

ROLL CALL MATRIX

Meeting Date: 2-16-2016

P	A	Res. Number 2016	47	48	49	50	51	52					
		Unanimous		U	U		U	U					
X		Cathy Abramson				Y							
X		Kim Gravelle				Y							
X		Denny McKelvie		2		2Y	2						
X		DJ Hoffman	1		2	N							
X		Jennifer McLeod				Y							
X		Lana Causley				Y							
X		Cath Hollowell	N			1Y							
X		Bridgett Sorenson				Y		2					
X		Keith Massaway	2			Y		1					
X		Denise Chase				Y							
X		Darcy Morrow		1	1	Y	1						
X		Aaron Payment											

- 1 = Made Motion
- Y = Voted Yes
- A = Abstained
- S = Sponsored by Board Member
- 2 = Second/Support Motion
- N = Voted No
- U = Unanimous



RESOLUTION NO: 2016 - 47

AMENDING TRIBAL CODE CHAPTER 70: CRIMINAL PROCEDURE

-PROBATION-

WHEREAS, Tribal Code Chapter 70: Criminal Procedure, at Section 70.128, Probation, currently reads as follows:

- 1) Where a sentence of imprisonment has been imposed on a convicted offender the Tribal Court may, in its discretion, suspend the serving of such sentence and release the person on probation under any reasonable conditions deemed appropriate by the Tribal Court, provided that the period of probation shall not exceed one year for all offenses.

WHEREAS, the Tribe endorses and supports a restorative and rehabilitative justice approach, wherein the Tribal Court has the authority and ability, in appropriate cases, as an alternative to incarceration, to order defendants to engage in and complete rehabilitative services during the course of their probation; and


WHEREAS, the Tribe recognizes that when defendants are able to successfully complete rehabilitative services and treatment services, our Tribal communities and membership are healthier and safer and enjoy reduced recidivism rates; and

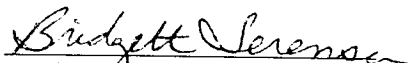
WHEREAS, the Tribe recognizes that many rehabilitative services cannot be completed within one year.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors amends Tribal Code Chapter 70: Criminal Procedure, at Section 70.128, Probation, subsection (1), by deleting "shall not exceed one year for all offenses" and replacing it with "shall not exceed two years for all offenses."

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 16 day of February 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 members for, 1 members against, 0 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

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RESOLUTION NO: 2016-48

APPOINTING AUDIT COMMITTEE MEMBER

WHEREAS, the Tribe has established an Audit Committee; and

WHEREAS, administration of the Audit Committee is governed by Bylaws adopted pursuant to Resolution 2003-36; and

WHEREAS, there is a vacant seat on the Audit Committee.

NOW, THEREFORE, BE IT RESOLVED, it is the recommendation of the Audit Committee that the Tribal Board of Directors appoint Director Cathy Abramson to fill that vacancy; until the end of her current term.

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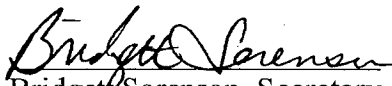
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Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
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Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
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RESOLUTION NO: 2016-49

**WAIVER OF SOVEREIGN IMMUNITY AND CONSENT TO WAIVER
OF TRIBAL COURT JURISDICTION
DLP MARQUETTE GENERAL HOSPITAL, dba UP HEALTH SYSTEM**

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

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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 Tribe has negotiated a contract with DLP Marquette General Hospital, dba UP Health System, ("UPHS") for clinical laboratory services.

1.3 UPHS has refused to consent to a modification of its contract in a manner that would permit the Tribe to contract without a waiver of sovereign immunity or Tribal Court jurisdiction, including the indemnification clauses and dispute resolution terms in paragraph 14.

Section 2 APPROVALS AND AUTHORIZATION

2.1 The Board of Directors authorizes and directs the Tribe, through its Chairperson, for and on behalf of the Tribe to enter into such agreements on such terms and conditions as he deems necessary concerning governing law, waiver of Tribal Court jurisdiction, and waiver of tribal immunity, and gives its express consent to the terms and provisions of the UPHS Clinical Laboratory Services Agreement.

Section 3 WAIVER OF SOVEREIGN IMMUNITY; CONSENT TO JURISDICTION; GOVERNING LAW

3.1 The Tribe hereby waives its sovereign immunity from suit should an action be commenced under the UPHS Agreement.

This waiver:

- i) shall terminate upon performance by the Tribe of all of its obligations under the UPHS Agreement;
- ii) is granted solely to UPHS and its successors and assigns; and
- iii) the UPHS Agreement shall be construed in accordance with and governed by the internal laws of the State of Michigan.

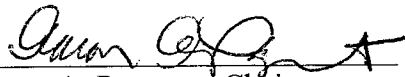
Section 4 WAIVER OF TRIBAL COURT JURISDICTION

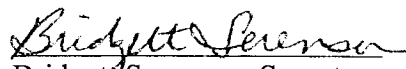
4.1 The Board of Directors waives jurisdiction of the Tribal Court over any action arising under the UPHS Agreement.

BE IT FURTHER RESOLVED that 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.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 16 day of February 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 11 members for, 0 members against, 0 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
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RESOLUTION NO: 2016-50

FY 2015 YEAR END RECONCILIATION

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2015 Year End Reconciliations for the re-allocation of Tribal Support of up to \$147,598.81, with an overall reduction in total Tribal Support of \$867,266.00.

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Bridgett Sorenson, Secretary
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RESOLUTION NO: 2016-51

**ACFS -CHILD CARE FUND (STATE)
FY 2016 BUDGET MODIFICATION**

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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 Child Care Fund (State) for an increase in State monies of \$1,877.00, a decrease in Other monies of \$17,832.00, with the loss of \$29,275.66 coming from the programs Fund Balance. No effect on Tribal Support.


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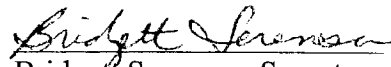
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Aaron A. Payment, Chairperson
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Bridgett Sorenson, Secretary
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RESOLUTION NO: 2016-52

**EDUCATION – HEAD START BIA
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 Head Start BIA for an increase in Federal BIA monies of \$8,104.54. This budget modification reflects carry over and the actual award amount. No effect on Tribal Support.

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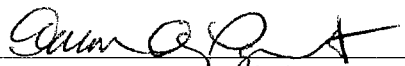
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