

**BOARD OF DIRECTORS REGULAR MEETING  
MANISTIQUE TRIBAL CENTER  
MANISTIQUE, MICHIGAN  
MINUTES  
MAY 20, 2008**

The meeting was opened at 6:02 p.m. by Chairperson Payment.

Present: Dennis McKelvie, Todd Gravelle, Cathy Abramson, Joe Eitrem, Lana Causley, Bob LaPoint, Fred Paquin, Denise Chase, Aaron Payment.

Absent: DJ Hoffman – Detroit, Tom Miller – Detroit, Keith Massaway – sick, Shirley Petosky –son had surgery.

**Moved by Director Paquin, supported by Director Causley, to excuse Directors Hoffman, Miller, Massaway, Petosky from the meeting.**

**Motion carried unanimously.**

**Moved by Director Paquin, supported by Director McKelvie, to delete from the agenda the resolutions regarding restructuring, Midjim gas tax, and the issue of the Kewadin logo.**

**Motion carried unanimously.**

**Moved by Director Causley, supported by Director Paquin, to suspend the rules and add the eight resolution regarding cost savings.**

**Motion carried unanimously.**

**Moved By Director Causley, Supported By Director Paquin, To Approve Resolution 2008-99, Amending Chapters 71 And 36, Prohibiting Use Of Tobacco By Minors Except For Religious Or Ceremonial Purposes.**

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby amends Section 71.1504, renumbers Sections 36.807, 36.808, and 36.809 to become 36.808, 36.809, and 36.810 and adopts Sections 71.1505, 71.1506 and a new 36.807 of the Tribal Code, in the form set forth below, and mandates that this Code shall be the law of this Tribe.

**71.1505 Under Age Possession of Tobacco by a Minor.**

(1) Offense. A person under the age of Eighteen (18) years commits the offense of under age possession of tobacco, if he buys, receives, possesses or consumes, or attempts to buy, receive or possess any tobacco containing product.

(2) A person convicted of under age possession of tobacco may be sentenced to the following:

(a) upon a first offense, one session of education, to include traditional use and commercial abuse education, one educational tobacco related assignment, and two hours volunteer work in the community; and

(b) upon a second offense, three weekly educational sessions of one hour each with a local youth education staff member; and

(c) upon a third offense, a minimum of eight hours volunteer work, not to exceed 24 hours; and

(d) upon a fourth and subsequent offense, confinement 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 term "tobacco containing product" shall include, but not be limited to cigars, cigarettes, snuff, chewing tobacco, and the raw materials necessary to prepare these products.

(4) Affirmative Defense. Any person charged with under age possession of tobacco shall be relieved of all liability for the offense if he or she can demonstrate that the possession of the tobacco was done for religious or ceremonial purposes.

**71.1506 Delivery of Tobacco to a Minor.**

(1) Offense. A person commits the offense of delivery of tobacco to a minor, if he sells, furnishes, procures for, or knowingly assists in the furnishing of any tobacco containing product to any person under the age of eighteen (18) years.

(2) Sentence. A person convicted of delivery of tobacco to a minor may be sentenced to imprisonment for a period not to exceed six (6) months, or a fine not to exceed Two Thousand Dollars (\$2,000.00), or both.

(3) For the purposes of this section, the term "tobacco containing product" shall include, but not be limited to cigars, cigarettes, snuff, chewing tobacco, and the raw materials necessary to prepare these products.

(4) Affirmative Defense. Any person charged with delivery of tobacco to a minor shall be relieved of all liability for the offense if he or she can demonstrate that the delivery of the tobacco was done for religious or ceremonial purposes.

**36.807 Under Age Possession of Tobacco by a Minor.**

(1) A person under the age of Eighteen (18) years shall not buy, receive, possess or consume, or attempt to buy, receive or possess any tobacco containing product.

(2) A person violating this Section may be ordered to do the following:

(a) upon a first violation, one session of education, to include traditional use and commercial abuse education, one educational tobacco related assignment, and two hours volunteer work in the community; and

(b) upon a second violation, three weekly educational sessions of one hour each with a local youth education staff member; and

(c) upon a third violation, a minimum of eight hours volunteer work, not to exceed 24 hours; and

(d) upon a fourth and subsequent violations, confinement 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 term "tobacco containing product" shall include, but not be limited to cigars, cigarettes, snuff, chewing tobacco, and the raw materials necessary to prepare these products.

(4) Affirmative Defense. Any person charged with under age possession of tobacco shall be relieved of all liability for the offense if he or she can demonstrate that the possession of the tobacco was done for religious or ceremonial purposes.

**36.808 Enforcement.**

(1) Any Tribal Law Enforcement Officer may enforce the provisions of this subchapter.

(2) Any person authorized to enforce the provisions of this Chapter may stop and question any person upon reasonable belief that there is a violation of this Chapter. Any person authorized to enforce this Chapter may issue a citation to any person upon reasonable belief that such person has violated a provision of this Chapter and may seize and hold any property needed as evidence or any property authorized to be seized pursuant to the civil remedial forfeiture provisions of this Chapter.

**36.809 Resisting or Fleeing an Officer.**

No person may assault, obstruct or flee from any law enforcement officer enforcing or attempting to enforce the provisions of this Chapter.

**36.810 Enforcement Procedure.**

The Juvenile Division shall have jurisdiction over cases brought to enforce this subchapter. Proceedings shall be conducted in accordance with the provisions of Subchapter V. Jurisdiction is hereby conferred upon the Tribal Court over matters related to the enforcement of this subchapter regarding individuals over seventeen (17) years old.

**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.

**Roll Call Vote: Motion carried with Directors Paquin, Gravelle, Abramson, McKelvie, Eitrem, Causley approving, Directors LaPoint, Chase opposing. Note: Legal is reviewing to see if this needed a positive majority. Will bring back if so needed.**

**Moved by Director Abramson, supported by Director McKelvie, to approve the resolution regarding the Indigent Defense Counsel.**

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

**Moved by Director McKelvie, supported by Director Causley, to approve Resolution 2008-100, Waaniiniigaanzijig Youth Council Request For Policy For Tribal Events Regarding The Consumption Of Soda.**

BE IT THEREFORE RESOLVED, that in the future, all tribal community events that are intended for youth, will not offer soda of any kind as a beverage choice to their participants and will instead offer healthier choices of water, milk or 100 % fruit juice.

**Roll Call Vote: Motion carried unanimously.**

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**Moved by Director Abramson, supported by Director Causley, to approve Resolution 2008-101, Nbiish-Be-Mwi-Jwaang Tribal Youth Council Celebrate Native Health Project.**

NOW, THEREFORE, BE IT RESOLVED, starting immediately all tribal programs working with youth will exercise portion control, serving a portion size of the snack available, and will offer a healthier variety of choices such as fruits and vegetables.

BE IT FURTHER RESOLVED, with all tribal programs working with youth lasting more than two (2) consecutive hours that involves little to no physical activity and where decorum, time, and space allows, the facilitators of the program must provide no less than 15 minutes of physical activity.

**Motion carried unanimously.**

**Moved by Director Paquin, supported by Director Abramson, to approve Resolution 2008-102, FY 2008 American Indian Substance Abuse Budget Modification.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the attached FY 2008 Budget Modification for American Indian Substance Abuse.

**Motion carried unanimously.**

**Moved by Director Abramson, supported by Director Paquin, to approve Resolution 2008-103, FY 2008 Community Service Block Grant Budget Modifications.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the attached FY 2008 Budget Modifications for Community Service Block Grant.

**Motion carried unanimously.**

**Moved by Director Abramson, supported by Director Paquin, to approve Resolution 2008-104, FY 2008 USDA Budget Modification.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the attached FY 2008 USDA Budget Modification decreasing Tribal Support \$119,982.50.

**Roll Call Vote: Motion carried with Directors Eitrem, Chase, Paquin, Gravelle, Causley, McKelvie, Abramson approving, Director LaPoint opposing.**

**Moved by Director Gravelle, supported by Director Paquin, to approve Resolution 2008-105, FY 2008 Access to Recovery Budget Modifications.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the attached FY 2008 Budget Modifications for Access to Recovery.

**Motion carried unanimously.**

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**Moved by Director Gravelle, supported by Director LaPoint, to table the resolution regarding random drug testing.**

**Motion carried with Directors McKelvie, Eitrem opposing.**

**Moved by Director Gravelle, supported by Director Abramson, to approve the resolution regarding the corporate tax travel.**

**Roll Call Vote: Motion denied with Directors Paquin, Eitrem, Chase, Causley, approving, Directors Gravelle, Abramson, McKelvie, LaPoint opposing, Chairperson Payment breaking the tie vote to approve. Although the vote was approved, it needed a vote of a positive majority (7).**

**Moved by Director Paquin, supported by Director Eitrem, to approve Resolution 2008-106, FY 2008 Cost Savings #2.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the attached spreadsheet of an approximate cost savings of \$331,000.

BE IT FURTHER RESOLVED, the H.R. Policy will be amended and presented to the Board of Directors at a future date.

**Roll Call Vote: Motion carried unanimously.**

**Moved by Director Paquin, supported by Director Eitrem, to approve Resolution 2008-107, FY 2008 Cost Savings #4.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the attached spreadsheet of an approximate cost savings of \$143,800.

BE IT FURTHER RESOLVED, the H.R. Policy will be amended and presented to the Board of Directors at a future date.

**Roll Call Vote: Motion carried unanimously.**

**Moved by Director Causley, supported by Director McKelvie, to approve Resolution 2008-108, FY 2008 Cost Savings #5.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the attached spreadsheet of an approximate cost savings of \$49,700.

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

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**Moved by Director McKelvie, supported by Director Chase, to approve Resolution 2008-109, FY 2008 Cost Savings #6.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the attached spreadsheet of an approximate cost savings of \$16,100, effective June 1, 2008.

**Motion carried with Director Abramson opposing.**

**Moved by Director Abramson, supported by Director Eitrem, to approve Resolution 2008-110, FY 2008 Cost Savings #7.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the attached spreadsheet of an approximate cost savings of \$20,000.

**Motion carried unanimously.**

**Moved by Director McKelvie, supported by Director Chase, to approve Resolution 2008-111, FY 2008 Cost Savings #9.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the attached spreadsheet of an approximate cost savings of \$45,038.

**Motion carried with Director Causley opposing.**

**Moved by Director Abramson, supported by Director Eitrem, to approve Resolution 2008-112, FY 2008 Cost Savings #10.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the attached spreadsheet of an approximate cost savings of \$91,000, effective June 1, 2008.

**Roll Call Vote: Motion carried unanimously.**

**Moved by Director Gravelle, supported by Director Abramson, to reconsider the vote on the corporate tax travel.**

**Roll Call Vote: Motion carried unanimously.**

**Moved by Director Gravelle, supported by Director Abramson, to approve Resolution 2008-113, FY Cost Savings #1.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the attached reallocation of \$500,000 in Corporate Tax travel, retroactive to April 29, 2008.

**Motion carried unanimously.**

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**Moved by Director Eitrem, supported by Director Paquin, to approve Resolution 2008-114, Temporary Wage Adjustment.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves a temporary wage adjustment in the amount of 5% for the Interim Housing Division Director.

**Motion carried with Director McKelvie opposing.**

**Without Objection, Chairperson Payment accepted the recommendation of the Enrollment/Special Needs Committee and approved the relinquishment of Amber Rae Stoneburner.**

**Moved by Director Eitrem, supported by Director Paquin, to release the names and addresses of the membership to Roger Martin of Martin & Waymire for the sole purpose of mailings for Romulus project.**

**Roll Call Vote: Motion carried unanimously.**

**Moved by Director Chase, supported by Director Abramson, to approve Resolution 2008-115, FY 2008 Manistique Health Center May 2008 Budget Modification.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2008 Manistique Health Center Budget Modification to revise the current Pharmacist Supervisor's pay, recruitment/tuition reimbursement, and reduce Tribal Support \$22,274.69, from savings in Laboratory and Prescription cost.

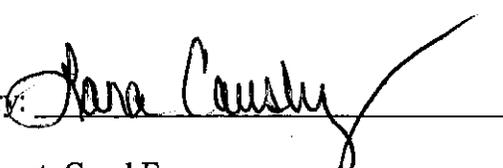
**Roll Call Vote: Motion carried with Directors Eitrem, Chase, Paquin, Gravelle, Causley, McKelvie, Abramson approving, Director LaPoint opposing.**

**Moved by Director Gravelle, supported by Director Paquin, to adjourn the meeting.**

**Motion carried unanimously.**

Meeting adjourned: 7:28 pm.

Date: 6-17-08

Secretary: 

Others present: Sue Stiver Paulsen, Lona Stewart, Carol Eavou.

Acct: Bill Connolly  
Casino: Tony Goetz  
Communications: Dustin Bacon  
Law Enf: Shampine, Money.

Admin: Kristi Little  
H.R.: Cheryl Bernier  
Legal: Kachur