

Approved  
9/13/2023



**LITTLE RIVER BAND OF OTTAWA INDIANS  
TRIBAL COUNCIL  
REGULAR MEETING  
WEDNESDAY, FEBRUARY 22, 2023  
LITTLE RIVER BAND  
VIA ZOOM  
GOVERNMENT CENTER**

**OPEN SESSION  
MINUTES**

The Little River Band of Ottawa Indians held a meeting at the Little River Band Government Center on, 2023. Following are the minutes of that meeting.

Recorder Wittenberg: I'm going through the list here to see who's attending online.

Recorder: Phone number last two digits- 0066, would you please state who you are

Burmeister replies: Michael Burmeister #945

Recorder: Carol Ann Chabot # 3742

Recorder: Corey Wells

Wells: Corey Wells #4839

Recorder: Gary Lewis

Lewis: with -----Department

Recorder: and iPhone guest

Mezeske: Sandy Mezeske #0018

Recorder: Jolene O'Signac

O'Signac: Jolene O'Signac ID # 8866

Recorder: and Carol Ann Chabot

Chabot: Carol Ann Chabot #3742

Recorder: Kelly Davis

Davis: Kelly Davis, Tribal member # 5125

Recorder: Laura Echelberger, ...barger. Excuse me.

Echelbarger: Laura Echelbarger #2276

Recorder: and I have Martin...guest. Could you please state who you are? You're still on mute, Martin? *Pause.* I'll come back to ya.

Recorder: Misty Silvas

Silvas: Misty Silvas #2488

Recorder: Rebecca G

Goff: It's Rebecca Goff #5274

Recorder: Sara Agosa

Agosa: Sara Agosa, #4478

Recorder: Stacey Cheney

Cheney: Stacey Cheney #992

Recorder: Tina McLellan Payment

McLellan Payment: Tina McLellan Payment #2917

Recorder: and we have Venus on here so I'm going back to Martin. Martin, could you state who you are please. I will call one more time. You're on mute. Use Star 67 and that will help you unmute yourself.

*Martin: no response.* Recorder I will put you in the waiting room then.

Okay, I went through all the names and will give it to Speaker Crampton.

Speaker: Thank you Welcome everyone to the February 22, 2023, meeting of Tribal Council. We will start off with the opening prayer if the Recorder would be so good to supply that for us, I would greatly appreciate it.

## **I. Opening Prayer**

Ron Wittenberg, Tribal Elder, offered the Opening Prayer in Anishinaabemowin and Shagnaash Interpretation to English:

*To the Creator for gifting us another day we ask that he heal our hearts our minds our soul and our spirit that we walk in a good way we say Chi Miigwech for everything we have and everything we don't have. We ask that you be with us and all throughout the day and be with those, that are out there with those loved ones who turned around and took that journey within the last month. Be with the family, friends and loved ones and comfort them in your way. Aho Miigwech , Miigwech Miigwech, Miigwech, aho.*

Speaker: Thank you Mr. Recorder and the only thing I would add is we lost a member of the casino family, Allen Mackowiak. If you would keep his family and friends in your prayers. That would be greatly appreciated. Please do a roll call.

**II. General Business**

**A. Call to Order**

The regularly scheduled Tribal Council meeting was called to order at 10:09 a.m.

**B. Roll Call**

T. Guenthardt - Present	C. Champagne - Present	P. Johnson - Present
S. Crampton - Present	G. DiPiazza - Present	S. Wever - Present
R. Wittenberg- Present	J. Wolfe - Present	S. Lewis - Present

Quorum established.

Speaker: I will entertain a motion to approve the agenda.

**C. Approval of Agenda**

**MOTION TO APPROVE WEDNESDAY, 2023 AGENDA WITH THE FOLLOWING CHANGES: ADD: IIIB.4. Approval of Supplemental Appropriation 2023 1st QTR to fund Executive Legal Professional Services in the Amount of \$50,000. ADD: under Bids and Contracts C.1, postponed from 2/1/23: Employment Contract with Andrew Gentile, LRCR GM.**

**Motion by:** Wittenberg, supported by Lewis.

Speaker Crampton asked is there any further discussion. Any further discussion from the membership. Anything further from council. Seeing nothing, please do a roll call.

**Roll Call # 1**

T. Guenthardt -Yes	C. Champagne -Yes	P. Johnson - Yes
S. Crampton - Yes	G. DiPiazza - Yes	S. Wever - Yes

R. Wittenberg- Yes	J. Wolfe - Yes	S. Lewis - Yes
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Motion carried (9-0-0-0)

Recorder Wittenberg said the agenda has been approved.

**D. Tribal Council Minutes**

**MOTION TO ACCEPT TRIBAL COUNCIL MINUTES FOR FILING; None submitted.**

Speaker: that will take us to

**III. Continuing Business**

- A. Grants & Contracts**
- B. Budget Modifications**

- 1. Acceptance of contract funds from the U.S. Department of Interior-Bureau of Indian Affairs and approving a modification to the Operating Budget MB-2023-12 in the amount of \$268,887.38.**

Tribal Ogema  
 B.Willis

Speaker: and that is Mr. Willis.

Willis: As I mentioned in the agenda review a couple of weeks ago. This funding is part of our 2023 self-governing compact with the Bureau of Indian Affairs. \$268,759 of this is base and \$128.38 is dedicated to BIA self-governance world maintenance. So, we just need to accept the money into our budget.

Speaker: Thank you, I know we've gone over this quite extensively. Are there any questions for Mr. Willis? If not, I will entertain a motion.

**Motion for Resolution #22-0222-026 to Acceptance of contract funds from the U.S. Department of Interior-Bureau of Indian Affairs and approving a modification to the Operating Budget MB-2023-12 in the amount of \$268,887.38.**

**Motion by; Lewis, support: Johnson.**

Crampton asked is anyone going to abstain. Speaker asked is there any further discussion. Any further discussion from the membership. Anything further from council. Seeing nothing, please do a roll call.

**Roll Call # 2**

T. Guenthardt -Yes	C. Champagne -Yes	P. Johnson - Yes
S. Crampton - Yes	G. DiPiazza - Yes	S. Wever - Yes

R. Wittenberg- Yes	J. Wolfe -	Yes	S. Lewis -	Yes
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Recorder: Resolution #23-0222-027 has passed. (9-0-0-0)

Speaker: Thank you. Next item, Mr. Willis.

2. **Acceptance of contract funds from the U.S. Department of Interior-Bureau of Indian Affairs and approving a modification to the Operating Budget MB-2023-13 in the amount of \$222,961** Tribal Ogema  
B. Willis

Willis: Thank you. additionally, this money is part of our 2023 self-governance contract with Bureau of Indian Affairs. This money is specifically dedicated to our rights protection, our Consent Decree activities. \$133,977 is the base for Great Lakes enforcement and Great Lakes assessment. The balance of the money is split between Inland Rights Protection Activities \$44,592 going to BIA Inland Natural Resource and the other \$44,592 is being dedicated to Inland enforcement. Again, we just have to accept the money into our operating budget.

Speaker: Thank you, Are there any questions for Mr. Willis from council?

Recorder: Mr. Israel Stone had his hand up.

Speaker: Oh Mr. Stone, go ahead

Stone: Israel Stone #1735. Um, I guess I'm trying to get clarification from Mr. Willis as to where the dollars from this grant are applied to. Is that the 1836 ceded territory uh and the '55 and '36 treaty designated historic lands?

Willis: Anyone can correct me if I'm wrong, but I believe these funds are specifically for the 1836 Treaty area under the Consent Decree.

Stone: my second question is for Tribal Council. Uh In accordance with our constitution and we are described an initially by the 1836 ceded territory boundaries which goes halfway across Lake Michigan, up through the U.P. and curves over a little bit toward Marquette there. And I have a concern. I would ask the Council to consider doing a quorum call, because I believe we have council members participating in this meeting living outside that ceded territory where we are not governed nor do we authority. And so, I am asking Council for a Quorum call. Thank you.

Recorder: That would be back to the Speaker on that, asking for a Quorum call on that Israel

Stone: you want me to clarify that?

Recorder: Yeah, if you don't mind because I have to write this all down...

Stone: And I'm not trying to be difficult, I think that our Constitution strictly regulates us, uh, within our reservation, or uh historic ceded territory boundaries. And the legality is where I have a question is because if we're taking actions as a legislative body then we have people participating from outside of that jurisdiction. uh We have no authority at that point to enforce or regulate those uh individuals in their activities and so uh, um it comes into question whether or not this was or is a legal action. Are we actually taking legal actions with people participating outside those ceded territory or the reservation boundaries. Last I knew we were um governed by that '36 ceded territory and so anything outside of that, I mean I'm not a lawyer, um we would lose the ability to have sovereign immunity, um and even to invoke certain privileges the tribe is able to invoke under Tribal and Federal law um under those immunity privileges. So, if something were to take place that would say, uh a violation of our constitutional laws, any of those things, right? Um we have no standing at that point to go into tribal court or Federal court and invoke sovereign immunity. So, we're essentially waiving our immunity, in my opinion, if people aren't participating in those meetings within those boundaries.

Speaker: well, I'm just gonna jump in here because the agenda item is the adoption of this item here before us, brought forward by Mr. Willis, and what you're, I'm so glad you added your opinion because I'm following some things that are not *Quite* of my opinion. But then again, we're both not legal attorneys. The allegations you're making are just basically that, allegations. So, it has not been legally vetted. So, before any action or anything is taken on that we would have to have a legal review of that. So, I don't think getting up here in front of members and citing things which you're not even sure of is something you shouldn't be doing. When you get up here and use the false misnomer that you're not trying to confuse things. We're trying to get through the agenda. You have no legal add in for your premise. Do you have a legal review of that Mr. Stone?

Stone. I'm not asking for you to do anything other than check your quorum. Do a quorum call. Several torts claims and laws are very clear. No I'm not an attorney, but I'm.....

Speaker: *interrupts* - Mr. Stone you're trying to initiate an action from Council, that's something that you are not an expert at.

Stone: But sir, the grant that's being applied for, the reason that I got up to say at this point, is because this grant covers the ceded territory, much like our constitution does. I just have concerns over...

Speaker: *interrupts*, I know, and I know your concerns and I've heard your concerns and I understand them fully. What I'm asking you for is if you have any legal backing for your allegation?

Stone: I, I'm not asking, I'm not giving a legal opinion, I'm asking council to do their constitutional responsibility and check into...*interrupted*

Voice: can we have a legal opinion?

Speaker: Based on this yes. Can we get a legal opinion on this? I mean this is ridiculous. And Mr. Stone, please, you're not fooling anyone with what you're trying to do. *Ms. Frias, please go.*

Stone: Thank you sir, I appreciate your commentary.

Frias: I apologize Mr. Stone, I'm not really clear. I think I understand where you're coming from but I'm not really clear on it, but I don't see anything in the constitution, that, that your concern is not having sovereign immunity? Because of action taken by Council members that may be outside of the original territory. I don't see anything in the constitution that speaks to that. I, I would need a little more time to, you know, really look through everything, but from my reading before and also the Tribal Council procedures, I really don't see anything that says that you know. And just as general principles of Indian law, I, there's no option being taken that would waive immunity, specifically and put the tribe at risk by taking these actions. So, I think we're okay, um, I really don't see a problem with what's being done, and exactly where people are. I don't see any action being taken putting anyone at risk, especially the tribe, so I'll continue looking at it as we're moving along, but at this point I don't see any problems.

Speaker: Thank you Ms. Frias, we're going to continue with the agenda now. Does anybody have any questions for Mr. Willis? Does anybody from the membership have questions? is there anything further from council.  
Please do a roll call.

Champagne: Can I ask something- does this apply to tribal fishing? Mr. Stones up there.

Speaker: alright, you asked your question. But listen, let's not exasperate the issue, let's please move on with the agenda.

Lewis: you need a motion first.

Speaker: I thought there was a motion by you supported by councilor Johnson

Lewis: No, that was the last one.

Speaker: Sorry, I will entertain a motion.

**Motion for Resolution #22-0222-027: Acceptance of contract funds from the U.S. Department of Interior-Bureau of Indian Affairs and approving a modification to the Operating Budget MB-2023-13 in the amount of \$222,961.**

**Motion by;** Lewis, support: Wittenberg.

Speaker asked is anyone going to abstain on the item. Are there any further questions from council? Are there any questions from the membership? Anything further from council? I'm sorry stop here I want to pick up Mrs. Grantsynn, Harriette Grantsynn

Recorder: If you would Mrs. Grantsynn hit \*67. I don't see her hand up no more.

Speaker: Yea if we could get 0066 to mute, so you're not bleeding through. O66 please mute. Alright Mrs. Grantsynn... Harriette Grantsynn , you're muted. Try \*67 or \*6, or \* 9 depending on what phone you have. I'm hearing little bits and pieces. It doesn't sound like she has a good connection.

Recorder: You can't hear anything on my end here. Myself, I got hearing aids.

Speaker: I apologize Ms.Grantsynn. we're going to go forward if you can get through, we'll pick you up when you do. So please proceed with the roll call.

**Roll Call #3**

T. Guenthardt -Yes	C. Champagne -Yes	P. Johnson -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	S. Wever -	Yes
R. Wittenberg- Yes	J. Wolfe - Yes	S. Lewis -	Yes

Resolution #23-0222-027 has passed.

Speaker: Okay, before I proceed, I'm going to try to get Mrs. Grantsynn one more time. Harriette, can you hear us? Ms. Grantsynn? Okay we're going to move forward we'll try to grab her at public comment. That will move us down to the next item.

**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-2023-14 in the amount of \$62,151**

Speaker: That's Mr. Willis:



Willis: These funds as well are part of our 2023 self-governance compact with the Department of Interior Bureau of Indian Affairs. These funds are all dedicated to base funding. So again, we just need to accept the money and authorize the amendment of the operating budget.

Speaker: Does anyone have any questions of Mr. Willis at this time?

Recorder: Israel Stone has his hand up.

Speaker: Mr. Stone, please, no more of the last thing. Please go ahead.

Stone: Okay, I was gonna ask who was it that was speaking on the constitution...

Champagne interrupts: Excuse me, Israel has already had his five minutes.

Speaker: I know but let's not go back and forth. That's our attorney Mr. Stone.

Stone: That was your attorney? Okay, because I was confused by the response, um but a couple of things...

Speaker: Listen Mr. Stone, we're on an agenda item. We're not going to go into debate on something else.

Stone: I would agree, you're on an agenda item.

Speaker: and the agenda item is the acceptance of Interior Bureau of...*cut off*

*Speaking out over Speaker -Champagne: Let's call this to order.*

Speaker: Mrs., please Mrs. Champagne. I don't want this to go back between. I know what he is trying to do, I don't think he's fooling the membership either. Now this needs to stop. So, Mr. Stone please state your uh

Stone: This is on this item and the relationship to the item is um the grants you're accepting right now specifically are dollars that cover the tribes' jurisdiction. That's why I'm asking the question. It's directly related to the item.

Speaker: Mr. Stone do you have any legal premise that there is a prohibition... that does anything to... back up anything illegal that you're saying.

Stone: If you allow me, I will tell you where I am reading that at.

Speaker: I have that same information you do. I'm talking about the allegations that you're trying to very loosely reach for and link together.

Stone: I'm not trying to reach for anything. I simply asked for a uh Quorum Call based upon Art.1 of the constitution- Territory. Very specifically describes what the territory of the tribe is.

*Speaking out -Champagne: I asked that this be called to order.*

Speaker: I know Ms. I'm trying to get this into order. And uh, Part of the order Ms. Champagne would be if you would not interrupt. Okay that's making the situation worse, and like I said I don't think anyone's being fooled by what Mr. Stone is attempting to do here and I will give you about a couple more minutes Mr. Stone. Please proceed. But please I mean c'mon. Let's just be adults here and let's have a little professional respect for the council and for this body. We all know what you want, please make your allegation or I'm going to stop.

Stone: Again, I'm not making an allegation.

Speaker: Okay then do what you're gonna do and hurry up.

Stone: Okay so, I want to point you to Civil Rights Art. 3 of the constitution because of being interrupted several times through this. I'm trying to say what I'm trying to say but when I have council members stepping on me in the que and even you, cutting me off, and I'm not trying to be disrespectful of you, Shannon, but the Civil Right Clause, Article 3 of the Constitution says that- *The Little River Band in exercising the powers of self-government shall not: make or enforce any law prohibiting the free exercise of religion, or abridging freedom speech, or press, or of the right of the people to peaceably assemble...*

Speaker: What law are we passing today that would do that to you Mr. Stone?

Stone: NO. By stopping me from exercising my free speech...

Speaker: *interrupts* That's not it. That's not passing a law designate, that's calling order to a meeting.

Stone: Okay...But...Okay, I'm not going to debate that, I am asking...

Speaker: *Interrupts.* There's no debate there. It's...(voice trails off)

Stone: We'll find out from the courts on that. I am asking Council to understand that we have a territorial jurisdiction in our Constitution. That is the supreme law of the land. It doesn't matter what laws you write, it can not abridge this constitution.

Speaker: What you're trying to do is influence the Council (other voices).. by, by apprehension.

Stone: I'm not trying anything but ask council to uphold the Constitution. Unless...

Speaker: Okay and they're not breaking the Constitution, you're making the allegation that they are. You have nothing to support this.

Stone: Okay. Yield, sir.

Speaker: Thank you. Ms. Frias

Frias: No, I just was going to respond but I'll just let it go...

Speaker: Yes, please...um okay, then we have...this on the floor. Is there anything else from Council? If not please do roll call.

Recorder: We need a motion, please.

Speaker: Sorry this just keeps.. this won't happen again. I'll entertain a motion on the item:

**Acceptance of contract funds from the U.S. Department of Interior-Bureau of Indian Affairs and approving a modification to the Operating Budget MB-2023-14 in the amount of \$62,151 Motion by; Lewis, support: Wittenberg.**

Speaker: Is anyone going to abstain. Speaker asked is there any further discussion from Council. Anything further from the membership. I'm going to try to pick up Mrs. Grantsynn now. Mrs. Grantsynn can you hear us? You're not coming through. Try \*67 or \*6 or \*9. Pause. Okay, um I'm going to get back to council, if there is nothing more please do a roll call.

Acceptance of fund

**Roll Call #4**

T. Guenthardt -Yes	C. Champagne -Yes	P. Johnson -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	S. Wever -	Yes
R. Wittenberg- Yes	J. Wolfe - Yes	S. Lewis -	Yes

Motion carried (9-0-0-0)

Recorder Resolution #23-0222-028 has passed.

Speaker: Thank you. I will try to get Ms. Grantsynn again. Ms. Grantsynn. Call one more time and then we'll move on to the next item. I'll try to pick her up on public comment. Okay we're going down to the approval of the next item which is an add:

4. **Approval of Supplemental Appropriation 2023-02-1<sup>st</sup> QTR to fund Executive Legal Professional Services in the Amount of \$50,000.**

The Executive Legal Department Requests \$50,000 to Cover the Costs of Professional Fees for Outside Counsel That Provide Supplemental Legal Services, Including but Not Limited to, Treaty Right Negotiations and Land Trust.

Speaker: That is the Ogema and Elise McGowan.

McGowan-Cuellar: Good morning. *Inaudible* Everyone. So today I'm asking for a supplemental appropriation. This was the prescribed plan for asking for professional services for the executive legal branch. My professional service fees are going to be used for um law firms that represent us in Treaty Rights and Land to Trust projects. At least those are the two that I've been billed so far um and then probably with our um Federal outside council, which would be Hobbes Strauss. So, those are the three that I'm currently aware of and I'm hoping this is a quarterly appropriation where I won't need anymore this quarter, but I will be back per Tribal Councils instruction if I need more. So that is it. Thank you.

Speaker: Does Council have any questions at this time for Ms. McGowan? If not then I will go to membership, Sara Agosa.

Agosa: my question is... the tribe is paying salary for an in-house attorney um, plus these consultant fees. So, if it's \$50,000 for one quarter then that would be um, \$200,000 a year, if it's needed every quarter and my question to council is- How is this cost effective?

Speaker: Okay, I guess I'll take that on. That's the way council wanted to do it to watch the bills and, like she, Elise said, she's asking for this in the 1<sup>st</sup> quarter. Some of this is past bills, and uh, um what she said she hopes it doesn't get to this much in the future and I don't think that it probably would get to that much in the future, But I would take it to legal uh, take it to legal fees of other tribes. We, I, I was worried about ours being excessive. There are some areas that are excessive and some areas that we are totally behind other tribes in their spending area. This is when the Tribe, I have a feeling Tribal Council will be watching which is why we put it the way it is. I'm not sure if that answers your question but this is the best I've got at this time.

Ms. Agosa: I'm good thank you.

Speaker: Okay. I'm gonna try to grab Ms. Harriette Grantsynn again. Uh Mrs. Grantsynn, can you hear us? I'll entertain a motion.

**Approval of Supplemental Appropriation 2023-02-1<sup>st</sup> QTR to fund Executive Legal Professional Services in the Amount of \$50,000. Motion by Lewis; Support: Guenthardt.**

Speaker: Is anyone going to abstain. Speaker asked is there any further discussion from Council. Anything further from the membership, Uh Mrs. Grantsynn I'll try to get you now. Okay. one more time for council, if there is nothing, please do a roll call.

**Roll Call # 5**

T. Guenthardt - Yes	C. Champagne - Yes	P. Johnson -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	S. Wever -	Yes

R. Wittenberg- Yes	J. Wolfe - Yes	S. Lewis - Yes
Motion carried (9-0-0-0)		
Recorder: Resolution #23-0222-029 has passed		

Speaker: That takes us to

**C. Approval of Budgeted Expenditure**

Speaker and there is none. So. That takes us to:

**IV Acceptance of Reports**

**A. Report of the Tribal Ogema**

**1. Operations Report**

None Submitted

**2. Financial Report**

None Submitted

Speaker: None submitted that takes us to:

**V. Acceptance of Commission Reports**

Speaker: We have the Binojeeuk Commission. I will entertain a motion to accept:

**A. Binojeeuk Commission**

January 2023

Motion by Wittenberg; Support: Guenthardt.

Roll Call# 6

T. Guenthardt -Yes	C. Champagne -Yes	P. Johnson - Yes
S. Crampton - Yes	G. DiPiazza - Yes	S. Wever - Yes
R. Wittenberg- Yes	J. Wolfe - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

Recorder: Binojeeck Commission Report is accepted

Speaker: Thank you. That takes us to

**B. Enrollment Commission, none submitted.**

**C. Gaming Commission January 2023.** I will entertain a motion to accept.

Motion by Johnson; supported by Guenthardt.

Speaker: Is anyone going to abstain. Speaker asked is there any further discussion from Council. Anything further from the membership. One more time for Council. Hearing nothing please do a roll Call.

Roll Call # 7

T. Guenthardt -Yes	C. Champagne -Yes	P. Johnson - Yes
S. Crampton - Yes	G. DiPiazza - Yes	S. Wever - Yes
R. Wittenberg- Yes	J. Wolfe - Yes	S. Lewis - Yes

Motion carried (9-0-0-0)

Recorder: Gaming Commission Report accepted.

Speaker: That takes us to

D. Health Commission, none submitted.

E. Housing Commission, January 2023

I will entertain a motion to accept Housing Commission Report. Motion by Johnson; supported by Guenthardt.

Speaker: Is anyone going to abstain. Speaker asked is there any further discussion from Council. Anything further from the membership. One more time for Council. Hearing nothing please do a roll Call.

Roll Call # 8

T. Guenthardt -Yes	C. Champagne -Yes	P. Johnson -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	S. Wever -	Yes
R. Wittenberg- Yes	J. Wolfe - Yes	S. Lewis -	Yes

Motion carried (9-0-0-0)

Recorder: Housing Commission Report has been accepted.

Speaker: Thank you that moves us down to:

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

### **A. Little River Casino Resort Preference Report January 2023**

Speaker: I will entertain a motion to accept Little River Casino Resort Preference Report. Motion by Lewis Second By Wittenberg.

Speaker: Is anyone going to abstain. Speaker asked is there any further discussion from Council. Anything further from the membership. One more time for Council. Hearing nothing please do a roll Call.

Roll Call # 9

T. Guenthardt -Yes	C. Champagne -Yes	P. Johnson -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	S. Wever -	Yes
R. Wittenberg- Yes	J. Wolfe - Yes	S. Lewis -	Yes

Motion carried (9-0-0-0)

Recorder: LR CR Preference Report has been accepted.

Speaker: That takes us to:

**B. Biskaabiiyang Committee**

**None Submitted**

**C. Elders Committee Minutes**

**January 2023**

Speaker: I will entertain a motion to accept Elders Committee Minutes.  
Motion by Guenthardt; Support by Johnson.

Speaker: Is anyone going to abstain. Speaker asked is there any further discussion from Council. Anything further from the membership. One more time for Council. Hearing nothing please do a roll Call.

Roll Call # 10

T. Guenthardt -Yes	C. Champagne -Yes	P. Johnson -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	S. Wever -	Yes
R. Wittenberg- Yes	J. Wolfe - Yes	S. Lewis -	Yes

Motion carried (9-0-0-0)

Recorder: Elders committee Minutes for January 2023 has been accepted.

Speaker: Okay, Thank you that will take us to:

**F. Natural Resource Commission**

**January 2023**

Speaker: I will entertain a motion to accept Natural Resource Commission.  
Motion by Guenthardt Support by Wittenberg.

Speaker: Is anyone going to abstain. Speaker asked is there any further discussion from Council. Anything further from the membership. One more time for Council. Hearing nothing please do a roll Call.

Roll Call # 11

T. Guenthardt -Yes	C. Champagne -Yes	P. Johnson -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	S. Wever -	Yes
R. Wittenberg- Yes	J. Wolfe - Yes	S. Lewis -	Yes

Motion carried (9-0-0-0)

Recorder: Natural Resource Report for January 2023 has been accepted.

Speaker: Okay that takes us to :

**VII. Old Business**

**A. Financial Report**

**November 2022**

Speaker: I will entertain a motion to accept. Motion by Lewis Support by Johnson.

Speaker: Is anyone going to abstain. Speaker asked is there any further discussion from Council. Anything further from the membership. One more time for Council. Hearing nothing please do a roll Call.

Roll Call # 12

T. Guenthardt -Yes	C. Champagne -Yes	P. Johnson -	Yes
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S. Crampton - Yes	G. DiPiazza - Yes	S. Wever -	Yes
R. Wittenberg- Yes	J. Wolfe -	S. Lewis -	Yes

Motion carried (9-0-0-0)

Recorder: Financial Report for November 2022 has been accepted.

Speaker: That moves us to

**B. Binojeeuk Commission**

**December 2022**

Speaker: I will entertain a motion to accept. Motion by Lewis Support by Guenthardt.

Speaker: Is anyone going to abstain. Speaker asked is there any further discussion from Council. Anything further from the membership. One more time for Council. Hearing nothing please do a roll Call.

Roll Call # 13

T. Guenthardt -Yes	C. Champagne -Yes	P. Johnson -	Yes
S. Crampton - Yes	G. DiPiazza -	S. Wever -	Yes
R. Wittenberg- Yes	J. Wolfe -	S. Lewis -	Yes

Motion carried (9-0-0-0)

Recorder: Binojeeuk Report for December 2022 has been accepted.

Speaker: and that will take us down to the last order of business which is:

**VIII. New Business**

**A. Repeal the Unified Legal Department Act of 2015, Ordinance #15-100-08a**

Repeal of ULD Ordinance.

Speaker: That was put on by myself. This is basically just housekeeping, as ah there is nobody left in the department, and we've got some things in place that we need to do away with so the Council can actually move on with getting their own attorney. And ah moving on with business. I'll entertain... Ah I'm sorry. Sara Agosa.

Agosa: My comment is that I support this repeal. And I saw two problems with this department. One I didn't feel this department was upholding the separation of powers doctrine, and two I'm really concerned that this department um basically allowed Larry Romanelli to use it for \_\_\_ to spend money at our Casino outlaw...

Speaker: Sara, Sara Sara Sara can we just speak to the agenda item without attaching things. I mean, I understand But please.

Agosa: I'm done thank you.



Speaker: Thank you And I apologize. I just don't want to exacerbate anything we're on the agenda item. Does anyone have anything else for the repeal of the Unified Legal Act? Okay, back to council. Does Council have anything? If not, I'll entertain a motion.

**Repeal the Unified Legal Department Act of 2015, Ordinance #15-100-08a Motion by Lewis Support by Wittenberg**

Speaker: Is anyone going to abstain. Speaker asked is there any further discussion from Council. Anything further from the membership. One more time for Council. Hearing nothing please do a roll call.

Recorder: oh, I'm sorry. We've got a hand up.

Speaker: Mr. DiPiazza do you have your hand up?

DiPiazza: Yes, I do

Speaker: yes, go ahead

DiPiazza: I've got to disagree with repealing this and getting rid of this ordinance that thing still has purpose there's a lot of things that go on here that um involve commissions to rights protection just everything. it's already been fixed so we can get outside legal or in house so both sides and still operate the ULD. Which I believe it has a function and I believe that removing this is going to create just another circumstance so. I'm done.

Speaker: Please do roll call.

Roll Call # 14

T. Guenthardt -No	C. Champagne -Yes	P. Johnson -	No
S. Crampton - Yes	G. DiPiazza - No	S. Wever -	No
R. Wittenberg- Yes	J. Wolfe - Yes	S. Lewis -	Yes

Motion carried (5-4-0-0)

Recorder: Resolution #23-0222-030 has passed.

Speaker: Thank you everyone and that takes us to

**IX. Concluding Business**

**A. Next Meeting Date(s) - Wednesday, March 1, 2023**

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

Ogema: I have nothing to report.

Speaker: Anyone have anything for:

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

Recorder: Yes, I do. I was looking on the laptop this morning and according to the State of Michigan there were 6,547 new cases with 89 deaths and I'm sharing that also to let all know that's still going on out there, just to let people know. (*Soft voice-covid?*) yes, covid. So, we want to watch ourselves where we're at. I'm done, thank you.

Speaker: Thank you I just want to add on to that. It's a corona virus and it's going to act just like the influenza does. It's going to have its season, but I think when everybody starts to recognize the season then we'll deal with this a lot better than we are. It's almost like ..., I was at the hospital recently talking to doctors about it. It's like Hamburger Helper, if you have an existing condition this thing just exasperates that condition. Um, but thank you Mr. Wittenberg.

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

Speaker: Now go on to Public Comment and I will try once again to pick up Mrs. Grantsynn. Mrs. Grantsynn go ahead.

Recorder: Is there someone else's hand up? Mr. Stone has his hand up out here.

Speaker: Alright, Mr. Stone go ahead

Stone: Is Ms. Grantsynn not on?

Speaker: She may be having some technical difficulties on her end.

Stone: Israel Stone 1735. Thank you for allowing me to speak before the Tribal Council. Uh, I want to speak on a couple of items. One is Article 3, of the Constitution. Constitutional Rights: "*Make or enforce any law prohibiting the free exercise of religion, abridging the freedom of speech, or of the press, of the right of the people peaceably to assemble*" and" The Second thing is Powers of Tribal Council Rules of Tribal Council-(e). "*Tribal council shall determine its own rules of procedure for meetings, subject to any limitations imposed in this Constitution. Such rules and procedures shall provide for an opportunity for the General Membership to be heard on any question under consideration by Tribal council.*"

It's not a five-minute limitation, it's any question. I would also point you to, yet again, back to jurisdiction. The reason why I'm bringing these things up is not to "stir the pot". The reason I bring these things up is because they're genuine concerns for us as a tribe and us as citizens. And I'm sorry in my very limited knowledge of this tribe's history and constitution that I don't have a law degree. Never claimed to have a law degree. But what I will claim is, I've questioned the constitution a couple of times, and lo and behold, I've been right, every time. I firmly believe that this tribe has no foundation to stand on if they're not following the most basic principle of our own structure. And our structure is the constitution. It's not even legislation it's not executive order. Those things matter, they're important. But we have to

follow this. (Holding up the Book of Constitution) And when we don't follow this it leads to a lot of problems or potential issues for us down the road. I wish I could phone my attorney right now, get him on the phone and ask him to give a legal opinion. Unfortunately, not all of us have that same authority. But in my opinion as it relates to the basic principles or the foundation of the Tribe, every person sitting up there at that table, every person that we hire into our law services, every person that works in our organization should be aware of the laws of our Tribe, the supreme law, which is the Constitution.

And so when I ask these questions its not because I'm going to a truck pull, it's not because I'm ignorant, or a dumb hillbilly as its made out to be. It's because I have questions and concerns and as citizens, we have that right to ask questions and have concerns. That's what leads to fruitful discussions and hopefully, get out (*bumps?*) When that's oppressed it leads to frustration and I understand, in somebodies' story somewhere they're out slaying dragons and you know, doing away with evil in the tribe through the power of control that happens in this room. But that's not how the constitution was written. The Constitution was written in, it was in more than one article. Meaning the authors of this Constitution thought it was important enough to give the citizens the right to speak before this council that they put it in there more than once. In more than one way. And to me, when that's cut off, we're losing valuable discussion that will lead to get out counts. Or lead, at least to a minimum to understanding. Nobody should ever be chastised for coming in before their elected body, who we elect, to serve us, and asking questions. That should never happen. We shouldn't be shot down because we have maybe a different understanding. See that's what's wrong with this world..

Speaker interrupts: Mr. Stone, you keep using words like we and stuff. You do not, my family does not share your opinion at all so please speak for yourself.

Stone: This is MY public comment you don't get to cut me off.

Speaker: Yes, we do, after 5 minutes we will cut you off. You're filler-busting. You're filler-busting. You're not gonna do it. So, you're out of order. (Stone talking) you're not gonna have more than 5 minutes so please continue.

Stone: You just took 2 of my minutes. Thank you for that, Sir.

Speaker: Well, you don't speak for my family, so please do not do that again.

*Other background voices*

Stone: You don't speak for mine either Mr. Crampton. But you know what? There's a lot more people in this Tribe that have questions than just your family.

*Speaker: Mumm, yes, they do, then your family too, Mr. Stone.*

Stone: Again. Mr. Recorder, I am trying to exercise my rights to free speech before this tribal council.

*Speaker: when his 5 minutes are up, let me know. Mr. Recorder.*

Stone: to point to the body and ask questions. My time is being used up by somebody talking over me. How is that not out of order? Just because you write the laws doesn't mean you're above the laws. That's needs to stop. It's a lack of respect. She asked me to stop earlier, I stopped. I shouldn't have to continue to put up with that I'm sorry my five minutes are up. Thankful to Mr. Speaker for using three minutes of those. Once again violating my constitutional right to free speech.

Recorder: It was 20 seconds to be honest with you. Miigwetch

*Voices, inaudible*

Speaker: Thank you Mr. Stone., Terry,.. I'm sorry Chelsea you were next but I'm gonna try and get Harriette one more time because she's been on it for a long time then I'll go to you. Mrs. Grantsynn

Recorder: We do have another one now Teresa is it? She had her hand up.

Speaker: I'll get her after Laura and Chelsea, Chelsea had her hand up. Chelsea go ahead.

Densmore: Chelsea Densmore, #3225. Just for Mrs. Grantsynn, she doesn't actually have the mic uh image next to her and that means that she doesn't actually have her mic on, so she cannot hear you guys. Um I don't know if anybody had noticed that, but I don't think that she can respond at all, unfortunately. Um Because I don't think that she can hear it. But I could be wrong. Anyway, I just wanted to ask about the Round Dance this weekend. I know that you guys have had some water, and then I heard Councilor Wittenberg talking about, you know, with Covid and everything. I was just wondering if somebody could give an update about the Round Dance, if it's still going on or um if you guys could potentially be changing it because of the weather or anything like that. Miigwetch.

DiPiazza: I can answer that, I had my hand up to but, uh it's still on. It's still a go for Saturday the 25<sup>th</sup>. Starting at uh—I don't have that flyer in front of me, but

Wever: 5,

DiPiazza: 5, five o'clock at the Casino in the Resort Center. Be safe if you're out and about. I almost turned around an went home the roads were so bad this morning.

*Voices, inaudible*

Speaker: I'm gonna get to Laura Echelbarger

Echelbarger: Thank you. I just want to say its very hard to hear on Zoom when everyone is talking over each other. So, if we could allow each other to speak so that those of us on Zoom can hear that would be greatly appreciated. Thank you.

Speaker: Um and now are you done Mrs. Echelbarger?

Echelbarger: Yup.

Speaker: Okay I'm sorry, I just didn't want to interrupt you. Um Mrs., you said you have somebody there- Teresa? Just approach the podium and give your number.

Callis: Teresa Callis #399. I just had a question as far as Commissioners being able to attend through Zoom. Um is there any um means for them to have to at least attend once or twice a year for that. Um I just don't see that this Zoom working out as far as the Commission that I'm on. We've not had the power in two years to have that set up and in place. We have a Commissioner that's out of Grand Rapids. Um, sometimes he gets the paperwork ahead of time and other times he does not. I have nothing against this Commissioner, I just don't feel that this is a good situation especially with the hearings and like that. He's not able to see the paperwork or be in attendance of those hearings. I also feel that it's a shame that the ULD is being dissolved, because we have no legal information as far as the Commissions to fall back on, to make sure that you're doing things legally on all the Commissions. Thank you

Speaker: Thank you and what commission are you on?

Callis: Housing.

Speaker: Housing. Okay, so Council can take a look at that. Um, I'm gonna try again. Um Mrs. Grantsynn, is there anybody that can up, that, knows Mrs. Grantsynn can get ahold of her and tell her that her mics not on? I would really hate for her to miss out on our fresh and mesonic comments.  
Um, I'm gonna go down to Martha Howell

Howell: Thank you. I was gonna say a solution for the Housing Commissions situation with the Zoom could be remedied by A.- selling internet access to the location they meet in. Or B-changing their meeting location. That's all. Thank you.

Speaker: Thank you, that was very helpful, that is a good point. Uh I don't think Little River should be missing out on the technology and the way the world is shifting at the moment. But thank you for your suggestions. Is there anything else for Public Comment at this time?

Recorder: Israel did put his hand back up

Speaker: But it's one time for everybody, we're not going to do the rotating thing. So, is there anybody else for public comment?

*(Stone was at podium, walks away)*

*Mumbled conversations. Council sidebars also*

*Over 2 minutes has passed.*

Speaker: HELLO. There's no substitution in minutes, you're not passing five you're not passing your time to anyone, so.

*More sidebars*

Speaker: Okay members, if there's nobody else is for public comment, we're going to be closing this session at this time.

Recorder: We do have another one, Teresa raised her hand back up.

Speaker: For a second time? Ms. Callis

Recorder: The audience on this, Shannon.

Speaker: The process is we are not doing a second time for public comment. You get 5 minutes; we give you the opportunity to be heard. And you can't pass your minutes to somebody else, dude.

If there's nobody else, then Mrs. Callis then Mr. Stone at this time. Then we will be concluding business and then we will be at closing the meeting and moving into closed session. The purpose of closed session is to discuss business matters considered...

Recorder: Shannon, Councilor Johnson had her hand up here

Speaker: Okay. I'm sorry. For Public Comment Go ahead Ms. Johnson

Johnson: So, I'm in a disagreement. Our members should be able to speak freely to them. It does actually go against their freedom to speak that we have in our Constitution. That's against their civil liberties, quite frankly. If they want to speak, they should be able to speak. Because how often have you let them speak multi times? It shouldn't be we're just now going to put a hold on them because maybe they're saying something we disagree with. I mean, we've all done that. We've all disagreed with somebody that had been speaking, but we still let them have the floor evenly. And even if, regardless, and to have a second time, maybe they, something they thought of a second time. Teresa's one. no offense Teresa, that um Teresa I haven't seen before. So, I mean I've seen her on Zoom and stuff. She's actually here in person. She should be able to speak a second time. If um Darlene wants to give her minutes or has something to say she should be able to have that liberty. Yes, well, no, Israel can like talk forever, and a lifetime. But in the same token he should be able to, if he thinks of something new, he, should still be able to speak. We would do the same for anybody online. And its, are you going to also withhold them- also wanting to speak a second time? Because we've done that on multi occasions. And to now start it seems unfair because it just, especially since it was not putout there in the beginning, that you only get one time to speak, which is really unfair to our membership. They have a right to speak. That's it.

Speaker: Okay. Thank you. Is there anybody that you have a personal opinion against that you don't want to speak? Because there's nothing like that in my mind, other than you trying to make that paint that picture. Is there somebody you had a disagreement with?

Johnson: It was just an example of each one should be able to speak freely when it is their turn to speak. They should be able to speak as often as they want

*Background voice-over...the dog,...noise.*

Johnson...to they can only speak one time. They should be able to speak. They're our constituents. They should be able to speak if they have something to say. Freedom of Speech after all. Should be able to speak freely.

Speaker: Thank you. We're going to be moving into closed session. If nobody answers nobody, other than Mr. Stone and Ms. Callis at this time. We're moving into the purpose. And: ***The purpose of closed session is to discuss business matters considered privileged or confidential involving consideration...***

Wolfe: Speaker

Speaker: Who?

Wolfe: It was Al Metzger on the screen that had his hand raised for public comment.

Speaker: I'm sorry Al, please continue. Go ahead.

Metzger: HELLO. Can you all hear me today?

Speaker: I can.

Metzger: uh, going back to speaking and public comment, This has been an ongoing issue for quite a while. Uh, I believe, I can remember it going back to when Virgil Johnson was speaker. We were allowed five minutes. And uh, I mean I applaud the people who are standing up for Constitutional Rights, But I want to remind that a former Ogema, and Council member, Lee Sprague, Constitutional Rights were violated when he was escorted out of a meet & greet meeting that the Ogema hosted with Tribal Funds. So, if you really want to start talking Constitutional Rights, let sit down in a public forum, face to face, and we'll go over that Constitution. Miigwetch.

Speaker: if it, let's see now. I appreciate the words, but I don't want to do anything that's gonna exasperate this. And if we could just avoid. We've had a good meeting here today, I can see some people wanted terrible on a political platform. But we've had a good meeting, we've accomplished some things. Now we're going to be moving into closed session.

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

And with that I will entertain a motion to end first open session.

Motion to End First open Session by Wittenberg; support Guenthardt.

**Speaker:** Speaker: Is anyone going to abstain. Speaker asked is there any further discussion from Council. Anything further from the membership. Ms. Sara Agosa.

Agosa: How do we get into second open if we want to wait?

DiPiazza: Knock three times.

Speaker: Hold on. Mr. DiPiazza would you please refrain from talking when members are talking? Please. Sara Agosa please continue.

DiPiazza: Trying to respond.

Speaker: Sara Agosa, hold on, hold on. Hold on Sara.

Agosa: How do you get into second open?

Speaker: You just have to wait as we come out at different times. We get there.

Agosa: So just stay on Zoom? Okay, thank you.

Speaker: Yeah, okay, is there anything further from the Council and Mr. DiPiazza?

DiPiazza: That was it, you allowed her to speak three times.

Speaker: it was a question about how to get in second open. She wasn't speaking on issues so, I mean. Come on now.

DiPiazza: Come out here and sit to go into second open. I'm here now so...

Speaker: I will take it back now. I have a motion by Councilor Wittenberg, Support by Councilor Guenthardt. Please do a Roll Call.

**Roll Call # 15**

T. Guenthardt -NO	C. Champagne -Yes	P. Johnson -	NO
S. Crampton - Yes	G. DiPiazza -	S. Wever -	NO
R. Wittenberg- Yes	J. Wolfe -	S. Lewis -	Yes

Motion carried (5-4-0-0)

Recorder: Motion to End First Open 11:18.



**XI. Open Second Session**

Motion to Open Second Session by Lewis; Support: Wolfe

**Roll Call # 16**

T. Guenthardt -Absent	C. Champagne -Yes	P. Johnson -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	S. Wever -	Absent
R. Wittenberg- Yes	J. Wolfe - Yes	S. Lewis -	Yes

Motion carried (7-0-0-2)

**Second Session Open 3:11**

Motion to move Resolutions #23-0222-031; #23-0222-032; #23-0222-033 to Second Open by Wittenberg; Support; Wolfe.

**Roll Call # 17**

T. Guenthardt -Absent	C. Champagne -Yes	P. Johnson -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	S. Wever -	Absent
R. Wittenberg- Yes	J. Wolfe - Yes	S. Lewis -	Yes

Motion carried (7-0-0-2)

**MOTION TO ADJOURN THE MEETING;** by Wittenberg; supported by Lewis.

**Roll Call # 18**

T. Guenthardt -Absent	C. Champagne -Yes	P. Johnson -	Yes
S. Crampton - Yes	G. DiPiazza - Yes	S. Wever -	Absent
R. Wittenberg- Yes	J. Wolfe - Yes	S. Lewis -	Yes

Motion carried (7-0-0-2)

**XII. Adjourn at 3:14**

Respectfully Submitted,

Juanita Guenthardt,  
Transcribing Assistant, Temp

Ron Wittenberg,  
Tribal Council Recorder