

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN CASINO AND CONVENTION CENTER
SAULT STE. MARIE, MICHIGAN
MINUTES
JANUARY 24, 2012**

The meeting was opened at 6:10 p.m. by Chairman Eitrem.

Present: Bernard Bouschor, Debra Pine, DJ Malloy, Lana Causley, Catherine Hollowell, Keith Massaway, Pat Rickley, Denise Chase, Tom Miller, Joan Anderson, Joe Eitrem.

Absent: Cathy Abramson.

Moved by Director Massaway, supported by Director Malloy, to excuse Director Abramson.

Motion carried unanimously.

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

Motion carried unanimously.

Moved by Director Bouschor, supported by Director Pine, to suspend the rules and add the resolution regarding Health Care.

Motion carried unanimously.

Representation: Michael McKerchie, Election Committee Chairman, presented the Notice of Election.

Moved by Director Rickley, supported by Director Hollowell, to approve Res. 2012-10, Approving Contract Bruce R. Greene & Associates, LLC.

Resolved, that the Board of Directors hereby approves the contract between the Sault Ste. Marie Tribe of Chippewa Indians and Bruce R. Greene & Associates, LLC., ending December 31, 2012, for the purpose of providing legal services to the Tribe.

Motion carried unanimously.

Moved by Director Rickley, supported by Director Miller, to approve Res. 2012-11, Approval of Comprehensive Development Agreement with the City of Lansing, Michigan Authorization to Purchase Land in Lansing, Michigan Using Income from the Land Settlement Trust Fund Approval of Intergovernmental Agreement with the City of Lansing, Michigan.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby approves the proposed Lansing CDA and authorizes the Tribal Chairman to execute that agreement and to subsequently acquire the parcels of land described in that agreement, subject to the terms and conditions set forth in the agreement, and further authorizes the Chairman or his designee to sign, amend, and execute any documents necessary to effectuate the purposes of this resolution.

BE IT FURTHER RESOLVED, that the Board of Directors hereby determines that the purchase of the lands described in the Lansing CDA will consolidate or enhance tribal landholdings, will generate an economic development opportunity beneficial to the Tribe and its members, and that, accordingly, the Tribal Chairman is

authorized and directed to accomplish that purchase using interest and/or income from the Self-Sufficiency Fund, notwithstanding the provisions of Resolution 98-47, which shall otherwise remain in force and effect.

BE IT FURTHER RESOLVED, that the Board of Directors likewise approves the proposed Intergovernmental Agreement with the City of Lansing (the Lansing IGA) and authorizes the Tribal Chairman or his designee to execute and to take all necessary steps to implement that agreement.

BE IT FURTHER RESOLVED, that the Board of Directors hereby expressly approves and authorizes the specific limited waiver of sovereign immunity and of tribal court jurisdiction set forth in Article 8 of the Lansing CDA and the similar limited waiver of immunity set forth in section 7 of the Lansing IGA provided that, as is set forth more fully in those agreements, each such waiver:

1. is granted solely for the limited purpose of enforcement of the agreement within which it is contained;
2. extends only to claims that are (a) brought by the city of Lansing, (b) allege a breach of one or more specific obligations or duties under the applicable agreement, and (c) seek specific performance and/or injunctive relief;
3. shall continue for the longer of one (1) year following the termination of the agreement or two (2) years after the claim accrues or is discovered upon the exercise of due diligence; and
4. is enforceable in the United States District Court for the Western district of Michigan or any federal court having appellate jurisdiction over that court.

BE IT FURTHER RESOLVED, that prior to the closing date on each of the two parcels of land described in the Lansing CDA, the Tribe's Chief Financial Officer is directed to identify alternative tribal funds that shall be used to supplement the next subsequent annual distribution to the tribal elders under Resolution 98-47 in an amount sufficient to avoid any reduction in the amount of that distribution that would otherwise result from the acquisition of that parcel as authorized by this resolution.

BE IT FINALLY RESOLVED, that at such time as the enterprise contemplated by this resolution begins to generate income from the Gaming Authority to the Tribe, after the payment of all necessary cost and expenses:

1. Ten percent (10%) of the annual income to the Tribe from this project shall be deposited in the Self-Sufficiency Fund as an addition to principal as authorized by section 108(1)(C) of the Act;
2. Three percent (3%) of the annual income to the Tribe from this project shall be distributed among and deposited in the following funds: the Elder Health Self-Sufficiency Fund, the Elder Employment Self-Sufficiency Fund, the Funeral Assistance Self-Sufficiency Fund, and the Education Assistance Self-Sufficiency Fund; and
3. Two percent (2%) of the annual income to the Tribe from this project shall be deposited into a fund to establish a college scholarship program for the tribal members irrespective of blood quantum.
4. The intention of this Board is to bring parity in wages and benefits to the members in the seven county service area.

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

Moved by Director Bouschor, supported by Director Rickley, to approve Res. 2012-12, Trust Land Lease – Lot(s) 652 & 653, David Erickson, Kinross, Michigan.

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairman, and Treasurer, to execute a lease to the land located at Kinross, Michigan to, David F. Erickson, a single man, land being described as follows: Lots 652 & 653, Cedar Grove Estates III
This rescinds resolution 2010-215.

Motion carried unanimously.

Moved by Director Bouschor, supported by Director Rickley, to approve Res. 2012-13, Trust Land Lease – Lot 638, Erickson, Kinross, Michigan.

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairman and Treasurer to execute a lease to the land located at Kinross, Michigan to, Dwight N. Erickson, land being described as follows: Lot 638 Cedar Grove Estates III.

Motion carried unanimously.

Moved by Director Bouschor, supported by Director Rickley, to approve Res. 2012-14, Trust Land Lease – Lot 165, Carpentier, Kinross, Michigan.

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairman and Treasurer to execute a lease to the land located at Kinross, Michigan to, Paul F. and Patricia A. Carpentier, land being described as follows: Lot 165 Cedar Grove Estates I

Motion carried unanimously.

Moved by Director Bouschor, supported by Director Rickley, to approve Res. 2012-15, Trust Land Lease – Lot 607, Bradley, Kinross, Michigan.

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairman, and Treasurer, to execute a lease to the land located at Kinross, Michigan to, Clinton D. Bradley, a single man, and Doris L. Bradley, a married woman, land being described as follows: Lot 607 Cedar Grove Estates III

Motion carried unanimously.

Moved by Director Bouschor, supported by Director Rickley, to approve Res. 2012-16, Trust Land Lease – Lot 508, Calkins, Kinross, Michigan.

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairman, and Treasurer, to execute a lease to the land located at Kinross, Michigan to, Robbie E. Calkins and Barbara Calkins, husband and wife, land being described as follows: Lot 508 Cedar Grove Estates III

Motion carried unanimously.

Moved by Director Bouschor, supported by Director Rickley, to approve Res. 2012-17, Trust Land Lease – Shagen, 2290 Shawano Drive, Sault Ste. Marie, Michigan.

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairman, and Treasurer to execute a lease to the land located at Sault Ste. Marie, Michigan to, Delmar W. Shagen and Sherry L. Shagen, husband and wife, land being described as follows:

Part of Section 16, Town 47 North, Range 1 East, City of Sault Ste. Marie, Chippewa County, Michigan, more particularly described as commencing at the Northwest corner of said Section 16; thence S02°07'00"W 425.00 feet along the West line of said Section 16; thence S87°53'00"E 33.00 feet to the East right-of-way line of Shunk Road; thence S87°53'00"E 100.00 feet along the Southerly right-of-way line of Shawano Drive; thence

Easterly 276.54 feet along a curve to the right in said right-of-way line, having a radius of 770.00 feet, a central angle of 20°34'39" and a long chord bearing S77°35'40" E 275.06 feet; thence Southeasterly 281.28 feet along a curve to the right in the Southerly and Westerly right-of-way line of Shawano Drive, having a radius of 230.00 feet, a central angle of 70°04'13" and a long chord bearing S32°16'14"E 264.08 feet; thence S02°45'52"W 100.00 feet along said Westerly right-of-way line; thence Southerly 195.78 feet along a curve to the right in said right-of-way line, having a radius of 891.23 feet, a central angle of 12°35'12" and a long chord bearing S09°03'25"W 195.39 feet to the POINT OF BEGINNING; thence Southerly 112.29 feet along a curve to the right in said right-of-way line, having a radius of 891.23 feet, a central angle of 07°13'18" and a long chord bearing S18°57'36" W 112.22 feet; thence N67°25'50"W 148.65 feet; thence N09°33'10" E 93.79 feet; thence S74°38'58"E 164.01 feet to the POINT OF BEGINNING.
This rescinds resolution 2011-139.

Motion carried unanimously.

Moved by Director Bouschor, supported by Director Rickley, to approve Res. 2012-18, Trust Land Lease – Waucaush, 1668 E. Wolverine, Sault Ste. Marie, Michigan.

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairman, and Treasurer to execute a lease to the land located at Sault Ste. Marie, Michigan to, Charles Waucaush and Colleen Waucaush, husband and wife, land being described as follows:

A parcel of land located in the Southwest ¼ of the Northeast ¼ and the Northwest ¼ of the Northeast ¼ of Section 29, Town 47 North, Range 1 East, Soo Township, Chippewa County, Michigan being more particularly described as follows:

Commencing at the West ¼ corner of Section 29, Town 47 North, Range 1 East; thence South 87° 41' 17" East, along the South line of the Northwest ¼ of said Section 29, a distance of 1319.99 feet to the Southwest corner of the Southeast ¼ of the Northwest ¼ of said Section 29; thence North 1 ° 46' 50" East, along the West line of the Southeast ¼ of the Northwest ¼ of said Section 29, a distance of 373.91 feet to the Centerline of Polaris Drive; thence South 88° 09' 52" East, along said Centerline, 391.03 feet to the Centerline of Polaris Drive; thence North 1° 50' 08" East, along said Centerline, 383.00 feet; thence South 88° 09' 52" East, 33.00 feet to the Easterly right-of-way of Polaris Drive; thence continuing South 88° 09' 52" East, 802.65 feet; thence North 66° 39' 44" East, 608.93 feet; thence North 81° 47' 38" East, 391.24 feet to the Point of Beginning of the herein described parcel; thence North 8° 12' 22" West, 250.00 feet to the Southerly right-of-way of Wolverine Lane; thence North 81°47'38" East, along said Southerly right-of-way, 119.11 feet; thence 35.39 feet along a curve with its center to the South having a radius of 25.00 feet, a chord of 32.51 feet, and a chord bearing of South 57° 39' 04" East to the Westerly right-of-way of Polaris Drive; thence 236.09 feet along said Westerly right-of-way, and along a curve with its center to the East having a radius of 393.00 feet, a chord of 232.55 feet, and a chord bearing of South 34° 18' 19" East; thence 26.23 feet along said Westerly right-of-way, and along a curve with its center to the West having a radius of 242.00 feet, a chord of 26.22 feet, and a chord bearing of South 48° 24' 36" East; thence South 81° 47' 38" West, 263.16 feet to the Point of Beginning.
Containing 1.06 acres of land more or less.

Motion carried unanimously.

Moved by Director Miller, supported by Director Massaway, to approve Res. 2012-19, Cultural Division – NPS Grant 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 NPS Grant for an increase in Federal Revenue of \$18,835.46. This budget modification reflects the carry over amount from FY 2011. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Malloy, supported by Director Causley, to approve Res. 2012-20, Cultural Division – Institute of Museum and Library Services 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 Institute of Museum and Library Services to establish a budget with Other Revenue of \$7,000.00. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Chase, supported by Director Malloy, to approve Res. 2012-21, Family Violence Grants FY 2012 Budget Modifications.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2012 budget modifications to establish a budget for the Family Violence Grant and to modify the existing budget for the Family Violence Grant, for an increase in Federal Health and Human Services monies of \$13,698.14. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Malloy, supported by Director Chase, to approve Res. 2012-22, Child Care Development Fund FY 2012 Budget Modifications.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2012 budget modifications to establish a budget for the Child Care Development Fund and to modify the existing budget for the Child Care Development Fund, for an increase in Federal Health and Human Services monies of \$134,717.42. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Rickley, supported by Director Chase, to approve Res. 2012-23, Community Service Block Grants FY 2012 Budget Modifications.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2012 budget modifications to establish a budget for the Community Service Block Grant and to modify the existing budget for the Community Service Block Grant, for a decrease in Federal Health and Human Services monies of \$4,972.12. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Hollowell, to approve Res. 2012-24, Health Care Innovation Challenge Grant.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Health Division to submit an application for the Health Care Innovation Challenge Grant through the Department of Health and Human Services, Centers for Medicare and Medicaid Services, Center for Medicare and Medicaid Innovation.

BE IT FURTHER RESOLVED, that Joseph V. Eitrem or a duly assigned individual, is authorized to execute or amend all documents relating to the grant application and award.

Motion carried unanimously.

Moved by Director Malloy, supported by Director Rickley, to reappoint Shirley Goudreau and Heather Alstrom to the Housing Commission, for a four year term, expiring January 2016.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Rickley, to appoint William Brown and Jerry Garries to the Unit Three Elders Subcommittee, both for a four year term, expiring January 2016.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Miller, to approve changing the February 28, 2012 Board of Directors meeting date to February 21, 2012, due to the United Tribes meeting.

Motion carried unanimously.

Unit One Nominations: Nominees need a vote of 7 to be approved.

Judy LaJoyce by Bernard Bouschor: Motion denied with Directors Hollowell, Bouschor, Pine, Causley approving, Directors Anderson, Miller, Chase approving, Directors Rickley, Malloy, Massaway abstaining.

DJ Hoffman by Tom Miller: Motion denied with Directors Anderson, Causley, Chase, Miller, Malloy approving, Directors Hollowell opposing, Directors Pine, Massaway, Bouschor, Rickley abstaining.

Bud Biron by Deb Pine: Motion denied with Directors Hollowell, Pine, Bouschor approving, Directors Anderson, Miller opposing, Directors Massaway, Malloy, Chase, Causley, Rickley abstaining.

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

Roll Call Vote: Motion carried with Director Malloy opposing.

Meeting adjourned: 7:12 p.m.

Date: 2-14-12 Secretary: _____

Others present: Vic Matson, Bill Connolly, John Wernet, Kristi Harwood-Causley, Bob Marchand, Rich Rand, Tony Goetz, Tara Benoit, Michelle Bouschor, Brenda Jeffreys, Cheri Goetz, Jen Dale-Burton, Carol Eavou, Joanne Carr.