

**BOARD OF DIRECTORS REGULAR MEETING
KINROSS RECREATION CENTER
KINCHELOE, MICHIGAN
MINUTES
JANUARY 15, 2008**

The meeting was opened at 8:10 p.m. by Chairperson Payment.

Present: Dennis McKelvie, Todd Gravelle, DJ Hoffman, Cathy Abramson, Joe Eitrem, Lana Causley, Bob LaPoint, Fred Paquin, Keith Massaway, Denise Chase, Tom Miller, Shirley Petosky, Aaron Payment.

Absent:

Moved by Director Massaway, supported by Director Hoffman, to approve the Agenda as read.

Motion carried with Director Gravelle opposing.

Moved by Director Hoffman, supported by Director Eitrem, to suspend the rules and add the two resolutions regarding Partial Waivers.

Motion carried unanimously.

Moved by Director Abramson, supported by Director Eitrem, to approve the Minutes of 11-20-2007, 11-27-2007, and 12-17-2007 as written, with the noted correction for 12-17-2007.

Motion carried unanimously.

Moved by Gravelle, supported by Director Miller, to approve Resolution 2008-01, Consent to Waiver of Tribal Court Jurisdiction Leasing Associates of Barrington, Inc.

BE IT RESOLVED, by the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians, as follows:

Section 1 FINDINGS AND DETERMINATIONS: The Board of Directors finds and determines that:

1.1 The Sault Ste. Marie Tribe of Chippewa Indians (the "Tribe") is a federally recognized Indian Tribal Government organized under the provisions of the Indian Reorganization Act of 1934.

1.2 The Health Division has negotiated a contract with Leasing Associates of Barrington, Inc., ("LAB") for medical equipment which will be used to improve the Health Division's medical testing facilities.

1.3 LAB has refused to consent to a modification of its contract in a manner that would permit the Tribe to contract without a waiver of Tribal Court jurisdiction.

1.4 In order to induce LAB to enter into the contract, the Tribe is required to confirm that the Tribe and all other entities claiming by, through or under the Tribe will not claim exclusive Tribal Court jurisdiction with respect to any matter pertaining to disputes arising from the LAB contract. All of the foregoing are referred to herein as the "Waiver and Consent Obligations."

1.5 It is in the best interests of the Tribe to consent to the LAB contract and to enter into the Waiver and Consent Obligations.

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Section 2 APPROVALS AND AUTHORIZATION

2.1 The Board of Directors authorizes and directs the Tribe, through its Chairperson or his designee, for and on behalf of the Tribe to enter into such agreements on such terms and conditions as he deems necessary concerning governing law and waiver of Tribal Court jurisdiction.

2.2 The Board of Directors authorizes and directs the Tribe to give its express consent to the terms and provisions of the LAB contract.

2.3 The Chairperson is authorized and directed to execute and deliver such other agreements, certificates, documents, or instruments, as may be required or to take any and all such action which may be necessary or convenient to effectuate the foregoing.

Section 3 WAIVER OF TRIBAL COURT JURISDICTION

3.1 The Board of Directors waives the right to claim exclusive jurisdiction of the Tribal Court over any action arising under the LAB contract.

Motion carried unanimously.

Moved by Director Gravelle, supported Director Abramson, to approve Resolution 2008-02, Grants to Encourage Arrest Policies Program.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes application to the Office on Violence Against Women for funding of a Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program.

BE IT FURTHER RESOLVED, that Aaron Payment, Tribal Chairperson, is hereby authorized to submit said proposal to the Department of Justice, Office on Violence Against Women, to negotiate, execute, and amend any documents resulting therefrom on the Tribe's behalf.

Motion carried unanimously.

Moved by Director Eitrem, supported by Director Hoffman, to approve Resolution 2008-03, Enhanced Training And Services To End Violence Against And Abuse Of Women Later In Life Program.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes application to the Office on Violence Against Women for funding of an Enhanced Training and Services to End Violence Against And Abuse of Women Later in Life Program.

BE IT FURTHER RESOLVED, that Aaron Payment, Tribal Chairperson, is hereby authorized to submit said proposal to the Department of Justice, Office on Violence Against Women, to negotiate, execute, and amend any documents resulting therefrom on the Tribe's behalf.

Motion carried unanimously.

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Moved by Director Gravelle, supported by Director Hoffman, to approve Resolution 2008-04, FY 2008 Budget Modification HC – Lab.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the attached FY 2008 Budget Modification for the HC – Lab to purchase a chemistry analyzer.

Motion carried unanimously.

Moved by Director Gravelle, supported by Director Abramson, to approve Resolution 2008-05, Grant Application Approval for Older Americans Act Title VI Part A Grants for Native Americans Supportive and Nutritional Services.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes its application pursuant to “Grants to Indian Tribal Organizations Services” (45CFR, Part 1328) under Title VI of the Older Americans Act, for April 1, 2008 through March 31, 2011.

BE IT FURTHER RESOLVED, that Tribal Chairperson, Aaron Payment is authorized to review, negotiate, and execute project funds pursuant to this endeavor and any amendments thereto.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Miller, to table the resolution titled Amending the Bylaws of the Elderly Advisory Committee.

Motion carried with Directors Causley, Massaway, Eitrem, and McKelvie opposing.

Moved by Director Gravelle, supported by Director Hoffman, to approve Resolution 2008-06, Partial Waiver of Convictions for Jeffrey L. Aikens.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, pursuant to Tribal Code Chapter 76 grants a partial waiver to Jeffrey L. Aikens for the convictions of: (1) Assault/Resisting-Obstructing an Officer on March 15, 2007, and (2) Aggravated Assault on March 9, 2004.

Roll Call Vote: Motion carried with Directors Paquin, Gravelle, Abramson, LaPoint, Massaway, Chase, Causley, Miller, Hoffman approving, Directors McKelvie, Eitrem, Petosky opposing.

Moved by Director Gravelle, supported by Director Hoffman, to approve Resolution 2008-07 Partial Waiver of Convictions for Brian L. Kibble.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, pursuant to Tribal Code Chapter 76 grants a partial waiver to Brian L. Kibble for the convictions of: (1) Obstructing an Officer by Disguise on June 15, 2004 and (2) Domestic Violence on December 9, 2005.

Roll Call Vote: Motion carried with Directors Chase, Hoffman, Paquin, Abramson, Gravelle, LaPoint, Miller, Massaway, Causley approving, Directors Petosky, Eitrem, McKelvie opposing.

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Moved by Director Abramson, supported by Director Gravelle, to approve Resolution 2008-08, Approving Special Attorneys Contract Sonosky, Chambers, Sachse, Endreson, & Perry, LLP.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors hereby approves the contract between the Sault Ste. Marie Tribe of Chippewa Indians and Sonosky, Chambers, Sachse, Endreson & Perry LLP.

BE IT FURTHER RESOLVED that said contract will be for the period of January 1, 2008 through December 31, 2008, not exceeding \$100,000 for the contract with an additional amount of up to \$30,000 for expenses.

Roll Call Vote: Motion carried with Directors Miller, Abramson, Paquin, Gravelle, Petosky, Chase, Causley, Massaway, Eitrem, Hoffman, LaPoint approving, Director McKeivie opposing.

Moved by Director Abramson, supported by Director Hoffman, to approve Resolution 2008-09, Federal COLA for Head Start Wage Grid Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the Modification to Head Start and Early Head Start employee's wage grid, to comply with the mandated Federal COLA increase.

Motion carried with Director Hoffman abstaining.

Moved by Director Hoffman, supported by Director Massaway, to approve Resolution 2008-10, Legal Assistance for Victims FY 2008 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2008 Budget Modification for Legal Assistance for Victims to increase the budgeted hours of two staff from 1040 hours (first six months) to 2080 hours (total year).

Roll Call Vote: Motion carried unanimously.

Moved by Director Gravelle, supported by Director Hoffman, to approve Resolution 2008-11, Lodge of Bravery FY 2008 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2008 Budget Modification for Lodge of Bravery to hire a Part time Shelter Worker.

Motion carried unanimously.

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Moved by Director Hoffman, supported by Director Causley, to approve Resolution 2008-12, 2005 Cops TRGP Grant FY 2008 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2008 Budget Modification for 2005 COPS TRGP for a total increase in Tribal Support of \$34,844.79.

Motion carried with Director Paquin abstaining.

Moved by Director Gravelle, supported by Director Miller, to approve Resolution 2008-13, Head Start BIA, FY 2008 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2008 Budget Modification for Head Start BIA to hire a Substitute Bus Driver.

Roll Call Vote: Motion carried with Directors Eitrem, Chase, Paquin, Petosky, Gravelle, Causley, Massaway, Miller, McKelvie, LaPoint, Abramson approving, Director Hoffman abstaining.

Moved by Director Hoffman, supported by Director Massaway, to approve Resolution 2008-14, FY 2008 Budget Modifications Juvenile Probation Officer and Judicial Services.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the attached FY 2008 Budget Modifications for the Juvenile Probation Officer and Judicial Services for a decrease in Tribal Support in the amount of \$15,079.36.

Motion carried unanimously.

Moved by Director Eitrem, supported by Director Gravelle, to remove the 10.103 (1) absentee voter from the definition's list, in #2 version of Chapter 10: Election Code.

Roll Call Vote: Motion carried unanimously.

Moved by Director Abramson, supported by Director Hoffman, to approve the Resolution titled Amending Tribal Code Chapter 10: Election Code – Version 2.

Roll Call Vote: Motion denied with Directors Paquin, Abramson, Massaway, Causley approving, Directors Gravelle, McKelvie, LaPoint, Eitrem, Chase, Petosky, Miller, Hoffman opposing.

The Chairperson adjourned the meeting at this time.

Moved by Director Hoffman, supported by Director Abramson to appeal the decision of the Chairperson.

Motion carried unanimously.

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Moved by Director Hoffman, supported by Director Abramson, to approve Resolution 2008-15 Approving Rules from Appeal from Election Committee Decisions.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors hereby approves the attached Rules for Appeal from Election Committee Decisions.

Roll Call Vote: Motion carried with Directors Eitrem, Paquin, Hoffman, Causley, Massaway, McKelvie, Abramson approving, Directors Chase, Petosky, Gravelle, Miller opposing.

Moved by Director Gravelle, supported by Director Chase, to approve the resolution titled Eliminating Board's Authority to Create Binding Law by Motion.

Roll Call Vote: Motion denied. Although the motion was approved by vote, the vote had to be a positive majority (7 votes), of which this was not, pursuant to Ch. 14.118 (3). Directors Eitrem, Chase, Petosky, Gravelle, Miller, McKelvie approving, Directors Paquin, Hoffman, Causley, Massaway, Abramson opposing.

Without objection, the Chairperson announced the following:

- 1. Accept the resignation of Ruth Ann Hudak from the Unit Two Hessel Elder Sub-Committee.**
- 2. Reappoint Veronica Hickman and Shirley Goudreau to the Housing Authority, both 4 year terms, expiring January 2012.**
- 3. Accept the recommendation of the Conservation Committee and approve LaVern Alexander to escrow his small boat license for his son Arron P. Alexander**
- 4. Accept the recommendation of the Conservation Committee and approve appoint Don Moore as Co-Captain for Louis Conguy for the 2008 season.**

Moved by Director Abramson, supported by Director Hoffman, to approve Resolution 2008-16, Health Center – St. Ignace Clinic, FY 2008 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2008 Budget Modification for Health Center – St. Ignace Clinic to hire Dr. Manges as a full time employee.

Motion carried unanimously.

Moved by Director Paquin, supported by Director Abramson, to establish/approve Resolution 2008-17, Co-Executive Directors Authority.

RESOLVED, November 6 Organizational Chart - the Sault Tribe Co-Executive Directors has full authority over all employees. If the CEO/Chairperson has any concerns, the Chairperson or Co-Executives brings those concerns to the Board of Directors.

Roll Call Vote: Motion carried with Directors McKelvie, Abramson, Paquin, Petosky, Causley, Massaway, Eitrem, Hoffman approving, Directors Miller, Gravelle, Chase opposing.

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Without Objection, the CEO and the Co-Executive Directors will meet with the Board of Director bimonthly.

Without Objection, any resolution that the Chairperson refuses to sign, the Vice-Chairman will sign the resolution.

Without Objection, to get a legal opinion on the issue of: when the CEO is directed by the Board of Directors, and the CEO does not do as directed, what can be done.

Without Objection, the Board of Directors needs a Board Staff Member to write and send out Media Releases/Press Releases/ Media Alerts, etc. on behalf of the Board of Directors and to respond to the Chairperson's media releases.

Without Objection, the Board of Directors needs to consider hiring legal representation for the Board of Directors – refer this one to the legal department.

Moved by Director Hoffman, supported by Director Gravelle, to table the resolution titled Interim ACFS Division Director.

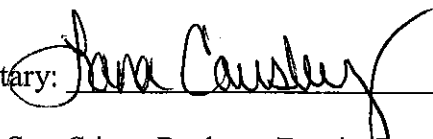
Motion carried with Directors Abramson and Causley opposing.

Moved by Director Gravelle, supported by Director Miller, to adjourn the meeting.

Motion carried with Director Eitrem, Chase, Paquin, Petosky, Gravelle, Massaway, Miller, McKelvie, approving, Directors Hoffman, Causley, Abramson opposing.

Meeting adjourned: 12:38 a.m.

Date: 2-19-08

Secretary: 

Others present: Kristi Little, Les Ailing, Sue Stiver Paulsen, Dustin Bacon, Susan Soltys, Michael McKerchie, Lori Jump, James Bias, Jocelyn Fabry, Holly Kibble.

Acct: Vic Matson Jr., Bill Connolly

ACFS:

Casino: Tony Goetz

Education:

Gaming:

Health: Tony Abramson

Housing: Carolyn O'Neil

H.R.: Cheryl Bernier

Legal: Aaron Schlehber, Courtney Kachur Communications: Cory Wilson

Law Enf: Cullens, Povey, Severance, Frechette, McLeod.