

**BOARD OF DIRECTORS REGULAR MEETING
KINROSS RECREATION CENTER
KINCHELOE, MICHIGAN
AUGUST 2, 2016
6:00 P.M.**

- I. CALL TO ORDER
- II. INVOCATION: Prayer, Smudging, Presentation of Grandfathers
- III. ROLL CALL
- IV. PRESENTATION:
- V. MINUTES:
- VI. RESOLUTIONS: Budget:
 Big Bear
 Auth to Apply for Clean Diesel Grant
 Settlement Committee BCBS
 Am. Ch. 14: Rules of Parliamentary Procedures
 Am. Ch. 71: Criminal Offenses
 Partial Waiver – Germain

 NEW BUSINESS: General Welfare Exclusion Act of 2014
- VII. ADJOURN TO EXECUTIVE SESSION:
- VIII. RECONVENE AND REAFFIRM
- IX. ADJOURN

MEMORANDUM

TO: Board of Directors
FROM: Joanne Carr, Board Secretary
DATE: July 28, 2016
RE: Workshop Agenda for August 2, 2016

AGENDA

10 am – Chairperson

10:15 am – Budget

10:45 am – Gaming Authority

11:30 - Legal

1:15 p.m. – Elders Issues - MIEA

1:30 pm – Tribal Action Plan

2:30 pm - Agenda Review

3:00 pm – Travel to Kinross

4:00 p.m. – Matters Raised by the Membership

6:00 p.m. – Meeting of the Board of Directors

RESOLUTION NO: _____

**BIG BEAR
ADMINISTRATION, EVENTS, AND
BUILDING OPERATIONS
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 modifications to Big Bear Administration, Events, and Building Operations for a decrease in Other Revenue of \$12,784.53.

C E R T I F I C A T I O N

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 _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ members for, _____ members against, _____ members abstaining, and that said resolution has not been rescinded or amended in any way.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: _____

AUTHORIZATION TO APPLY FOR TRIBAL CLEAN DIESEL GRANT

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (Sault Tribe) is a federally-recognized Indian tribe providing government services to its members in a seven county service area in Michigan; and

WHEREAS, the Sault Tribe has been recognized by the White House as a Climate Action Champion Community, in acknowledgement of its leadership in climate mitigation and adaptation; and

WHEREAS, the US Environmental Protection Agency recently published a solicitation of proposals to carry out Diesel Emissions Reductions activities; and

WHEREAS, the EPA solicitation requires that the Tribe provide a current tribal resolution authorizing the proposal submission, and signed by a duly authorized tribal official.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians does hereby, as follows:

- 1) Authorize the submission of a proposal to the EPA under the current solicitation to Tribal Clean Diesel, DERA, and
- 2) Direct the Environment Program specifically to draft and submit a full proposal in response to this solicitation, for support for emissions reductions measures in the tribal heavy duty diesel fleet.

BE IT FURTHER RESOLVED, that the Chairperson and Treasurer, are authorized to execute any and all documents necessary to prepare and submit a proposal and enter into a contract with EPA in response to this solicitation.

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 _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ members for, _____ members against, _____ 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: _____

**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

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

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

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.

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:

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.

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.

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 _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ members for, _____ members against, _____ 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: _____

**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

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.

C E R T I F I C A T I O N

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 _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ members for, _____ members against, _____ 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: _____

**AMENDING TRIBAL CODE CHAPTER 71:
CRIMINAL OFFENSES**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby amends the Tribal Code Chapter 71 to include the changes to the Criminal Offenses Code in the form 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 _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ members for, _____ members against, _____ 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: _____

**PARTIAL WAIVER OF CONVICTIONS FOR
MR. GLEN GERMAIN**

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. Glen Germain, a tribal member who was convicted of:

1. Misdemeanor – Assault or Assault and Battery – 5/25/2016

WHEREAS, Mr. Glen Germain, 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. Glen Germain 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. Glen Germain for the convictions of:

1. Misdemeanor – Assault or Assault and Battery – 5/25/2016

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 _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2016; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ members for, _____ members against, _____ 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

**BOARD OF DIRECTORS REGULAR MEETING
AUGUST 2, 2016**

Sponsor's List

RESOLUTIONS:

Budget:

Big Bear – Tammy Graham

Auth to Apply for Clean Diesel Grant-Kathie Brosemer

Settlement Committee BCBS-Courtney Kachur

Am. Ch. 14: Rules of Parliamentary Procedures-Director Hoffman

Am. Ch. 71: Criminal Offenses – Director Hoffman

Partial Waiver – Germain – Director Hoffman

NEW BUSINESS:

General Welfare Exclusion Act of 2014 – Director Hoffman