

**BOARD OF DIRECTORS REGULAR MEETING
MUNISING TRIBAL CENTER
MUNISING, MICHIGAN
MINUTES
APRIL 19, 2016**

The meeting was opened at 6:15 p.m. by Chairperson Payment.

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

Absent:

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

Motion carried unanimously.

Moved by Director Abramson, supported by Director Massaway, to approve Res. 2016-93, Consent to Waiver of Tribal Court Jurisdiction VISA Commercial Express Card Program – PNC Bank.

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 ("Tribe") is a federally recognized Indian Tribal Government organized under the provisions of the Indian Reorganization Act of 1934.

1.2 The Tribe wishes to enter into a new credit card program agreement with PNC Bank, National Association ("Bank") on terms determined to be more favorable to the Tribe than current arrangements; and

1.3 Bank has refused to consent to such amendment without a waiver Tribal Court jurisdiction and an agreement to indemnify Bank against certain limited claims; and

1.4 In order to induce Bank to enter into the Visa Commercial Express Card Program (Version March 2, 2015) ("Agreement"), 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 disputes or causes of action between the Tribe and Bank that might arise from, or relate to, in any respect, the Agreement, or object to the Indemnification provisions of that agreement, found in paragraph 15, page 5; and

1.5 It is in the Tribe's interest to resolve as stated herein.

Section 2: CONSENT TO JURISDICTION; GOVERNING LAW, INDEMNIFICATION

2.1 The Tribe hereby consents to the indemnification clause found in paragraph 15, page 5, of the Agreement, which requires Tribe to indemnify Bank for Losses resulting from or the use of the cards or relating to the Program provided that Tribe shall be under no obligation to indemnify Bank for losses resulting from the gross negligence or willful misconduct of Bank; and

2.2 the Agreement and all questions related to the subject matter thereof shall be governed by and construed in accordance with the laws of the Commonwealth of Pennsylvania, as set forth in the Agreement, paragraph 18; and

2.3 The Board of Directors waives the exclusive jurisdiction of the Tribal Court over any action arising under the Agreement and consents to the jurisdiction of the Courts of the Commonwealth of Pennsylvania, as set forth in the Agreement, and the courts of the Western District of Pennsylvania, including any courts to which decisions of these courts may be appealed.

Motion carried unanimously.

Moved by Director Morrow, supported by Director Causley, to approve Res. 2016-94, Native Employment Works Program.

NOW, THEREFORE, BE IT RESOLVED, the Sault Ste. Marie Tribe of Chippewa Indians designates Anishnaabek Community and Family Services as the tribal lead agency to receive and administer the Native Employment Works program through the period of FY 2017-2020.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Chairperson, Aaron A. Payment, or his designee to sign, negotiate, and execute documents on behalf of the Tribe, to obtain continued Native Employment Works grant funding

Roll Call Vote: Motion carried unanimously.

Moved by Director McKelvie, supported by Director Massaway, to approve Res. 2016-95, Acceptance of the 2015 Northern Kewadin Casinos Audit.

BE IT RESOLVED, by the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians, hereby accepts and approves the 2015 Northern Kewadin Casinos Audit as presented by Anderson, Tackman, & Company, PLC.

BE IT FINALLY RESOLVED, that the Graphical Presentation segment of the 2015 Northern Kewadin Casinos Audit can be made public to the tribal membership.

Roll Call Vote: Motion carried unanimously.

Moved by Director Morrow, supported by Director Massaway, to approve Res. 2016-96, Amending Tribal Code Chapter 21: Inland Hunting and Inland Fishing Use of Suppressed Weapons.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby amends Chapter 21 at Section 21.515 by amending it to read:

“The use of a device or apparatus known as a ~~silencer~~ suppressor is permitted. Nothing herein supersedes any Federal law pertaining to the ownership or use of a suppressor.”

BE IT FURTHER RESOLVED, that this amendment shall not take effect until thirty days after its enactment.

Motion carried with Director McKelvie opposing.

Moved by Director Morrow, supported by Director Chase, to approve Res. 2016-97, Video Conferencing Great Lakes Conservation Committee Meetings.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors directs tribal administration to coordinate the conduct of Great Lakes Conservation Committee meetings over the tribe's video conferencing equipment at the Manistique and Munising community centers by assigning those tribal employees that are needed to operate the equipment and keep secure those tribal facilities housing the video conferencing equipment.

BE IT FURTHER RESOLVED, that 1) this will be for a trial basis of up to one year- if there is not enough participation, it will be discontinued; 2: that the Executive Director and the CFO will review all coordination of equipment, employees, cost of utilization, and the security of the tribal facilities before implementation; 3) that other locations such as St. Ignace and Hessel will be added to the video conferencing when possible.

Motion carried unanimously.

Moved by Director McKelvie, supported by Director Sorenson, to table the resolution regarding videotaping the Inland Conservation meetings.

Motion carried with Directors Abramson, Hollowell opposing.

Moved by Director Hollowell, supported by Abramson, to approve the resolution regarding appointment of Kronk-Warner as Reserve Appellate Judge.

Roll Call Vote: Motion denied unanimously.

Moved by Director Hoffman, supported by Director Morrow, to table the resolution regarding the appointment of Wichtman as Appellate Judge.

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

Moved by Director Morrow, supported by Director Gravelle, to approve Res. 2016-98, GLRI Wildlife Projects FY 2016 Budget Modifications.

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 GLRI Wildlife Projects for an increase of Federal BIA monies of \$42,552.65. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Sorenson, to approve Res. 2016-99, Coastal Program 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 Coastal Program for an increase of Federal US Fish and Wildlife Services monies of \$19,092.19. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Chase, supported by Director Morrow, to approve Res. 2016-100, Amending "Horne Pay Grid" Health Center Employee Policies.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby amends the Compensation Administrative Guidelines for the Health Division adopted by Resolution 2010-33, and amended from time to time since then to create a hardship pay category within the Dentist, Chief Solo Dentist, and Staff Dentist positions for the personnel employed to work exclusively at the Manistique Clinic, with pay for these positions at that location to be approved at the 75th percentile.

BE IT FURTHER RESOLVED, that this amendment will be in effect for the 2016 fiscal year and forward.

Roll Call Vote: Motion carried unanimously.

Moved by Director Morrow, supported by Director Chase, to approve Res. 2016-101, Contracting Authority After Hours Health Care Clinic Contracts.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians does hereby delegate to the Chairperson, or his designee, the authority to contract with available health delivery agencies in the area for after-hours care for the members, for the purpose of expanding health delivery and access.

BE IT FURTHER RESOLVED, that the Board of Directors of the Tribe does hereby delegate this authority to enter into these agreements on a long-term basis, to secure the services needed by the members.

Roll Call Vote: Motion carried unanimously.

Moved by Director Hoffman, supported by Director McLeod, to adjourn the meeting.

Motion carried unanimously.

Meeting adjourned: 7:23 p.m.

Date: 7-12-16

Secretary: Bridgett Sorenson

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