

**BOARD OF DIRECTORS REGULAR MEETING
NAUBINWAY COMMUNITY CENTER
NAUBINWAY, MICHIGAN
MAY 20, 2014
6:00 P.M.**

- I. CALL TO ORDER
- II. INVOCATION: Prayer, Smudging, Presentation of Grandfathers
- III. ROLL CALL
- IV. PRESENTATION:
- V. MINUTES: 04-29-2014
05-06-2014

- VI. RESOLUTIONS: Participation Mi Public Health Institute
Family Violence Prevention
Establishing Negotiation Committee
Request for Tribal Assistance - Research
Budget Establish:
 Health Ed – Community Health
 GLRI
Budget Mod:
 Transportation Planning
 L.E. – Tribal Homeland Security
 Tribal Court – Tribal Youth
Approval of Surveys
Amending the Delegation of Authority

- VII. NEW BUSINESS: Relinquishment/Disenrollment
Varioius Committee Request

- VIII. ADJOURN TO EXECUTIVE SESSION:

- IX. RECONVENE AND REAFFIRM

- X. ADJOURN

RESOLUTION NO: _____

APPROVAL FOR PARTICIPATION IN MICHIGAN PUBLIC HEALTH INSTITUTE CASE STUDY INVESTIGATING CHARACTERISTICS OF TRIBAL PUBLIC HEALTH SYSTEM ORGANIZATION AND PERFORMANCE

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

WHEREAS, the Sault Ste. Marie Tribe has affirmed the commitment to eliminate health disparities and promote the health of Tribal members; and

WHEREAS, the Michigan Public Health Institute has selected the Sault Tribe Community Health Department as a community research partner for the Public Health Services and Systems Research program.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes Aaron Payment, Tribal Chairman, to sign, negotiate, amend, and execute any agreements thereof for the community research partner case study conducted by the Michigan Public Health Institute.

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vote of _____ members for, _____ members against, _____ members abstaining, and that said resolution has not been rescinded or amended in any way.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: _____

FAMILY VIOLENCE PREVENTION AND SERVICES PROGRAM

WHEREAS, the Family Violence Prevention and Services Program administered by the Department of Health and Human Services, Administration for Children and Families, Family and Youth Services Bureau has funding to assist Tribes in efforts to provide immediate shelter and supportive services for victims of family violence, domestic violence, or dating violence, and their dependents; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe eligible to apply for funding; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians proposes to continue to provide immediate shelter and related supportive services to tribal members who reside in the Tribe's seven county service area.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes application to the Family and Youth Services Bureau for funding of a Family Violence Prevention and Services Program for FY 2014.

BE IT FURTHER RESOLVED, that Aaron A. Payment, Tribal Chairperson, is hereby authorized to submit said proposal to the Family and Youth Services Bureau, to negotiate, execute, and amend any documents resulting therefrom on the Tribe's behalf.

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: _____

**ESTABLISHING NEGOTIATION COMMITTEE
SAULT TRIBE V. BLUE CROSS BLUE SHIELD**

WHEREAS, the Tribe has engaged in litigation with regard to the Case of Sault Tribe v. Blue Cross Blue Shield of Michigan, for the last year; and

WHEREAS, this lawsuit has been the subject of a number of previous resolutions of the Board of Directors of the Tribe; and

WHEREAS, at the court ordered settlement and mediation conference held in May, 2014, the parties have agreed to further explore settlement at a facilitation conference in June, 2014; and

WHEREAS, during the facilitation the Tribe should have available and in attendance, persons with full authority to settle or otherwise negotiate this case; and

WHEREAS, the Board, in enacting this resolution, intends to create a committee of Board members who may act as a settlement and negotiation committee, empowered with full and complete authority to speak on behalf of the Tribe and to settle, mediate, compromise or otherwise resolve this case, in their sole and complete discretion, without further action of this Board.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians, does hereby create and empower a settlement and mediation committee of the following named persons:

_____ _____ _____
_____ _____ _____

BE IT FURTHER RESOLVED, that the Board of Directors of the Tribe does hereby empower this committee to act with the full authority of the Tribe, at its discretion, and without further review, to settle, mediate, compromise or otherwise dispose of the above mentioned litigation.

BE IT FURTHER RESOLVED, that this committee shall act through a majority of its members, and shall be empowered from the date of this Resolution up to and including July 8, 2014, and no longer.

BE IT FINALLY RESOLVED all previous Resolutions of this Board contradicting or otherwise inconsistent with this Resolution are hereby amended to as to allow for the creation of this committee.

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: _____

**MS. CHARLENE BRISSETTE REQUEST FOR TRIBAL ASSISTANCE
(RESEARCH)**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is committed to protecting its members' personal information from being released without approval from the Board of Directors; and

WHEREAS, this Board of Directors wishes to support the educational opportunities of our Members; and

WHEREAS, Charlene Brissette, a member of the Tribe, has requested access to Tribal enrollment data and addresses in order to conduct survey research, individual personal interviews, and focus groups to complete her Master's Degree in Kinesiology and Health Education; and

WHEREAS, Ms. Brissette's research is being undertaken under the guidance of the University of Texas which has an Institutional Research Board trained in assessing risk and harm associated with human subject research and mitigating the potential risk and harm to participants in her research; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby grants conditional support for participating in Ms. Brissette's research and directs the Enrollment Department with the assistance of the MIS Department, to prepare a list of names and addresses of adult members of the Tribe in order to result in 300 participants who are randomly distributed throughout the seven county service area. The names of Sault Tribe Members shall be masked with a *unique identifying number* and shall read "Sault Tribe Member" in order to provide for complete anonymity. For the qualitative follow up option of the study, those surveyed will be invited to disclose their name and unique identifying number to the researcher. At no point shall the identities of the study participants be published or identified outside of the researcher and thesis study advisor.

BE IT FURTHER RESOLVED, that the Tribal Registrar shall retain control of this data, and will not release it until certification has been provided from the University of Texas Institutional Review Board (after having consulted with and gained concurrence with the Sault Tribe's Institutional Researcher and/or Executive designee) advising that all potential risks and potential harms have been addressed and adequate safeguards put in place, and further certifying adequate liability insurance is in place through the University of Texas to cover any potential harms resulting to our Members from this research.

Res. No: _____

Page 2

BE IT FINALLY RESOLVED, that the information so provided shall be used for the sole purpose as required for Ms. Brissette to conduct her research. All addresses, voice recordings, and other records shall be destroyed after the research is concluded and the terms of the IRB approval at the student's higher education institution have been fulfilled.

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

RESOLUTION NO: _____

**HEALTH EDUCATION-COMMUNITY HEALTH AND MPHI
COMMUNITY RESEARCH PARTNER
FY 2014 BUDGET MODIFICATION AND
ESTABLISHMENT OF A FY 2014 BUDGET**

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 Heath Education – Community Health to change the Personnel Sheet and reallocate expenses. No effect on Tribal Support.

BE IT FINALLY RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the establishment of a FY 2014 budget for MPHI Community Research Partner with Other Revenue – Michigan Public Health Institute monies \$3,758.92. No effect on Tribal Support.

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

RESOLUTION NO: _____

**GOVERNMENTAL – GLRI WILDLIFE PROJECTS
ESTABLISH FY 2014 BUDGET**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the establishment of a FY 2014 budget for GLRI Wildlife Projects with Federal BIA Revenues of \$63,500.00. No effect on Tribal Support.

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: _____

**TRANSPORTATION PLANNING, IRR ROAD MAINTENANCE,
AND IRR ROADS
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 modifications to Transportation Planning, IRR Road Maintenance, and IRR Roads increasing carry-over federal BIA revenues \$1,248,344.31. No effect on Tribal Support

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: _____

**LAW ENFORCEMENT – TRIBAL HOMELAND SECURITY
GRANT PROGRAM
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 Tribal Homeland Security Grant Program for an increase in Federal Department of Homeland Security Revenue of \$316,383.76. No effect on Tribal Support.

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

RESOLUTION NO: _____

**TRIBAL COURT – TRIBAL YOUTH PROGRAM
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 Tribal Youth Program for a decrease in Federal DOJ Revenue of \$10,778.04. This is decreasing due to a position vacancy. No effect on Tribal Support.

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

RESOLUTION NO: _____

APPROVAL OF SURVEYS

WHEREAS, from time to time the Office of Tribal Administration desires to conduct surveys of the membership for various reasons; and

WHEREAS, from time to time the Office of the Chairperson desires to conduct surveys of the membership for various reasons; and

WHEREAS, from time to time the individual holding the Office of the Chairperson desires to conduct surveys of the membership for various reasons; and

WHEREAS, it is difficult for the membership and the Board of Directors to determine whether a given survey is for administrative purposes, Office of the Chairperson purposes or personal purposes; and

WHEREAS, the Board of Directors desires to regulate the taking of surveys that are formally sanctioned by the tribal government, or give the appearance of being so sanctioned, in their conduct and in the reporting of the findings to the membership.

NOW, THEREFORE, BE IT RESOLVED, that no survey shall be funded by the Tribe unless the survey is approved by the Board of Directors, by a simple majority motion.

BE IT FURTHER RESOLVED, that no survey shall be conducted on Tribal letterhead or via Tribal media that has not been so approved.

BE IT FURTHER RESOLVED, that the Tribal paper shall not print in any way what so ever, including, but not limited to elected official reports, the results of a survey that was not so approved.

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

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
MAY 20, 2014**

Sponsor's List

RESOLUTIONS:

Participation Mi Public Health Institute – Colleen Commons/Lisa Myers

Family Violence Prevention – Jamie Moran

Establishing Negotiation Committee – Courtney Kachur

Request for Tribal Assistance – Research - Legal

Budget Establish:

Health Ed – Community Health- Colleen Common/Lisa Myers

GLRI – Eric Clark

Budget Mod:

Transportation Planning – Wendy Hoffman

L.E. – Tribal Homeland Security – Bob Marchand

Tribal Court – Tribal Youth –Jocelyn Fabry

Approval of Surveys – Director Sorenson

Amending the Delegation of Authority – Director McLeod

NEW BUSINESS:

Relinquishment/Disenrollment – Ken Ermatinger

Varioius Committee Request

MEMORANDUM

TO: Board of Directors
FROM: Joanne Carr, Board Secretary
DATE: May 15, 2014
RE: Workshop Agenda for May 20, 2014

AGENDA

A.M. is Closed

10:00 a.m. - Legal

Lunch

1:00 p.m. - Chapter 16

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