MEMORANDUM

TO:	Board of Directors
FROM:	Joanne Carr, Board Secretary
DATE:	September 1, 2016
RE:	Workshop Agenda for September6, 2016

AGENDA

9:30 a.m. – Gaming Commission Meeting

10:00 a.m. – Gaming Authority

10:30 a.m. - MERS

11: 00 a.m. - Legal

Lunch

1:30 p.m. - Law Enforcement Renovations

2:00 p.m. - Chapter 40

2:30 p.m. - Agenda Review

4:00 p.m. – Matters Raised by the Membership6:00 p.m. – Meeting of the Board of Directors

BOARD OF DIRECTORS REGULAR MEETING KEWADIN CASINO AND CONVENTION CENTER SAULT STE. MARIE, MICHIGAN SEPTEMBER 6, 2016 6:00 P.M.

- I. CALL TO ORDER
- II. INVOCATION: Prayer, Smudging, Presentation of Grandfathers
- III. ROLL CALL
- IV. PRESENTATION:
- V. MINUTES: 7-12-2016 7-19-2016 7-21-2016 7-26-2019 8-02-2016 8-16-2016
- VI. RESOLUTIONS: NCAI Standing with Standing Rock Nation Trust Land Status Bonacci Parcel Trust Land Status Clark Parcel Trust Land Status Teeter's/Fletchers Addition BIA – Self Governance 2017 Indian Housing Plan Contract for Construction Fish Barrier – Walleye Pond Bud Mod: USDA Bud Mod: Emergency Assistance Bud Mod: Executive Office
- VII. NEW BUSINESS:: Committee Requests Standing Rock Appropriation
- VIII. ADJOURN TO EXECUTIVE SESSION:
- IX. RECONVENE AND REAFFIRM
- X. ADJOURN

NATIONAL CONGRESS OF AMERICAN INDIANS 2016 ANNUAL CONVENTION DELEGATES AND 2017 DUES

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians wishes to renew our membership in good standing of the National Congress of American Indians (NCAI); and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians meets all requirements for tribal membership, pursuant to Article II, Section 2A of the Constitution and Bylaws of the Tribal Membership in NCAI; and

WHEREAS, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians authorizes the necessary action to place the Tribe in membership of the NCAI; and

WHEREAS, the Board of Directors authorizes the expenditure of funds in the amount of \$10,000 to pay for the Tribe's 2017 annual dues; and

WHEREAS, based on the tribal citizenry of 42,050 individual persons, the Tribe shall have 180 votes, in accordance with Article II, Section 6C of the NCAI Constitution and Bylaws.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Article III, Section 2 of the NCAI Constitution the Sault Ste. Marie Tribe of Chippewa Indians designates the following individuals as Delegates and Alternate Delegate and instructs them to become Individual Members in good standing in the NCAI in order to fulfill their responsibilities:

Delegate: Aaron A. Payment, Chairperson		
Alternate: DJ Hoffman, Director, Vice Cha	uir	
Alternate: Bridgett Sorenson, Director, Secretary		
Alternate: Dennis McKelvie, Director, Treasurer		
Alternate: Keith Massaway, Director	Alternate: Michael McKerchie, Director	
Alternate: Jennifer McLeod, Director	Alternate: Kimberle Gravelle, Director	
Alternate: Lana Causley, Director	Alternate: Catherine Hollowell, Director	
Alternate: Denise Chase, Director	Alternate: Darcy Morrow, Director	
Alternate: Anita Nelson, Director		
Alternate: Kenneth J. Ermatinger, Gaming	Commission Director	

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.

STANDING WITH STANDING ROCK NATION

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 Standing Rock Sioux Tribe has strongly opposed the construction of a proposed Dakota Access Pipeline across treaty protected tribal reservation lands; and

WHEREAS, the Standing Rock Sioux Tribe asserts that the proposed pipeline will violate Article 2 of the 1868 Fort Laramie Treaty which guarantees that the Standing Rock Sioux shall enjoy the "undisturbed use and occupation" of its reservation and also directly threatens the safety and quality of the Missouri River waters upon which the Tribe depends for its very existence; and

WHEREAS, the proposed pipeline also threatens sites of cultural significance to many Northern Plains tribes including the Lakota, Dakota, Mandan, Arikara, and Cheyenne; and

WHEREAS, the Standing Rock Sioux Tribe has called upon the Army Corps of Engineers to reject the river crossing permit for the Dakota Access Pipeline under section 10 of the Rivers and Harbors Act and upon the Secretary of the Interior to exercise its trust responsibility to ensure that the Federal Government rejects the Pipeline; and

WHEREAS, the Standing Rock Sioux Tribe has also called upon all Native American Tribes in the U.S. and all Indigenous Peoples of the world to voice their support for the Tribe's efforts to oppose the Dakota Access Pipeline; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians faces a very similar threat due to an aging oil pipeline, Enbridge Line 5, that crosses the Straits of Mackinac and poses an unacceptable risk to the health and safety of our own tribal citizens and to the exercise of our treaty protected rights in those waters; and

WHEREAS, the Board of Directors wishes to express its support for and solidarity with the Standing Rock Sioux Tribe and its admiration for that Tribe's efforts to protect the environment and to defend its treaty rights.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby expresses its unequivocal support of the Standing Rock Sioux Tribe's efforts to defeat the proposed Dakota Access Pipeline.

BE IT FURTHER RESOLVED, that the Board of Directors urges the Army Corps of Engineers to reject the river crossing permit for that pipeline project under section 10 of the Rivers and Harbors Act and, further, urges the Secretary of the Interior to exercise her trust responsibility to ensure that the Federal Government rejects the Pipeline.

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.

TRUST LAND STATUS BONACCI PARCELS A, B, C, G, H SAULT STE MARIE CHIPPEWA COUNTY MICHIGAN

WHEREAS, the Tribe lacks an adequate land base within its reservation to provide for economic development or self-determination; and

WHEREAS, the Secretary of Interior has the authority under the provision of 25 U.S.C. Section 465 to accept title to lands in trust for the Tribe; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors has the authority, under Article VII, Section 1 (k) of the Tribal Constitution to manage, lease, sell acquire, or otherwise deal with the tribal land; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors wishes to authorize its Chairperson, and Treasurer, to obtain conveyance of lands to the Secretary of Interior on the Tribe's behalf, necessary to accomplish such conveyance.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby requests that the Secretary of Interior accept title to the following parcel of land in trust for the benefit of Sault Ste. Marie Tribe of Chippewa Indians on behalf of the Tribe:

See Attached Exhibit A

BE IT FURTHER RESOLVED, that the parcel to be acquired is to be used to accommodate school grounds expansion and is not intended for gaming purposes.

BE IT FUTHER RESOLVED, that the Secretary of the Interior is hereby requested to declare said lands to be part of the Reservation of the "Sault Ste. Marie Tribe of Chippewa Indians" under 25 U.S.C. Section 467.

BE IT FURTHER RESOLVED, that the Board of Directors authorizes its Chairperson and Treasurer to execute any documents and take any further action on behalf of the Tribe as maybe necessary to complete such conveyance.

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

TRUST LAND STATUS CLARK PARCEL SAULT STE MARIE CHIPPEWA COUNTY MICHIGAN

WHEREAS, the Tribe lacks an adequate land base within its reservation to provide for economic development or self-determination; and

WHEREAS, the Secretary of Interior has the authority under the provision of 25 U.S.C. Section 465 to accept title to lands in trust for the Tribe; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors has the authority, under Article VII, Section 1 (k) of the Tribal Constitution to manage, lease, sell acquire, or otherwise deal with the tribal land; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors wishes to authorize its Chairperson, and Treasurer, to obtain conveyance of lands to the Secretary of Interior on the Tribe's behalf, necessary to accomplish such conveyance.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby requests that the Secretary of Interior accept title to the following parcel of land in trust for the benefit of Sault Ste. Marie Tribe of Chippewa Indians on behalf of the Tribe:

In the City of Sault Ste. Marie, Chippewa County, Michigan:

Lots No. 15, 16, 17 and 18, Block 4, Ellis Addition to the City of Sault Ste. Marie, according to the recorded plat thereof, as recorded in Liber 2 of Plats, Page 25, Chippewa County Records.

AND

That portion of the adjacent vacated North/South Alley in said Block No. 4, Ellis Addition to the City of Sault Ste. Marie, according to the recorded plat thereof, as recorded in Liber 2 of Plats, Page 25, Chippewa County Records.

EXCEPT that part lying within the vacated 24th Avenue.

BE IT FURTHER RESOLVED, that the parcel to be acquired is to be used to accommodate school grounds expansion and is not intended for gaming purposes.

BE IT FUTHER RESOLVED, that the Secretary of the Interior is hereby requested to declare said lands to be part of the Reservation of the "Sault Ste. Marie Tribe of Chippewa Indians" under 25 U.S.C. Section 467.

BE IT FURTHER RESOLVED, that the Board of Directors authorizes its Chairperson and Treasurer to execute any documents and take any further action on behalf of the Tribe as maybe necessary to complete such conveyance.

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.

TRUST LAND STATUS TEETER'S ADDITION AND FLETCHER'S ADDITION CITY OF SAULT STE. MARIE CHIPPEWA COUNTY MICHIGAN

WHEREAS, the Tribe lacks an adequate land base within its reservation to provide for economic development or self-determination; and

WHEREAS, the Secretary of Interior has the authority under the provision of 25 U.S.C. Section 465 to accept title to lands in trust for the Tribe; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors has the authority, under Article VII, Section 1 (k) of the Tribal Constitution to manage, lease, sell acquire, or otherwise deal with the tribal land; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors wishes to authorize its Chairperson, and Treasurer, to obtain conveyance of lands to the Secretary of Interior on the Tribe's behalf, necessary to accomplish such conveyance.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby requests that the Secretary of Interior accept title to the following parcel of land in trust for the benefit of Sault Ste. Marie Tribe of Chippewa Indians on behalf of the Tribe: The following lands situated in the City of Sault Ste. Marie, County of Chippewa, State of Michigan

Lots 1-17 inclusive, and Lots 20, 21, 24, 25, 28, and 29, Block 1, W. C. Teeter's Addition, according to the plat recorded in Liber 1 of Plats, page 30, Chippewa County Records.

Lots 12-14 inclusive, Block 2, W. C. Teeter's Addition, according to the plat recorded in Liber 1 of Plats, page 30, Chippewa County Records.

Lots 14 and 15, Block 1, Fletcher's Addition, according to the plat recorded in Liber 1 of Plats, page 50, Chippewa County Records.

BE IT FURTHER RESOLVED, that the parcel to be acquired is to increase tribal land base and is not intended for gaming purposes.

BE IT FUTHER RESOLVED, that the Secretary of the Interior is hereby requested to declare said lands to be part of the Reservation of the "Sault Ste. Marie Tribe of Chippewa Indians" under 25 U.S.C. Section 467.

BE IT FURTHER RESOLVED, that the Board of Directors authorizes its Chairperson and Treasurer to execute any documents and take any further action on behalf of the Tribe as maybe necessary to complete such conveyance.

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

AUTHORIZATION FOR SIGNATURE BUREAU OF INDIAN AFFAIRS SELF GOVERNANCE ANNUAL FUNDING AGREEMENTS

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, Section 402 of P.L. 93-638, as amended, authorizes the Secretary of Interior to select tribes to participate in the Tribal Self Governance Program; and

WHEREAS, the Sault Ste. Marie Tribe became a BIA Self Governance Tribe in 1997 to more effectively and efficiently manage its governmental and tribal affairs; and

WHEREAS, the Office of Self Governance requires the Tribe to negotiate annually with the Bureau of Indian Affairs as part of the Self Governance Program.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes Aaron Payment, Chairperson or designee, to sign, negotiate, amend, and execute any agreement thereof for the Bureau of Indian Affairs Self Governance Program, and Tribal Transportation Program.

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

ACCEPTANCE - 2017 INDIAN HOUSING PLAN

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a duly organized Indian Tribe under the Indian Reorganization Act of June 15, 1934 (48 stat. 37); and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Housing Authority, is organized by Tribal Ordinance; and

WHEREAS, Section 102 of the Native American Housing Assistance and Self-Determination Act (NAHASDA) requires the submission of an Indian Housing Plan for guiding and accomplishing housing activities to meet membership housing needs; and

WHEREAS, there are funds made available through the U. S. Department of Housing and Urban Development Office of Native American Programs to meet the needs according to the Indian Housing Plan.

NOW, THEREFORE, BE IT RESOLVED, the Sault Tribe Board of Directors accepts the 2017 Indian Housing Plan, Grant No. 55-IH-26-5480, as presented and does hereby request funding from the U. S. Department of Housing and Urban Development.

BE IT FURTHER RESOLVED, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors does agree to follow the Sault Tribe Housing Commission Board and HUD approved 2017 Indian Housing Plan in order to provide housing opportunities.

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 _____ 2015; 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

AUTHORIZE THE CHAIRPERSON TO ENTER INTO CONTRACTS, AND EXECUTE ASSOCIATED DOCUMENTS, FOR CONSTRUCTION OF A FISH BARRIER AT THE TRIBE'S WALLEYE CULTURE POND

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

WHEREAS, the said Constitution and Bylaws provide that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors is the governing body for the Tribe, and the Board of Directors has the authority under the Constitution and Bylaws to promulgate resolutions, institute regulations, and consider various legal matters that fall within the authority of a federally recognized Indian Tribe; and

WHEREAS, the Tribe has entered into a cost share agreement with USDA-NRCS for construction of a Fish Barrier at the Tribe's primary fish culture pond; and

WHEREAS, the Board of Directors passed Resolution #2016-195 which authorized the Chairperson to execute and amend any documents on the Tribe's behalf related to the construction contract with Vern Huyck Trucking; however, this Resolution did not mention USDA-NRCS in the authorization; and

WHEREAS, the contract with Vern Huyck Trucking has been signed, and construction began on August 29, 2016; and

WHEREAS, USDA-NRCS has recently determined that it also requires specific language from the Tribe that identifies the individual(s) authorized to execute documents between the Tribe and USDA-NRCS.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorize the Chairperson of the Tribe, or his designee, to negotiate and execute contracts and other related documents between the Sault Ste. Marie Tribe of Chippewa Indians and USDA-NRCS for the Fish Barrier project.

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.

ACFS – USDA 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 USDA for an increase in Federal USDA Revenue of \$86,000.00. 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

ACFS – EMERGENCY ASSISTANCE 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 the Emergency Assistance for an increase in Tribal Support \$27,059.12. This budget modification reflects an increase to direct services.

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

EXECUTIVE OFFICE 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 the Executive Office for a decrease in Tribal Support \$33,320.25. This budget modification reflects reallocation of expenses and changes to the personnel page.

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

BOARD OF DIRECTORS REGULAR MEETING SEPTEMBER 6, 2016

RESOLUTIONS:

NCAI - Admin Standing with Standing Rock Nation -Director Sorenson Trust Land Status Bonacci Parcel – Candace Blocher Trust Land Status Clark Parcel –Candace Blocher Trust Land Status Teeter's/Fletchers Addition – Candace Blocher BIA – Self Governance – Rita Bricker 2017 Indian Housing Plan – Joni Talentino Contract for Construction Fish Barrier – Walleye Pond – Tom Gorenflo Bud Mod: USDA – Tony Nertoli Bud Mod: Emergency Assistance – Juanita Bye Bud Mod: Executive Office – Christine McPherson

NEW BUSINESS:

Committee Requests – Various Committees Standing Rock Appropriation – Chairperson Payment