

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN CASINO AND CONVENTION CENTER
SAULT STE. MARIE, MICHIGAN
MINUTES
JUNE 22, 2010**

The meeting was opened at 6:06 p.m. by Vice-Chair Causley.

Present: Dennis McKelvie, DJ Hoffman, Cathy Abramson, Bernard Bouschor, Lana Causley, Bob LaPoint, Pat Rickley, Denise Chase, Tom Miller, Shirley Petosky.

Absent: Joe Eitrem, Keith Massaway, Joe McCoy.

Moved by Director Miller, supported by Director Bouschor, to excuse Directors Eitrem, Massaway, and Chairman McCoy from the meeting.

Motion carried with Directors Hoffman, Abramson abstaining.

Election Report: Michael McKerchie – Election will take place in the Grand Ballroom, on June 24, 2010, unofficial results will be posted that evening, July 6 meeting the results will be certified, July 9, 2010 Installation of Officers.

Moved by Director Miller, supported by Director Hoffman, to approve the agenda as written.

Motion carried unanimously.

Without objection, will remove the following resolutions: 2 partial waivers, legal special projects, and tribal operations. No objections.

Moved by Director Hoffman, supported by Director Miller, to table resolutions regarding – Chapter 22 and 24.

Roll Call Vote: Motion carried with Directors Miller, Rickley, Bouschor, LaPoint, Petosky, Chase, Hoffman approving, Directors McKelvie, Abramson opposing.

Moved by Director Miller, supported by Director Abramson, to suspend the rules and add three resolutions regarding Conservation.

Roll Call Vote: Motion carried with Directors Rickley, Hoffman, Abramson, Bouschor, Miller, McKelvie, LaPoint approving, Directors Chase, Petosky opposing.

Moved by Director Miller, supported by Director McKelvie, to suspend the rules and add the issue regarding SORNA to the agenda.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Rickley, to suspend the rules and add the issue of Greektown transportation to the agenda.

Motion carried unanimously.

Moved by Director McKelvie, supported by Director Hoffman, to suspend the rules and add the issue of the Waishkey Bay closure to the agenda.

Roll Call Vote: Motion carried unanimously.

Moved by Director Miller, supported by Director Bouschor, to approve all Minutes with the exception of 6-8-10. Minutes approved 4-6-10; 4-27-10; 5-4-10; 5-11-10; 5-18-10; 5-25-10; 6-1-10.

Motion carried unanimously, with Director Rickley abstaining for 5-11-10, 5-18-10, 5-25-10, Director Abramson abstaining for 4-6-10; 5-11-10; 5-18-10; Director Causley abstaining for 5-25-10; Director Bouschor abstaining for 5-4-10; 5-18-10; Director LaPoint abstaining for 5-4-10; 6-1-10; Director Miller abstaining for 4-6-10; 4-27-10; Director Massaway abstaining for 6-1-10.

Moved by Director Hoffman, supported by Director Miller, to approve Resolution 2010-119, Lease Cancellation to Patrick Suggitt BIA Lease No: DD-036(01).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes its Tribal Chairman and Treasurer, to execute a lease to the land located at Kincheloe, Michigan to Patrick and Sheryl Suggitt, husband and wife, and land being described as follows: Township of Kinross, County of Chippewa, State of Michigan, Lot 662, Cedar Grove Estates III.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes its Tribal Chairman and Treasurer, to execute this lease cancellation.

BE IT FURTHER RESOLVED, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby requests the Bureau of Indian Affairs to cancel Lease DD-036(01) pursuant to applicable law and regulations.

Motion carried unanimously.

Moved by Director Chase, supported by Director Miller, to approve Resolution 2010-120, Grant Application Approval Upper Peninsula Area Agency on Aging.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes application to the to the Upper Peninsula Area Agency on Aging in order to secure funding to provide direct services to tribal elders.

BE IT FURTHER RESOLVED, that Darwin J. McCoy, Tribal Chairman, or his duly authorized designees are authorized to sign, negotiate, amend, or rescind any agreement thereto.

Motion carried unanimously.

Moved by Director Rickley, supported by Director Miller, to approve Resolution 2010-121, Promise Neighborhoods Grant.

NOW, THEREFORE, BE IT RESOLVED, the Sault Ste. Marie Tribe of Chippewa Indians supports the submission of a Promise Neighborhoods grant application for a one-year planning project.

BE IT FURTHER RESOLVED, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes Darwin Joe McCoy, Tribal Chairman, or his duly authorized representative to sign, negotiate, amend, and execute any agreement thereof for the Promise Neighborhoods grant.

Motion carried unanimously.

Moved by Director Rickley, supported by Director Bouschor, to approve Resolution 2010-122, 2010 ACF Early Learning Mentor Coaches.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors hereby supports and recommends the submission of an application to the Administration for Children and Families, Office of Head Start, for the purpose of obtaining Early Learning Mentor Coaches for the Head Start and Early Head Start programs, enabling the Head Start and Early Head Start programs to provide support, guidance, professional development, and technical assistance for the teaching staff, and

Minutes
6-22-2010

authorizes the Tribal Chairman, Joe McCoy, or his designee to sign, submit, negotiate, contract and or/or amend a grant with the Department of Health and Human Services, Administration of Children and Families, Office of Head Start.

Motion carried unanimously.

Moved by Director Abramson, supported by Director Hoffman, to approve Resolution 2010-123, Approval to Accept Grant Award from USDA-APHIS for Costs Associated with Testing and Monitoring for the VHS Fish Virus.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors supports acceptance of the Notice of Award (\$14,917.33) from USDA-APHIS for VHS-related activities.

Motion carried unanimously.

Moved by Director Miller, supported by Director Hoffman, to approve Resolution 2010-124, Health Center-American Indian Substance Abuse and HIS Aftercare FY 2010 Budget Modifications.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2010 Budget Modifications to American Indian Substance Abuse and IHS Aftercare to decrease Tribal Support \$28,669 and increase State Revenue \$11,000. These budget modifications reflect actual expenditures to date, reimbursement in salaries/fringe, a change to the personnel page, and the adjustment of the indirect rate.

Motion carried unanimously.

Moved by Director Rickley, supported by Director Abramson, to approve Resolution 2010-125, Health Center – Contract Health, FY 2010 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2010 budget modification to Health Center Contract Health for an increase in IHS Revenue of \$1,004,682.00. This budget modification reflects actual expenditures to date and the allocation of the IHS funding.

Motion carried unanimously.

Moved by Director Miller, supported by Director Rickley, to approve Resolution 2010-126, Health Center – Maintenance/Improvement/Capital Outlay, FY 2010 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2010 budget modification to Health Center – Maintenance/Improvement/Capital Outlay budget for an increase in IHS Revenue of \$1,091,568.00. This budget modification reflects actual expenditures to date and the purchase of new equipment.

Motion carried unanimously.

Moved by Director Rickley, supported by Director McKelvie, to approve Resolution 2010-127, Nunn's Creek Fisheries – Rehab Hatchery FY 2010 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2010 Budget Modification to establish a budget for Nunn's Creek Fisheries Rehab Hatchery, with BIA Revenue of \$55,198.00.

Motion carried unanimously.

Moved by Director Miller, supported by Director Rickley, to approve Resolution 2010-128, Walleye Pond, FY 2011 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2011 budget modification to establish a budget for Walleye Pond, with Federal USDA monies of \$81,361.40, no effect on Tribal Support.

Motion carried unanimously.

Moved by Director Abramson, supported by Director Rickley, to approve Resolution 2010-129, Efficiency Energy Audit, FY 2010 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2010 Budget Modification to establish a budget for Efficiency Energy Audit, with DOE Revenue of \$55,700.02. This budget modification will allow for energy audits to be conducted on twenty tribal buildings.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Miller, to approve Resolution 2010-130, Law Enforcement FY 2010 Budget Modifications.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2010 budget modifications to Conservation Management, Public Safety, and Juvenile Detention Ops for an increase in BIA Revenue of \$4,509.35 and Other Revenue \$2,158.37. These budget modifications reflect actual expenditures to date and a change to the personnel sheets. There is no effect on Tribal Support.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Bouschor, to approve the resolution regarding Human Resources Administration – FY 2010 Budget Modification.

Roll Call Vote: Motion denied with Directors Chase, Abramson, Bouschor, LaPoint, Miller, McKelvie opposing, Directors Hoffman, Rickley, Petosky opposing. Note: Needs at least a vote of 7 approving to pass.

Moved by Director Hoffman, supported by Director Abramson, to reconsider the vote on the HR budget modification.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Abramson, to approve Resolution 2010-131, Human Resources Administration – FY 2010 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2010 budget modification to Human Resources Administration for an increase of Tribal Support of \$45,354.63 and Fund Balance \$317.84. This budget modification reflects actual expenditures to date and the reinstatement of the Human Resource Director position.

Roll Call Vote: Motion carried with Directors Rickley, Hoffman, Abramson, Bouschor, Miller, McKelvie, LaPoint approving, Directors Rickley, Petosky opposing.

Moved by Director Hoffman, supported by Director Chase, to table the resolution regarding the budget modification for Debt.

Motion carried with Director McKelvie opposing.

Moved by Director Chase, supported by Director Petosky, to table the resolution regarding Co-Captains.

Motion carried with Directors McKelvie, Abramson, Bouschor, Rickley opposing.

Moved by Director Miller, supported by Director Rickley, to approve Resolution 2010-132, Amending Tribal Code Chapter 20: Great Lakes and St. Mary's River Treaty Fishing Regulations – Access to Vessels.

NOW THEREFORE BE IT RESOLVED that the Board of Directors hereby amends Tribal Code Chapter 20: Great Lakes and St. Mary's River Treaty Fishing Regulations by establishing Section 20.106 to read as follows:

"20.120 Access to Vessels.

(1) Inter-Tribal Fisheries and Assessment Program, or any successor entity, employees, or a designee, are empowered to board and ride on any vessel used for commercial fishing during ongoing commercial fishing operations.

(2) Employees carrying out activities pursuant to this section are hereby prohibited from reporting any activity they witness upon a commercial fishing vessel that may violate this Chapter, C.O.R.A. Fishing Regulations or the 2000 Consent Decree.

(3) It shall be a violation of this Chapter for a Captain, Co-Captain or Helper to:

(a) Refuse an employee's request to board a commercial fishing vessel; or

(b) Intentionally through inaction or action cause an employee to be unable to board a commercial fishing vessel, including, but not limited to, violating any policies and procedures promulgated for the conduct of this section.

(4) Violations of this section shall be punishable by:

(a) \$100.00 for the first offense.

(b) \$200.00 for the second offense.

(c) Suspension of commercial fishing operations for a seven day period for the third offense.

(d) Suspension of a commercial fishing operations for a fourteen day period for all additional offenses beyond a third offense."

(5) A Captain penalized pursuant to subsection (4)(c) or (d) is prohibited from:

(a) Obtaining a Co-Captain, or

(b) Causing another individual to fish his or her commercial fishing nets.

(6) A Captain penalized pursuant to subsection (4)(c) or (d) shall be required to, as may be applicable, either:

(a) Remove their gill nets from the water; or

(b) Render their trap net pots incapable of holding fish.

BE IT FURTHER RESOLVED that the Tribal administration is hereby directed to immediately establish polices and procedures for the conduct of the above amendment.

Roll Call Vote: Motion carried with Directors Hoffman, Rickley, Abramson, Petosky, Bouschor, LaPoint, Miller, McKelvie approving, Director Chase opposing.

Moved by Director Abramson, supported by Director Bouschor, to approve Resolution 2010-133, Approval to Fund a Modified Gill Net Study in Northern Lake Huron.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors modifies the May 1, 2006 Board action, which restricted expenditure of the Trust funds to fish marketing purposes, to allow for the conduct of the modified gill net study.

BE IT RESOLVED, the Board of Directors authorizes the use of up to \$40,000 of the "Fishery Trust" fund (cost center 1101) to purchase materials and labor to construct the modified gill nets and conduct the study.

BE IT FURTHER RESOLVED, all remaining Fishery Trust funds will remain restricted.

Roll Call Vote: Motion carried with Directors Rickley, Hoffman, Abramson, LaPoint, Chase, Petosky, Miller, Bouschor approving, Director McKelvie opposing.

Moved by Director Abramson, supported by Director Miller, to hire Bob Marchand as a Key Employee, the Chief of Police.

Roll Call Vote: Motion carried unanimously.

Moved by Director Miller, supported by Director McKelvie, to grant a one year extension to the SORNA Project.

Motion carried unanimously.

Moved by Director Abramson, supported by Director Bouschor, to accept the recommendation of the Special Needs/Enrollment Committee and relinquish Paul Shagen, Jessica Kangas, and Adam Tadgerson from the Tribe.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director McKelvie, to appoint Lindel Clement to the Health Committee, for a term of four years, expiring June 2014.

Motion carried unanimously.

Moved by Director Miller, supported by Director Abramson, to approve the Conservation Committee's policy/procedures for co-captains.

Roll Call Vote: Motion denied with Directors Rickley, Hoffman, Abramson, Miller approving, Directors McKelvie, Chase, Causley, Petosky, Bouschor opposing.

Moved by Director Hoffman, supported by Director Miller, to approve sending two buses of tribal members to the MGCB hearing on June 28.

Motion carried unanimously.

Moved by Director McKelvie, supported by Director Hoffman, to approve opening Waishkey Bay to all netting (fishing).

Roll Call Vote: Motion denied with Directors Chase, Petosky, McKelvie approving, Directors Rickley, Hoffman, Abramson, Bouschor, Miller opposing.

Without Objection, there will be a Special Meeting on Tuesday, June 29, 2010. No objections.

Moved by Director Bouschor, supported by Director McKelvie, to adjourn the meeting.

Motion carried.

Meeting adjourned: 7:35 p.m.

Date: _____

Secretary: Cathy Abramson

Others present: Tara Benoit, Tom Dorwin, Kristi Harwood, Vic Matson, Bill Connolly, Tony Abramson, Bob Marchand, Joni Talentino, Jason Grondin, Aaron Schlehuber, Tony Goetz, Carol Eavou, Brenda Jeffreys, Tina Fox, Eric Blubaugh, Joanne Carr.