

## ***MEMORANDUM***

**TO: Board of Directors**  
**FROM: Joanne Carr, Board Secretary**  
**DATE: April 13, 2017**  
**RE: Workshop Agenda for April 18, 2017**

### **AGENDA**

10:00 a.m. – Gaming Authority

#### **Lunch**

1:15 p.m. – EDC

2:00 p.m. – Committee Structure

3:00 p.m. - Review of Agenda

4:00 p.m. – Matters Raised by the Membership  
6:00 p.m. – Meeting of the Board of Directors

**BOARD OF DIRECTORS REGULAR MEETING  
MUNISING TRIBAL CENTER  
MUNISING, MICHIGAN  
APRIL 18, 2017  
6:00 P.M.**

- I. CALL TO ORDER
- II. INVOCATION: Prayer, Smudging, Presentation of Grandfathers
- III. ROLL CALL
- IV. PRESENTATION:
- V. MINUTES:
- VI. RESOLUTIONS: Partial Waiver (2)  
BIA OTJS One –Time Funding Confirmation  
Appellate Judge Elder Position (2)  
Appellate Judge Community Member (2)  
Am. Chapter 20: Co-Captains Regulations (2)  
Budget:  
Transportation Planning  
Judicial Services  
Sault Tribe Construction-Prevailing Wage  
Sault Tribe Construction #1  
Sault Tribe Construction #2
- VII. NEW BUSINESS: Committee Requests  
CORA BSD - Contribution  
Organization Chart  
Director Issue  
Community Center  
Board Concerns
- VIII. ADJOURN TO EXECUTIVE SESSION:
- IX. RECONVENE AND REAFFIRM
- X. ADJOURN

**RESOLUTION NO:** \_\_\_\_\_

**PARTIAL WAIVER OF CONVICTIONS FOR  
MR. CHRISTOPHER HEBERT**

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 Board of Directors has enacted Tribal Code Chapter 76: Partial Waiver of Conviction for Gaming License Purpose that allows for a partial waiver of conviction be issued to tribal members who have been convicted of a crime and would be denied a license for employment in a gaming operation pursuant to Chapter 42; and

WHEREAS, Mr. Christopher Hebert, a tribal member who was convicted of:

1. Felony-Larceny in a Building (2012)
2. Attempted Misdemeanor-Police Officer-Assaulting/Resisting/Obstructing (2012)
3. Felony-Police Officer-Assaulting/Resisting/Obstructing (2014)
4. Misdemeanor-Retail Fraud-Third Degree (2014)
5. Felony-Larceny from a Motor Vehicle (2014)

WHEREAS, Mr. Christopher Hebert, would be denied a license for employment as a key employee or primary management official because of the criminal conviction; and

WHEREAS, the Board of Directors has determined that Mr. Christopher Hebert is not likely to engage in any offensive or criminal course of conduct and the public good does not require that he be denied a license as a key employee or primary management official.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, pursuant to Tribal Code Chapter 76 grants a partial waiver to Mr. Christopher Hebert for the convictions of:

1. Felony-Larceny in a Building (2012)
2. Attempted Misdemeanor-Police Officer-Assaulting/Resisting/Obstructing (2012)
3. Felony-Police Officer-Assaulting/Resisting/Obstructing (2014)
4. Misdemeanor-Retail Fraud-Third Degree (2014)
5. Felony-Larceny from a Motor Vehicle (2014)

**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 \_\_\_\_\_ 2017; 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

\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians

**RESOLUTION NO:** \_\_\_\_\_

**PARTIAL WAIVER OF CONVICTIONS FOR  
MS. TARA SAWASKY**

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 Board of Directors has enacted Tribal Code Chapter 76: Partial Waiver of Conviction for Gaming License Purpose that allows for a partial waiver of conviction be issued to tribal members who have been convicted of a crime and would be denied a license for employment in a gaming operation pursuant to Chapter 42; and

WHEREAS, Ms. Tara Sawasky, a tribal member who was convicted of:

1. Misdemeanor-Domestic Violence (2015)
2. Misdemeanor-Malicious Destruction of Personal Property – Less than \$200 (2015)

WHEREAS, Ms. Tara Sawasky, would be denied a license for employment as a key employee or primary management official because of the criminal conviction; and

WHEREAS, the Board of Directors has determined that Ms. Tara Sawasky is not likely to engage in any offensive or criminal course of conduct and the public good does not require that he be denied a license as a key employee or primary management official.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, pursuant to Tribal Code Chapter 76 grants a partial waiver to Ms. Tara Sawasky for the convictions of:

1. Misdemeanor-Domestic Violence (2015)
2. Misdemeanor-Malicious Destruction of Personal Property-Less than \$200 (2015)

**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 \_\_\_\_\_ 2017; 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

\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians

**RESOLUTION NO: \_\_\_\_\_**

**BIA OTJS ONE-TIME FUNDING CONFIRMATION**

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 Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe exercising full powers of self government including comprehensive law enforcement and judicial services program; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians' Tribal Court has applied for one-time available funding from the Bureau of Indian Affairs, Office of Tribal Justice Support for training and supplies and has received conditional approval of such funding.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby confirms that the Sault Ste. Marie Tribe of Chippewa Indians Tribal Court requested funds in the amount of \$31,157 to host a VAWA training, and that such training is aimed at the tribal court personnel and individuals working with tribal courts, however, the Tribe would welcome other tribes and interested parties.

BE IT FURTHER RESOLVED, that the Board of Directors hereby confirms that funds in the amount of \$10,202 requested for Domestic Violence Court training will be used for tribal justice system team members who participate on the Domestic Violence court team for the purpose of enhancing our Domestic Violence court program.

**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 \_\_\_\_\_ 2017; 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.

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

\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians

**RESOLUTION NO:** \_\_\_\_\_

**APPOINTMENT OF ELISABETH DIETZ  
APPELLATE JUDGE  
(ELDER POSITION)**

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 Sault Ste. Marie Tribe of Chippewa Indians enacted Tribe Code Chapter 82, Appeals, which states in Section 82.103, Judges of Court of Appeals, that “Five (5) judges, appointed by the Board of Directors, shall sit as the Court of Appeals and hear all cases...”; and

WHEREAS, the Court of Appeals’ elder and community member positions are vacant, leaving a panel of three (3) judges currently on the Court of Appeals; and

WHEREAS, Elisabeth Dietz is well-qualified to serve as Elder Appellate Judge as determined by the interview committee.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby appoints Elisabeth Dietz to serve as the Elder Appellate Judge for the Sault Ste. Marie Tribe of Chippewa Indians Court of Appeals, for a four (4) year term beginning April 11, 2017.

**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 \_\_\_\_\_ 2017; 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.

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

\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians

**RESOLUTION NO: \_\_\_\_\_**

**APPOINTMENT OF JOHN CAUSLEY, JR.  
APPELLATE JUDGE  
(ELDER POSITION)**

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 Sault Ste. Marie Tribe of Chippewa Indians enacted Tribe Code Chapter 82, Appeals, which states in Section 82.103, Judges of Court of Appeals, that “Five (5) judges, appointed by the Board of Directors, shall sit as the Court of Appeals and hear all cases...”; and

WHEREAS, the Court of Appeals’ elder and community member positions are vacant, leaving a panel of three (3) judges currently on the Court of Appeals; and

WHEREAS, John Causley, Jr. is well-qualified to serve as Elder Appellate Judge as determined by the interview committee.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby appoints John Causley, Jr. to serve as the Elder Appellate Judge for the Sault Ste. Marie Tribe of Chippewa Indians Court of Appeals, for a four (4) year term beginning April 11, 2017.

**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 \_\_\_\_\_ 2017; 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

\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians

**RESOLUTION NO:** \_\_\_\_\_

**APPOINTMENT OF RICK CORBIERE  
APPELLATE JUDGE  
(COMMUNITY MEMBER POSITION)**

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 Sault Ste. Marie Tribe of Chippewa Indians enacted Tribe Code Chapter 82, Appeals, which states in Section 82.103, Judges of Court of Appeals, that “Five (5) judges, appointed by the Board of Directors, shall sit as the Court of Appeals and hear all cases...”; and

WHEREAS, the Court of Appeals’ elder and community member positions are vacant, leaving a panel of three (3) judges currently on the Court of Appeals; and

WHEREAS, Rick Corbiere is well-qualified to serve as Community Member Appellate Judge as determined by the interview committee.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby appoints Rick Corbiere to serve as the Community Member Appellate Judge for the Sault Ste. Marie Tribe of Chippewa Indians Court of Appeals, for a four (4) year term beginning April 11, 2017.

**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 \_\_\_\_\_ 2017; 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

\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians



**RESOLUTION NO:** \_\_\_\_\_

**APPOINTMENT OF DEAN AUGER  
APPELLATE JUDGE  
(COMMUNITY MEMBER POSITION)**

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 Sault Ste. Marie Tribe of Chippewa Indians enacted Tribe Code Chapter 82, Appeals, which states in Section 82.103, Judges of Court of Appeals, that “Five (5) judges, appointed by the Board of Directors, shall sit as the Court of Appeals and hear all cases...”; and

WHEREAS, the Court of Appeals’ elder and community member positions are vacant, leaving a panel of three (3) judges currently on the Court of Appeals; and

WHEREAS, Dean Auger is well-qualified to serve as Community Member Appellate Judge as determined by the interview committee.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby appoints Dean Auger to serve as the Community Member Appellate Judge for the Sault Ste. Marie Tribe of Chippewa Indians Court of Appeals, for a four (4) year term beginning April 11, 2017.

**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 \_\_\_\_\_ 2017; 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

\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians

RESOLUTION NO: \_\_\_\_\_

**AMENDING CO-CAPTAIN REGULATIONS  
MILITARY, MEDICAL & EDUCATION**

WHEREAS, the now suspended Conservation Committee amended Tribal Code Chapter 20, Section 20.106 Co-Captain by eliminating the restriction on a Captain's use of a Co-Captain to instances of military, medical and education and replaced it with language allowing a Captain to utilize a Co-Captain for any reason and without the need of for approval; and

WHEREAS, the intent of the suspended Conservation Committee and the Board of Directors in making the above amendment was to allow Captains to be able to take vacations without having to halt fishing operations and thus disrupt the business operations; and

WHEREAS, there was a general concern that the amendment may result in an unintended increase in fishing effort that the fishery may not be able to withstand if historically inactive license became active via co-captain activity; and

WHEREAS, this concern has been realized because there has been an unintended increase in fishing effort and access to the fishery in certain waters has had to be curtailed in order to keep fishing effort at levels appropriate for the relevant fish stock; and

WHEREAS, the unintended increase in fishing effort does not comport with the intent of the regulation change of allowing Captain limited vacation time away from their operations; and

WHEREAS, the Board of Directors wishes to address these unintended results by restricting Captains' use of Co-Captains to instances of military, medical and education.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors amends Tribal Code Chapter 20, Section 20.106 Co-Captain as follows:

**“20.106 Co-Captain.**

(1) A Captain may delegate his commercial fishing activity to an eligible individual by obtaining for that individual a Co-Captain's license for ~~any~~ **the following** reasons:

- (a) **a temporary illness or injury; or**
- (b) **any military activity where the Captain, due to the activity, would be reasonably unable to operate their fishery; or**
- (c) **any educational activity where the Captain, due to the activity, would be reasonably unable to operate his fishery.”**

~~(1) A Captain may delegate his commercial fishing activity to an eligible individual by obtaining for that individual a Co-Captain's license for any reason.~~

(2) An individual shall be eligible to receive a Co-Captain's license if they would be eligible to receive a commercial fishing license pursuant to Section 20.102 *et al.*

(3) A Co-Captain shall be licensed for one year. If the circumstance giving rise to the need for the Co-Captain is for a longer duration, a Co-Captain may be re-licensed upon expiration of the preceding one year license period.

(4) A Captain and their respective Co-Captain shall be restricted to conducting their respective or simultaneous commercial fishing activity from a single identified vessel for the duration of the applicable Co-Captain's license.

(5) It shall be a violation of this subsection for a Captain and/or Co-Captain to conduct their respective or simultaneous commercial fishing activity from any vessel other than the single vessel identified pursuant to subsection (4). The penalties for such a violation are:

(a) Mandatory no less than a six month suspension of the Captain's commercial fishing license.

(b) Mandatory no less than a one year suspension of the Captain's ability to utilize a Co-Captain license under this Section; which shall begin to run upon completion of the sentence of suspension of his Captain's license pursuant to subsection (5)(a).

(c) Mandatory no less than a one year suspension of the Co-Captain's ability to utilize a Co-Captain license under this Section;

(d) Mandatory fine of not less than \$250.00 and not more than \$1,000.00.

(e) Forfeitures as set forth in the Chippewa Ottawa Resource Authority Commercial, Subsistence, and Recreational Fishing Regulations for the 1836 Treaty Ceded Waters of Lakes Superior, Huron and Michigan, Section XXVI(c), (d), and (e).

(f) Any other penalty provided for by the civil or criminal code as applicable

(6) Violations committed by the Co-Captain of any code, ordinance or regulation whatsoever in furtherance of the Captain's commercial fishing operation, other than any criminal offense and the violation identified in subsection (5) above, shall be the responsibility of the Captain.

(7) Notwithstanding subsection (6) above, a Captain and Co-Captain may choose to execute an agreement wherein the Co-Captain assumes all liability for violations of any code, ordinance or regulation whatsoever, committed by the Co-Captain in furtherance of the Captain's commercial fishing operation, other than any criminal offense and the violation identified in subsection (5) above.

(8) The administration is hereby charged with implementing the issuance of Co-Captain's licenses pursuant to this Section and is further charged with promulgating what policies and procedures it deems necessary to effectuate the forgoing.

(9) A Co-Captain's license may only be fished in that portion of Lake Huron identified by the 2000 Consent Decree at Section VII-A as MH-1 pursuant to the following.:

- (a) A Co-Captain license issued for a temporary illness, injury or emergency may be issued for no more than sixty days. If a Captain requires a Co-Captain, subsequent to the expiration of a prior Co-Captain, such a subsequent Co-Captain license may be issued upon further documentation of the continuing illness, injury or emergency. For purposes of this subsection "prior" shall mean a Co-Captain within the last ninety days.
- (b) A Captain shall provide documentation demonstrating the temporary illness, injury or emergency or the permanent illness sufficient to demonstrate that said temporary illness, injury or emergency or the permanent illness or injury renders the Captain physically incapable of performing commercial fishing activities.

### 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 \_\_\_\_\_ 2017; 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

\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians

**RESOLUTION NO: \_\_\_\_\_**  
**AMENDING CHAPTER 20:**  
**CO-CAPTAIN REGULATIONS**  
**MILITARY, MEDICAL & EDUCATION**

WHEREAS, the now suspended Conservation Committee amended Tribal Code Chapter 20, Section 20.106 Co-Captain by eliminating the restriction on a Captain's use of a Co-Captain to instances of military, medical and education and replaced it with language allowing a Captain to utilize a Co-Captain for any reason and without the need of for approval; and

WHEREAS, the intent of the suspended Conservation Committee and the Board of Directors in making the above amendment was to allow Captains to be able to take vacations without having to halt fishing operations and thus disrupt the business operations; and

WHEREAS, there was a general concern that the amendment may result in an unintended increase in fishing effort that the fishery may not be able to withstand if historically inactive license became active via co-captain activity; and

WHEREAS, this concern has been realized because there has been an unintended increase in fishing effort and access to the fishery in certain waters has had to be curtailed in order to keep fishing effort at levels appropriate for the relevant fish stock; and

WHEREAS, the unintended increase in fishing effort does not comport with the intent of the regulation change of allowing Captain limited vacation time away from their operations; and

WHEREAS, the Board of Directors wishes to address these unintended results by restricting Captains' use of Co-Captains to instances of military, medical and education.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors amends Tribal Code Chapter 20, Section 20.106 Co-Captain as follows:

**“20.106 Co-Captain.**

(1) A Captain may delegate his commercial fishing activity to an eligible individual by obtaining for that individual a Co-Captain's license for ~~any~~ **the following** reasons:

- (a) **a temporary illness or injury; or**
- (b) **any military activity where the Captain, due to the activity, would be reasonably unable to operate their fishery; or**
- (c) **any educational activity where the Captain, due to the activity, would be reasonably unable to operate his fishery.”**

~~(1) A Captain may delegate his commercial fishing activity to an eligible individual by obtaining for that individual a Co-Captain's license for any reason.~~

(2) An individual shall be eligible to receive a Co-Captain's license if they would be eligible to receive a commercial fishing license pursuant to Section 20.102 *et al.*

(3) A Co-Captain shall be licensed for one year. If the circumstance giving rise to the need for the Co-Captain is for a longer duration, a Co-Captain may be re-licensed upon expiration of the preceding one year license period.

(4) A Captain and their respective Co-Captain shall be restricted to conducting their respective or simultaneous commercial fishing activity from a single identified vessel for the duration of the applicable Co-Captain's license.

(5) It shall be a violation of this subsection for a Captain and/or Co-Captain to conduct their respective or simultaneous commercial fishing activity from any vessel other than the single vessel identified pursuant to subsection (4). The penalties for such a violation are:

(a) Mandatory no less than a six month suspension of the Captain's commercial fishing license.

(b) Mandatory no less than a one year suspension of the Captain's ability to utilize a Co-Captain license under this Section; which shall begin to run upon completion of the sentence of suspension of his Captain's license pursuant to subsection (5)(a).

(c) Mandatory no less than a one year suspension of the Co-Captain's ability to utilize a Co-Captain license under this Section;

(d) Mandatory fine of not less than \$250.00 and not more than \$1,000.00.

(e) Forfeitures as set forth in the Chippewa Ottawa Resource Authority Commercial, Subsistence, and Recreational Fishing Regulations for the 1836 Treaty Ceded Waters of Lakes Superior, Huron and Michigan, Section XXVI(c), (d), and (e).

(f) Any other penalty provided for by the civil or criminal code as applicable

(6) Violations committed by the Co-Captain of any code, ordinance or regulation whatsoever in furtherance of the Captain's commercial fishing operation, other than any criminal offense and the violation identified in subsection (5) above, shall be the responsibility of the Captain.

(7) Notwithstanding subsection (6) above, a Captain and Co-Captain may choose to execute an agreement wherein the Co-Captain assumes all liability for violations of any code, ordinance or regulation whatsoever, committed by the Co-Captain in furtherance of the Captain's commercial fishing operation, other than any criminal offense and the violation identified in subsection (5) above.

(8) The administration is hereby charged with implementing the issuance of Co-Captain's licenses pursuant to this Section and is further charged with promulgating what policies and procedures it deems necessary to effectuate the forgoing.

(9) A Co-Captain's license may only be fished in that portion of Lake Huron identified by the 2000 Consent Decree at Section VII-A as MH-1 pursuant to the following.:

- (a) A Co-Captain license issued for a temporary illness, injury or emergency may be issued for no more than sixty days. If a Captain requires a Co-Captain, subsequent to the expiration of a prior Co-Captain, such a subsequent Co-Captain license may be issued upon further documentation of the continuing illness, injury or emergency. For purposes of this subsection "prior" shall mean a Co-Captain within the last ninety days.
- (b) A Captain shall provide documentation demonstrating the temporary illness, injury or emergency or the permanent illness sufficient to demonstrate that said temporary illness, injury or emergency or the permanent illness or injury renders the Captain physically incapable of performing commercial fishing activities.

BE IT FINALLY RESOLVED, amendment takes effect December 31, 2017.

### 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 \_\_\_\_\_ 2017; 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

\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians

**RESOLUTION NO:** \_\_\_\_\_

**TRANSPORTATION PLANNING  
FY 2017 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2017 budget modification to Transportation Planning for an increase in Federal BIA monies of \$18,466.50. 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 \_\_\_\_\_ 2017; 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.

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

\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians



**RESOLUTION NO:** \_\_\_\_\_

**JUDICIAL SERVICES  
2017 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2017 budget modification to Judicial Services to increase Federal BIA monies \$44,859. 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 \_\_\_\_\_ 2017; 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.

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

\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians

**RESOLUTION NO:** \_\_\_\_\_

**SAULT TRIBE CONSTRUCTION – PREVAILING WAGE  
FY 2017 BUDGET MODIFICATION**

WHEREAS, the Board approved Resolution 2017-17, Approval and Adoption of the Schedule of Prevailing Wages on February 7, 2017 and this has an effect on the currently approved budgets for Sault Tribe Construction; and

WHEREAS, Sault Tribe Construction will require additional funding to enact this resolution.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2017 budget modification to Sault Tribe Construction for an increase in Other Revenues (Sales) \$38,346.64 and an increase in Tribal Support monies \$3,371.51 for a total increase of \$41,718.15.

**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 \_\_\_\_\_ 2017; 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

\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians

**RESOLUTION NO:** \_\_\_\_\_

**SAULT TRIBE CONSTRUCTION #1  
FY 2017 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2017 budget modification to Sault Tribe Construction for changes to the personnel sheet and an increase in Other Revenue (Sales) \$20,867.79 and an increase in Tribal Support monies \$2,318.64.

**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 \_\_\_\_\_ 2017; 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

\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians

**RESOLUTION NO:** \_\_\_\_\_

**SAULT TRIBE CONSTRUCTION #2  
FY 2017 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2017 budget modification to Sault Tribe Construction for changes to the personnel sheet and an increase in Other Revenue (Sales) \$2,030.21 and an increase in Tribal Support monies \$2,030.21.

**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 \_\_\_\_\_ 2017; 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

\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians

**BOARD OF DIRECTORS REGULAR MEETING**

**APRIL 18, 2017**

**Sponsor's List**

**6:00 P.M.**

**RESOLUTIONS:**

Partial Waiver (2) – Jennifer Sheldon  
BIA OTJS One –Time Funding Confirmation – Jocelyn Fabry  
Appellate Judge Elder Position (2)-Traci Swan  
Appellate Judge Community Member (2)-Traci Swan  
Am. Chapter 20: Co-Captains Regulations (2) –Director Hoffman  
Budget:  
    Transportation Planning-Wendy Hoffman  
    Judicial Services-Jocelyn Fabry  
    Sault Tribe Construction-Prevailing Wage-Bill Sams  
    Sault Tribe Construction #1- Bill Sams  
    Sault Tribe Construction #2- Bill Sams

**NEW BUSINESS:**

Committee Requests  
CORA BSD – Contribution –Chairperson Payment  
Director Issue – Director Morrow  
Organization Chart-Chairperson Payment  
Community Center – Director Hoffman  
Board Concerns- Director Causley

- I. ADJOURN TO EXECUTIVE SESSION:
- II. RECONVENE AND REAFFIRM
- III. ADJOURN