

ROLL CALL MATRIX

Meeting Date: 7-12-2016

P	A	Res. Number 2016	163	164	165	166	167	168						
		Unanimous		U				U						
X		Cathy Abramson	Y			Y								
X		Kim Gravelle	Y			2Y								
X		Denny McKelvie	Y			Y								
X		DJ Hoffman	2N			Y	1							
X		Jennifer McLeod	Y			1Y		2						
X		Lana Causley	1Y		1	N	N							
X		Cath Hollowell	Y			N								
X		Bridgett Sorenson	Y	2	2	Y		1						
X		Keith Massaway	Y	1		Y	2							
X		Denise Chase	Y			Y								
X		Darcy Morrow	Y		N	Y	N							
X		Aaron Payment												

- 1 = Made Motion
- Y = Voted Yes
- A = Abstained
- 2 = Second/Support Motion
- N = Voted No
- U = Unanimous



RESOLUTION NO: 2016-163

**TRAP NET CONSENT DECREE
FY 2016 BUDGET MODIFICATION
AND REQUEST TO ESTABLISH FY 2016 BUDGET
ENDOWMENT FUND EPOUFETTE HARBOR**

Min Waban Dan

**Administrative
Office**

523 Ashmun Street

Sault Ste. Marie

Michigan

49783

Phone

906.635.6050

Fax

906.635.4969

**Government
Services**

**Membership
Services**

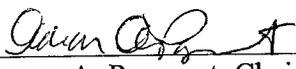
**Economic
Development
Commission**

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 Trap Net Consent Decree for an increase from Fund Balance Reserves Monies of \$277,130.86. No effect on Tribal Support.

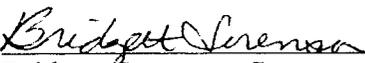
BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2016 budget for the Endowment Fund Epoufette Harbor (a revolving Endowment Fund requiring a balance to be maintained of \$2,000) with transferred funds from Trap Net Consent Decree Monies of \$2,000. No effect on Tribal Support.

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 12 day of July 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



RESOLUTION NO: 2016-164

**FISHERIES – NUNN’S CREEK REHAB HATCHERY
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 Nunn’s Creek Rehab Hatchery for the increase in BIA – Restricted Monies of \$28,887.88. No effect on Tribal Support.

Min Waban Dan

**Administrative
Office**

523 Ashmun Street

Sault Ste. Marie

Michigan

49783

Phone

906.635.6050

Fax

906.635.4969

**Government
Services**

**Membership
Services**

**Economic
Development
Commission**

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 12 day of July 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
Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

Bridgett Sorenson
Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2016-165

**FISHERIES – NUNN’S CREEK
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 Nunn’s Creek for an increase in expenses of \$27,559.99, with the funds coming from the program’s Fund Balance. No effect on Tribal Support.

Min Waban Dan

**Administrative
Office**

523 Ashmun Street

Sault Ste. Marie

Michigan

49783

Phone

906.635.6050

Fax

906.635.4969

**Government
Services**

**Membership
Services**

**Economic
Development
Commission**

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 12 day of July 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



RESOLUTION NO: 2016-166

**IRR ROADS
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 IRR Roads for an increase in Federal BIA Monies of \$300,000. No effect on Tribal Support.

Min Waban Dan

**Administrative
Office**

523 Ashmun Street

Sault Ste. Marie

Michigan

49783

Phone

906.635.6050

Fax

906.635.4969

**Government
Services**

**Membership
Services**

**Economic
Development
Commission**

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 12 day of July 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 2 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



RESOLUTION NO: 2016-167

**CONSENT TO WAIVER OF IMMUNITY AND
TRIBAL COURT JURISDICTION
COHNREZNICK, LLP**

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

Min Waban Dan

**Administrative
Office**

523 Ashmun Street

Sault Ste. Marie

Michigan

49783

Phone

906.635.6050

Fax

906.635.4969

**Government
Services**

**Membership
Services**

**Economic
Development
Commission**

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 an accounting services agreement with CohnReznick, LLP ("CohnReznick") on terms determined to be more favorable to the Tribe than current arrangements; and

1.3 CohnReznick has refused to consent to such agreement without a waiver Tribal Court jurisdiction, Sovereign Immunity and an agreement to indemnify CohnReznick against certain limited claims; and

1.4 In order to induce CohnReznick to enter into the Master Services Agreement ("Agreement"), the Tribe is required to confirm that the Tribe and all other entities claiming by, through or under the Tribe will not claim sovereign immunity or exclusive Tribal Court jurisdiction with respect to any disputes or causes of action between the Tribe and CohnReznick 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 WAIVER OF IMMUNITY, CONSENT TO JURISDICTION; GOVERNING LAW, INDEMNIFICATION

2.1 The Tribe hereby consents to the in indemnification clause found in paragraph 9, page 3, of the Agreement, which requires Tribe to indemnify CohnReznick against all claims by third parties and resulting damages, liabilities or losses (including costs and legal fees) arising out of or related to the Agreement or the services. provided that Tribe shall be under no obligation to indemnify CohnReznick for losses resulting from the gross negligence or willful misconduct of CohnReznick; 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 State of New York, as set forth in the Agreement, paragraph 22; 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 binding arbitration and judgment upon the award rendered by the arbitrators may be entered by any court having jurisdiction thereof.

This waiver:

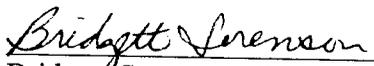
- (i) shall terminate upon performance by the Tribe of all of its obligations under the Agreement;
- (ii) is granted solely to CohnReznick;
- (iii) shall extend to inter alia, any judicial or non-judicial action, including, but not limited to, any lawsuit, arbitration, and judicial or non-judicial action to resolve disputes between the Tribe and CohnReznick and the assertion of any claim in a court of competent jurisdiction or with any arbitrator or arbitration panel to enforce the obligations under the Agreement;
- (iv) is limited solely to the unencumbered assets of the Tribe's governmental divisions, and shall not extend to other assets or the assets of any governmental instrumentality; and
- (v) shall be enforceable only in a court of competent jurisdiction, or any arbitrator or arbitration panel.

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 12 day of July 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 2 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



RESOLUTION NO: 2016-168

**REQUEST TO ESTABLISH FY 2017 BUDGET
ANNIE E. CASEY GRANT**

Min Waban Dan

**Administrative
Office**

523 Ashmun Street

Sault Ste. Marie

Michigan

49783

Phone

906.635.6050

Fax

906.635.4969

**Government
Services**

**Membership
Services**

**Economic
Development
Commission**

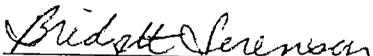
BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2017 budget for the Annie E. Casey Grant with Other Revenue monies of \$23,563.84. No effect on Tribal Support.

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 12 day of July 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
Chippewa Indians