

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN CASINO AND CONVENTION CENTER
SAULT STE. MARIE, MICHIGAN
MINUTES
October 7, 2014**

The meeting was opened at 6:05 p.m. by Chairperson Payment.

Present: Cathy Abramson, Dennis McKelvie, Kim Gravelle, Jennifer McLeod, DJ Hoffman, Lana Causley, Catherine Hollowell, Keith Massaway, Bridgett Sorenson, Denise Chase, Darcy Morrow, Rita Glyptis, Aaron Payment.

Absent:

Moved by Director Hollowell, supported by Director Hoffman, to recess and go back to the Matters Raised by the Membership.

Motion carried with Director Causley opposing.

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

Motion carried unanimously.

Moved by Director McKelvie, supported by Director Abramson, to suspend the rules and add the following resolutions to the agenda: Truancy Code; IHS Multi Year Funding Agreement; EPA –GAP Budget Mod; Budget Doc 002; and FERC motion.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director McLeod, to suspend the rules and add an Employment Matter.

Roll Call Vote: Motion carried with Directors McKelvie, McLeod, Sorenson, Abramson, Hollowell, Causley, Hoffman, Gravelle, Massaway approving, Directors Morrow, Glyptis, Chase opposing.

Presentation: Jennifer Dale-Burton from Communications presented the NCAI Interns – Cassie Holt, Michelle Castagne.

Moved by Director Hollowell, supported by Director Sorenson, to approve Res. 2014-180, Authorization for Signature Bureau of Indian Affairs Self Governance Annual Funding Agreements.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes Aaron Payment, Chairperson or designee, to sign, negotiate, amend, and execute any agreement thereof for the Bureau of Indian Affairs Self Governance Program, and Tribal Transportation Program.

Roll Call Vote: Motion carried unanimously.

Moved by Director Abramson, supported by Director Hollowell, to approve Res. 2014-181, Mackinac County Cooperative Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Cooperative Agreement between Mackinac County Road Commission and Sault Ste. Marie Tribe of Chippewa Indians, and authorizes expenditures up to \$39,657.51 from the Transportation Maintenance Fund, cost center 2931. Mackinac County Road Commission is completely responsible for the project.

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BE IT FURTHER RESOLVED, this AGREEMENT made and entered into by and between the Mackinac County Road Commission, a duly organized County Government and the Sault Ste. Marie Tribe of Chippewa Indians.

BE IT FURTHER RESOLVED, that the Chairman or his designee, is authorized and directed on behalf of the Sault Ste. Marie Tribe of Chippewa Indians to sign the Cooperative Agreement attached to this resolution as Exhibit A.

Motion carried unanimously.

Moved by Director Massaway, supported by Director McKelvie, to approve the resolution regarding health insurance.

Roll Call Vote: Motion denied with Directors McLeod, Abramson, Massaway, Causley, McKelvie, Hollowell approving, Directors Morrow, Hoffman, Chase, Glyptis, Gravelle, Sorenson opposing, Chairperson Payment voting to abstaining, therefore the resolution failed to pass.

Moved by Director Sorenson, supported by Director Causley, to approve Res. 2014-182, Acceptance- 2015 Indian Housing Plan.

NOW, THEREFORE, BE IT RESOLVED, the Sault Tribe Board of Directors accepts the 2015 Indian Housing Plan, Grant No. 55-IH-26-5480, as presented and does hereby request funding from the U. S. Department of Housing and Urban Development.

BE IT FURTHER RESOLVED, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors does agree to follow the HUD approved Indian Housing Plan in order to provide housing opportunities.

Roll Call Vote: Motion carried with Directors Causley, Abramson, Massaway, Hollowell, Sorenson, McLeod approving, Directors Hoffman, Gravelle, Chase, Morrow, Glyptis opposing.

Moved by Director Causley, supported by Director Morrow, to approve Res. 2014-183, Approving Lease Marquette Health Center.

BE IT HEREBY RESOLVED, that the Chairperson of the Tribe is authorized and directed to execute the lease for the property located at 1229 W. Washington Street, Marquette, Michigan.

Roll Call Vote: Motion carried with Directors McKelvie, McLeod, Sorenson, Morrow, Abramson, Hollowell, Glyptis, Chase, Causley, Gravelle, Massaway approving, Director Hoffman abstaining.

Moved by Director Massaway, supported by Director Causley, to approve Res. 2014-184, National Congress of American Indians 2014 Annual Convention Delegates and 2015 Dues.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Article III, Section 2 of the NCAI Constitution the Sault Ste. Marie Tribe of Chippewa Indians designates the following individuals as Delegates and Alternate Delegate and instructs them to become Individual Members in good standing in the NCAI in order to fulfill their responsibilities: Delegate: Aaron A. Payment, Chairperson; Alternate: Denise Chase, Director, Vice Chair; Alternate: Bridgett Sorenson, Director, Secretary; Alternate: Dennis McKelvie, Director, Treasurer; Alternate: Cathy Abramson, Director; Alternate: Jennifer McLeod, Director; Alternate: Kimberle Gravelle, Director; Alternate: DJ Hoffman, Director; Alternate: Catherine Hollowell, Director; Alternate: Lana Causley, Director; Alternate: Keith Massaway, Director; Alternate: Darcy Morrow, Director; Alternate: Rita Glyptis, Director; Alternate: Kenneth J. Ermatinger, Gaming Commission Director.

Motion carried unanimously.

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Moved by Director Sorenson, supported by Director Hoffman, to approve Res. 2014-185, Support for Permanent Reauthorization for the Special Diabetes Program for Indians.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians strongly supports S. 2830, which would permanently reauthorize the Special Diabetes Programs for Indians.

Motion carried unanimously.

Moved by Director Morrow, supported by Director Chase, to approve Res. 2014-186, Legal – Tax Agreement Admin FY 2014 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2014 budget modification to Tax Agreement Admin for an increase in Tribal Support of \$1,971.48.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director Hollowell, to approve Res. 2014-187, EPA GAP Establish FY 2015 Budget.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of the FY 2015 budget for EPA GAP with Federal EPA monies of \$110,000. No effect on Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director Massaway, supported by Director McLeod, to approve Res. 2014-188, IHS Multi Year Funding Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Tribe Board of Directors hereby approves the Funding Agreement as effective from October 1, 2014 through September 30, 2017, and authorizes the Tribal Chairperson to execute such Agreement on behalf of the Tribe.

Roll Call Vote: Motion carried unanimously.

Moved by Director Chase, supported by Director Morrow, to approve Res. 2014-189, FY 2015 Budget Document 002 Excluding Internal Services.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2015 Budget Document 002 (excluding Internal Services) totaling \$33,696,816 of which \$683,036 comes from Tribal Support.

Roll Call Vote: Motion carried with Directors McKelvie, McLeod, Sorenson, Morrow, Abramson, Hollowell, Glyptis, Chase, Gravelle, Massaway approving, Directors Causley, Hoffman opposing.

Moved by Director Abramson, supported by Director McLeod, to approve Res. 2014-190, Amending Tribal Code Chapter 36: Juvenile Code.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby amends Tribal Code, Chapter 36.502 to read as follows:

36.502 Initiation of Proceedings.

(1) Requests stating that a juvenile has committed a status offense pursuant to this subchapter may be submitted by the child, the child's parent, guardian or custodian, an appropriate social services agency and/or the juvenile probation officer.

A request stating that a child is habitually and without justification absent from school may also be submitted by an authorized representative of a local school board or governing authority of a private school.

(2) A petition pursuant to this subchapter shall not be filed unless the prosecutor has determined and endorsed upon the petition that the filing of the petition is in the best interest of the child and his family.

(3) A petition filed pursuant to this subchapter shall include:

- (a) The name, birth, date and residence address of the child.
- (b) The name and residence address of the parents, guardian or custodian of the child.
- (c) That the child and his or her parent, guardian or custodian has exhausted or refused appropriate and available services as evidenced by a report which shall be prepared and submitted by the juvenile probation officer at the same time the petition is filed, or, in the case of petition based upon a child's alleged habitual and unjustifiable absence from school, that a declaration as required under subsection (4) of this Chapter.
- (d) That Court intervention is necessary to secure services which are accessible to the Court.
- (e) The additional required allegations set forth in either subsection (4) or (5) of this Chapter.

(4) By signing a petition alleging that a child is habitually and without justification absent from school, the prosecutor is certifying that school has assessed if the following steps are necessary, and if necessary, that they were completed:

- (a) That the school and a child's parent, guardian or custodian have held a meeting or the child's parent, guardian or custodian has refused to attend a meeting to discuss the child's habitual and unjustified absence from school.
- (b) That the school has provided an opportunity for counseling to determine whether a curriculum change would resolve the child's problem and if the local school board or governing authority of a private school provides an alternative education program, that the child has been provided with an opportunity to enroll in the alternative education program.
- (c) That the school has conducted a review of the child's educational status which may include medical, psychological and/or educational testing of the child in accordance with the school regulations to determine whether learning problems may be a cause of the child's absence from school and, if so, what steps have been taken to overcome the learning problems.
- (d) That the social worker or other appropriate official of the child's school has conducted an investigation to determine whether social problems may be a cause of the child's absence from school, and, if so, that appropriate action has been taken.
- (e) That the school has sought assistance from appropriate agencies and resources available to the local school board or private school, or has referred the matter to a local social services agency for the purpose of utilizing and coordinating such agencies and resources.

It shall be a defense to the petition filed that one, or more, of the steps above were necessary and were not completed. A child, parent, or their attorney, can object to a petition, at any point prior to disposition, if the above steps were necessary but were not completed. If the court finds that the one or more of the steps above would have eliminated the need for the Court to take jurisdiction of the child and they were not completed, the Court may order that the necessary evaluation or service be completed, or the Court may dismiss the case.

(5) In addition to the allegations required under subsection (3) of this Chapter, a petition alleging that the child is incorrigible shall also allege that the filing of the petition was preceded by complying with each of the following that are applicable and appropriate:

- (a) The child and his family have participated in counseling or either the child or his family has refused to participate in family counseling.
- (b) The child has been placed in the home of a relative, if available, or the child has refused placement in the home of a relative.

(6) After a petition alleging that the child has committed a status offense has been filed, a summons shall be issued directed to the child, the child's parent, guardian or custodian, their counsel and to such other persons as the Court considers proper or necessary parties. The content and service of the summons shall be in accordance with '36.407 of this Chapter.

Motion carried with Directors Morrow, Hollowell, Glyptis, Chase opposing.

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Moved by Director Hoffman, supported by Director Morrow, to authorize the Legal Department to take initial steps to file a protest/intervention before the Federal Energy Regulatory Commission on behalf of the Sault Tribe in Midcontinent Independent System Operator, Inc., Docket Nos. ER14-2860-000 & ER14-2862-000, and to report back to the Board with recommendations on the available options with approximate cost estimates.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director Gravelle, to approve a budget modification to the MIS budget for an employee issue.

Roll Call Vote: Motion denied with Directors McLeod, Sorenson, Hollowell, Gravelle approving, Directors McKelvie, Morrow, Abramson, Glyptis, Chase, Causley, Massaway opposing, Director Hoffman abstaining.

Moved by Director Abramson, supported by Director McLeod, to reconsider the vote on the MIS budget.

Roll Call Vote: Motion carried with Directors McKelvie, McLeod, Sorenson, Abramson, Causley, Hoffman, Gravelle, Massaway approving, Directors Morrow, Hollowell, Glyptis, Chase opposing.

Moved by Director Sorenson, supported by Director Gravelle, to approve a budget modification to the MIS budget for an employee issue.

Roll Call Vote: Motion denied with Directors McLeod, Sorenson, Abramson, Hollowell, Gravelle approving, Directors McKelvie, Morrow, Glyptis, Chase, Causley, Massaway opposing, Director Hoffman abstaining.

Without Objection, the meeting is adjourned. No one objected.

Meeting adjourned: 8:48 p.m.

Date: 11-25-14

Secretary: Bridgett Sorenson

Others present: John Wernet, Bill Connolly, Brenda Johnson, Angeline Bouley, Mike McCoy, Trish Gough, Russ McKerchie, Joanne Carr.