

**BOARD OF DIRECTORS REGULAR MEETING
MUNISING TRIBAL CENTER
MUNISING, MICHIGAN
SEPTEMBER 24, 2013
6 PM**

- I. CALL TO ORDER
- II. INVOCATION: Prayer, Smudging, Presentation of Grandfathers
- III. ROLL CALL
- IV. PRESENTATION:
- V. MINUTES:
- VI. RESOLUTIONS: Amend Ch. 71: Criminal Offenses-3 versions
Appl. usRap Road Investment Project Expansion
Transportaion Safety Plan
MEDC Development Grant
Budget Mods:
 - Ed. – Mi. State Univ. Extension
 - Ed. – Americorp Grant
 - Indirect Cost Reallocation
 - Law Enforcement –COPS TGRP
- VII. NEW BUSINESS: Committee Resignation
October 15, 2013 Mtg change to Oct. 22, 2013
Ch: 73 Motor Vehicle Tribal License Plates
- VII. STANDING PROPOSED ACTION ITEMS:
- IX. ADJOURN TO EXECUTIVE SESSION:
- X. RECONVENE AND REAFFIRM
- XI. ADJOURN

RESOLUTION NO: _____

**AMENDING TRIBAL CODE: CHAPTER 71
CRIMINAL OFFENSES**

WHEREAS, Tribal Code 71.1504 currently states the following:
71.1504 Under Age Possession of Liquor by a Minor.

(1) Offense. A person under the age of twenty-one (21) years commits the offense of under age possession of liquor, if he buys, receives, possesses or consumes, or attempts to buy, receive or possess any beer, wine or intoxicating liquor.

(2) A person convicted of under age possession of liquor may be confined in an appropriate facility for a period not to exceed one (1) month, or to pay a fine in an amount not to exceed Two Hundred Fifty Dollars (\$250.00), or both.

(3) For the purposes of this section, the terms "beer," and "wine," and "intoxicating liquor" shall have the meaning as defined in Tribal Code Chapter 41: Liquor Control Ordinance, and particularly '41.202(1), (13) and (7), respectively.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby amends Tribal Code, Chapter 71.1504 to read as follows:

71.1504 Underage Possession of Liquor by a Minor.

(1) Offense. A person under the age of twenty-one years-old commits the offense of Underage Possession of Liquor by a Minor if he or she:

- (a) buys, receives, possesses, consumes any beer, wine or intoxicating liquor;
- (b) attempts to buy, receive, possess or consume any beer, wine or intoxicating liquor; or
- (c) has any bodily alcohol content.

(2) It is not a violation of this section for a person to possess beer, wine or intoxicating liquor during the course of his or her employment.

(3) Affirmative Defense. It shall be an affirmative defense to the charge of Underage Possession of Liquor by a Minor that the alcohol was consumed in a jurisdiction where it was legal for a person of the person's age to consume alcohol.

(4) Upon conviction for a first violation of underage possession of liquor by a minor, a person may be confined in an appropriate facility for a period not to exceed one month, or to pay a fine in an amount not to exceed One-Hundred Dollars, or both.

(5) Upon conviction for a second violation of underage possession of liquor by a minor, a person may be confined in an appropriate facility for a period not to exceed three months, or to pay a fine in an amount not to exceed Two-Hundred Dollars, or both.

(6) Upon conviction for a third violation of underage possession of liquor by a minor, a person may be confined in an appropriate facility for a period not to exceed six months, or to pay a fine in an amount not to exceed Three-Hundred Dollars, or both.

(7) Deferral or Delay of Sentence. If a person has no prior convictions, or juvenile adjudications, for possession of alcohol by a minor, or any law of another jurisdiction which is similar in scope and penalty, and the person either pleads guilty to a criminal complaint or admits the allegations of a juvenile petition, the Court may, without entering a judgment, place the person on probation. If the person violates any of the terms or conditions of probation, the Court may enter an order of conviction. If the person completes all the terms of his or her probation the Court shall release him or her and dismiss the proceedings; however,

(a) A non-public record of the plea will be kept at the Court.

(b) The record of the plea shall be made available to the Court, Sault Tribe Law Enforcement, and the Sault Tribe Prosecutor upon request.

(c) If a person violates 71.1504 subsequent to entering a plea under a deferral or a delay of sentence, the plea that was deferred or delayed may be considered as a prior conviction for the purposes of sentencing.

(d) Only one deferral may be granted under this section.

(8) For the purposes of this section, the terms "beer," and "wine," and "intoxicating liquor" shall have the meaning as defined in Tribal Code Chapter 41: Liquor Control Ordinance, and particularly '41.202(1), (13) and (7), respectively.

(9) "Any bodily alcohol content" means either of the following:

(a) An alcohol content of 0.02 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

(b) Any presence of alcohol within a person's body resulting from the consumption of alcoholic liquor, other than consumption of alcoholic liquor as a part of a generally recognized religious service or ceremony.

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 _____ 2013; 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: _____

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(a) An alcohol content of 0.02 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

(b) Any presence of alcohol within a person's body resulting from the consumption of alcoholic liquor, other than consumption of alcoholic liquor as a part of a generally recognized religious service or ceremony.

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 _____ 2013; 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

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

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

RESOLUTION NO: _____

**APPLICATION FOR THE TRIBAL TRANSPORTATION PROGRAM
SAFETY GRANT – usRAP ROAD INVESTMENT PROJECT EXPANSION**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, 25 U.S.C. 467 et seq; and

WHEREAS, there is a need for safe and accessible roads in our seven-county service area; and the Department of Transportation (DOT) Federal Highway Administration has solicited a funding opportunity (FHWA-2013-0012) for Tribal Transportation Program Safety Funds (TTPSF); and

WHEREAS, the purpose of the Tribal Transportation Program Safety Funds are available to support and promote safe strategies, activities, or project; and the provision for planning activities such as development of a Tribal Transportation Safety Plan; and

WHEREAS, expansion of a current usRAP Road Investment Project (usRAP) Expansion will provide us with the tools to identify resources, barriers, priorities and establish various methods to implement strategies. Expansion of usRAP will allow us to expand assessment to include the whole seven (7) county service area.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians authorizes the Transportation Program Transportation Planner, to submit an application requesting \$35,000 in funding for the FY 2014 Tribal Transportation Program Safety Funds, administered through the Department of Transportation (DOT) to expand current Road Safety Assessment Pilot Project (usRAP).

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 _____ 2013; 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: _____

**APPLICATION FOR THE TRIBAL TRANSPORTATION PROGRAM
SAFETY GRANT – TRIBAL TRANSPORTATION SAFETY PLAN**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, 25 U.S.C. 467 et seq; and

WHEREAS, there is a need for safe and accessible roads in our seven-county service area; and the Department of Transportation (DOT) Federal Highway Administration has solicited a funding opportunity (FHWA-2013-0012) for Tribal Transportation Program Safety Funds (TTPSF); and

WHEREAS, the purpose of the Tribal Transportation Program Safety Funds are to support and promote safe strategies, activities, or project; and the provision for planning activities such as development of a Tribal Transportation Safety Plan; and

WHEREAS, the development of a Transportation Safety Plan will provide us with the tools to identify; resources, barriers, priorities and establish various methods to implement strategies. Creating a Transportation Safety Plan will allow the Tribe to apply for future Transportation Safety Grants.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians authorizes the Transportation Program Transportation Planner, to submit an application requesting \$12,500 in funding for the FY 2014 Tribal Transportation Program Safety Funds, administered through the Department of Transportation (DOT) to develop a Tribal Transportation Safety Plan.

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 _____ 2013; 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:_____

**MICHIGAN ECONOMIC DEVELOPMENT CORPORATION
DEVELOPMENT GRANT**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, 25 U.S.C. 467 et seq; and

WHEREAS, the Tribe purchased an 8,000 sq. ft. facility along with 28 acres of land along the 3 mile road corridor in Sault Ste. Marie (199 West 3 Mile Road); and

WHEREAS, the property and structure is in need of repair, development design, and site improvements; and

WHEREAS, the development of a commercial and mixed use facility will attract and retain employment for Sault Tribe Members; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians authorizes the Chairperson to accept the grant dollars form the Michigan Economic Development Corporation (Case #62469) amounting to \$75,000.00, to fund predevelopment activities for the property re-development and economic enterprise opportunity.

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 _____ 2013; 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: _____

**EDUCATION –MICHIGAN STATE UNIVERSITY EXTENSION
MINI GRANT
FY 2014 ESTABLISHMENT OF A 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 the MSUE Mini Grant with MSUE monies of \$1,000. 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 _____ 2013; 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
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Cathy Abramson, Secretary
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Chippewa Indians

RESOLUTION NO: _____

**EDUCATION –AMERICORP GRANT
FY 2014 ESTABLISHMENT OF A 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 the Americorp Grant with Federal Corporation for National Community Service monies of \$67,200 and an In Kind match in salaries of \$22,946.

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

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

RESOLUTION NO: _____

**INDIRECT COST REALLOCATION
FY 2013 BUDGET MODIFICATIONS AND
ESTABLISHMENT OF A FY 2013 BUDGET**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2013 budget modifications to Indirect, Indirect-Membership Services, Indirect-Executive Director, and Board of Directors to reallocate personnel, expenses, and revenues to conform to the requirements of the Sault Tribe's Indirect Proposal. No change in the total Tribal Support.

BE IT FINALLY RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2013 budget for Administrative Staff to conform to the requirements of the Sault Tribe's Indirect Proposal. No change in the total Tribal Support.

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Aaron Payment, Tribal Chairperson
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Cathy Abramson, Secretary
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RESOLUTION NO: _____

**LAW ENFORCEMENT – COPS TGRP 2010
FY 2014 ESTABLISHMENT OF A 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 the COPS TGRP 2010 with Federal Department of Justice monies of \$47,701.58. No Effect on Tribal Support.

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

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**BOARD OF DIRECTORS REGULAR MEETING
SEPTEMBER 24, 2013**

Sponsor's List

RESOLUTIONS:

Amend Ch. 71: Criminal Offenses-3 versions – Justin Derhammer
Appl. usRap Road Investment Project Expansion- Wendy Hoffman/Jeff Holt
Transportaion Safety Plan –Wendy Hoffman/Jeff Holt
MEDC Development Grant – Jeff Holt

Budget Mods:

Ed. – Mi. State Univ. Extension – Angeline Boulley
Ed. – Americorp Grant – Angeline Boulley
Indirect Cost Reallocation – Bill Connolly
Law Enforcement –COPS TGRP – Bob Marchand

NEW BUSINESS:

Committee Resignation – Great Lakes Conservation Committee
October 15, 2013 Mtg change to Oct. 22, 2013 – Chairperson Payment
Ch: 73 Motor Vehicle Tribal License Plates – Director McLeod