

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN SHORES
ST. IGNACE, MICHIGAN
JUNE 3, 2014
6:00 P.M.**

- I. CALL TO ORDER
- II. INVOCATION: Prayer, Smudging, Presentation of Grandfathers
- III. ROLL CALL
- IV. PRESENTATION:
- V. MINUTES: 5-14-2014

- VI. RESOLUTIONS: City of SSM- Sewer Purchase Agreement
Budget Mod: Health Division
Am. Limited Delegation of Auth to Chairperson

- VII. NEW BUSINESS: Committee Appt/Resignations

- VIII. ADJOURN TO EXECUTIVE SESSION:

- IX. RECONVENE AND REAFFIRM

- X. ADJOURN

RESOLUTION NO: _____

**CITY OF SAULT STE. MARIE
SEWER PURCHASE AGREEMENT
SEWER OPERATIONS AND MAINTENANCE AGREEMENT**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians ("Tribe") is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, as amended; and

WHEREAS, the Tribe has secured USDA, and Indian Community Development Block grant funding to construct sewer infrastructure to connect the Odenaang community to city sewer service; and

WHEREAS, a Sewer Operations and Maintenance Agreement, as well as, the Sewer Purchase Agreement is required by USDA and is necessary to identify roles and responsibilities of both the Tribe and the City of Sault Ste. Marie; and

WHEREAS, the Tribe wishes to enter into agreements with the City of Sault Ste. Marie for the purposes of governing the sewer service arrangements for the Odenaang Development; and

WHEREAS, the Tribe and the City of Sault Ste. Marie recently negotiated the specific provisions and financial obligations under the Sewer Operations and Maintenance Agreement and the Sewer Purchase Agreement, as specified by USDA guidance and such provisions and amounts have been found acceptable to this Board.

NOW, THEREFORE, BE IT RESOLVED, that the Chairperson of the Tribe, or his designee, is hereby authorized to complete the negotiations for a set of agreements with the City of Sault Ste. Marie for the purposes of providing Sewer service to the Odenaang Subdivision, and to execute such Agreements, within his sound discretion, as may be necessary to finalize this project on behalf of the Tribe.

C E R T I F I C A T I O N

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2014; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ members for, _____ members against, _____ members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

Cathy Abramson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**HEALTH DIVISION FY 2014 BUDGET MODIFICATIONS
ELIMINATION OF TRIBAL SUPPORT AND DISTRUBUTION OF
UNALLOCATED FEDERAL IHS FUNDS**

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 following Health Division Programs: Contract Health, Mental Health, IHS After Care, Community Health Technician, Health Center Administration, Health Center Optical, Health Center Medical/Nursing, Health Center Dental, Health Center X-Ray, Health Center Maintenance Improvements Cap Outlay, St. Ignace Clinic, Manistique Clinic, Munising Clinic, Traditional Medicine, and Newberry Clinic, to reduce Tribal Support \$520,747.48 and allocate an additional \$1,611,059.04 Federal IHS funds.

C E R T I F I C A T I O N

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2014; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ members for, _____ members against, _____ members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

Cathy Abramson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

AMENDING LIMITED DELEGATION OF AUTHORITY TO THE CHAIRPERSON

WHEREAS, on March 20, 2010, the Tribe held a Secretarial election to amend its Constitution and Bylaws; and

WHEREAS, pursuant to that election, the members of the Tribe amended Article II, Section 1 of the Bylaws entitled Duties of Officers by deleting language that had directed the Chairperson to “perform all duties consistent with the office as chief executive officer of the tribe;” and

WHEREAS, as so amended, Article II, Section 1 of the Bylaws now provides that the duties of the chairperson are to “preside over all meetings of the board of directors and exercise any other lawful authority delegated the chairperson by the board of directors” and to “vote only in the case of a tie unless otherwise provided by the tribe’s constitution and bylaws”; and

WHEREAS, Article IV of the Constitution provides that “[t]he governing body of the Sault Ste. Marie Tribe of Chippewa Indians shall consist of a board of directors”; and

WHEREAS, the effect of the amendment approved by the Secretarial election is to confirm that the authority to direct the operations of the Tribe is not vested independently in the office of the Chairperson but, rather, in the Board of Directors as provided in Article VII of the Constitution; and

WHEREAS, Article VII, Section 1 of the Constitution assigns specific authority to the Board of Directors including the authority to “negotiate and consult with the Federal, State, and local governments”; “expend funds for the public purposes of the tribe”; “adopt resolutions, ordinances and a code” on various subjects within the jurisdiction of the tribe; “manage, lease, sell, acquire or otherwise deal with tribal lands ... or other tribal assets”; and to “manage any and all economic affairs and enterprises of the tribe”; and

WHEREAS, Article VII, Section 1(n) of the Constitution expressly authorizes the Board of Directors to delegate powers and authority to a subordinate tribal officer, board, committee, or group, “reserving the right to review any action taken by virtue of such delegated power or to cancel any delegation;” and

WHEREAS, it is necessary to the efficient operation of the Tribe’s governmental and business operations that a single person be delegated the authority to serve as the policy representative of the Board and to manage the day to day operations of the Tribe, subject to the authority of the Board of Directors to review and approve, modify, or rescind any such action and in furtherance of that Resolution No: 2012-146 was adopted on July 13, 2012, authorizing the Chairperson to perform duties generally consistent with the role of a chief executive officer; and

WHEREAS, the Board of Directors has determined that it is required to honor the March 20, 2010, amendment to the Constitution and Bylaws and desires to repeal the authorization given the office of the Chairperson in Resolution No: 2012-146 by herein redistributing those duties generally administered by a chief executive officer as identified below.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby rescinds Resolution No: 2012-146.

BE IT FURTHER RESOLVED, that the Board of Directors acknowledges those powers inherent in the office of the Chairperson such as serving as the ceremonial figure head of the Tribe for public events and visiting dignitaries, serving as the spokesperson for the Tribe on issues requiring a singular voice and carrying out those duties specifically assigned in the Constitution and Bylaws.

BE IT FURTHER RESOLVED, that the Board of Directors declares that until ordered otherwise by the Board of Directors, the Executive Director for Internal Services shall perform the following duties:

1. Subject to the provisions of paragraphs 2 below, the Executive Director of Internal Services is authorized and directed to manage and direct the day to day operations of the Tribe including but not limited to the following; guiding and directing tribal governmental and business operations to ensure operational efficiency, quality, service, and cost-effective management of resources and performing all administrative and management functions required to be performed pursuant to the current organizational chart; and

2. In the exercise of the authority delegated to the Executive Director of Internal Services by the Board of Directors in paragraph 1, the Executive Director of Internal Services shall consult with and shall be subject to the direction and review of the Board of Directors consistent with Article VII, Section 1(n) of the Constitution. All actions taken by the Executive Director of Internal Services pursuant to this delegated authority shall be subject to the authority of the Board of Directors and the Board may review, approve, modify, or rescind any such action. The Executive Director of Internal Services shall report to the Board of Directors at each regularly scheduled board workshop and shall provide an update of any activities, issues, decisions, or other matters requiring the attention of the board. In the event that the Executive Director of Internal Services is unable to attend any such workshop, the Executive Director of Internal Services shall assign a designee to provide that report.

3. All organizational charts shall be amended to reflect the reassignment of duties herein.

CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2014; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ members for, _____ members against, _____ members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

Cathy Abramson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

**BOARD OF DIRECTORS REGULAR MEETING
JUNE 3, 2014**

Sponsor's List

I.

RESOLUTIONS:

City of SSM- Sewer Purchase Agreement – Joni Talentino
Budget Mod: Health Division - Bonnie Culfa
Am. Limited Delegation of Auth to Chairperson – Director McLeod

NEW BUSINESS:

Committee Appt/Resignations – Various Committees

MEMORANDUM

TO: Board of Directors
FROM: Joanne Carr, Board Secretary
DATE: May 29, 2014
RE: Workshop Agenda for June 3, 2014

AGENDA

A.M. is Closed

9:00 a.m. – Gaming Commission Meeting/Hearing

10:00 a.m. – Audit
(Please bring your booklet)

11:00 a.m. - Legal

Lunch

1:00 p.m. – Res. 2012-146

2:30 p.m. – Survey Resolution

3:00 p.m. - Review of the Agenda

5:00 p.m. – Matters Raised by the Membership

6:00 p.m. – Regular Meeting of the Board of Directors