

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN SHORES CASINO
ST. IGNACE, MICHIGAN
MINUTES
February 26, 2013**

The meeting was opened at 6:00 p.m. by Chairperson Payment.

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

Absent: Joan Anderson.

Moved by Director Chase, supported by Director Massaway, to excuse Director Anderson from the meeting.

Motion carried unanimously.

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

Motion carried unanimously.

Moved by Director Malloy, supported by Director McKelvie, to suspend the rules and add the resolutions regarding the CTAS Grant and the Technical Budget Modification.

Roll Call Vote: Motion unanimously.

Moved by Director Causley, supported by Director McLeod, to approve the Minutes of 2-5-2013, as written.

Motion carried with Director Abramson abstaining.

Moved by Director McKelvie, supported by Director Massaway, to approve Res. 2013-36, Coordinated Tribal Assistance Solicitation.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste Marie Tribe of Chippewa Indians hereby authorizes application to the Coordinated Tribal Assistance Solicitation for FY 2013. BE IT FURTHER, RESOLVED, that Aaron Payment, Tribal Chairperson, or designee, is hereby authorized to submit said proposal to the Department of Justice, to negotiate, execute, and amend any documents resulting there from on the Tribe's behalf.

Motion carried unanimously.

Moved by Director McKelvie, supported by Director McLeod, to approve Res. 2013-37, Fiscal Year 2013 Enterprises Capital Purchases Budget – 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 #2012-243 to correct the total Enterprises Fiscal Year 2013 Capital Purchases Budget from \$467,571 to \$481,571.

Roll Call Vote: Motion carried unanimously.

Moved by Director Massaway, supported by Director Sorenson, to approve Res. 2013-38, Appointment of John Lemire as a Reserve Appellate Judge.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby appoints John Lemire to serve as a Reserve Appellate Judge for the Sault Ste. Marie Tribe of Chippewa Indians Court of Appeals, for a three (3) year term beginning January 26, 2013.

BE IT FURTHER RESOLVED that the Board of Directors authorizes the Chairperson or his designee to contract with Attorney John Lemire for the position of Reserve Appellate Judge.

Motion carried unanimously.

Moved by Director Abramson, supported by Director Morrow, to approve Res. 2013-39, VOCA Grant Program Victim of Crime Act.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes application to the Crime Victim Services Commission for funding of VOCA Program for FY 2014.

BE IT FURTHER RESOLVED, that Aaron A. Payment, Tribal Chairperson, is hereby authorized to submit said proposal to the State of Michigan Crime Victim Services Commission, to negotiate, execute, and amend any documents resulting therefrom on the Tribe's behalf.

Motion carried unanimously.

Moved by Director Malloy, supported by Director McKelvie, to approve Res. 2013-40, U.S. Department of Housing and Urban Development (HUD) FY 2013 Community Development Block Grant Program for Indian Tribes and Alaska Native Villages.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Tribe Board of Directors hereby authorizes the Sault Tribe Housing Authority Director or its duly authorized representative, to submit an application requesting \$600,000 for the FY 2013 Community Development Block Grant Program for Indian Tribes and Alaska Native Villages (ICDBG), administered by the Department of Housing & Urban Development (HUD) to provide correct the drainage issue at JK Lumsden Way and repair the crawl spaces of twenty (20) homes.

Motion carried unanimously.

Moved by Director Morrow, supported by Director McLeod, to approve Res. 2013-41, 2013 ICDBG 24 CFR Requirement.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Tribe Board of Directors hereby confirms that the requirements of 24 CFR 1003.604(a) have been met by the Housing Authority. That all comments have been considered and any modifications to the proposed application have been made.

Motion carried unanimously.

Moved by Director Causley, supported by Director Abramson, to approve Res. 2013-42, National Indian Gaming Association.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the payment of dues for NIGA membership of \$15,000.

BE IT FURTHER RESOLVED, that the Board of Directors hereby appoints the following as the Tribe's representative to NIGA – Aaron A. Payment; as Alternates – Debra Pine, Jennifer McLeod, Keith Massaway, Darcy Morrow, Kenneth J. Ermatinger, Tony Goetz.

Motion carried unanimously.

Moved by Director Causley, supported by Director Hollowell, to table the resolution regarding MH-1.

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

Moved by Director Malloy, supported by Director McLeod, to approve Res. 2013-43, Chippewa Ottawa Resource Authority Nelson V. Renner, Et Al, File No. 09-6774-CH.

NOW, THEREFORE, BE IT RESOLVED, that the United States immediately file suit against Ronald and Beverly Nelson to quiet title to the property in question and to carry out its trust responsibilities to the Sault Ste. Marie Tribe of Chippewa Indians to protect and defend the tribes' property interests to this important site for the exercise of rights guaranteed by treaty with the United States.

BE IT FURTHER RESOLVED, that the United States take all necessary and appropriate actions to preclude the issuance of any order or judgment by the Mackinac County Circuit Court or any Michigan appellate court which impairs or impedes or calls into question the legal rights of members of the Sault Ste. Marie Tribe of Chippewa Indians to utilize the property in question in the exercise of their treaty usufructuary rights.

Motion carried unanimously.

Moved by Director McKelvie, supported by Director Morrow, to approve Res. 2013-44, Relating to the Sale of Property the Kewadin Casino Lakefront Inn St. Ignace, Michigan Real Property.

NOW, THEREFORE, BE IT RESOLVED, that the Tribe through its Board of Directors specifically authorizes and directs its Tribal Chairman and Treasurer, or their designee has may be appropriate, to perform the Sale of Real Property for the agreed upon purchase price. The Chairman and Treasurer are specifically authorized to execute all agreements, certificates, instruments, or other documents as may be required, and to take any and all action necessary or convenient to complete the Sale of Real Property, Lakefront Inn, St. Ignace.

Motion carried unanimously.

Moved by Director Hollowell, supported by Director McLeod, to approve Res. 2013-45, Amending Chapter 21: Hunting and Inland Fishing Marten Regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby amends Tribal Code Chapter 21: Hunting and Inland Fishing as follows:

21.704 Furbearers.

- (1) Firearm and Trapping Seasons shall be:
 - (a) For bobcat, badger, grey fox, red fox, muskrat, raccoon and mink October 1 through March 31.
 - (b) For snowshoe hare, cottontail rabbit, red squirrel, grey squirrel, black squirrel and fox squirrel September 1 through March 31.
 - (c) For fisher and marten October 1 through March 15.
 - (d) Otter and beaver - October 1 through May 15 in the Upper Peninsula and October 1 through April 15 in the Lower Peninsula.
 - (e) Coyote, skunk, weasel, porcupine and opossum no closed season.
- (2) Bag limits shall be:
 - (a) For bobcat two (2) per season with a maximum of one (1) bobcat harvested from Lower Michigan.
 - (b) ~~For pine marten and fisher three (3) per season, only in the Upper Peninsula.~~ For pine marten two (2) per season and fisher three (3) per season, only in the Upper Peninsula.
 - (c) For otter three (3) per season in the Upper Peninsula and one (1) per season in the Lower Peninsula.
 - (d) For rabbit and squirrel a limit of ten of each species per day and a possession and transport of no more than two days limit.
 - (e) **All other species have no bag limit.**

Motion carried unanimously.

Moved by Director Malloy, supported by Director Hollowell, to approve Res. 2013-46, Approving the Forest/Woodland Management Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby approve and authorizes the Chairperson Aaron Payment to sign the Forest/Woodland Management Plan for the Sault Ste. Marie Tribe of Chippewa Indians as attached.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director Massaway, to approve Res. 2013-47, ACFS – Sexual Assault Services 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 Sexual Assault Services to increase Federal DOJ monies \$23,090.22 to change the personnel sheet. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director Massaway, to approve Res. 2013-48, St. Ignace Clinic, FY 2013 Budget.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the budget modification to the FY 2013 budget for St. Ignace Clinic to change the personnel sheet and reallocate expenses. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Causley, supported by Director Morrow, to approve Res. 2013-49, Education – Head Start BIA (Proposal 2) 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 Head Start BIA to increase Tribal Support \$8,742.18 and to decrease Federal BIA monies \$18,625.30 to the actual grant award amount.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director Massaway, to approve Res. 2013-50, Midjim – St. Ignace FY 2013 Capital Purchases 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 Enterprise Capital Purchases budget modification for an increase to Midjim St. Ignace of \$11,274.00 for their Surveillance System.

Motion carried unanimously.

Moved by Director Hollowell, supported by Director Chase, to table the resolution regarding the Gaming Commission.

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

Moved by Director Sorenson, supported by Director Morrow, to approve Res. 2013-51, EPA Water Quality 10-11 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 EPA Water Quality 10-11 to change the personnel sheet, re-allocate funds, reduce Federal – EPA monies \$26,957.62 and increase Tribal Support \$2,528.54.

Motion carried unanimously.

Moved by Director Malloy, supported by Director Sorenson, to approve Res. 2013-52, EPA Brownfields 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 EPA Brownfields to change the personnel sheet. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director McKelvie, supported by Director McLeod, to table the resolution regarding the Grimes Property.

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

Minutes
2-26-2013

Moved by Director McKelvie, supported by Director Massaway, to appoint DJ Hoffman, to the Child Welfare Committee, for a four year term, expiring February 2017.

Motion carried unanimously.

Moved by Director Causley, supported by Director Hollowell, to appoint Paul Barbeaux, Jim Preseau, and Albert LaBlance to the Great Lakes Conservation Committee, all for four terms, expiring February 2017.

Motion carried unanimously.

Moved by Director Hollowell, supported by Director Malloy, to appoint Jackie Halfaday-Minton, Gary Derwin, Clarence Hudak, and Jennifer Dale-Burton to the Inland Conservation Committee, all for four terms, expiring February 2017.

Motion carried unanimously.

Moved by Director Abramson, supported by Director Hollowell, to cancel the March 5, 2013 Board of Directors meeting, due to the Chairperson traveling to Washington D.C.

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

Moved by Director Causley, supported by Director Chase, to suspend the rules and add an alternate date for the March 5, 2013 meeting.

Roll Call Vote: Motion denied with Directors Massaway, Hollowell, Abramson, Malloy, Chase, Causley, Morrow, Sorenson approving, Directors Pine, McLeod, McKelvie opposing. Note: Although the vote passed by a majority (8to 3), the majority had to be a favorable vote of at least 9 approving.

Moved by Director Pine, supported by Director Causley, to adjourn the meeting.

Motion carried with Directors Hollowell, Malloy opposing.

Meeting adjourned: 7:17 p.m.

Date: 3-26-13

Secretary: Cathy Abramson

Others present: John Wernet, Bill Connolly, Angeline Bouley, Christine McPherson, Bob Marchand, Tony Goetz, Joni Talentino, Steve Sprecker, Aaron Schlehber, Tom Gorenflo, Eric Clark, Bob DeRusha, Sheryl McKerchie, Russ McKerchie, Lisa Sawruk, Jason Grondin, Mike McCoy, Ken Ermatinger, Cheryl LaPlaunt, Clarence Hudak, Jennifer Tadgerson, Joanne Carr.