

ROLL CALL MATRIX

Meeting Date: 8-2-2016

P	A	Res. Number 2016	187	188	189	190	191	192						
		Unanimous	U	U		U	U	U						
X		Michael McKerchie												
X		Kim Gravelle												
X		Denny McKelvie			2			1						
X		DJ Hoffman			1	2	1							
X		Jennifer McLeod	2	2										
X		Lana Causley			N	1								
X		Cath Hollowell												
X		Bridgett Sorenson	1	1	N		2							
X		Keith Massaway						2						
X		Denise Chase												
X		Darcy Morrow												
X		Anita Nelson												
X		Aaron Payment												

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



RESOLUTION NO: 2016-187

**BIG BEAR
ADMINISTRATION, EVENTS, AND
BUILDING OPERATIONS
FY 2016 BUDGET MODIFICATIONS**

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BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2016 budget modifications to Big Bear Administration, Events, and Building Operations for a decrease in Other Revenue of \$12,784.53.

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 2 day of August 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an affirmative vote of 11 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.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: 2016-188

**ESTABLISHING NEGOTIATION COMMITTEE
SAULT TRIBE V. BLUE CROSS BLUE SHIELD**

WHEREAS, the Tribe has engaged in litigation with regard to the Case of Sault Tribe v. Blue Cross Blue Shield of Michigan, for the last several years; and

WHEREAS, this lawsuit has been the subject of a number of previous resolutions of the Board of Directors of the Tribe; and

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WHEREAS, at the court ordered settlement and mediation conference held in May, 2014, and the parties further explored settlement at a facilitation conference in June, 2014 and another settlement mediation conference is contemplated for September, 2016; and

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WHEREAS, during the mediation the Tribe should have available and in attendance at persons with full authority to settle or otherwise negotiate this case; and

Sault Ste. Marie

WHEREAS, the Board, in enacting this resolution intends to create a committee of Board members who may act as a settlement and negotiation committee, empowered with full and complete authority to speak on behalf of the Tribe and to settle, mediate, compromise or otherwise resolve this case, in their sole and complete discretion, without further action of this Board.

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NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians does hereby create and empower a settlement and mediation committee of the following named persons: DJ Hoffman, Dennis McKelvie, Jennifer McLeod, and Catherine Hollowell.

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BE IT FURTHER RESOLVED, that the Board of Directors of the Tribe does hereby empower this committee to act with the full authority of the Tribe, at its discretion, and without further review, to settle, mediate, compromise or otherwise dispose of the above mentioned litigation.

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BE IT FURTHER RESOLVED, that this committee shall act through a majority of its members, and shall be empowered from the date of this Resolution up to and including December 1, 2016, and no longer.

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BE IT FINALLY RESOLVED, all previous Resolutions of this Board contradicting or otherwise inconsistent with this Resolution are hereby amended to as to allow for the creation of this committee.

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 2 day of August 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: 2016-189

**AMENDING TRIBAL CODE CHAPTER 14:
RULES OF PARLIAMENTARY PROCEDURE ORDINANCE**

WHEREAS, a from time to time the Chairperson or the Board of Directors may deem it necessary, due to an emergency or inclement weather, to cancel a duly called meeting of the Board of Directors; and

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WHEREAS, the Board of Directors has amended this code to reflect cancellations for inclement weather but did not include a provision for cancellations may that cannot be predicted and wishes to be able to do so by a positive majority vote.

NOW, THEREFORE, BE IT RESOLVED, that Tribal Code Chapter 14: Rules of Parliamentary Procedure Ordinance is here by amended by adding a new 14.106(7) which shall read:

“Cancellations and Rescheduling. The Board of Directors by taking consent by positive majority vote of the Directors, may cancel a meeting or workshop or may reschedule it to a later date and time. If a meeting is rescheduled to another date it shall be deemed called as a special meeting and shall comply with Section 2 of the Bylaws of the Constitution of the Sault Tribe of Chippewa Indians.

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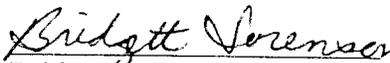
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CERTIFICATION

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 2 day of August 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: 2016-190

**WAIVER OF SOVEREIGN IMMUNITY AND CONSENT TO WAIVER
OF TRIBAL COURT JURISDICTION
FINANCE AGREEMENT WITH LAKE FOREST BANK & TRUST**

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

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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 would like to enter into a Commercial Premium Finance Agreement with Lake Forest Bank & Trust Company ("Lender"), with said financing agreement to be serviced by First Insurance Funding Corp. ("Servicing Company") with the first installment due on August 1, 2016, and the ten payments each to be in the amount of \$46,330.91; and

1.3 Lender has refused to consent to such Financing Agreement without a waiver of sovereign immunity or Tribal Court jurisdiction.

1.4 In order to induce Lender to enter into the Financing Agreement, the Tribe is required to confirm that the Tribe and all other entities claiming by, through or under the Tribe will not claim tribal immunity or exclusive Tribal Court jurisdiction with respect to any disputes or causes of action between the Tribe and Lender or Servicing Company that might arise from, or relate to, in any respect, the Premium Financing Agreement. All of the foregoing are referred to herein as the "Waiver and Consent Obligations."

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

Section 2 WAIVER OF SOVEREIGN IMMUNITY; CONSENT TO JURISDICTION;
GOVERNING LAW

2.1 The Tribe hereby waives its sovereign immunity from suit in favor of Lender only should an action be commenced under the Premium Financing Agreement referenced above.

This waiver:

i) shall terminate upon performance by the Tribe of all of its obligations under the Premium Finance Agreement or any subsequent extensions of the Premium Finance Agreement

ii) is granted solely to Lender or Servicing Company;

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 Lender or Servicing Company 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 Premium Finance Agreement.

iv) shall be enforceable only in a court of competent jurisdiction, including courts of the State of Michigan the Tribal Court and federal courts in Michigan (including the United States Bankruptcy Court) or any arbitrator or arbitration panel; and

v) shall be enforceable against the assets of the Tribe to the extent necessary to satisfy the Tribe's obligation under the Premium Finance Agreement,; and

vi) the Premium Finance Agreement, and other associated finance documents shall be construed in accordance with and governed by the internal laws of the State of Michigan, as set forth in such documents. The Board authorizes the Tribe to consent to the jurisdiction of the courts of the State of Michigan and the federal courts in Michigan, including any courts to which decisions may be appealed, with respect to any controversies arising from this resolution or any of the finance documents, note or Premium Finance Agreement.

Section 3 WAIVER OF TRIBAL COURT JURISDICTION

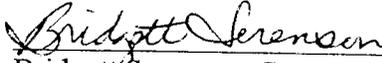
3.1 The Board of Directors waives the exclusive jurisdiction of the Tribal Court over any action arising under the Premium Finance Agreement.

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 2 day of August 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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RESOLUTION NO: 2016-191

**RESCINDING RESOLUTION 2016-172
CULTURAL – OJIBWE LANGUAGE
FY 2016 BUDGET MODIFICATION
AND LIBRARY SERVICES
FY 2017 BUDGET MODIFICATION**

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BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby rescinds Resolution 2016-172, Cultural – Ojibwe Language FY 2016 Budget Modification and Library Services FY 2017 Budget Modification, in its entirety. The grant did not change to a different fiscal date pattern, therefore no budget modification was needed.

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 2 day of August 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

