

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN CASINO AND CONVENTION CENTER
SAULT STE. MARIE, MICHIGAN
MINUTES
OCTOBER 11, 2011**

The meeting was opened at 6:02 p.m. by Chairman Eitrem.

Present: Cathy Abramson, Debra Pine, DJ Malloy, Catherine Hollowell, Lana Causley, Pat Rickley, Keith Massaway, Tom Miller, Joan Anderson, Joe Eitrem.

Absent: Bernard Bouschor. Note: Director Chase left the meeting early due to be sick.

Moved by Director Miller, supported by Director Abramson, to excuse Director Bouschor.

Motion carried unanimously.

Moved by Director Causley, supported by Director Massaway, to approve the agenda as written.

Motion carried unanimously.

Moved by Director Abramson, supported by Director Hollowell, to suspend the rules and add the resolution regarding an agreement with John Hatch, to the agenda.

Motion carried with Directors Pine, Causley, and Chase opposing.

Moved by Director Causley, supported by Director Massaway, to approve Res. 2011-211, Partial Waiver of Convictions for Mrs. Vanessa Ortman.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, pursuant to Tribal Code Chapter 76 grants a partial waiver to Mrs. Vanessa Ortman, for the convictions of: Mackinac County – Check Non Sufficient Funds under \$100, 10/2008.

Roll Call Vote: Motion carried with Directors Rickley, Pine, Abramson, Anderson, Massaway, Causley, Malloy, Chase, Miller approving, Director Hollowell opposing.

Moved by Director Abramson, supported by Director Rickley, to approve Res. 2011-212, Partial Waiver of Convictions for Mr. David Lockhart.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, pursuant to Tribal Code Chapter 76 grants a partial waiver to Mr. David Lockhart for the convictions of: Chippewa County – Malicious Destruction of Building under \$200, 3/2011.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Anderson, to approve Res. 2011-213, Trust Land Status, Eagle Ridge, Marquette, Michigan.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby requests that the Secretary of Interior accept title to the following described land in trust for the Sault Ste. Marie Tribe of Chippewa Indians: SEE ATTACHED DESCRIPTION.

BE IT FURTHER RESOLVED, that the parcel to be acquired is not intended for gaming purposes. An apartment complex is situated on the parcel and will remain on the parcel.

BE IT FURTHER RESOLVED, that the Board of Directors authorizes its Chairman and Treasurer to execute any documents and take any further action on behalf of the Tribe as maybe necessary to complete such conveyance.

BE IT FURTHER RESOLVED, that this resolution rescinds Resolution 2011-23.

Motion carried unanimously.

Moved by Director Malloy, supported by Director Abramson, to approve Res. 2011-214, Trust Land Status, Fletcher's Addition, Block 2, Lots 1-4, Sault Ste. Marie, Chippewa County, Michigan.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby requests that the Secretary of Interior accept title to the following described land in trust for the Sault Ste. Marie Tribe of Chippewa Indians: Parcel A: Lots 1, 2, 3, and 4, Block 2, Fletcher's Addition to Sault Ste. Marie, according to the plat recorded in Liber 1 of Plats, page 50, Chippewa County Records.

BE IT FURTHER RESOLVED, that the land to be acquired is to be used to expand the boundaries of the school campus and is not intended for gaming purposes.

BE IT FURTHER RESOLVED, that the Board of Directors authorizes its Chairman and Treasurer to execute any documents and take any further action on behalf of the Tribe as maybe necessary to complete such conveyance.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Abramson, to approve Res. 2011-215, Trust Land Status, Fletcher's Addition, Block 2, Lots 6-9, Sault Ste. Marie, Chippewa County, Michigan.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby requests that the Secretary of Interior accept title to the following described land in trust for the Sault Ste. Marie Tribe of Chippewa Indians: Parcel B, Lots 6, 7, 8, and 9, Block 2 Fletcher's Addition to Sault Ste. Marie, according to the plat recorded in Liber 1 of Plats, page 50, Chippewa County Records

BE IT FURTHER RESOLVED, that the land to be acquired is to be used to expand the boundaries of the school campus and is not intended for gaming purposes.

BE IT FURTHER RESOLVED, that the Board of Directors authorizes its Chairman and Treasurer to execute any documents and take any further action on behalf of the Tribe as maybe necessary to complete such conveyance.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Malloy, to approve Res. 2011-216, Amending Tribal Code Chapter 11: Membership Ordinance.

NOW THEREFORE BE IT RESOLVED that the Board of Directors hereby amends the Membership Ordinance by adding Sections 11.105(2), 11.111(2) and (3), and 11.115(2) and (3), and rewording and amending Sections 11.106, and 11.113, and deleting Section 11.107; and

BE IT FURTHER RESOLVED that the Membership Ordinance is hereby amended and superseded, and the attached Ordinance is adopted to replace the old; and

BE IT FINALLY RESOLVED that the Tribal Registrar is hereby authorized and directed to implement and administer the Membership Ordinance in accordance with this amended Ordinance, and make such administrative changes on a case by case basis as may be needed to give effect to the Membership Ordinance.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Hollowell, to approve Res. 2011-217, Authorization to Purchase Property Known as the JKL Property Expansion East II.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes its Chairman and Treasurer to execute any documents necessary to effectuate the purchase of the

following described property for a purchase price not to exceed \$460.00. Fletcher's Addition Block 2 Lot 5.

Roll Call Vote: Motion carried with Directors Rickley, Pine, Abramson, Anderson, Hollowell, Massaway, Causley, Miller approving, Director Malloy opposing.

Moved by Director Rickley, supported by Director Abramson, to approve Res. 2011-218, Supporting Legislation to Stop Taxation of Tribal Education Benefits, Cultural Activities and Other Tribal Government Services.

NOW THEREFORE BE IT RESOLVED, that the Sault Tribe, through its BOD, does hereby support legislation to treat tribal government educational and other benefits as an internal subject of tribal self-government, not personal income to individual tribal members; and

BE IT FURTHER RESOLVED, that the Sault Tribe specifically supports the draft legislation developed by Congressman Devin Nunes (R-CA) on July 5, 2011, to amend the Internal Revenue Code of 1986 to exclude from gross income educational and cultural benefits provided by Indian tribal governments to their members and certain grants and scholarships to Indians for certain non-degree seeking education; and

BE IT FURTHER RESOLVED, that the Sault Tribe calls on Congress to enact the separate legislation to stop Internal Revenue Service taxation of tribal education services, cultural activities, and other tribal government services and this legislation should be separate from the tribal health care benefits tax exemption; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of the Sault Tribe until withdrawn or modified by subsequent resolution.

Motion carried unanimously.

Moved by Director Rickley, supported by Director Causley, to approve Res. 2011-219, Law Enforcement – Conservation Management FY 2011 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2011 budget modification to Conservation Management to increase BIA monies \$49,700.00. These new funds will be utilized to purchase equipment. There is no effect on tribal support.

Motion carried unanimously.

Moved by Director Rickley, supported by Director Massaway, to approve Res. 2011-220, Law Enforcement – COPS TRGP 2011 FY 2012 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2012 budget modification to establish a budget for COPS TRGP 2011 with Department of Justice monies of \$134,570.00. There is no effect on tribal support.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Rickley, to approve Res. 2011-221, Law Enforcement – Adam Walsh Act Implementation Grant Program FY 2012 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2012 budget modification to establish a budget for Adam Walsh Act Implementation Grant Program with Department of Justice monies of \$130,280.71. There is no effect on tribal support.

Motion carried unanimously.

Moved by Director Abramson, supported by Director Miller, to approve Res. 2011-222, Referendum FY 2011 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2011 budget modification to Referendum for an increase in Tribal Support monies \$14,585.37.

Motion carried unanimously.

Moved by Director Rickley, supported by Director Causley, to approve Res. 2011-223, Elections FY 2011 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2011 budget modification to Elections for an increase in Tribal Support monies \$8,101.66.

Motion carried unanimously.

Moved by Director Rickley, supported by Director Causley, to approve Res. 2011-224, ACFS – 2009 Tribal Government FY 2012 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2012 budget modification to 2009 Tribal Government to change the personnel sheet. There is no change in revenue or expenses and no effect on tribal support.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Rickley, to approve Res. 2011-225, Indirect – Membership Services FY 2011 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2011 budget modification to Indirect – Membership Services for a reduction of \$52,704.00. This budget modification will change the personnel sheet.

Motion carried with Director Abramson abstaining.

Moved by Director Massaway, supported by Director Causley, to approve Res. 2011-226, Higher Education FY 2011 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2011 budget modification to Higher Education for Tribal Support monies \$63,534.71. This budget modification will change the personnel sheet.

Roll Call Vote: Motion carried unanimously.

Moved by Director Rickley, supported by Director Massaway, to approve Res. 2011-226, Tribal Court Assistance Program FY 2012 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2012 budget modification to establish a budget for Tribal Court Assistance Program with Department of Justice monies of \$189,443.14. There is no effect on tribal support.

Motion carried unanimously.

Moved by Director Abramson, supported by Director Hollowell, to table the amendment on the Budget Modification policy.

Motion carried with Directors Massaway, Malloy opposing.

Moved by Director Miller, supported by Director Causley, to approve the recommendations of the Special Needs/Enrollment Committee and relinquish the following: Katherine Danee Hyder and Tara Diane Smith.

Motion carried unanimously.

Moved by Director Causley, supported by Director Miller, to disenroll Kenneth Frohne, on the recommendation of the Special Needs/Enrollment Committee.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Causley, to disenroll Sandra Baker, on the recommendation of the Special Needs/Enrollment Committee.

Motion carried unanimously.

Moved by Director Abramson, supported by Director Rickley, to disenroll Rachael Malnati, on the recommendation of the Special Needs/Enrollment Committee.

Motion carried unanimously.

Moved by Director Miller, supported by Director Massaway, to disenroll Jonah Hascall, on the recommendation of the Special Needs/Enrollment Committee.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Rickley, to disenroll Emily Bosley, Maxwell Bosley, Makenna Reno, Shaelyn Reno, and Chantys Harris, on the recommendation of the Special Needs/Enrollment Committee.

Motion carried unanimously.

Moved by Director Miller, supported by Director Abramson, to approve Res. 2011-228, Authorization of Temporary Trial Agreement with John Hatch for Reporting on Tribal Board Meetings.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby authorizes a thirty day trial period during which Mr. Hatch will provide the proposed factual reports as described above at no cost to the Tribe; upon the expiration of that thirty (30) day period, the Board shall consider whether it is in the best interests of the Tribe to continue this service and to enter into the contractual arrangement proposed by Mr. Hatch.

Roll Call Vote: Motion carried with Directors Abramson, Anderson, Massaway, Hollowell, Rickley, Miller, Malloy approving, Directors Pine, Causley opposing.

Nominations: Shirley Van Alstine, DJ Hoffman, Janet Liedel. Chairman Eitrem inquired if the Board wanted to nominate others. There were no other nominations.

Janet Liedel – Vote, Directors Pine, Hollowell, Causley approving, Directors Abramson, Anderson, Massaway, Malloy, Miller opposing, Director Rickley abstaining.

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DJ Hoffman – Vote, Directors Abramson, Anderson, Malloy, Miller approving, Directors Hollowell, Pine opposing, Directors Rickley, Massaway, Causley abstaining.

Shirley VanAlstine – Vote, Directors Pine, Hollowell approving, Directors Abramson, Anderson, Massaway, Miller opposing, Directors Causley, Rickley, Malloy abstaining.

Chairman Eitrem declared no one nominee received seven votes; it will go on the next meeting agenda.

Moved by Director Miller, supported by Director Abramson, to adjourn the meeting.

Roll Call Vote: Motion carried unanimously.

Meeting adjourned: 7:11p.m.

Date: 11-8-11

Secretary: Cathy Abramson

Others present: Vic Matson, Bill Connolly, Kristi Harwood, Tony Goetz, Rich Rand, Courtney Kachur, Tony Abramson, Dale Bosley, Julie Yacuone, Candy Blocher, Bob Marchand, Sheri Wallis, Tara Benoit, Joanne Carr.