

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN SHORES CASINO
ST. IGNACE, MICHIGAN
MINUTES
June 3, 2013**

The meeting was opened at 7:00 p.m. by Chairperson Payment.

Present: Cathy Abramson, Dennis McKelvie, Deb Pine, DJ Malloy, Lana Causley, Catherine Hollowell, Keith Massaway, Bridgett Sorenson, Denise Chase, Darcy Morrow, Joan Anderson, Aaron Payment.

Absent: Jennifer McLeod.

Moved by Director Causley, supported by Director Abramson, to excuse Director McLeod from the meeting.

Motion carried unanimously.

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

Motion carried unanimously.

Moved by Director Causley, supported by Director Hollowell, to suspend the rules and add the contract issue for the ANA Grant – Personal Service Contract to the agenda.

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

Moved by Director Hollowell, supported by Director Causley, to suspend the rules and add the TriMedia Contract to the agenda.

Roll Call Vote: Motion carried unanimously.

Moved by Director Abramson, supported by Director Causley, to approve Res. 2013-122, Partial Waiver of Convictions for Mr. Emery McKelvie, Jr.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, pursuant to Tribal Code Chapter 76 grants a partial waiver to Mr. Emery McKelvie Jr. for the convictions of: Misdemeanor Domestic Violence – 10/2009.

Motion carried with Director McKelvie abstaining.

Moved by Director Abramson, supported by Director Chase, to approve Res. 2013-123, Partial Waiver of Convictions for Mr. James Rabideau Jr.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, pursuant to Tribal Code Chapter 76 grants a partial waiver to Mr. James Rabideau Jr. for the convictions of: Misdemeanor Controlled Substance Use- Marijuana – 5/2011.

Motion carried unanimously.

Moved by Director Causley, supported by Director Abramson, to approve Res. 2013-124, Partial Waiver of Convictions for Mr. Daryl Lockhart Jr.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, pursuant to Tribal Code Chapter 76 grants a partial waiver to Mr. Daryl Lockhart Jr. for the convictions of:

1. Misdemeanor Malicious Destruction of Building (\$200 or more but less than \$1000) – 10/2010
2. Misdemeanor Assault or Battery – 10/2010
3. Misdemeanor Disorderly Person – Drunk – 1/2013
4. Attempt – Misdemeanor Assault/Resisting/Obstructing Police Officer – 1/2013

Motion carried with Director Massaway opposing, Director Malloy abstaining.

Moved by Director Causley, supported by Director Abramson, to approve the resolution Partial Waiver of Convictions for Mr. Terry Berkland.

Roll Call Vote: Motion denied with Directors Hollowell, Causley, Abramson approving, Directors McKelvie, Anderson, Massaway, Malloy, Chase, Sorenson, Morrow opposing, Director Pine abstaining.

Moved by Director Abramson, supported by Director Causley, to approve Res. 2013-125, Michigan Indian Elders Association Tribal Elder Delegates Appointments.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians appoints Phil Payment of Hessel, Michigan, for a two year period, expiring June 2015, as a delegate representing the Elders of the Sault Ste. Marie Tribe of Chippewa Indians. Mr. Payment will exercise the duties of the delegate as outlined in the MIEA by-laws.

BE IT FURTHER RESOLVED, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians appoints Brenda Garries of St. Ignace, Michigan, for a two year period, expiring June 2015, as an alternate delegate representing the Elders of the Sault Ste. Marie Tribe of Chippewa Indians. Ms. Garries will exercise the duties of the alternate delegate as outlined in the MIEA by-laws.

BE IF FURTHER RESOLVED, that Gary (Tom) Derwin's appointment of July 2012 will also be for a two year period, expiring July 2014.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director Morrow, to approve Res. 2013-126, Native Employment Works Program.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes application to the Office of Family Assistance, Administration for Children and Families for continued funding of the Native Employment Works program.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Chairperson, Aaron A. Payment, or his designee to sign, negotiate, and execute documents on behalf of the Tribe, to obtain continued Native Employment Works grant funding for the purpose of assisting low-income members throughout the service area in reaching their employment goals.

Motion carried unanimously.

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Moved by Director Malloy, supported by Director Sorenson, to approve Res. 2013-127, Child Care Development Fund (CCDF).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes application to the United States Department of Health and Human Services Administration for Children and Families Child Care Bureau for continued funding of the Child Care Development Fund.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Chairperson, Aaron A. Payment, or his designee to sign, negotiate, and execute documents on behalf of the Tribe, to obtain continued CCDF grant funding for the purpose of providing quality child care services to Sault Tribe Members residing in the service area.

Motion carried unanimously.

Moved by Director Abramson, supported by Director Morrow, to approve Res. 2013-128, Americorps Grant.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the submission of an Americorps grant.

BE IT FURTHER RESOLVED, that Aaron A. Payment, Tribal Chairperson, or his duly authorized designees, are authorized to sign, negotiate, amend, or rescind any agreement thereto.

Motion carried unanimously.

Moved by Director Malloy, supported by Director Morrow, to approve Res. 2013-129, Amending Tribal Code: Chapter 83 Evictions and Foreclosures.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby amends the Tribal Code by rewording and amending Sections 83.602 and 83.804 as set forth here:

83.602 Notice to Cancel or Terminate Agreements, and Notices to Leave the Premises.

Any notice to cancel or terminate an agreement for the lease/purchase, use, or occupancy of a dwelling, or to leave a premise, must be in writing, and must be delivered to the tenant or landlord in the following manner:

(1) Delivery must be made by:

- (a) a law enforcement officer of the Tribe or an agency of the United States Government; or
- (b) any person authorized by the Tribal Court; or
- (c) any adult person.

(2) Delivery will be effective when it is:

- (a) personally delivered to a tenant with a copy delivered by mail; or
- (b) personally delivered to an adult living in the premises with a copy delivered by mail; or
- (c) personally delivered to an adult agent or employee of the landlord or the tenant with a copy delivered by mail.

3) If the notice cannot be given by means of personal delivery, or the landlord or tenant cannot be found, the notice may be delivered by means of:

(a) by sending it by first-class mail and by certified mail addressed to the person in possession, at the address identified in the lease or rental agreement.

83.804 Housing Authority Notice Procedure.

Where the person giving notice is the public housing/Indian Housing Authority, the notice must be sent to both the Tribe and the Tenant, and both notices must include a statement that the tenant and Tribe may each be represented by or accompanied by a person of their choice.

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

Moved by Director Abramson, supported by Director Massaway, to approve Res. 2013-130, Amending Tribal Code Chapter 96 and Chapter 14 to Provide for the Conduct of Board Workshops.

NOW, THEREFORE, BE IT RESOLVED, that Chapter 96 of the Tribal Code, Open Meetings Ordinance and Chapter 14 of the Tribal Code, Rules of Parliamentary Procedure Ordinance, are hereby amended as set forth in the attached.

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

Moved by Director McKelvie, supported by Director Sorenson, to approve Res. 2013-131, COPS Hiring Grant, Public Safety, and Juvenile Detention FY 2013 Budget Modifications.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2013 budget modifications to COPS Hiring Grant, Public Safety, and Juvenile detention to increase Other revenue \$38,061.47, decrease Federal Revenue \$33,966.02, reallocate expenses and change the Personnel Sheets. No effect on Tribal Support.

Motion carried with Director Causley opposing.

Moved by Director Malloy, supported by Director McKelvie, to approve Res. 2013-132, Emergency Preparedness FY 2013 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2013 budget modification to Emergency Preparedness to increase Other Revenue \$9,173.00, reallocate expenses and change the Personnel Sheet. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Malloy, supported by Director Causley, to approve Res. 2013-133, Inter-Tribal Fisheries FY 2013 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2013 budget modification to Inter-Tribal Fisheries to increase Other revenue \$46,400.00 and decrease Tribal Support \$46,400.00.

Motion carried unanimously.

Moved by Director Abramson, supported by Director Massaway, to approve Res. 2013-134, FY 2013 Budget Modifications Budgetary Cost Savings #1 – Technical Amendment.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the amendment to Resolution #2013-94 to correct the attachment only.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Causley, to approve Res. 2013-135, FY 2013 Budget Modifications Budgetary Cost Savings #3 Government Cap Ex.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2013 budget modification to the Governmental Capital Expenditures budget to remove \$4,500 for the Purchasing Department copier.

Motion carried unanimously.

Moved by Director McKelvie, supported by Director Pine, to approve Res. 2013-136, FY 2014 Budget Modifications Budgetary Cost Savings #1.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2014 budget modifications to the attached departments for cost savings of \$15,715.92, of which \$15,715.92 is Tribal Support.

Motion carried unanimously.

Moved by Director McKelvie, supported by Director Massaway, to cancel the June 4, 2013 meeting.

Motion carried with Director Sorenson opposing.

Moved by Director McKelvie, supported by Director Chase, to approve Res. 2013-137, Approving Contract TriMedia Environmental & Engineering Services and Dore & Associates Contracting, Inc. and Approving Asbestos Abatement and Building Repair.

BE IT RESOLVED, by the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians, that the Chairperson or his designee is authorized and directed to execute and deliver contracts for the asbestos abatement and building repair projects for buildings 421 and 422 in Sawyer Village, with the scope of work for these contracts in the form attached, the contracts with Dore & Associates Contracting, and TriMedia Environmental & Engineering for the purpose of completing the asbestos abatement and building repair work for the 421 and 422 Sawyer Village Buildings.

BE IT FURTHER RESOLVED that the Chairperson or his designee is authorized to sign and execute any such contracts, agreements, and documents, and submit to the environmental regulators such reports and fees as may be necessary to the full completion of the asbestos abatement and repair project on these buildings.

BE IT FURTHER RESOLVED that the Board of Directors approves the budget modifications to cc 8171 to cover the costs of these abatement activities not to exceed \$250,000.00.

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BE IT FINALLY RESOLVED that the Board of Directors approves all legal actions necessary, including the filing of suit against those persons or companies responsible for the damages to these buildings, to seek compensation and reimbursement for the costs or clean up and repair of these buildings.

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

Moved by Director Pine, supported by Director Hollowell, to appoint John Causley Jr. to the Cultural Committee, for a four year term, expiring June 2017.

Motion carried with Directors Malloy, Causley abstaining.

Moved by Director Massaway, supported by Director Pine, to place the remaining items on the agenda on a workshop agenda, so the Chairperson can get on the road to Washington DC., with the exception of the HR. Director and the Health Access Priorities.

Motion carried with Directors Abramson opposing.

Moved by Director Sorenson, supported by Director Morrow, to hire Diane Griggs as H.R. Director.

Roll Call Vote: Motion carried with Directors Massaway, Hollowell, Anderson, Malloy, Chase, Causley, Morrow, Sorenson, McKelvie approving, Directors Pine, Abramson opposing.

Moved by Director Hollowell, supported by Director Morrow, to support and enact the Health Access Priorities, the openings of Escanaba, Marquette, Detour, Drummond Island and at no cost – Newberry, which is a total of \$15,900 per year for all and to find the funding within the Health Budget or tribal support.

Roll Call Vote: Motion carried with Directors Anderson, Massaway, Causley, Hollowell, Chase, Sorenson, Morrow approving, Directors Abramson, Pine, McKelvie, Malloy opposing.

Moved by Director Malloy, supported by Director McKelvie, to adjourn the meeting.

Motion carried unanimously.

Meeting adjourned: 9:32 p.m.

Date: 8-6-2013

Secretary: Cathy Abramson

Others present: John Wernet, Bill Connolly, Christine McPherson, Steve Sprecker, Russ McKerchie, Sheryl McKerchie, Bonnie Culfa, Jackie Minton, Cheryl LaPlaunt, Marlene Glaesmann, Juanita Bye, Joel Lumsden, Justin Derhammer, Joni Talentino, Mariea Mongene, Angeline Boulley, Jen Dale-Burton, Michael McKerchie, Vicki Puidoskas, Clarence Hudak, Joanne Carr.