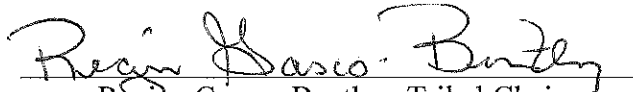




**Waganakising Odawak**  
Little Traverse Bay Bands of Odawa Indians  
**Regina Gasco- Bentley, Tribal Chair**  
7500 Odawa Circle, Harbor Springs, Michigan 49740  
Phone 231-242-1401 • Fax 231-242-1411

**Executive Veto of the Proposed Housing Department Statute**

On March 6th, 2017 I vetoed the proposed Housing Department Statute . I do not agree with repealing the duties of the Housing Commission Section IV. LTBB is stable having more citizens involved in the government rather than less. Our Housing Commission has a broad group of Citizens who are actively engaged in our community. Two of the Commissioners reside at our tribal housing developments. One of the Commissioners is a licensed builder. They all provide knowledge to advance LTBB seven generations. I think Commissions are building blocks to other positions and they provide a strong role in our government. Many of the current Tribal Elected officials are former members of tribal commission's boards and committees. Legislation could be provided to include the commission to take a similar role as the Elders commission, with participation in surveys, approving policies and providing recommendations to the Executive. Service in appointed positions is good understanding for citizens and assists to prepare them for potential service as elected officials.

  
Regina Gasco- Bentley, Tribal Chair  
March 06, 2017

**WAGANAKISING ODAWAK STATUTE  
HOUSING DEPARTMENT #2017-00\_**

**SECTION I.           PURPOSE**

This Statute is hereby enacted to establish a Department that will maintain a working relationship with the Little Traverse Bay Bands of Odawa Indians through communication of all housing development activities, encouraging a healthy home environment, seeking resources to build and rehabilitate affordable, high quality, safe and sanitary housing; and establishing opportunities for economic self-sufficiency.

**SECTION II.          DEFINITIONS**

- A.    “Department” means the Housing Department.
- B.    “Director” means manager of all Housing Activities.
- C.    “Tribe” means the Little Traverse Bay Bands of Odawa Indians.

**SECTION III.        CREATION OF THE DEPARTMENT**

- A.    Pursuant to Article VII (D) (22) of the Tribal Constitution the Tribal Council shall have the power to: “Approve the creation or dissolution of Executive divisions or departments to promote and protect the peace, health, safety, education, and general welfare, including but not limited to cultural and natural resources, of the Little Traverse Bay Bands of Odawa Indians and its members”.
- B.    The Tribal Council hereby approves the creation of the Housing Department within the Executive Branch of government.

**SECTION IV. REPEAL OF PRIOR HOUSING COMMISSION STATUTE AND ASSIGNMENT OF DUTIES**

A. The duties of the Housing Commission are no longer applicable to the current organization of the Little Traverse Bay Bands of Odawa Indians tribal government. The Housing Commission Statute, WOS 1998009, including all amendments, is hereby repealed in its entirety.

B. All duties and obligations of the Housing Commission under the 2001 Lease, Leasehold Mortgage, Promissory Note and any ancillary documents between the Housing Commission and United States Department of Agriculture are assigned to the Department.

C. Tribal Council may on a case-by-case basis authorize the Department to lease Tribal lands and enter into leasehold mortgages to secure financing.

**SECTION V. DUTIES AND AUTHORITY**

A. The Department shall have the following duties:

1. Pursue and prepare all proposals and documents for submission and receipt, for Tribal Council approval, any and all funding opportunities and resources to improve LTBB housing opportunities for all LTBB Tribal Citizens.
2. Studies operation of housing projects and evaluates efficiency of housing programs and compliance with federal, state, tribal statutes and regulations as applicable.
3. Develops policy, procedures and standards to maintain uniformity in operation of housing projects and administer such in a fair, consistent, and professional manner.
4. Develops regulations, procedures and instructions for operation of housing programs.
5. Periodically surveys the housing needs of the LTBB Citizens and community for future planning and operation.

6. Plans short-term and long-term housing needs.
7. Responsible for all reporting and compliance on housing programs.
8. Prepare proposals and develop policies and procedures for tribal, state and federal programs and acquire technical knowledge Native American Housing and Self-Determination Act, (NAHASDA), United States Department of Agriculture (USDA) Rural Development, Indian Health Services (IHS), State of Michigan, and other funding sources and regulations.
9. Develop proposed rules and regulations for the administration and maintenance of Tribal housing including eligibility, rent, eviction, and repairs.
10. Oversee all housing occupancy, applications and admissions, and collect of Tenant Accounts Receivables (TAR).
11. Perform housing rental unit inspections and ensure proper maintenance.

**B.** The Department shall have the following authority:

1. Approves or denies requests for waivers to policies and procedures.
2. Enforcement of policies and procedures for tribal, state and federal programs.

## **SECTION VI. STAFFING**

**A.** If appropriate, the Department shall begin operations with currently employed Tribal staff as designated by the Executive.

**B.** Director and staff shall adhere to all Statutes, Regulations, policies and Procedures.

## **SECTION VII. REGULATIONS REQUIRED**

The Executive shall develop Regulations for this Statute in order to implement the intent of the Statute and shall forward such Regulations to the Tribal Council for approval in accordance with Administrative Procedures 2008-001, or as amended.

## **SECTION VIII. ADMINISTRATIVE PROCEDURES REQUIRED**

Administrative Procedures shall be developed by the Executive Branch and presented to Tribal Council for approval in accordance with the Administrative Procedures Act 2008-001, or as amended, in order to clarify the implementation of this statute by defining how the department will implement the daily activities of a statute and regulations such as applications procedures and forms for a Tribal program.

## **SECTION IX. APPROPRIATIONS AUTHORIZED**

The current appropriations for the Department within the Executive budget shall be used to implement this statute. The Executive may request additional supplemental funds necessary to meet the obligations of this Statute; and the Executive shall present Tribal Council with future annual budgets necessary to implement this statute.

## **SECTION X. SEVERABILITY**

If any section, subsection, paragraph, sentence, phrase or portion of this Statute is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

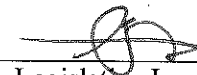
**SECTION XI. EFFECTIVE DATE**

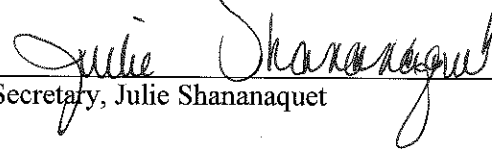
Effective upon signature of the Executive or 30 days from Tribal Council approval which ever comes first or if the Executive vetoes the legislation, then upon Tribal Council override of the veto.

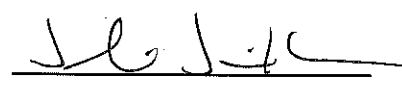
**CERTIFICATION**

As the Tribal Council Treasurer and Tribal Council Secretary, we certify that this Statute was duly adopted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on February 2, 2017 at which a quorum was present, by a vote of 5 in favor, 3 opposed,    abstentions, and 1 absent as recorded by this roll call:


	In Favor	Opposed	Abstained	Absent
Frank Bernard				X
David Harrington		X		
Beatrice A. Law	X			
Dexter McNamara		X		
Michael Naganashe	X			
Emily Proctor	X			
Marcella R. Reyes	X			
Julia Shananaquet	X			
Aaron Otto		X		

Date: 2-2-2017   
 Legislative Leader, Aaron Otto

Date: 2-2-17   
 Secretary, Julie Shananaquet

Received by the Executive Office on 2-6-17 by 

Pursuant to Article VII, Section D, Subsection 1 of the Little Traverse Bay Bands of Odawa Indians Constitution adopted on February 1, 2005, the Executive concurs with this action of the Tribal Council.

Date: \_\_\_\_\_   
 Regina Gasco Bentley, Tribal Chairperson

**VETO**