

**BOARD OF DIRECTORS REGULAR MEETING
RAMADA INN
MARQUETTE, MICHIGAN
MINUTES
AUGUST 16, 2016**

The meeting was opened at 6:12 p.m. by Chairperson Payment.

Present: Dennis McKelvie, Kim Gravelle, DJ Hoffman, Jennifer McLeod, Michael McKerchie, Lana Causley, Catherine Hollowell, Bridgett Sorenson, Keith Massaway, Denise Chase, Darcy Morrow, Anita Nelson, and Aaron Payment.

Absent:

Moved by Director Massaway, supported by Director McLeod, to approve the agenda as read.

Motion carried unanimously.

Moved by Director Causley, supported by Director Hoffman, to suspend the rules and add the resolution regarding IHS Aftercare.

Motion carried unanimously.

Without Objection, will add a request for a Small Mesh Permit. No objections.

Without Objection, will add Board request for travel to the CDC and STAC to the agenda. No objections.

Without Objection, will recess to the Gaming Authority Meeting. No objections.

Reconvened.

Moved by Director Sorenson, supported by Director Hoffman, to approve Res. 2016-193, Performance Audit of Human Resources and Employee Morale Contract/Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Board of Directors authorizes the selection, and contracting with REDW CPAS| Business and Financial Advisors to conduct the Performance Audit of Human Resources and Employee Morale authorizing the Chairperson to sign and execute all documentation to facilitate this agreement.

BE IT FURTHER RESOLVED, that the Tribal Board of Directors authorizes total funding of \$54,750 to complete the Performance Audit of Human Resources and Employee Morale as well as a Human Resource Compliance Assessment.

BE IT FINALLY RESOLVED, that the funding shall be derived as follows: \$27,375 from Tribal Operations; \$27,375 from Casino Operations.

Motion carried with Director McKelvie abstaining.

Moved by Director Causley, supported by Director Chase, to approve Res. 2016-194, IHS Aftercare FY 2016 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2016 budget modification to IHS Aftercare with Third Party Revenue monies of \$50,000.00 to begin the process of a feasibility study for treatment and recovery services. No effect on Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director Hollowell, supported by Director Morrow, to approve Res. 2016-195, Nunn's Creek Fisheries FY 2016 Budget Modification and Request to Establish FY 2017 Budget USDA Fish Barrier.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby accepts the cost sharing agreement with the United State Department of Agriculture.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves and authorizes Aaron Payment, Tribal Chairperson or his designee, to negotiate, execute and amend any documents resulting therefrom on the Tribe's behalf on a contract between the Sault Ste. Marie Tribe of Chippewa Indians and Huyck Trucking.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2016 budget modification to Nunn's Creek Fisheries for an increase from Fund Balance Reserves (Walleye Fingerling Sales Revenue) monies of \$23,133.34. No effect on Tribal Support.

BE IT FINALLY RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians approves the establishment of a FY 2017 budget for USDA Fish Barrier with transferred funds from Nunn's Creek Fisheries monies of \$23,133.34 and USDA monies of \$123,691.00. No effect on Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director Causley, supported by Director McLeod, to approve Res. 2016-196, ACFS – Native Employment Works Establishment of a FY 2017 Budget.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2017 budget for Native Employment Works with Federal HHS monies of \$9,883.80. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director McLeod, to approve Res. 2016-197, Education – Child Care Center FY 2016 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2016 budget modification to the Child Care Center to make changes to the personnel page. No effect on Tribal Support.

Motion carried with Directors McKelvie, Causley opposing.

Moved by Director Massaway, supported by Director Morrow, to approve Res. 2016-198, FY 2017 Budget Document 002.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2017 Budget Document 002 totaling \$44,011,945 of which \$777,141 will come from Tribal Support.

Roll Call Vote: Motion carried with Directors McLeod, Morrow, McKerchie, McKelvie, Causley, Chase, Massaway approving; Directors Gravelle, Sorenson, Hollowell, Hoffman, Nelson opposing.

Moved by Director Causley, supported by Director Gravelle, to approve Res. 2016-199, Eldercare Transportation FY 2016 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2016 budget modification to Eldercare Transportation to: 1) Erase all past debt that Elders have to the Eldercare Transportation Program; 2) Refund Elders that have paid co-pays in 2015 and 2016; 3) That the funding will come for the refund will come from the existing budget and if needed, will use 3rd Party Revenue from the Health Program for the remainder of the funding.

BE IT FURTHER RESOLVED, that all charges will cease until the policy is re-written and the changes are to come back for Board approval within 60 days.

Roll Call Vote: Motion carried with Directors Massaway, McKerchie, Causley, Gravelle, Nelson, Hoffman, Morrow, Sorenson, McLeod, Chase, Hollowell approving; Director McKelvie opposing.

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Moved by Director McKelvie, supported by Director Morrow, to approve Res. 2016-200, Partial Waiver of Convictions for Mr. Thomas S. Captain.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, pursuant to Tribal Code Chapter 76 grants a partial waiver to Mr. Thomas S. Captain for the convictions of: Misdemeanor Malicious Destruction of Personal Property – 05/2012.

Motion carried unanimously.

Moved by Director McKelvie, supported by Director Chase, to approve Res. 2016-201, Partial Waiver of Convictions for Mrs. Casey Legault.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, pursuant to Tribal Code Chapter 76 grants a partial waiver to Mrs. Casey Legault for the convictions of: Misdemeanor Retail Fraud-Third Degree - 01/2016.

Motion carried with Directors Hollowell, Massaway, McLeod opposing.

Moved by Director McKelvie, supported by Director Chase, to approve Res. 2016-202, Partial Waiver of Convictions for Mr. Kevin King.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, pursuant to Tribal Code Chapter 76 grants a partial waiver to Mr. Kevin King for the convictions of: Misdemeanor Disorderly Person – Drunk – 06/2016.

Motion carried with Directors Sorenson, Hollowell opposing.

Moved by Director Sorenson, supported by Director McLeod, to approve the res. regarding the Clean Diesel Grant.

Roll Call Vote: Motion denied with Directors Causley, Sorenson, McKelvie, Hollowell approving; Directors Massaway, McKerchie, Gravelle, Nelson, Hoffman, Morrow, McLeod, Chase opposing.

Moved by Director Sorenson, supported by Director McLeod, to approve Res. 2016-203, 2016 Tribal Wildlife Grant.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes Aaron A. Payment, Tribal Chairperson, or his duly authorized representative to sign, negotiate, amend and execute any agreements thereof for the 2016 Tribal Wildlife Grant.

Roll Call Vote: Motion carried unanimously.

Moved by Director Hoffman, supported by Director Gravelle, to approve Res. 2016-204, Trust Land Lease – 2300 Shawano – Captain, Sault Ste. Marie, Michigan.

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairperson, and Treasurer, to execute a lease to the land located at, Sault Ste. Marie, Michigan to, Benny E. Captain, a single man, land being described as follows:

A parcel of land located in the Fractional Northwest 1/4, Section 16, Township 47 North, Range 1 East, City of Sault Ste. Marie, Chippewa County, Michigan more particularly described as commencing at the Northwest corner of said Section 16;

thence S02°07'34"W along the West line of said Fractional Northwest 1/4 a distance of 425.00 feet; thence S87°52'26"E a distance of 33.00 feet to a point on the Easterly right of way line of Shunk Road, said point is also on the Southerly right of way line of Shawano Drive; thence continuing S87°52'26"E along said Southerly right of way line a

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distance of 100.00 feet; thence Easterly 276.54 feet along said Southerly right of way line and also along a curve to the right, said curve has a delta angle of $20^{\circ}34'39''$, a radius of 770.00 feet and is subtended by a chord that bears $S77^{\circ}35'06''E$ a distance of 275.06 feet; thence Southeasterly along said Southerly (and Westerly) right of way line and also along a curve to the right, a distance of 281.28 feet. said curve has a delta angle of $70^{\circ}04'17''$, a radius of 230.00 feet and is subtended by a chord that bears $S32^{\circ}15'40''E$ a distance of 264.08 feet; thence $S02^{\circ}46'26''W$ along said Westerly right of way line a distance of 100.00 feet; thence Southerly a distance of 308.08 feet along said Westerly right of way line and also along a curve to the right, said curve has a delta angle of $19^{\circ}48'21''$, a radius of 891.23 feet and is subtended by a chord that bears $S12^{\circ}40'33''W$ a distance of 306.55 feet, said point is the POINT OF BEGINNING: Thence continuing Southerly along a curve to the right and also along said Westerly right of way line a distance of 94.29 feet, said curve has a delta angle of $06^{\circ}03'43''$, a radius of 891.23 feet and is subtended by a chord that bears $S25^{\circ}36'34''W$ a distance of 94.25 feet; Thence $N61^{\circ}21'34''W$ a distance of 125.68 feet; Thence $N09^{\circ}33'44''E$ a distance of 82.98 feet; Thence $S67^{\circ}25'16''E$ a distance of 148.65 feet to the POINT OF BEGINNING. Containing 0.28 acres more or less. Subject to all easements, conditions, reservations, exceptions and restrictions contained in prior conveyances of record.
BE IT FURTHER RESOLVED, the lease is in furtherance of a housing program operated in the promotion of public purposes and the negotiated rental amount has been determined to be in the best interest of the Tribe and its people, and valuation in accordance with 25 CFR § 162.320 is hereby waived.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director McLeod, to approve Res. 2016-205, Trust Land Lease – 1800 Bahweting Drive – McKerchie, Sault Ste. Marie, Michigan.

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairperson, and Treasurer, to execute a lease to the land located at Sault Ste. Marie, Michigan, to Anita I. McKerchie, a single woman, land being described as follows:

A parcel of land located in the Fractional Northwest 1/4, Section 16, Township 47 North, Range 1 East, City of Sault Ste Marie, Chippewa County, Michigan more particularly described as commencing at the West 1/4 corner of said Section 16; thence $N02^{\circ}07'34''E$ along the West line of said Fractional Northwest 1/4 a distance of 431.72 feet; thence $S87^{\circ}52'26''E$ a distance of 48.00 feet to the POINT OF BEGINNING, said Point is on the Southerly right-of-way line of Bahweting Drive:

thence continuing $S87^{\circ}52'26''E$ along said Southerly right-of-way line a distance of 58.43 feet; thence $S84^{\circ}16'44''E$ along said Southerly right-of-way line a distance of 45.51 feet; thence Easterly 40.76 feet along said Southerly right-of-way line and also along a tangent curve to the right, said curve has a delta angle of $06^{\circ}21'46''$ a radius of 367.00 feet, and is subtended by a chord that bears $S81^{\circ}05'51''E$ a distance of 40.73 feet; thence $S12^{\circ}28'25''W$ a distance of 128.86 feet; thence $N87^{\circ}52'26''W$ a distance of 121.15 feet; thence $N02^{\circ}07'34''E$ a distance of 134.43 feet to the POINT OF BEGINNING. Containing 0.41 acres more or less. Subject to all easements, conditions, reservations, exceptions and restrictions contained in prior conveyances of record.

BE IT FURTHER RESOLVED, the lease is in furtherance of a housing program operated in the promotion of public purposes and the negotiated rental amount has been determined to be in the best interest of the Tribe and its people, and valuation in accordance with 25 CFR § 162.320 is hereby waived.

Motion carried unanimously.

Moved by Director Causley, supported by Director Morrow, to approve Res. 2016-206, National Indian Gaming Association 2016.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized the payment of dues for NIGA membership of \$15,000.

BE IT FURTHER RESOLVED, that the Board of Directors hereby appoints the following as the Tribe's representatives to NIGA: Delegate: Aaron A. Payment, Chairperson; Alternate: DJ Hoffman, Vice Chair; Alternate: Bridgett Sorenson, Director, Secretary; Alternate: Dennis McKelvie, Director, Treasurer; Alternate: Keith Massaway, Director;

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Alternate: Michael McKerchie, Director; Alternate: Jennifer McLeod, Director; Alternate: Kimberle Gravelle, Director; Alternate: Lana Causley, Director; Alternate: Catherine Hollowell, Director; Alternate: Denise Chase, Director; Alternate: Darcy Morrow, Director; Alternate: Anita Nelson, Director; Alternate: Kenneth J. Ermatinger, Gaming Commission Director.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director McLeod, to approve Res. 2016-207, National Congress of American Indians 2016 Annual Convention Delegates and 2017 Dues.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Article III, Section 2 of the NCAI Constitution the Sault Ste. Marie Tribe of Chippewa Indians designates the following individuals as Delegates and Alternate Delegate and instructs them to become Individual Members in good standing in the NCAI in order to fulfill their responsibilities: Delegate: Aaron A. Payment, Chairperson; Alternate: DJ Hoffman, Director, Vice Chair; Alternate: Bridgett Sorenson, Director, Secretary; Alternate: Dennis McKelvie, Director, Treasurer; Alternate: Keith Massaway, Director; Alternate: Michael McKerchie, Director; Alternate: Jennifer McLeod, Director; Alternate: Kimberle Gravelle, Director; Alternate: Lana Causley, Director; Alternate: Catherine Hollowell, Director; Alternate: Denise Chase, Director; Alternate: Darcy Morrow, Director; Alternate: Anita Nelson, Director; Alternate: Kenneth J. Ermatinger, Gaming Commission Director.

Motion carried unanimously.

Moved by Director Causley, supported by Director Massaway, to approve Res. 2016-208, Authorization to Change Signature Authority Bank Accounts.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby authorizes the signatures of the following attached Bank Accounts. Said Accounts will require the signatures of two of the signatories.
BE IT FURTHER RESOLVED, this resolution hereby rescinds all previously approved resolutions regarding signature authority on Bank Accounts.

Motion carried unanimously.

Moved by Director Causley, supported by Director Gravelle, to approve Res. 2016-209, Authorization to Change Signature Authority Trust Accounts.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby authorizes the signatures of the following attached Trust Accounts. Said Accounts will require the signatures of two of the signatories.
BE IT FURTHER RESOLVED, this resolution hereby rescinds all previously approved resolutions regarding signature authority on Trust Accounts.

Motion carried unanimously.

Moved by Director McKelvie, supported by Director Gravelle, to approve Res. 2016-210, Authorization to Execute Deed Clarifying Christmas Chain of Title.

NOW, THEREFORE, BE IT RESOLVED, that the Tribe, through its Board of Directors, specifically authorizes and directs its Tribal Chairperson and Treasurer, or their designee, as may be appropriate, to execute a quit claim deed from the Tribe to the Tribe for the purpose of clearing up the chain of title. The Chairperson and Treasurer are specifically authorized to execute all documents necessary to clear up the chain of title for the Christmas property.

Motion carried unanimously.

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Moved by Director Massaway, supported by Director McLeod, to approve Res. 2016-211, Appointing Chairperson of Audit Committee.

NOW, THEREFORE, BE IT RESOLVED, that Director Dennis McKelvie is hereby appointed to serve as the Chairperson of the Audit Committee until the end of his current term as Tribal Treasurer in 2018.

Motion carried unanimously.

Moved by Director Massaway, supported by Director McLeod, to approve Res. 2016-212, Amending Tribal Code Chapter 11: Membership Ordinance – Youth Tribal Identification Cards.

NOW, THEREFORE, BE IT RESOLVED, that Tribal Code Chapter 11: Membership Ordinance at Section 11.112(1) shall be amended to read:

“(1) Membership cards shall be for a period of four years and shall expire on the member’s birthday. Membership cards issued to any member under the age of eighteen shall not expire pursuant to the preceding but rather shall automatically expire on their eighteenth birthday.”

BE IT FURTHER RESOLVED, that Tribal Ops will replace fees up to the amount of the actual loss.

Motion carried with Directors Morrow, Sorenson, Causley, Chase opposing.

Moved by Director Hoffman, supported by Director McKelvie, to approve the resolution regarding Affirmative Action.

Roll Call Vote: Motion denied with Directors Massaway, Hoffman, Sorenson, Gravelle, McKerchie approving; Directors Hollowell, Nelson, Chase, McLeod, Morrow, McKelvie, Causley opposing.

Moved by Director Sorenson, supported by Director Morrow, to accept the recommendation of the Great Lakes Conservation Committee and approve a Small Mesh Permit for Bob Peterson, Cheboygan, for the 2016 Season.

Motion carried unanimously.

Moved by Director Morrow, supported by Director Chase, to accept the resignation of Joe Gray from the Unit Five Marquette Elder Subcommittee and Elder Advisory Committee, effective immediately.

Motion carried with Director Sorenson opposing.

Moved by Director McKelvie, supported by Director Massaway, to accept the resignation of David Lamotte, from the Election Committee.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director Hollowell, to appoint to the Elder Advisory Committee, John Causley Jr., as alternate, to represent Unit 2, Hessel Elders, for a four year term, expiring August 2020.

Motion carried with Director Causley abstaining.

Moved by Director Chase, supported by Director Morrow, to appoint John Perkins, as alternate, to represent Unit 4 Escanaba Elders on the Elder Advisory Committee, for a four year term, expiring August 2020.

Motion carried unanimously.

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Moved by Director Nelson, supported by Director Morrow, to appoint Boyd Snyder as regular member, to represent Unit 5 Marquette Elders on the Elder Advisory Committee, replacing Joe Gray, until January 2017.

Motion carried unanimously.

Moved by Director Gravelle, supported by Director McLeod, to appoint Patricia Rudis, to the Unit One Elders Subcommittee, as an alternate, for a four year term, expiring August 2020.

Motion carried unanimously.

Moved by Director Nelson, supported by Director Sorenson, to appoint Antoinette Biron, to the Unit Five Munising Elders Subcommittee, as a regular member, for a four year term, expiring August 2020.

Motion carried unanimously.

Moved by Director Gravelle, supported by Director McKerchie, to appoint Kristyn Libby to the Election Committee, for a four year term, expiring August 2020.

Motion carried unanimously.

Moved by Director Hollowell, supported by Director McLeod, to approve Board travel to the CDC meeting in October and the STAC meeting in September.

Motion carried unanimously.

Without objection will adjourn the meeting. No objections.

Meeting adjourned: 8:06 p.m.

Date: 9-6-16

Secretary: Tridgett Sorenson

Others present: John Wernet, Christine McPherson, Bill Connolly, Jessica Dumback, Mary Jenerou, Russ McKerchie, Joanne Carr.