitted
- I. LRBOI Tribal Government Preference Report**  None Submitted

Acting Speaker Riley said under the reports it looks like they are in receipt of the Commerce Commission Report. Riley said for the record let it be known that they have accepted that report.

**V. New Business**

- A. Adopting the Fiscal Year 2017 Tribal Government Operations Budget**  
 Tribal Council is authorized to approve the annual Budget presented by the Tribal Ogema.

Acting Speaker Riley noted that Item A is postponed.

- B. Approving Amendments to Housing Regulations, Chapter 6-Pets and Animal Control Regulations for Tribal Rental Units**  
 The Housing Commission has recommended certain updates be made to Chapter 6 and requests Tribal Council approval.

Rebecca Liebing, Unified Legal Department Attorney, represented this agenda item. Liebing said the changes to the Housing Regs Chapter 6 are basically they went from one pet to two pets, they increased the deposit amount for two pets, they require proof of certain vaccinations or spaying of animals. Liebing said the pets must have a collar if they are outdoors. Liebing said they also made it clearer that the Head of Household is financially responsible for any damage that is done for the pet that is living in the home. Liebing said that is pretty much it.

Acting Speaker Riley asked if there are any questions and/or a motion on this item.

Councilor Wabindato said to Rebecca Liebing that she said when the animal is outside he had to have a collar or a leash.

Rebecca Liebing replied a collar.

Councilor Wabindato asked okay would a leash go with the collar.

Rebecca Liebing said she would have to look and see what the wording is on that.

Councilor Wabindato said usually they have a Leash Law.

Rebecca Liebing said that is a great point.

Housing Commissioner Leusby noted they have to be on a leash.

Acting Speaker Riley asked does it say that.

Rebecca Liebing said what she is reading right here is all animals must have a tag and collar. Liebing said that is the first part that she is getting to but there might be a leash somewhere else in here.

Acting Speaker Riley said just for the minutes in case Grace Hendler didn't hear what Marcella Leusby said is they have to be on leash.

Rebecca Liebing agreed.

Councilor Crampton said that is not specifically stated in their law don't it revert to Michigan Law.

Rebecca Liebing said so basically there is a part that addresses animal control and this isn't a change in the regs which is why they didn't talk about it but what has always been the case is that if an animal is not under the control of an adult it can be taken. Liebing said in order to be under the control of an adult it needs to be leashed so.



Acting Speaker Riley said okay.

Rebecca Liebing said leashes are required.

Acting Speaker Riley asked if there are any further questions or a motion on this item. Riley said he has Al Metzger and asked to please go up to the podium.

Al Metzger, Tribal #0890, said so what Rebecca Liebing just said was that the animal needs to be controlled under an adult.

Rebecca Liebing said yes that is what the law says.

Al Metzger said okay so kids can't walk their dogs.

Rebecca Liebing said she is telling them what the law says and that is under the control of an adult. Liebing said that is not a change.

Al Metzger asked on a leash right.

Rebecca Liebing said yes.

Al Metzger said hooked to a collar.

Rebecca Liebing replied yes.

Acting Speaker Riley said they still don't have a motion on this item and are there any other questions.

Acting Recorder Di Piazza said under Section IV, No animals shall be permitted to be loose and if the pet is taken outside must be on a leash and kept off of other resident's lawns.

Acting Speaker Riley thanked Acting Recorder Di Piazza.

**MOTION TO APPROVE RESOLUTION #16-1130-364;  
APPROVING AMENDMENTS TO HOUSING REGULATIONS  
CHAPTER 6-PET AND ANIMAL CONTROL REGULATIONS  
FOR TRIBAL RENTAL UNITS; by Di Piazza; supported by  
Wabindato.**

Acting Speaker Riley asked if anybody was going to abstain and are there any further questions on this item.

**Roll Call #8**

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

Motion carried (7-0-0-1)

1 Vacant

Acting Recorder Di Piazza confirmed Resolution #16-1130-364 is passed.

**C. Rescinding Gaming Commission Regulation Chapter 13-Labor Organization Licensing Regulation #R400-04:GC-13**

The Tribe's recent litigation against NLRB resulted in this Chapter becoming unenforceable under current Federal Legislation.

Acting Speaker Riley said he thought he had seen the Director here but.....asked Rebecca Liebing if she could get this item.

Rebecca Liebing, Unified Legal Department Attorney, represented this agenda item. Liebing said she will be up there for a while for the next few items. Liebing said so basically as they are aware they all lost the NLRB Case which means the NLRA is applicable to their Resort. Liebing said the NLRA says that they cannot require Bargaining Units to be licensed under their Gaming Commission and currently the Bargaining Units have indicated that they will not be applying for licenses. Liebing said since the law is unenforceable the commission is asking that Tribal Council rescind it for the time being.

Acting Speaker Riley said okay and asked if there are any questions or motion on this item.

**MOTION TO APPROVE RESOLUTION #16-1130-365;  
 RESCINDING GAMING COMMISSION REGULATION  
 CHAPTER 13-LABOR ORGANIZATION LICENSING  
 REGULATION #R400-04:GC-13; by Medacco; supported by Di Piazza.**

Acting Speaker Riley asked if anybody was going to abstain and is there any discussion or questions on this item.

**Roll Call #9**

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

Motion carried (7-0-0-1)

1 Vacant

Acting Recorder Di Piazza confirmed Resolution #16-1130-365 is passed.

**D. Resolution to Amend the Hunting, Trapping and Gathering Regulations for 1836 Ceded Territory**

Certain amendments have been proposed by the Commission and others by public comment. Changes have been posted for 30 days and now require permanent adoption by Tribal Council.

Rebecca Liebing, Unified Legal Department Attorney, represented this agenda item. Liebing said so the major changes that they have and a reminder that this is the second time that they have amended this law this year so she is just going to go over the most recent changes that are in this particular go-round. Liebing said those are they added the new closed lands, if they recall, Tribal Council closed the Fruitport Schools, the race track, and the Blueberry Field because those are going to be under economic development. Liebing said so those are added to the Hunting Regs as closed. Liebing said they also added a late Firearm Season which commences on November 1<sup>st</sup> so obviously already going. Liebing said the Otter and Bobcat Bag Limits are set at two.

Acting Speaker Riley thanked Rebecca Liebing. Riley asked if there are any questions or a motion on this item.

**MOTION TO APPROVE RESOLUTION #16-1130-366;  
APPROVAL TO AMEND THE HUNTING, TRAPPING, AND  
GATHERING REGULATIONS FOR THE 1836 CEDED  
TERRITORY;** by Lewis; supported by Medacco.

Acting Speaker Riley asked if anybody was going to abstain and is there any discussion on this item.

Al Metzger, Tribal #0890, said he is really concerned with just about one word in there and that is the "*permanent adoption by Tribal Council*" on these regulations and if they could clarify for him. Metzger asked will it be permanent or revisable.

Acting Speaker Riley said permanent until they change it again.

Al Metzger said so it is revisable.

Acting Speaker Riley answered yes. Riley asked if there were any further questions on this item.

**Roll Call #10**

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

Motion carried (7-0-0-1)

1 Vacant

Acting Recorder Di Piazza confirmed Resolution #16-1130-366 is passed.

**E. Resolution for Emergency Amendments to the Fair Employment Practices Code**

Amend Fair Employment Practices Code, Ordinance #05-600-03 to address conflicts in federal law including suspending the application of Section 16.08 in order to support repeal of the Gaming Regulation Chapter 13 #R400-04:GC-13, providing direction and compliance support to the Gaming Commission staff and Human Resource Department.

Rebecca Liebing, Unified Legal Department Attorney, represented this agenda item. Liebing said so the only part of the code that they are emergency amending is that same part of the code that would have allowed the Chapter 13 Gaming Commission Regs which is the licensing of Bargaining Units that is required under the ordinance. Liebing said they are asking that they do an emergency amendment so that the Gaming Commission Staff will be in compliance with what they need to do for their jobs because some of those licenses are coming due and they have been seeking to get them renewed but obviously that is not going to happen so they are just asking for that to be suspended for six months while they work on amending the law completely.

Acting Speaker Riley thanked Rebecca Liebing. Riley asked if there are any questions or a motion on this item.

**MOTION TO APPROVE RESOLUTION #16-1130-367;  
 APPROVAL OF EMERGENCY AMENDMENTS TO THE FAIR  
 EMPLOYMENT PRACTICES CODE, ORDINANCE #05-600-03;** by  
 Lewis; supported by Wabindato.

Acting Speaker Riley asked if anybody was going to abstain and do they have any questions on this item.

**Roll Call #11**

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

Motion carried (7-0-0-1)

1 Vacant

Acting Recorder Di Piazza confirmed Resolution #16-1130-367 is passed.

**F. Resolution rescinding TC Resolution and setting Minimum Income Required for Tribal Housing**

The Housing Commission rescinded Resolution #14-0403-006 and Tribal Council to rescind Resolution # 14-0423-119 to assist the Tribal Housing Department with compliance with the Indian Housing Block Grants and the Housing Commission developed minimum income requirements for low-income and elder housing.

Rebecca Liebing, Unified Legal Department Attorney, represented this agenda item. Liebing said basically this just rescinds the previous Tribal Council Resolution that set a minimum rents requirement and this is just to assist their Housing Department in being in compliance with the Indian Housing Block Grants in addition this adopts for the year 2017 a minimum income level for incoming residents to support their ability to make rental payments.

Acting Speaker Riley asked if there are any questions or a motion on this item.

Acting Recorder Di Piazza asked how is this going to benefit the Tribal members if they put a minimum to be qualified to get into Aki.

Rebecca Liebing replied well specifically speaking.....

Acting Recorder Di Piazza said well, actually come home and getting employed...

Rebecca Liebing said sure, speaking on her work with the commission what they have seen is when they allow people to move into the houses who have no income at all later they end up in court actions with them or evicting them because they had no means of payment and they have allowed them to move in under those circumstances. Liebing said the hope for the Tribal members both coming into to Housing and just in general for Tribal members is that they will set people up to succeed which means they will verify that they will be able to make their rent payments when they come in right now they don't have a minimum income.

**MOTION TO APPROVE RESOLUTION #16-1130-368;  
AUTHORIZATION TO RESCIND TRIBAL COUNCIL  
RESOLUTION #14-0423-119 TO ASSIST THE HOUSING  
DEPARTMENT WITH COMPLIANCE WITH THE INDIAN  
HOUSING BLOCK GRANTS; by Lewis; supported by Wabindato.**

Acting Speaker Riley asked if anybody was going to abstain and is there any discussion on this item.

**Roll Call #12**

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

Motion carried (5-2-0-1)

1 Vacant

Acting Recorder Di Piazza confirmed Resolution #16-1130-368 has passed.

**G. Resolution in Support of Manistee County Council on Aging’s proposed development**

The Council on Aging is proposing development of the shopping center formerly occupied by Oleson’s Grocery Store for their new site.

Acting Speaker Riley asked if anybody would like to speak to this because he knows this was brought forward by Speaker Johnson and he is not available today.

Acting Recorder Di Piazza said he guessed he can kind of fill some people in because he is their neighbor. Di Piazza said he much rather smell the donuts in the morning as Oleson’s was making them. Di Piazza said this is actually going to be an Elders Facility and thinks they are going to have luncheon or like 40-50 apartments in the old Oleson’s Grocery Store and it is going to be an Elder Community from what he is understanding so. Di Piazza said he misses those donuts in the morning and he is sorry but that is just his personal opinion.

**MOTION TO APPROVE RESOLUTION #16-1130-369;  
 RESOLUTION IN SUPPORT OF MANISTEE COUNTY COUNCIL  
 ON AGING’S PROPOSED DEVELOPMENT OF THE SHOPPING  
 CENTER FORMERLY OCCUPIED BY OLESON’S GROCERY  
 STORE; by Lewis; supported by Di Piazza.**

Acting Speaker Riley asked if anybody was going to abstain and is there any further discussion on this item.

Boo Battice, Tribal #2644, said this is not a real discussion but he just thinks it is a great idea especially right across from the Veteran’s thing and to keep them closer to the thing. Battice said it is awesome to be able to help their Elders in a whole different department and being able to go under those guidelines would be great for the Tribe. Battice thanked them.

Acting Speaker Riley thanked Boo Battice. Riley asked if there are any more comments or questions on this item.

**Roll Call #13**

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

Motion carried (7-0-0-1)

1 Vacant

Acting Recorder Di Piazza confirmed Resolution #16-1130-369 has passed.

**VI. Concluding Business**

**A. Next Meeting Date(s) - Wednesday, December 7, 2016**

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

Ogema Romanelli said he has three items this week. Romanelli said first they are finishing their Budgets for the Resort and the Government and they should have them done by the end of the year even though they are cutting it close. Romanelli said both...they have been working through back and forth on those Budgets so hopefully those will be done by the end of the year and they should be. Romanelli said number two they are working on a Personnel Policy Manual which is in great need and has been in revision for many years. Romanelli said they are coming to the close of that and thinks it is going to be ready for a posting, 30 day posting, here within the next couple of weeks. Romanelli said all things considered starting the New Year in 2017 they will have a better, more complete manual with less gray areas and more decisive areas for their employees so hopefully that gets done and he thinks they are just about there. Romanelli said third thing is there.....it was just recently announced that the Pokhagen Band had 165 acres of their land taken into trust by the Department of Interior which is great for them because they did it in a fairly short order. Romanelli said that is the same thing they have been going through for their Muskegon Project trying to get 60 some or 80 he believed it is 60 acres in trust. Romanelli said they are going through the same process and have a lot of the same things going for them so the fact that the Department of Interior seems to be continuing to take land in trust for Native Americans is a great thing. Romanelli said theirs is in the hopper obviously and they have had been there for a while and he thinks it is just a good sign for them for moving forward with their Muskegon Project as they go forward, again, they are changing Administrations on January 20<sup>th</sup> and their hopes are that President Obama continues to clean up some of the things on the desks of his staff and their request for a Two Part Determination and Land into Trust is one of them. Romanelli said it was good for Pokhagen and he is happy for them. Romanelli said this land that they just took into trust was in Indiana which basically re-establishes their presence down in the State of Indiana which apparently has no Native American Tribes within the State that is kind of odd with a name like Indiana but anyway that is it. Romanelli said that is his report for the day.

Acting Speaker Riley asked if there are any questions or discussion.

Councilor Medacco asked the Ogema if tomorrow he will have a better feel on the process when he has his talk with his call to Larry Roberts.

Ogema Romanelli responded yes and thinks they should. Romanelli said again, they have a call lined up with the Department of Interior for tomorrow and he really appreciates the Secretary's communication with this Tribe which has been wonderful. Romanelli said every request that they have made he has responded in short order. Romanelli said the request for the meeting tomorrow is to.....a little reassurance to their Tribe that with the changing in Administration they are still in the hopper and that it is not going to change things significantly at least for the worst and they are hoping that it does something for the better so that is the primary objective with the call tomorrow.

Councilor Medacco said alright thanks.

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

Acting Speaker Riley asked does anybody have any updates.

Councilor Crampton said kind of to dove tail off of what the Ogema was saying right now Indian Country is holding their breath because most of the consultations and committees that were formed under the Obama Administration was done so by Executive Order. Crampton said Donald Trump is already stated that he is going to undo most of those Executive Orders so they don't know where most of these committees stand at this point or what is going to go forward so he hopes they continue to clean up some of the things that was left on the Obama desk. Crampton said in other areas there is a Senate Bill 2417 that is coming out and is in committee right now that is to pay the co-payment of Indian Veterans, Native American Veterans so that is out there. Crampton said yesterday the Federal Government issued an Eviction Notice to the people at Standing Rock and they have until December 5<sup>th</sup> to disburse. Crampton thanked them.

Councilor Lewis said she just wanted to elaborate on that. Lewis said the Army Corp of Engineers did ask that all the Water Protectors leave the area. Lewis said that is going to be Monday the 5<sup>th</sup> and they did designate a different area across the river that is if the Water Protectors wanted to stay there but she just asks that they keep the people in their thoughts and prayers. Lewis said they do have some Tribal members that are living out there and supporting this on-going situation trying to better the environment for the people so she just ask that they keep the people in their thoughts and prayers.

Acting Recorder Di Piazza said on the 15<sup>th</sup> he went out to Minnesota they had a Consultation Meeting with the BIA and the Army Corp of Engineers happened to be there. Di Piazza said there were five there with a full blown Colonel. Di



Piazza said there were 75 different Tribes there at this meeting with 25 Leaders that got up to speak and there was a lot of discussion on the Standing Rock and lack of consultation that the Federal Government needs to do with them. Di Piazza said a lot of things that were brought up is instead of putting it on the Registry or putting it in the Post Office for people to read to actually e-mail the Tribes involved or actually getting a hold of them because that would be meaningful consultation. Di Piazza said unfortunately he doesn't know if a lot of it fell onto deaf ears. Di Piazza said a couple of people brought up some of the people sitting at that table probably will not be there possibly but all the Leaders that were there and that he spoke with were having all the same concerns of the new President coming in and what may transpire. Di Piazza said there was a lot of concern with Standing Rock with a lot of the other Leaders in that area spoke on their concerns. Di Piazza said Line 5 was brought up three or four times about what to do with that and also a lack of consulting on that also. Di Piazza said what would happen if that actually ruptured under the ice. Di Piazza said when the ice comes in if it ever does because he doesn't know today is almost \_\_\_\_ so. Di Piazza said so hopefully they heard and it was all taken in on the record so.....that was it.

Ogema Romanelli said yes he just passed on some information about consultation at the United Nations level, he passed it onto Tribal Council. Romanelli said it is short notice but back when they hosted United Tribes about a month to a month and a half ago they were given notice that this consultation was going to happen within Indigenous Nations and Tribes are included in that. Romanelli said it is scheduled for December 14<sup>th</sup> and 15<sup>th</sup> in New York and the Tribes are welcome to attend. Romanelli said they were given an invitation as well so that is why he passed that on because the consultation whether it be at the State or National or United Nations level doesn't seem to be happening as it should and that is why some of the Tribes are trying to participate with this. Romanelli said he will be unable to attend but if there is a Council member that wants to the information was passed on so just wanted to let them know on that.

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

Acting Speaker Riley said if anybody wants to share.

Al Metzger, Tribal #0890, said he also ask that their thoughts and prayers go out to all the Veterans from all Nations, all races, that are gathering on the 4<sup>th</sup> out in Martin County, to protect the Water Protectors. Metzger said the last number that he saw was over 2,500 and that number will probably grow, hopefully it will stay on a peaceful ground but like he said these are Veterans, Ex Vets, all Nations and all races. Metzger said he feels that the more prayers he thinks it will be answered in a peaceful way. Metzger said he has a.....maybe a question concerning Executive Order 03-17-10 and it concerns Campaigning on Tribal Properties. Metzger said if there is any consequences to that Executive Order or

is it just writing on the wall that has really no bearing. Metzger said to the Ogema if he could answer that question for him.

Ogema Romanelli said sure. Romanelli said it has been a while since he reviewed that and probably wouldn't hurt to re-review it as they go into this next Election. Romanelli said most of that has to do with employees campaigning on Tribal property and the rights that they have and the rights that they cannot have. Romanelli said normally there is some kind of a.....some kind of a verbal given first just like they would do on the other kind of issue, employment issue. Romanelli said if it has to do with Tribal Lands, again, if there is signage or whatever they normally will ask the person to take it down if they know who it is and they will forcibly take it down if they have to which means they will just have their Public Safety Department go remove the signs if they are improperly placed. Romanelli said that is whether it is Tribal Elections or any other kind of elections on their properties.

Al Metzger asked so the consequences are just verbal.

Ogema Romanelli said no they can lead to others, again, they have a stepped process so for example, if it happens three times somebody can be suspended from work for doing so. Romanelli said it could actually lead up to termination depending on what the offense is and how many times the offense is done.

Al Metzger asked would it be disqualification for running during the election.

Ogema Romanelli said he doesn't believe it would, no. Romanelli said there are two different things that are happening if he is talking about a Tribal member, again, or an employee and if he is talking about an employee if they for example took it to the limit and were terminated from employment would that disqualify them from running for election, it would not.

Al Metzger said he is really concerned about a situation that happened during the Elders Meeting when Ron Pete stood up and claimed that he is running for Council which he feels is unfair to the other candidates because he had two days of basically campaigning at the Tribe's and the Elder's expense. Metzger said there was also from their last General Manager at the Casino it was prohibited from campaigning on Casino Property. Metzger said he doesn't believe that was revised. Metzger said he has approached an Election Committee Member and from his understanding that there is nothing they can do. Metzger said he feels, again, that it was very unfair to other candidates and basically total disregard for whatever orders come down the line.

Ogema Romanelli said that again, if a complaint, if they can have a complaint in writing something to that effect. Romanelli said as he knows they no longer have a Board of Directors because the hiring and firing of the GM because they are speaking about the GM position in this case.

Al Metzger said he is thinking about.....he is actually concerned that a.....to have two days of Tribal Campaigning or campaigning for two days on Tribal Property as a GM and also as Commissioner of the Elders Committee. Metzger said that is a very large disadvantage for the other candidates and he was aware of these laws apparently. Metzger said as far as he can tell everybody else is abiding by it.

Ogema Romanelli said okay. Romanelli asked Al Metzger if he wanted to put something in writing and they can address it. Romanelli said he means he can take it that they know now that there is a concern and they can talk about it in that respect.

Al Metzger said he feels that it was a concern when it was during the Elders Meeting. Metzger said he means that was three or four weeks ago and he doesn't know if this has been brought up before because he has been out of the loop for a bit.

Ogema Romanelli said right, he can take it that the concern was brought to them as an Elected Body today. Romanelli said to Al Metzger if he wanted to put something in writing or somebody else wants to that would be even more helpful.

Diane Lonn, Tribal #0194, said for the Executive Order that the Ogema gave out it says that they cannot campaign on any Tribal Property and it is also listed what Tribal Properties they cannot campaign on. Lonn said if a person wants to campaign at a meeting all they.....or a meeting at the Conference Center all they have to do is ask the head of that committee if it's allowable. Lonn said they can come in and campaign or sit outside. Lonn said her looking at it what Ron Pete did was not campaigning he did say he was running and other ones have said they are running. Lonn said campaigning to her would be more like what someone else did by putting the signs out where they have not even let anybody know who is running to her that would be campaigning but as far as him saying he is running.....what is campaigning is it not putting out signs and posters and everything else but just to state that he is running.....she is not saying yay or nay she is just saying the way that she looks at it and the way she read the Executive Order. Lonn said the same thing with Aki if they want to put a sign up out at some of the homes they have to get the permission of that person at the home as stated in the Ogema's Executive Order. Lonn said the next step would be that the police would ask them to remove the signs if they don't then the Ogema has the right to have the police remove them and then the third step would be whatever he would decide to do criminally.

Councilor Crampton said well he disagrees. Crampton said he thinks that Al Metzger is more to the point and if they have a member especially a Committee Member and a GM who knows that this is going to be a large concentration of Tribal members where he was going to make the statement they really have put a

huge disadvantage on the other candidates. Crampton said even though he doesn't think that there is anything that they could actually do outside of what Ogema Romanelli has stated he thinks they should look.....the members should look at this as a person who is willingly trying to elevate themselves and take advantage of the situation. Crampton said now if they are going to vote that person to office and they already know this about them.

Acting Speaker Riley said okay any more public comments.

Boo Battice, Tribal #2644, said he would also like to agree that it is a very big disadvantage to use the microphone because it is hard to reach everybody without one and to have one is awesome. Battice said just like he stands there and they hear him a little bit louder as he is at the microphone.

*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 END FIRST OPEN AT 10:52;** by Crampton; supported by Lewis.

**Roll Call #14**

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

Motion carried (7-0-0-1)  
 1 Vacant

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

**VIII. Open Session**

The Council reconvened in Open Session at 12:06 p.m.

**MOTION TO GO INTO SECOND OPEN AT 12:06;** by Medacco; supported by Lewis.

**Roll Call #15**

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

Motion carried (7-0-0-1)  
 1 Vacant

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

**MOTION TO MOVE RESOLUTION #16-1130-370 UP TO #378, WOULD BE RESOLUTION, MOTION AND ROLL CALL VOTE; ALSO #16-1130-379, #380 AND #381, IS MOTION AND ROLL CALL VOTE ONLY; by Di Piazza; supported by Medacco.**

Acting Speaker Riley asked if anybody was going to abstain.

**Roll Call #16**

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

Motion carried (7-0-0-1)

1 Vacant

*The following resolutions, motions and roll call votes were moved from Closed Session to Open Session.*

**MOTION TO APPROVE RESOLUTION # 16-1130-370, APPROVAL OF AMENDMENT TO THE 2007 AGREEMENT WITH ACCURATE BACKGROUND; by Medacco; supported by Lewis.**

Acting Speaker Riley 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 - Absent	F. Medacco - Yes	J. Riley - Yes
Vacant	M. Wabindato- Yes	S. Lewis - Yes

Motion carried (7-0-0-1-1)

**MOTION TO APPROVE RESOLUTION # 16-1130-371, RATIFICATION OF AGREEMENT AND APPROVAL OF EXPENDITURE FROM IDPOINT LTD. FOR ID POINT XID VERSION 15 - LICENSING SOFTWARE IN THE AMOUNT OF \$35,000 PLUS EXPENSES; by Medacco; supported by Lewis.**

Acting Speaker Riley 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 - Absent	F. Medacco - Yes	J. Riley - Yes
Vacant	M. Wabindato- Yes	S. Lewis - Yes

Motion carried (7-0-0-1-1)

**MOTION TO APPROVE RESOLUTION # 16-1130-372,  
RATIFICATION OF ADVANTAGE MECHANICAL  
REFRIGERATION CONTRACT;** by Medacco; supported by  
Wabindato.

Acting Speaker Riley 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 - Absent	F. Medacco - Yes	J. Riley - Yes
Vacant	M. Wabindato- Yes	S. Lewis - Yes

Motion carried (7-0-0-1-1)

**MOTION TO APPROVE RESOLUTION # 16-1130-373,  
APPROVING AGREEMENT WITH TRACI MCCARTY AND  
ASSOCIATES;** by Medacco; supported by Lewis.

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

**Roll Call #C-7**

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

Motion carried (7-0-0-1-1)

**MOTION TO APPROVE RESOLUTION # 16-1130-374,  
APPROVAL OF CONTRACT WITH RON ZOK;** by Lewis; supported  
by Wittenberg.

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

**Roll Call #C-8**

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

Motion carried (7-0-0-1-1)

**MOTION TO APPROVE RESOLUTION # 16-1130-375,  
APPROVING TRIBAL OGEMA'S EXECUTION OF EXTENSION  
TO MASTER AGREEMENT WITH CONTINENTAL LINEN  
SERVICES;** by Medacco; supported by Lewis.

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

**Roll Call #C-9**

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

Motion carried (7-0-0-1-1)

**MOTION TO APPROVE RESOLUTION # 16-1130-376,  
 AUTHORIZE THE OGEMA TO EXECUTE AGREEMENT WITH  
 ACCURATE EXCAVATORS, LLC;** by Medacco; supported by  
 Wabindato.

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

**Roll Call #C-10**

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

Motion carried (7-0-0-1-1)

**MOTION TO APPROVE RESOLUTION # 16-1130-377,  
 AUTHORIZE THE OGEMA TO EXECUTE AGREEMENT WITH  
 K&N SERVICES, LLC;** by Medacco; supported by Lewis.

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

**Roll Call #C-11**

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

Motion carried (7-0-0-1-1)

**MOTION TO APPROVE RESOLUTION # 16-1130-378,  
 AUTHORIZE THE OGEMA TO EXECUTE AGREEMENT WITH  
 TIMBER RUN ASSOCIATES, LLC;** by Medacco; supported by Lewis.

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

**Roll Call #C-12**

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

Motion carried (6-1-0-1-1)

*The following motions and roll call votes only were moved from Closed Session to Open Session.*

**MOTION TO APPROVE RESOLUTION # 16-1130-379,  
APPROVING CONTRACT BETWEEN LITTLE RIVER CASINO  
RESORT AND OUTFRONT MEDIA FOR 2017 BILLBOARD  
LEASES; by Medacco; supported by Wabindato.**

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

**Roll Call #C-13**

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

Motion carried (7-0-0-1-1)

**MOTION TO APPROVE RESOLUTION # 16-1130-380,  
APPROVING CONTRACT BETWEEN EVERI GAMES AND THE  
LITTLE RIVER CASINO RESORT; by Medacco; supported by  
Wabindato.**

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

**Roll Call #C-14**

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

Motion carried (7-0-0-1-1)

**MOTION TO APPROVE RESOLUTION # 16-1130-381,  
APPROVING THE CONTRACT BETWEEN JOHNSON & WOOD  
MECHANICAL LLC AND THE LITTLE RIVER CASINO  
RESORT; by Medacco; supported by Wabindato.**

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

**Roll Call #C-15**

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

Motion carried (7-0-0-1-1)

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



**IX. Adjourn**

**MOTION TO ADJOURN AT 12:08;** by Medacco; supported by Crampton.

Acting Speaker Riley asked if anybody was going to abstain.

**Roll Call #17**

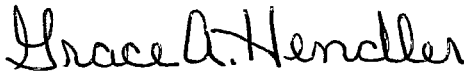
J. Riley -	Yes	Vacant	F. Medacco-	Yes
S. Crampton -	Yes	G. DiPiazza-	Yes	M. Wabindato -Yes
R. Wittenberg-	Yes	V. Johnson -	Absent	S. Lewis - Yes

Motion carried (7-0-0-1)

1 Vacant

The meeting was adjourned at 12:08 p.m.

Respectfully Submitted,



Grace A. Hendler  
Transcribing Assistant



Gary Di Piazza,  
Acting Council Recorder