

**BOARD OF DIRECTORS REGULAR MEETING
MANISTIQUE TRIBAL CENTER
SAULT STE. MARIE, MICHIGAN
JULY 26, 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:
 - PHN Grant
 - Ojibwe Language/Library Services
 - BE-15-J54 Sanitation
 - Employment – WIOA SYEP Program
 - Employment – WIOA Administration
 - Partial Waiver (2)
 - Lease Cancelation –McKechnie/Tobias
 - Trust Land Lease – McKechnie
 - Auth. To Purchase Property
 - Low Income Home Energy Assistance
 - Community Service Block Grant
 - PICH Grant – Youth Survey Community Health
 - Creating Ch. 46: Wiidookaage (Helping One Another)
 - Am. Budget Smoking Cessation
 - Kewadin Casino Hotel – Smoke Free Policy
 - Delegating Auth CDC Grant
 - CDC Smoking Grant

- NEW BUSINESS: Relinquishment

- VII. ADJOURN TO EXECUTIVE SESSION:
- VIII. RECONVENE AND REAFFIRM
- IX. ADJOURN

MEMORANDUM

TO: Board of Directors
FROM: Joanne Carr, Board Secretary
DATE: July 21, 2016
RE: Workshop Agenda for July 26, 2016

AGENDA

10 am – Gaming Authority

11:00 am - Legal

Lunch

1:30 p.m. – Veteran Affairs

2:00 p.m. – Agenda Review

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

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

RESOLUTION NO: _____

**CULTURAL – OJIBWE LANGUAGE
FY 2016 BUDGET MODIFICATION
AND LIBRARY SERVICES
FY 2017 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 Ojibwe Language for a change to the personnel page. No change in the overall budget amount. No effect on Tribal Support.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians approves the FY 2017 budget modification to Library Services to close the cost center. This grant is changing to a different fiscal date pattern. No effect on Tribal Support.

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: _____

**BE-15-J54 SANITATION
ESTABLISHMENT OF A FY 2017 BUDGET**

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 BE-15-J54 Sanitation with Federal IHS monies of \$294,000.00. No effect on Tribal Support.

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: _____

**EMPLOYMENT – WIOA SYEP PROGRAM
FY 2017 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2017 budget modification to WIOA SYEP Program for an increase in Federal DOL monies of \$745.45. 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 _____ 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: _____

**EMPLOYMENT – WIOA ADMINISTRATION
FY 2017 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2017 budget modification to WIOA Administration for an increase in Federal DOL monies of \$2,493.15. No effect on Tribal Support.

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: _____

**PARTIAL WAIVER OF CONVICTIONS FOR
MR. EUGENE CARIE**

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. Eugene Carie, a tribal member who was convicted of:

1. Article 81: Conspiracy 11/09/2015
2. Article 112aX2 Drug Possession/Distribution 11/09/2015

WHEREAS, Mr. Eugene Carie, 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. Eugene Carie 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. Eugene Carie for the convictions of:

1. Article 81: Conspiracy 11/09/2015
2. Article 112aX2 Drug Possession/Distribution 11/09/2015

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

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: _____

**LEASE CANCELLATION TO MICHELLE L. MCKECHNIE AND
JOHN C. TOBIAS**

**BIA LEASE NO: 469-23-00081-03
DD-0052(03)**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (Tribe) is a federally recognized Indian Tribe organized under the Indians Reorganization Act of 1934m 25 USC 467, et. Seq; and

WHEREAS, tribal member Michelle L. McKechnie, a single woman and John C. Tobias, have requested Lease Nos. DD-0052(03) be cancelled.

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairperson and Treasurer to execute this lease cancellation, and land being described as:

Township of Kinross, County of Chippewa, State of Michigan
Lots 522 and 521, Cedar Grove Estates III

BE IT FURTHER RESOLVED, that the Tribal staff is directed to prepare the appropriate lease cancellation documents.

BE IT FURTHER RESOLVED, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby requests the Bureau of Indian Affairs to cancel Lease Nos. 469-23-00081-03 pursuant to applicable law and regulations.

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: _____

**TRUST LAND LEASE –LOT(S) 555 and 556
MCKECHNIE
KINROSS, MICHIGAN**

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairperson, and Treasurer, to execute a lease to the land located at Kinross, Michigan to, Michelle L. McKechnie, a single woman, land being described as follows:

Township of Kinross, County of Chippewa, State of Michigan
Lot 556 and 555, Cedar Grove Estates III

RESOLVED, the lease is in furtherance of a housing program operated in the promotion of public purposes and the negotiated rental amount has been determined to be in the best interest of the Tribe and its people, and valuation in accordance with 25 CFR § 162.320 is hereby waived.

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 PURCHASE PROPERTY
VACANT LAND - SUGAR ISLAND, MI**

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

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians wishes to purchase the property known as:

State of Michigan, County of Chippewa, and Township of Sugar Island and legally described as:

East 330 feet of the NW ¼ of NE ¼ Section 19 T47N R2E

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes its Chairman and Treasurer or their designated staff member, to negotiate and execute any documents necessary to effectuate the purchase of the following described property for a purchase price not to exceed \$17,500 plus closing costs.

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: _____

LOW INCOME HOME ENERGY ASSISTANCE (LIHEAP)

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 wishes to participate in the "Low Income Home Energy Assistance Program" administered by the Department of Health and Human Services, Office of Community Service; Division of Energy Assistance; and

WHEREAS, the Office of Community Service, Division of Energy Assistance, has announced the availability of funding for the Low Income Home Energy Assistance Program; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians hereby directs the Anishnaabek Community and Family Services to prepare a program plan for implementation and continuation of LIHEAP funding; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians hereby directs the Anishnaabek Community and Family Services to reapply for an administer the LIHEAP Program through FY 2019.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Chairperson, Aaron Payment, or his designee to sign, amend, negotiate, and execute any agreements thereof for the FY 2017 continuation of the Low Income Home Energy Assistance Program funding authorized under the Department of Health and Human Services, Office of Community Service, Division of Energy Assistance through FY 2019.

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: _____

COMMUNITY SERVICE BLOCK GRANT (CSBG)

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 wishes to participate in the "Community Service Block Grant" administered by the Department of Health and Human Services, Office of Community Service; and

WHEREAS, the Department of Health and Human Services, Office of Community Service, has announced the availability of funding for the CSBG Program; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians hereby directs the Anishnaabek Community and Family Services to prepare a program plan for implementation and continuation of CSBG funding; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians hereby directs the Anishnaabek Community and Family Services to reapply for an administer the CSBG Program through FY 2019.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Chairperson, Aaron Payment, or his designee to sign, amend, negotiate, and execute any agreements thereof for the FY 2017 continuation of the Community Service Block Grant, authorized under the Department of Health and Human Services, Office of Community Service, through FY 2019.

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: _____

**PARTNERSHIPS TO IMPROVE COMMUNITY HEALTH YOUTH HEALTH
SURVEY FOR THE SAULT TRIBE PARTNERSHIPS TO IMPROVE
COMMUNITY HEALTH GRANT PROJECT**

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

WHEREAS, the Sault Ste. Marie Tribe has affirmed the commitment to eliminate health disparities and promote the health of Tribal members, and

WHEREAS, the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention requires evaluation of the Sault Tribe's Partnership to Improve Community Health Grant to support our intervention efforts and demonstrate outcomes for this grant project.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Health Division's Community Health Program to conduct a Partnership to Improve Community Health Grant Youth Health Survey to all Tribal youth, ages 12 to 18 residing in 7 county service area, using labels generated from Tribal enrollment or by electronic data base shared by Tribal enrollment with Michigan Public Health Institute, with the mailing to be completed by ASAP Printing, Inc.

BE IT FURTHER RESOLVED that the MIS and Enrollment Departments are authorized and directed to cooperate with the Health Division in generating the database, lists, and labels for this project.

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
CREATING CHAPTER 46: WIIDOOKAAGE
(HELPING ONE ANOTHER)
AND
NARCAN / NALOXONE IMMUNITY**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is aware of the terrible devastation of opioid use and addiction, including the meaningless loss of life caused by overdose; and

WHEREAS, this Board wishes to make clear that the use and possession and administration of Naloxone (Narcana) within the jurisdiction of the tribe is legal, and no liability, civil or criminal, shall be attached to the use, possession or administration of these opioid agonist drugs, whose sole use is to save a life in the case of opioid overdose; and

WHEREAS, it is the recommendation of the Public safety and Legal departments that the Tribal Code be changed to reflect these facts; and

WHEREAS, it is important to the administration of justice that the Tribal Code be amended to promote and reflect the spirit of Wiidookaage, Helping One Another, in that persons and entities shall be immune from criminal and civil liability for the good faith administration of first aid, CPR, emergency defibrillation, and naloxone, in emergency situations.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby creates Chapter 46 of the Tribal Code, Wiidookaage, (Helping One Another), in the form attached, and amends Chapter 71, by adding a new 71.1602(3), as set forth below:

71.1602 Possession or Furnishing of Narcotics.

(1) Offense. A person commits the offense of possession or furnishing of narcotics, if he knowingly possesses, manufactures, transports, sells, consumes, uses, cultivates or trades in any drug or other substances identified or defined as a "controlled substance" under the provisions of P.A. 1978, No. 368, of the State of Michigan, as amended to the date of the offense, except marijuana.

(2) Sentence. A person convicted of the offense of possession or furnishing of narcotics may be sentenced to imprisonment for a period not to exceed one (1) year, or a fine not to exceed Five Thousand Dollars (\$5,000.00), or both.

(3) It shall not be an offense under this section, or any other section of this Chapter, to possess, use, or administer an Opioid Antagonist. In this Section, "Opioid antagonist" means naloxone hydrochloride or any other similarly acting and equally safe drug approved by the federal food and drug administration for the treatment of drug overdose.

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

TRIBAL CODE

CHAPTER 46

**WIIDOOKAAGE
(Helping One Another)**

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HISTORY NOTE:

Current Ordinance:

Prior Ordinances:

Amendments:

Tribal Code

CHAPTER 46:

WIIDOOKAAGE

(Helping One Another)

46.01 Purpose and Authority.

The purpose of this Chapter is to clarify that neither criminal nor civil liability shall attach to the well-intended actions of a person attempting to render emergency medical assistance to a person in trouble.

46.02 Scope.

This Chapter shall apply in any criminal or civil action brought in Tribal Court, or in any criminal or civil action brought for actions undertaken within the jurisdiction of the Sault Ste. Marie Tribe of Chippewa Indians.

46.03 Definitions.

For purposes of this Chapter, certain terms are defined in this Section. When not inconsistent with the context, words used in this present tense include the future, words in the singular number, include the plural number, words in the plural include words in the singular, and words in the masculine gender include the feminine gender. The word shall is always mandatory and not merely directory.

(1) "Opioid antagonist" means naloxone hydrochloride or any other similarly acting and equally safe drug approved by the federal food and drug administration for the treatment of drug overdose.

(2) "Opioid-related overdose" means a condition, including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death, that results from the consumption or use of an opioid or another substance with which an opioid was combined or that a layperson would reasonably believe to be an opioid-related overdose that requires medical assistance..

46.04 Prescribing, possessing, or dispensing opioid antagonist; liability.

(1) Notwithstanding any provision of law to the contrary, a prescriber may issue a prescription for and a dispensing prescriber or pharmacist may dispense an opioid antagonist to any of the following:

- (a) An individual patient at risk of experiencing an opioid-related overdose.
- (b) A family member, friend, or other individual in a position to assist an individual at risk of experiencing an opioid-related overdose.
- (c) A person other than an individual that meets all of the following requirements:
 - (i) Acts at the direction of the prescriber or dispensing prescriber.
 - (ii) Upon receipt of an opioid antagonist, stores the opioid antagonist in compliance with this part.
 - (iii) Dispenses or administers an opioid antagonist under a valid prescription issued to an individual or a patient.
 - (iv) Performs the requirements under this subsection without charge or compensation.
- (d) Any law enforcement officer, jail administration personnel, probation officer, medical or emergency medical personnel, court employee, or legal department personnel who may come in contact with persons at risk for overdose in the performance of their duties.

(2) When issuing a prescription for or dispensing an opioid antagonist as authorized under this section to a person other than a patient, the prescriber, dispensing prescriber, or pharmacist, as appropriate, shall insert the name of the person as the name of the patient.

(3) Notwithstanding any provision of this act to the contrary, a person that is acting in good faith and with reasonable care may possess and dispense an opioid antagonist.

(4) A prescriber who issues a prescription for or a dispensing prescriber or pharmacist who dispenses an opioid antagonist as authorized under this section is not liable in a civil action for a properly stored and dispensed opioid antagonist that was a proximate cause of injury or death to an individual due to the administration of or failure to administer the opioid antagonist.

46.05 Wiidookaage, Cardiopulmonary Resuscitation; Defibrillators, First Aid, and Naloxone, liability of good faith volunteers.

(1) An individual who having no duty to do so in good faith voluntarily renders

cardiopulmonary resuscitation to another individual is not liable in a civil action for damages resulting from an act or omission in rendering the cardiopulmonary resuscitation, except an act or omission that constitutes gross negligence or willful and wanton misconduct.

(2) An individual who having no duty to do so in good faith voluntarily renders emergency services to another individual using an automated external defibrillator is not liable in a civil action for damages resulting from an act or omission in rendering the emergency services using the automated external defibrillator, except an act or omission that constitutes gross negligence or willful and wanton misconduct.

(3) An individual who having no duty to do so in good faith voluntarily renders emergency services to another individual using reasonable first aid techniques is not liable in a civil action for damages resulting from an act or omission in rendering the first aid services using the automated external defibrillator, except an act or omission that constitutes gross negligence or willful and wanton misconduct.

(4) An individual who in good faith believes that another individual is suffering the immediate effects of an opioid-related overdose and who administers an opioid antagonist to the other individual is not liable in a civil action for damages resulting from the administration.

(5) Additionally, the following persons are not liable in a civil action for damages resulting from an act or omission of an individual rendering any of the emergency services enumerated above, except if the person's actions constitute gross negligence or willful and wanton misconduct:

(a) A physician who provides medical authorization for use of any of the emergency services enumerated above.

(b) An individual who instructs others in the use of any of the emergency services enumerated above.

(c) An individual or entity that owns, occupies, or manages the premises where any of the emergency services enumerated above is administered or used.

(d) An individual or entity that owns, occupies, or manages the premises where any of the tools or devices for emergency services enumerated above is kept, or maintained for use in emergencies.

(6) The immunity afforded under this Chapter 46 shall extend both to the individuals, and to any entity employing or in charge of such individual under any theory of “respondeat superior” or similar legal principles.

RESOLUTION NO: _____

**AMENDING BUDGETS
SMOKING CESSATION AND YOUTH EDUCATION**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians, pursuant to Tribal Code section 43.504, has required that the Tax Commission remit a portion of cigarette administrative tax proceeds to the Tribe to fund the smoking cessation program to the extent needed, with any surplus to fund other health center programs as directed by the Tribe; and

WHEREAS, it is the intent now to fully fund the smoking cessation program with Health Center third party revenues, meaning that there is no further need to these tax revenues in that program; and

WHEREAS, the YEA drug, alcohol and suicide prevention activities is a health related program which needs additional funding.

NOW, THEREFORE, BE IT RESOLVED, that effective _____(DATE)___ (suggested October 1, 2016) the Board of Directors does direct that the tax administrative proceeds which previously had been budgeted to Cost Center 4374 shall be budgeted into Cost Center 2080 as revenue, and the expenditure of these funds shall be tracked such that the funds shall be expended in the unit in which the revenue is generated.

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: _____

**KEWADIN CASINO, HOTEL AND CONVENTION CENTER
SMOKE FREE POLICY**

WHEREAS, the Board of Directors has affirmed the commitment to promote the health of tribal members, employees, and patrons of its businesses; and

WHEREAS, commercial tobacco use is the single most preventable cause of death and disease in the United States, as well as in the Sault Ste. Marie Tribe of Chippewa Indians service area, leading to more deaths than most other leading causes combined; and

WHEREAS, the 2006 U.S. Surgeon General's report, *The Health Consequences of Involuntary Exposure to Tobacco Smoke*, has concluded that there is no risk-free level of exposure to secondhand smoke;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors does hereby adopt the following policy:

KEWADIN CASINO, HOTEL AND CONVENTION CENTER: SMOKE FREE POLICY

The Board of Directors is concerned about the health of all of its members, employees and guests, and has, therefore, adopted the following smoke free policy:

“Smoking” of commercial tobacco means inhaling, exhaling, burning, carrying or possessing any lighted or heated commercial tobacco products, including but not limited to cigars, cigarettes, pipe tobacco, hookah pipes, or using any battery operated “Electronic cigarettes” or other electronic nicotine delivery systems.

To ensure the health and comfort of our guest and team members the Kewadin Casino, Hotel and Convention Center prohibits smoking in the facility except in the following designated smoking areas: the Huron Room (gaming floor), the Superior Room (gaming floor), the Rapids Lounge, the Superior Bar, the Bingo Hall, Employee Designated break room and the 6th floor of the hotel towers.

The smoking of commercial tobacco products is prohibited within 25 feet of outside entrances, operable windows, and ventilation intakes of enclosed areas where smoking is prohibited, so as to ensure that secondhand smoke does not enter those areas.

This policy will be enforced through signage indicating smoke-free areas. This policy shall be effective immediately, and as soon as it may be possible to post appropriate signage.

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: _____

**DELEGATING AUTHORITY
CDC GRANT IMPLEMENTATION**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians has applied for and accepted money from the United States Centers for Disease Control for the purpose of eliminating second and third hand smoke health effects visited upon Casino patrons and staff; and

WHEREAS, it is the intent now to delegate to the management of the Health Division casinos full and complete authority to implement the CDC grant implementation plan which had previously been approved when the grant was submitted and accepted, and which has been signed and approved by the delegated tribal administrative authority and casino executive management.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors does hereby delegate to the Health Division Management to contract with the CEO of Kewadin Casinos for full and complete authority to implement the CDC grant 58DP005766 implementation plan which had previously been approved when the grant was submitted and accepted.

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: _____

**SURRENDERING FUNDS
CDC SMOKING GRANT**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians has applied for and accepted money from the United States Centers for Disease Control for the purpose of eliminating second and third hand smoke health effects visited upon Casino patrons and staff; and

WHEREAS, the Tribe is unable to fully spend out the funds on the efforts to make the Sault Ste. Marie Casino and Convention center smoke free in many, but not all, areas.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors does hereby delegate to the Health Division Management the authority to forfeit and return the remaining funds which would have been spent on the Sault Ste. Marie Casino clean-up and smoke-free project under Grant 58DP005766.

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: _____

**PHN GRANT, NEWBERRY CLINIC, AND ESCANABA CLINIC
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 the PHN Grant, Newberry Clinic, and Escanaba Clinic, for a change in the personnel sheets, reallocation of expenses, and an increase of Federal IHS monies of \$71,736.04. 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 _____ 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
JULY 26, 2016
Sponsor's List

RESOLUTIONS:

Budget:

Ojibwe Language/Library Services – Colleen Medicine
BE-15-J54 Sanitation – Joni Talentino
Employment – WIOA SYEP Program- Brenda Cadreau
Employment – WIOA Administration –Brenda Cadreau
Partial Waiver (2) – Justin Derhammer
Lease Cancellation –McKechnie/Tobias- Brenda Jeffreys
Trust Land Lease – McKechnie-Brenda Jeffreys
Auth. To Purchase Property-Brenda Jeffreys
Low Income Home Energy Assistance- Juanita Bye
Community Service Block Grant-Juanita Bye
PICH Grant – Youth Survey Community Health-Lisa Myers
Creating Ch. 46: Wiidookaage (Helping One Another)-Courtney Kachur
Am. Budget Smoking Cessation-Chairperson Payment
Kewadin Casino Hotel – Smoke Free Policy-Chairperson Payment
Delegating Auth CDC Grant –Chairperson Payment
CDC Smoking Grant-Chairperson Payment

NEW BUSINESS:

Relinquishment-Special Needs Enrollment Committee