

**POKAGON BAND OF POTAWATOMI INDIANS
TRIBAL COUNCIL SPECIAL SESSION
COUNCIL LODGE
SEPTEMBER 14TH, 2009
1:30 PM**

I. MEETING CALLED TO ORDER:

II. INVOCATION:

III. ROLL CALL:

IV. APPROVAL OF AGENDA:

V. NEW BUSINESS:

1:30P.M. CLOSED SESSION – NOEL LAPORTE

**DESIGN FIRM RECOMMENDATION TRIBAL CULTURAL
CENTER**

HEALTH INSURANCE COVERAGE FOR TRIBAL CITIZENS

**TRIBAL COMPREHENSIVE OPERATIONS PLAN
RECOMMENDATION**

ROSS GRANT REQUEST

**TRIBAL OPERATIONS OVERVIEW/TRIBAL GOVERNMENT
OPERATIONS STRATEGY PRESENTATION**

TAXATION OF TRIBAL GOVERNMENT BENEFITS


CASS TRANSIT – TROY CLAY

TRIBAL COUNCIL MEEETING SCHEDULE

VI. MEETING ADJOURNED:



Memo

To: Pokagon Band of Potawatomi Tribal Council
From: Eric S. Trevan, Tribal Operations Officer 
Date: August 26, 2009
Subject: Design Firm Recommendation-Tribal Cultural Center

As you are aware, staff has solicited for bids, through a Request for Qualifications (RFQ), for a firm to design the Tribal Cultural Center. Through the RFQ process, we received 45 proposals from firms throughout the United States. We developed the solicitation to include two (2) phases:

Phase I Concept and Development/Construction Drawings
Phase II Construction/Architect on Record

In conjunction with the Traditions and Repatriation Committee, we interviewed four (4) firms. They are as follows:

- Conservation Design Forum
- Barbour and Associates
- Baker/Wightman and Associates
- Catalyst Architecture, LLC

After these interviews, the Traditions and Repatriation Committee recommended one (1) agreement with Catalyst Architecture, LLC.


Recommendation:

Approve a contract with Catalyst Architecture, LLC for an amount not to exceed the following amounts based on their proposal.

Phase I not to exceed \$53,500
Phase II 7.25% Construction Costs



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TRIBAL COUNCIL

RESOLUTION NO. 09-__-__-__

WHEREAS: The Pokagon Band of Potawatomi Indians of Michigan and Indiana is a sovereign, federally-recognized Indian tribe, as reaffirmed under P.L. 103-323, enacted September 21, 1994; and

WHEREAS: The Pokagon Band is organized under a constitution, which was adopted on November 1, 2005 and became effective on December 16, 2005 (“Constitution”); and

WHEREAS: In accordance with P.L. 103-323 and pursuant to Article IX of the Constitution, the Tribal Council is the governing body of the Pokagon Band; and

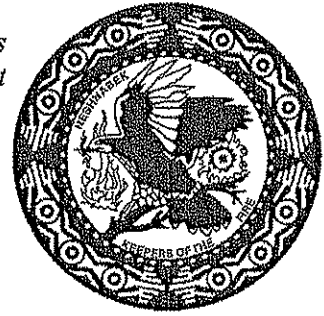
WHEREAS: The Tribal Council is vested with the sovereign powers of the Band not inconsistent with any provisions of the Constitution, including without limitation those enumerated powers set forth in Article IX, Section 2, of the Constitution; and

WHEREAS: Article XVIII, Section 2, of the Constitution provides that the “Tribal Council may waive the Pokagon Band’s immunity from suit in furtherance of a governmental or tribal business purpose . . . in writing approved by the affirmative vote of at least eight (8) Tribal Council members;” and

WHEREAS: The Band requires the services of an Architect to design the Pokagon Band of Potawatomi Indians Cultural Center, which will be located at the Pokagon Band’s Rodgers Lakes Site in Dowagiac, Michigan (the “Project”) on land the United States of America has taken in trust for the benefit of the Pokagon Band in accordance with Public Law 103-323; and

WHEREAS: The Band has selected Catalyst Architecture LLC (“CA”) as the Architect for the Project, with offices located in Prescott, Arizona; and

WHEREAS: The Band has negotiated an agreement with CA to design the Project, (“Agreement”), a copy of which is attached hereto as presented at this session of the Tribal Council and included in the formal record of this session of the Tribal Council; and



Memo

To: Pokagon Band of Potawatomi Indians Tribal Council
From: Eric S Trevan, Tribal Operations Officer *ET*
Date: September 4, 2009
Subject: Member Health Insurance Coverage

As you are aware, on January 31, 2009, Tribal Council directed the Tribal Operations Officer by motion, to prepare a RFP seeking Health Insurance Consultant Options for Pokagon Families.

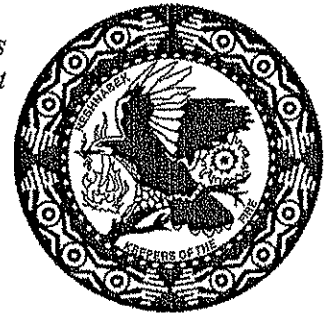
The Request for Proposal was approved to move forward with the solicitation of firms/individuals who could provide this service. Listed below are the firms and the amounts of their proposals. All proposals are included as an attachment.

- Native Health Group \$114,000 annual fee
- Gallagher Tribal Services \$100,000 annual fee
- Cottingham & Butler \$185,000 annual fee
- The Mahoney Group \$200,000 annual fee

I do feel that there needs to be more detailed discussion before this process is moved further. Please note that although not a committed figure, the overall cost to the Band would be approximately \$9.6 million per year to provide this service to the Tribal Citizens, based off of previous estimates.

Recommendation:

I would like to schedule a time to discuss received bids from the above mentioned firms and further discuss what direction Tribal Council would like to proceed.



Memo

To: Pokagon Band of Potawatomi Tribal Council
From: Eric S Trevan, Tribal Operations Officer *ET*
Date: August 26, 2009
Subject: Grant Request for Resident Opportunity and Self-Sufficiency (ROSS)

Attached with this memo is resolution that is being requested of the Tribal Council to adopt pertaining to the ROSS (Resident Opportunity and Self-Sufficiency Grant).

The purpose of the Ross Grant is to allow for hiring a Service Coordinator who will assess the needs of NAHASDA assisted Tribal Members and assist families to increase earned income and move towards economic and housing self-sufficiency.

- Grant amount \$240,000 for three (3) years
- Grant match: in kind, no Tribal Funds needed

Recommendation

I recommend approving the attached resolution.



Memo

To: Pokagon Band of Potawatomi Tribal Council
From: Eric S. Trevan, Tribal Operations Officer *ET*
Date: August 26, 2009
Subject: Tribal Comprehensive Operations Plan Recommendation

As you are aware, staff has solicited for bids, through a Request for Proposal (RFP) for a firm to administer the Tribal Comprehensive Operations Plan (TCOP) process. We had the following seven (7) firms provide proposals:

- Bucher, Willis & Ratliff Corp.
- OSIYO
- Bowman Performance Consulting
- KPMG LLP
- Northern Environmental-Bonestro
- Blue Stone Strategy Group
- Emrick Design LLC & Consulting

Staff developed scoring criteria and interviewed the top four (4) firms. From this list we narrowed the firms to two (2) firms and had discussions among Directors. We then contacted the two (2) finalists:

- KPMG LLP
- Bucher, Willis & Ratliff Corp.

We expressed to these two (2) firms as finalist and asked if their proposals were clear and included a Tribal Census, which was confirmed by both. From this we derived a final recommendation to recommend to Tribal Council.

Recommendation:

Approve a contract with KPMG LLP for an amount not to exceed \$197,625, based on their proposal.



Memo

To: Pokagon Band of Potawatomi Tribal Council
From: Eric S. Trevan, Tribal Operations Officer
Date: September 4, 2009
Subject: Annual Operations Update-Work Session

As you are aware, it has been over a year since I began working on a solid list of priorities set by the Tribal Council. The workload was very top heavy on projects/priorities inherited, while setting the next stage for future planning and growth. Now we are focused on planning efforts while adding new priorities as they arrived. This has been balanced with daily activities as well as creating the framework for future progress of the Tribe. It has truly been an enjoyable experience and I look forward to supporting Tribal Council and their movement in a progressive direction as a professional who has the Tribe's best interest at heart.

During this time, we have worked hard to identify areas of operations to be established and improved current operations. I appreciate the hard work Tribal Council has placed on working together on these joint priorities and am aware there have been challenges that we all have faced head on. Whereas, we have made exceptional progress, there are many areas that still need to be evaluated. Additionally, in order to conduct our planning activities and move forward, we must first identify where we are at...today.

As a professional habit, I always provide an Annual Update to the governing body and seek to develop a work session to review activities, identify priorities and develop methods of communication that meet the needs of the Tribal Council. Fortunately it aligns with the ending of the 4th Quarter and will allow an appropriate transition into the new Fiscal Year 2010.

Based on the growth of the Tribe with new departments and positions and to align with the budget process, I will have a presentation prepared for September 14, 2009 at the Tribal Council Special Session. This will cover the following areas:

- Tribal Operations Overview.
- New Departments
- Operational Strategy
- Priority Development
- Communications Strategy

This is more than a simple organizational chart; rather it provides a guide, analysis, strategy and clear expectations of each department. I feel by covering these areas, we can identify a clear path of progress and expectations for the government.

Recommendation:

I will have the PowerPoint presentation, Annual Operations Update, available for the meeting on September 14, 2009. I would like to approach this as a work session for approval of the following areas:

- Three (3) new departments
- Tribal Government Operations Strategy
- New Positions (41)
- Tribal Operations Priority Development
- Communication Strategy