

**BOARD OF DIRECTORS REGULAR MEETING
MANISTIQUE TRIBAL CENTER
MANISTIQUE, MICHIGAN
MINUTES
MARCH 23, 2010**

The meeting was opened at 6:03 p.m. by Chairman McCoy.

Present: Dennis McKelvie, DJ Hoffman, Cathy Abramson, Joe Eitrem, Bernard Bouschor, Lana Causley, Bob LaPoint, Keith Massaway, Denise Chase, Tom Miller, Shirley Petosky, Joe McCoy.

Absent: Pat Rickley – recovering from surgery.

Moved by Director Abramson, supported by Director Miller, to excuse Director Rickley from the meeting.

Motion carried unanimously.

Moved by Director Causley, supported by Director Massaway, to approve the agenda as written.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Causley, to remove from the agenda the resolutions regarding lobbyist contracts, Chapter 82, Health Centers Compensation, Chapter 15.

Roll Call Vote: Motion carried unanimously.

Moved by Director McKelvie, supported by Director Abramson, to suspend the rules and add the resolution regarding the EPA.

Motion carried unanimously.

Without objection, the Chair stated the resolutions will be read starting with the resolved section. No objections.

Moved by Director Massaway, supported by Director Hoffman, to approve Resolution 2010-56: Amending Tribal Code Chapter 21: Inland Hunting and Fishing Sturgeon Season.

NOW, THEREFORE, BE IT RESOLVED, that Tribal Code Chapter 21: Inland Fishing and Hunting is amended to promulgate the following sturgeon regulations:

"21.917 Sturgeon.

(1) The Conservation Committee shall establish the number of sturgeon permits and the duration of the seasons if there is to be more than one season per year.

(2) The fishing of sturgeon shall be authorized by a permit.

(3) A Tribal member shall not fish for a sturgeon without having on their person a valid sturgeon permit.

(4) The number of sturgeon permits available for each sturgeon season shall be determined by the Department.

(5) Sturgeon permits shall be distributed in accordance with a lottery system administrated by the Committee. The Committee shall establish an application period and a date certain upon which drawing results shall be posted. These dates may be adjusted from time to time as the Committee deems necessary.

(6) The Committee may authorize the transfer of an issued permit to another Tribal member.

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- (7) The Committee shall restrict the use of a permit to stated geographic boundaries.
- (8) No Tribal member shall fish for sturgeon outside the geographic area designated on the permit."

Motion carried with Director Petosky opposing.

Moved by Director Hoffman, supported by Director McKelvie, to approve Resolution 2010-57, Advocacy Resource Center Building FY 2010 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2010 budget modification to establish a budget for Advocacy Resource Center Building with Tribal Support monies of \$351,415.00. This budget modification will approved the purchase of a building shell and the site work required for the building.

Roll Call Vote: Motion carried with Directors Hoffman, Abramson, Petosky, Bouschor, Eitrem, Miller, McKelvie, Massaway approving, Director Chase, Causley, LaPoint opposing.

Moved by Director Chase, supported by Director Hoffman, to approve Resolution 2010-58, Health Division Wage Adjustments 2 FY 2010 Budget Modifications.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2010 Budget Modifications to Community Care Clinic and Emergency Preparedness to change personnel sheets and reallocate expenses, effective March 1, 2010, resulting in an increase of Other Revenue 4,053.25 and no effect on Tribal Support.

Motion carried with Director Causley abstaining.

Moved by Director Abramson, supported by Director Massaway, to approve Resolution 2010-59, Early Head Start Head Start and Title IV Elderly FY 2010 and FY 2011 Budget Modifications.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2010 budget modifications to Early Head Start and Head Start, and the FY 2011 budget modification to Title IV Elderly to reallocate budgets and add one part time position, for a total savings of \$5,769.80 in Tribal Support.

Motion carried unanimously.

Moved by Director Abramson, supported by Director Causley, to approve Resolution 2010-60, EHS/HS ARRA Funds FY 2010 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2010 budget modification to EHS/HS ARRA Funds to increase Federal Revenue – HHS monies \$5,174.42. This increase reflects the amount of carry over from FY 2009 and will be used for equipment and supplies. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Eitrem, supported by Director Massaway, to approve Resolution 2010-61, JKL Fiduciary Interest FY 2010 and FY 2011 Budget Modifications.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2010 and FY 2011 budget modifications to establish a budget for JKL Fiduciary Interest with Other Revenue monies of \$2,308 and \$2,400, respectively. No effect on Tribal Support.

Motion carried unanimously.

Moved by Abramson, supported by Director Causley, to approve Resolution 2010-62, WIA Employment FY 2010 Budget Modifications.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2010 budget modifications for WIA Work Experience, WIA On-the-Job Training, and WIA Administration to increase budgeted Federal Revenue - DOL monies \$26,205.59. These budget modifications reflect actual award amounts and carryover from the previous year. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Abramson, supported by Director Causley, to approve Resolution 2010-63, EPA Water Quality and EPA GAP FY 2010 Budget Modifications.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2010 budget modifications for EPA Water Quality and EPA GAP to reflect the reallocation of expenses and a change to the personnel sheets. There is no change in the funding amount and no effect on Tribal Support.

Roll Call Vote: Motion carried with Directors Eitrem, Abramson, Petosky, Bouschor, Causley, Massaway, Miller, McKelvie, LaPoint approving, Directors Chase, Hoffman opposing.

Moved by Director Hoffman, supported by Director Eitrem, to suspend the rules and add the three resolutions regarding land purchases to the agenda.

Motion carried with Director Bouschor opposing, Director Causley abstaining.

Moved by Director Hoffman, supported by Director Miller, to waive the readings of the three resolutions regarding land purchases.

Roll Call Vote: Motion carried with Directors Eitrem, Chase, Hoffman, Abramson, Petosky, Massaway, Miller, McKelvie, LaPoint approving, Directors Bouschor, Causley opposing.

Moved by Director Hoffman, supported by Director Miller, to approve Resolution 2010-64, Authorizing the Purchase of JKL Land with Principal of the Self-Sufficiency Fund.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby determines that the use of principal from the Self-Sufficiency Fund to purchase lands

For the above stated purposes is reasonably related to economic development beneficial to the tribe, to the development of tribal resources, is otherwise financially beneficial to the tribe and its members, and will consolidate or enhance tribal landholdings.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians concurs with the Congress of the United States pursuant to Section 108, subsection (b) (4) of the Michigan Indian Land Claims Settlement Act, which limits the uses for which the principal of the Self-Sufficiency Fund may be used and accomplishes, by operation of the Act, that any lands acquired using amounts from the principal of the Self-Sufficiency Fund shall be held as Indian lands are held, which means the lands shall be held as reservation lands, *see Menominee Tribe of Indians v. U. S.*, 391 U.S. 404 (1968), (Menominee reservation established by phrase "as Indian lands are held") and/or as restricted Indian lands.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa hereby authorizes the purchase of the below described land, using principal from the Self-Sufficiency Fund, which property is described as:

PARCEL DESCRIPTION:

WC Teeter's Addition, Lot 13-15, Incl. Blk 3.

The total purchase price authorized for property is \$5,500.00. If there is any discrepancy between the legal description contained in this resolution and the attached CERTIFICATE OF SURVEY, the description contained in the CERTIFICATE OF SURVEY shall be designated as the correct description.

BE IT FURTHER FINALLY RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes Darwin "Joe" McCoy, Tribal Chairman, to sign, amend, and execute any documents necessary to effectuate the purpose of this resolution, including any actions required to insure the resulting property is held as Indian lands are held, i.e., as part of the Reservation of the tribe and/ or Restricted Indian Lands subject to the jurisdiction of the Tribe and over which the Tribe exercises jurisdiction.

Roll Call Vote: Motion carried with Directors McKelvie, Miller, Abramson, LaPoint, Petosky, Chase, Massaway, Eitrem, Hoffman approving, Directors Bouschor, Causley opposing.

Moved by Director Hoffman, supported by Director Miller, to approve Resolution 2010-65, Authorizing Purchase of Lands with Principal of the Self-Sufficiency Fund – Parcel A.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby determines that the use of principal from the Self-Sufficiency Fund to purchase lands for the above stated purposes is reasonably related to economic development beneficial to the tribe, to the development of tribal resources, is otherwise financially beneficial to the tribe and its members, and will consolidate or enhance tribal landholdings.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians concurs with the Congress of the United States pursuant to Section 108, subsection (b) (4) of the Michigan Indian Land Claims Settlement Act, which limits the uses for which the principal of the Self-Sufficiency Fund may be used and accomplishes, by operation of the Act, that any lands acquired using amounts from the principal of the Self-Sufficiency Fund shall be held as Indian lands are held, which means the lands shall be held as reservation lands, *see Menominee Tribe of Indians v. U. S.*, 391 U.S. 404 (1968), (Menominee reservation established by phrase "as Indian lands are held") and/or as restricted Indian lands.

BE IT FURTHER RESOLVED that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa hereby authorizes the purchase of the below described land, using principal from the Self-Sufficiency Fund, which property is described as:

PARCEL DESCRIPTION:

PART OF THE SOUTHEAST 1/4 OF SECTION 4, T4S., R.9E., HURON TOWNSHIP, WAYNE COUNTY, MICHIGAN, DESCRIBED AS COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION;

THENCE NORTH 01°53'32" WEST ALONG THE NORTH-SOUTH 1/4 LINE OF SAID SECTION, A DISTANCE OF 147.00 FEET AND NORTH 88°02'29" EAST ALONG THE FUTURE NORTH RIGHT-OF-WAY LINE OF SIBLEY ROAD, A DISTANCE OF 309.46 FEET TO THE POINT OF BEGINNING; PROCEEDING THENCE NORTH 01° 57' 31" WEST, A DISTANCE OF 536.75 FEET; THENCE NORTH 88° 03' 22" EAST, A DISTANCE OF 403.80 FEET; THENCE SOUTH 02°36' 56" EAST, A DISTANCE OF 536.68 FEET TO SAID FUTURE NORTH RIGHT -OF-WAY LINE; THENCE SOUTH 88°02'29" WEST, A DISTANCE OF 409.95 FEET. CONTAINING 5.01 ACRES, MORE OR LESS, AND BEING SUBJECT TO THE SENIOR RIGHTS OF EXISTING EASEMENTS, IF ANY.

The Parcel is comprised of 5.01 acres, more or less. The total purchase price authorized for the 5.01 acres m/l is Twenty-Five Thousand dollars (\$25,000). If there is any discrepancy between the legal description contained in this resolution and the attached CERTIFICATE OF SURVEY, the description contained in the CERTIFICATE OF SURVEY shall be designated as the correct description.

BE IT FURTHER FINALLY RESOLVED that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes Darwin "Joe" McCoy, Tribal Chairman, to sign, amend, and execute any documents necessary to effectuate the purpose of this resolution, including any actions required to insure the resulting property is held as Indian lands are held, i.e., as part of the Reservation of the tribe and/ or Restricted Indian Lands subject to the jurisdiction of the Tribe and over which the Tribe exercises jurisdiction.

Roll Call Vote: Motion carried with Directors Chase, Hoffman, Abramson, Petosky, LaPoint, Eitrem, Miller, McKelvie, Massaway approving, Directors Causley, Bouschor opposing.

Moved by Director Hoffman, supported by Director Miller, to approve Resolution 2010-66, Authorizing Purchase of Lands with Interest or Other Income of the Self-Sufficiency Fund – Parcel B.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby determines that the use of interest and other income from the Self-Sufficiency Fund to purchase lands for the Tribe is reasonably related to economic development beneficial to the tribe, to the development of tribal resources, is otherwise financially beneficial to the tribe and its members, and will consolidate or enhance tribal landholdings.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians concurs with the Congress of the United States pursuant to Section 108, that the MILSCSA mandates that when funds from the Self Sufficiency Fund's interest or income are used to acquire land, any such land shall be held in trust by the Secretary of the Interior on behalf of the Tribe.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa hereby authorizes the purchase of the below described land, using interest and income from the Self-Sufficiency Fund, which property is described as:

PARCEL DESCRIPTION:

PART OF THE SOUTHEAST 1/4 OF SECTION 4, T.4S, R.9E., HURON TOWNSHIP, WAYNE COUNTY, MICHIGAN, DESCRIBED AS COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION; THENCE NORTH 01° 53'32" WEST ALONG THE NORTH-SOUTH 1/4 LINE OF SAID SECTION, A DISTANCE OF 147.00 FEET AND NORTH 88° 02'29" EAST ALONG THE FUTURE NORTH RIGHT-OF-WAY LINE OF SIBLEY ROAD, A DISTANCE OF 719.41 FEET TO THE POINT OF BEGINNING; PROCEEDING THENCE NORTH 02°36'56" WEST, A DISTANCE OF 536.68 FEET; THENCE NORTH 88°01'35" EAST, A DISTANCE OF 397.69 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 940.00 FEET, A CENTRAL ANGLE OF 09°16'57", AND AN ARC LENGTH OF 152.29 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 06°35'58" EAST, 152.12 FEET; THENCE SOUTH 01°57'31" EAST, A DISTANCE OF 385.13 FEET TO SAID FUTURE NORTH RIGHT-OF-WAY LINE; THENCE SOUTH 88°02'29" WEST, A

DISTANCE OF 403.85 FEET, CONTAINING 5.00 ACRES, MORE OR LESS, AND BEING SUBJECT TO THE SENIOR RIGHTS OF EXISTING EASEMENTS, IF ANY.

The Parcel is comprised of 5.00 acres, more or less. The total purchase price authorized for the 5.00 acres m/l is Twenty-Five Thousand dollars (\$25,000). If there is any discrepancy between the legal description contained in this resolution and the attached CERTIFICATE OF SURVEY, the description contained in the CERTIFICATE OF SURVEY shall be designated as the correct description.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby directs and authorizes Darwin "Joe" McCoy, Tribal Chairman, or his designee, to sign, amend, and execute any documents necessary to effectuate the purposes of this resolution.

BE IT FURTHER FINALLY RESOLVED, that upon completion of the property purchase authorized by this Resolution with income or interest from the Michigan Indian Land Claims Settlement Act's Self-Sufficiency Fund, the Board of Directors authorizes and directs the Chairman of the Board or his designee to petition the Bureau of Indian Affairs to hold the above described property in trust on behalf of the Sault Ste. Marie Tribe of Chippewa Indians.

Roll Call Vote: Motion carried with Directors Chase, Hoffman, Abramson, Petosky, LaPoint, Eitrem, Miller, McKelvie, Massaway approving, Directors Causley, Bouschor opposing.

Moved by Director Miller, supported by Director McKelvie, to adjourn the meeting.

Motion carried.

Meeting adjourned: 7:50 p.m.

Date: 9/7/10

Secretary: Cathy Gramson

Others present: Kristi Harwood, Tom Dorwin, Bill Connolly, Tony Goetz, Vic Matson, Tony Abramson, Bob Marchand, Aaron Schlehber, Lori Jump, Carol Eavou, Joanne Carr.