

ROLL CALL MATRIX

Meeting Date: 1-27-2016

P	A	Res. Number 2016	31																	
		Unanimous																		
X		Cathy Abramson	Y																	
X		Kim Gravelle	Y																	
X		Denny McKelvie	1Y																	
X		DJ Hoffman	Y																	
X		Jennifer McLeod	Y																	
X		Lana Causley	Y																	
X		Cath Hollowell	Y																	
X		Bridgett Sorenson	2Y																	
X		Keith Massaway	Y																	
X		Denise Chase	Y																	
X		Darcy Morrow	Y																	
		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: 2016-31

AMENDING CHAPTER 10: ELECTION ORDINANCE

WHEREAS, the Unit 5 Director's seat is vacant and it is the responsibility of the Board of Directors to appoint a tribal member to fill the seat; and

WHEREAS, the Board of Directors and the Election Committee have created a special advisory election process in order to ensure that the Board of Directors appoints someone to a vacant seat in a way that provides meaningful input by the membership; and

WHEREAS, the special advisory election process does not allow a special advisory election's date of election to take place once the notice of election for a general election has been issued and that prohibition is triggered here; and

WHEREAS, this prohibition means the Board of Directors would appoint someone to the vacant Unit 5 seat absent meaningful membership input via a ballot process and the Board of Directors finds that unacceptable; and

WHEREAS, the Board of Directors wishes to amend Tribal Code Chapter 10: Election Ordinance so that the Election Committee may run a special advisory election for the vacant Unit 5 seat concurrent with the 2016 General Election.

NOW, THEREFORE, BE IT RESOLVED, that Tribal Code Chapter 10: Election Ordinance at Subchapter II: Special Advisory Election is amended as attached.

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 27 day of January 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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10.201 Purpose and Authority.

Article VI, Section 2 of the Constitution provides that the Board of Directors shall, by majority vote, fill vacancies on the Board of Directors by appointment of a voting Member to fill the unexpired term of the departed official. The Board of Directors has determined to conduct Special Advisory Elections to assist it in performing its responsibilities under Article VI. The results of any Special Advisory Election conducted pursuant to this Subchapter are advisory only and are not binding on the Board of Directors. The purpose of this Subchapter is to establish procedures for conducting Special Advisory Elections. The regulations and procedures contained in this Chapter shall be administered in such a way as to accomplish this purpose and intent.

10.202 Scope.

This Subchapter shall govern Special Advisory Elections for the Board of Directors conducted by the Board of Directors to assist it in filling vacant Board seats.

10.203 Notice.

The Election Committee shall be noticed of a vacancy on the Board of Directors by:

- (1) the Board of Directors providing written notice to the Election Committee; or
- (2) upon the Election Committee appearing before the Board of Directors being informed there is a vacancy.

10.204 Date of Election.

~~(1) The date of the election shall not be earlier than sixty-five (65) days after the Notice of Election for the Special Advisory Election.~~

Deleted: Election Announcement

~~(2) The Election Committee may determine upon receiving notice given under Section 10.203 to run a Special Advisory Election concurrent with a general election that is reasonably imminent.~~

~~(3) If the notice given under Section 10.203 is given after of the posting of a Notice of Election for a general election there shall be no Special Advisory Election.~~

Deleted: No Special Advisory Election shall be held if the election date shall be later than the Election Announcement for the next general election.

10.205 Election Announcement

~~(1) Upon notice of vacancy of the Election Committee shall within three (3) business days prepare and post at each tribal office an Notice of Election which shall explain the purpose of the Special Advisory Election, give date of election, the manner by which the Vote is to be taken, the office to be filled, the procedures for the nomination of the~~

Deleted: Election Announcement

Candidates, the time limit for each stage of the election procedure and the voting requirements for the elections. It shall provide information on the election to eligible voters, and shall also publicize the election information throughout the election unit affected.

(2) If a Special Advisory Election is run pursuant to Section 10.204(2) the Notice of Election for the general election may be used to explain the purpose of the Special Advisory Election, give date of election, the manner by which the Vote is to be taken, the office to be filled, the procedures for the nomination of the Candidates, the time limit for each stage of the election procedure and the voting requirements for the elections. It shall provide information on the election to eligible voters, and shall also publicize the election information throughout the election unit affected

10.206 Applicability of General Election Rules.

(1) All other Sections of this Chapter are applicable to Special Advisory Elections except as specifically indicated in this Subchapter.

(2) The timelines found in this Chapter relating to general elections are not applicable to a Special Advisory Election except for a Special Advisory Election run pursuant to Section 10.204(2).

(3) Notwithstanding subsection (2) the timelines for a Special Advisory Election shall be determined by the Election Committee in such a way as to accomplish the purpose and intent of this Subchapter and shall be published within the Notice of Election.

Deleted: Election Notice

10.207 Primary.

There shall be no primary for a Special Advisory Election except when the election is held pursuant to Section 20.204(2).

10.208 Appointment.

- (1) The Board of Directors is not prohibited from filling a vacancy prior to the certification of the Special Advisory Election.
- (2) The Board of Directors is not prohibited from filling a vacancy with an individual who did not participate in the Special Election Advisory.
- (3) The Board of Directors is not required to appoint the individual who received the most votes in the Special Advisory Election.



RESOLUTION NO: 2016-32
PARTIAL WAIVER OF CONVICTIONS FOR
MR. TRAVIS J. GOETZ

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, 25 U.S.C. 467 et seq; and

WHEREAS, the Board of Directors has enacted Tribal Code Chapter 76: Partial Waiver of Conviction for Gaming License Purpose that allows for a partial waiver of conviction be issued to tribal members who have been convicted of a crime and would be denied a license for employment in a gaming operation pursuant to Chapter 42; and

WHEREAS, Mr. Travis J. Goetz, a tribal member who was convicted of:

1. Criminal Attempt (Obstructing Performance of Police Duties) – 9/2011
2. Felony Controlled Substance – Del/Man. – 5/2011
3. Felony Stolen Property – Receiving/Concealing (1,000-20,000) – 4/2014

WHEREAS, Mr. Travis J. Goetz, would be denied a license for employment as a key employee or primary management official because of the criminal conviction; and

WHEREAS, the Board of Directors has determined that Mr. Travis J. Goetz is not likely to engage in any offensive or criminal course of conduct and the public good does not require that he be denied a license as a key employee or primary management official.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, pursuant to Tribal Code Chapter 76 grants a partial waiver to Mr. Travis J. Goetz for the convictions of:

1. Criminal Attempt (Obstructing Performance of Police Duties) – 9/2011
2. Felony Controlled Substance – Del/Man. – 5/2011
3. Felony Stolen Property – Receiving/Concealing (1,000-20,000) – 4/2014

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 11 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 2 day of February 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 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: 2016-36

NATIONAL INDIAN GAMING ASSOCIATION

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors is the governing body of the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, the health, safety, welfare and education of the Indian people of the Sault Ste. Marie Tribe is the responsibility of the Board of Directors; and

WHEREAS, the National Indian Gaming Association (NIGA) is a voluntary association composed of member Tribes and associate members representing federally recognized Tribal governments, gaming Tribes, Rancherias, Pueblos, Bands, and Businesses engaged in gaming enterprises in Indian Country; and

WHEREAS, the primary objectives and purpose of NIGA are:

1. to promote, protect, and preserve the general welfare and interest of Indian gaming Tribes through the development of sound policies and practices with respect to the conduct of gaming activities in Indian Country; and
2. to assist in the dissemination of information to the Indian gaming community, federal government and general public on issues related to the conduct of gaming in Indian Country; and
3. to preserve and protect the integrity of gaming in Indian Country; and
4. to maintain, protect and advocate Indian Tribal sovereignty.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes 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: Cathy Abramson

Alternate: Dennis McKelvie

Alternate: Kim Gravelle

Alternate: DJ Hoffman

Alternate: Jennifer McLeod

Alternate: Lana Causley-Smith

Alternate: Catherine Hollowell

Alternate: Bridgett Sorenson

Alternate: Keith Massaway

Alternate: Denise Chase

Alternate: Darcy Morrow

Alternate: Kenneth J. Ermatinger, Gaming Commission Ex. Dir.

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RESOLUTION NO: 2016-42

**FULL INTERPERTATION OF COST OF LIVING INCREASE (COLA)
QUALIFYING ALL TEAM MEMBERS**

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WHEREAS, the Board of Directors previously approved a wage and salary study to be conducted through Pay Scales which resulted in a distribution of all team members falling into three main categories: min (minimum); mid (middle); and max (maximum) and this study relied upon data from a market study conducted in 2011 which suggest this data is no longer reliable; and

WHEREAS, annual raises have not occurred as a normal course for several years including over the last six years until January 2016, which also suggest that the data is outdated and inappropriate for continuing to determine team members' relative position with respect to the min, mid, and max levels of compensation; and

WHEREAS, the Board of Directors previously voted to freeze raises for the "over the max" group of team members, until such time that the market catches up with these team members; and

WHEREAS, after the Board voted to freeze raises for those "over the max" the Board subsequently voted to provide a Cost of Living Allowance (COLA) raise to "all" team members; and

WHEREAS, the aforementioned action is mandatory and jurisdictional upon the Tribal Administration; and

WHEREAS, the pay compression issues, outdated data, and morale suggests that "all" team members should really mean "all", including those previously over the max and those who were pushed over the max due to partial COLA increases.

NOW, THEREFORE, BE IT RESOLVED, that for the purposes of implementation of the COLA approved by the Board of Directors, the term "all" shall mean "all" team members, until such time that a new market study is conducted to determine the relative position of team members with respect to the "min", "mid", and "max" categories.

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