

## ROLL CALL MATRIX

Meeting Date: 10-7-2014

P	A	Res. Number 2014	180	181	182	183	184	185	186	187	188	189	190
		Unanimous	U	U			U	U	U	U	U		
X		Cathy Abramson		1	Y	Y						Y	1Y
X		Kim Gravelle			N	Y						Y	Y
X		Denny McKelvie			---	Y						Y	Y
X		DJ Hoffman			N	A		2				N	Y
X		Jennifer McLeod			Y	Y					2	Y	2Y
X		Lana Causley			2Y	1Y	2					N	Y
X		Cath Hollowell	1	2	Y	Y				2		Y	N
X		Bridgett Sorenson	2		1Y	Y		1	2	1		Y	Y
X		Keith Massaway			Y	Y	1				1	Y	Y
X		Denise Chase			N	Y						1Y	N
X		Darcy Morrow			N	2Y			1			2Y	N
X		Rita Glyptis			N	Y						Y	N
X		Aaron Payment											

- 1 = Made Motion
- Y = Voted Yes
- A = Abstained

- 2 = Second/Support Motion
- N = Voted No
- U = Unanimous



RESOLUTION NO: 2014-180

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

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Services**

**Membership  
Services**

**Economic  
Development  
Commission**

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 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 7 day of October 2014; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 12 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

  
Aaron A. Payment, Chairperson  
Sault Ste. Marie Tribe of  
Chippewa Indians

  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians



RESOLUTION NO: 2014-181

**MACKINAC COUNTY COOPERATIVE AGREEMENT**

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 identified roads in Mackinac County named Mackinac Trail and 3 Mile Road serving the residents of the Tribe and the County, and Tribal Business patrons, which are important to the general health and welfare of the Members and the residents of the Reservation; and

WHEREAS, the Tribe has BIA Tribal Transportation Program (TTP) maintenance funds for Mackinac Trail and 3 Mile Road which were approved by the Bureau of Indian Affairs Department of Transportation to be added to the Tribe's TTP inventory; and

WHEREAS, the Road Commission is responsible for maintenance of Mackinac Trails and 3 Mile Road, the Road Commission is not financially able, without the assistance of the Tribe and the Bureau, to apply pure salt to the roads and thoroughfares within its jurisdiction during the 2014-2015 winter season; and

WHEREAS, the Mackinac County Road Commission is completely responsible for the project; and

WHEREAS, the Tribe is desirous to contract with the County to provide on certain sections of Mackinac Trail and 3 Mile Road a measure of snow and ice removal during the winter season which the County would not otherwise be financially able to support.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Cooperative Agreement between Mackinac County Road Commission and Sault Ste. Marie Tribe of Chippewa Indians, and authorizes expenditures up to \$39,657.51 from the Transportation Maintenance Fund, cost center 2931. Mackinac County Road Commission is completely responsible for the project.

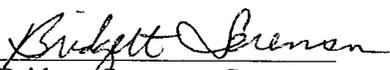
BE IT FURTHER RESOLVED, this AGREEMENT made and entered into by and between the Mackinac County Road Commission, a duly organized County Government and the Sault Ste. Marie Tribe of Chippewa Indians.

BE IT FURTHER RESOLVED, that the Chairman or his designee, is authorized and directed on behalf of the Sault Ste. Marie Tribe of Chippewa Indians to sign the Cooperative Agreement attached to this resolution as Exhibit A.

**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 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 7 day of October 2014; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 12 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

  
Aaron A. Payment, Chairperson  
Sault Ste. Marie Tribe of  
Chippewa Indians

  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
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**Government Services**

**Membership Services**

**Economic Development Commission**



RESOLUTION NO: 2014-182

### ACCEPTANCE -2015 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 community housing needs; and

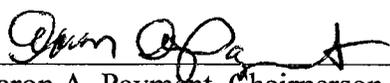
WHEREAS, there are funds made available through the U. S. Department of Housing and Urban Development Office of Native American Programs to meet the needs according to the Indian Housing Plan.

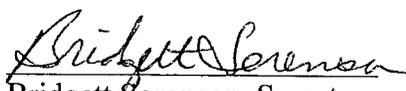
NOW, THEREFORE, BE IT RESOLVED, the Sault Tribe Board of Directors accepts the 2015 Indian Housing Plan, Grant No. 55-IH-26-5480, as presented and does hereby request funding from the U. S. Department of Housing and Urban Development.

BE IT FURTHER RESOLVED, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors does agree to follow the HUD approved 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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 7 day of October 2014; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 6 members for, 5 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

  
Aaron A. Payment, Chairperson  
Sault Ste. Marie Tribe of  
Chippewa Indians

  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
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RESOLUTION NO: 2014-183

**APPROVING LEASE  
MARQUETTE HEALTH CENTER**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians has committed to support and operate a Tribal Community Health Center in Marquette, Michigan; and

WHEREAS, the Health Division has negotiated a lease between the Tribe, as Lessee and Midtown Office Center, which will permit the Tribe to obtain the usage of 600 square feet of Midtown's office building located at 1229 W. Washington Street, Marquette, Michigan; and

WHEREAS, the yearly rent on the property is \$9,600 for the first three years, and will increase to \$10,200 for the fourth and fifth years, if the Tribe exercises its option to extend for the fourth and fifth years; and

WHEREAS, this cost has been budgeted and approved in the 2015 budget within the Munising Tribal Health Center budget-cc 4378; and

WHEREAS, this lease shall, by its terms expire on October 31, 2017, unless the Health Division opts to extend for the fourth and fifth years.

BE IT HEREBY RESOLVED, that the Chairperson of the Tribe is authorized and directed to execute the lease for the property located at 1229 W. Washington Street, Marquette, Michigan.

**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 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 7 day of October 2014; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 11 members for, 0 members against, 1 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  
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RESOLUTION NO: 2014-184

**NATIONAL CONGRESS OF AMERICAN INDIANS  
2014 ANNUAL CONVENTION DELEGATES AND 2015 DUES**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians wishes to become a member 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 \$550.00 to pay for the Tribe's 2015 annual dues; and

WHEREAS, based on the tribal citizenry of 41,311 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:

**Government Services**

Delegate: Aaron A. Payment, Chairperson

Alternate: Denise Chase, Director, Vice Chair

**Membership Services**

Alternate: Bridgett Sorenson, Director, Secretary

Alternate: Dennis McKelvie, Director, Treasurer

**Economic Development Commission**

Alternate: Cathy Abramson, Director

Alternate: Jennifer McLeod, Director

Alternate: Kimberle Gravelle, Director

Alternate: DJ Hoffman, Director

Alternate: Catherine Hollowell, Director

Alternate: Lana Causley, Director

Alternate: Keith Massaway, Director

Alternate: Darcy Morrow, Director

Alternate: Rita Glyptis, 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 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 7 day of October 2014; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 12 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

  
Aaron A. Payment, Chairperson  
Sault Ste. Marie Tribe of  
Chippewa Indians

  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians



RESOLUTION NO: 2014-185

**SUPPORT FOR PERMANENT REAUTHORIZATION FOR THE SPECIAL DIABETES PROGRAM FOR INDIANS**

WHEREAS, American Indians and Alaska Natives (AI/AN) have the highest prevalence of diabetes (16.1%) amongst all U.S. racial and ethnic groups and death rate due to diabetes for AI/ANs is 1.6 times higher than the U.S. all-races population; and

WHEREAS, the Special Diabetes Program for Indians (SDPI) was first created in 1997 in order to treat and prevent Type II diabetes in Indian Country; and

WHEREAS, the program has been renewed each year by Congress since 1997, but has never enjoyed a long-term authorization that would ensure program stability and provide better health outcomes; and

WHEREAS, currently, SDPI provides grants for diabetes treatment and prevention services to 404 IHS, Tribal, and Urban Indian health programs in 35 states; and

WHEREAS, between 1999-2006, the incident rate of end-stage renal disease due to diabetes in AI/AN people fell by 28% - a greater decline than for any other racial or ethnic group leading to significant health benefits and health cost savings; and

WHEREAS, communities with SDPI-funded programs have seen a 57% increase in nutrition services, a 72% increase in community walking and running programs, and a 65% increase in adult weight management programs; and

WHEREAS, SDPI is changing the diabetes landscape in Indian Country through community-driven, culturally appreciate programs have led to significant advances in diabetes education, treatment and prevention; and

WHEREAS, short term renewal for SDPI has led to increased difficulty for recruiting and retaining staff, building program consistency; and

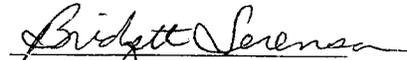
WHEREAS, on September 16, 2014, Senator John Tester (MT) introduced S. 2830 which would permanently reauthorize the Special Diabetes Programs for Indians.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians strongly supports S. 2830, which would permanently reauthorize the Special Diabetes Programs for Indians.

**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 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 7 day of October 2014; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 12 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

  
Aaron A. Payment, Chairperson  
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Bridgett Sorenson, Secretary  
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**Government  
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**Membership  
Services**

**Economic  
Development  
Commission**



RESOLUTION NO: 2014-186

**LEGAL – TAX AGREEMENT ADMIN  
FY 2014 BUDGET MODIFICATION**

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BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2014 budget modification to Tax Agreement Admin for an increase in Tribal Support of \$1,971.48.

**CERTIFICATION**

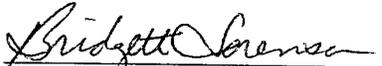
We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 7 day of October 2014; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 12 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

**Government  
Services**

**Membership  
Services**

**Economic  
Development  
Commission**

  
\_\_\_\_\_  
Aaron A. Payment, Chairperson  
Sault Ste. Marie Tribe of  
Chippewa Indians

  
\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians



RESOLUTION NO: 2014-187

**EPA GAP  
ESTABLISH FY 2015 BUDGET**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of the FY 2015 budget for EPA GAP with Federal EPA monies of \$110,000. No effect on Tribal Support.

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**Government  
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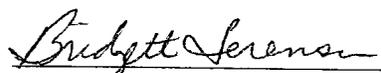
**Membership  
Services**

**Economic  
Development  
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**CERTIFICATION**

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 7 day of October 2014; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 12 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

  
\_\_\_\_\_  
Aaron A. Payment, Chairperson  
Sault Ste. Marie Tribe of  
Chippewa Indians

  
\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians



RESOLUTION NO: 2014-188

**IHS MULTI YEAR FUNDING AGREEMENT**

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

WHEREAS, the Tribe has for many years contracted for the delivery of comprehensive health care services and desires to continue to do so; and

WHEREAS, Title V of the Indian Self Determination and Education Assistance Act, as amended, authorizes the Tribe to enter, and the Tribe did enter, into a Compact of Self Governance with the United States Department of Health and Human Services ("Compact") governing federal health services provided to the Tribe; and

WHEREAS, every three years the Tribe and Indian Health Service ("IHS ") enter into a Multi-Year Funding Agreement ("Funding Agreement") as part of funding the Compact pursuant to the authority in Title V of the Indian Self Determination and Education Assistance Act; and

WHEREAS, funding provided under the Funding Agreement is based, among other factors, on the Tribe's active user population as defined by IHS which, as of December 30, 2013, is 15,627; and

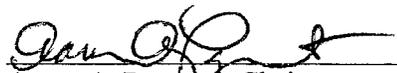
WHEREAS, the Funding Agreement currently in effect was approved by Resolution 2010-189, but has expired; and

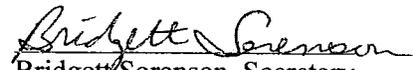
WHEREAS, the Tribe and IHS recently entered into negotiations to discuss the specific provisions and budgeted amounts under a new Multi-Year Funding Agreement and such provisions and amounts were reviewed and approved by the Tribe.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Tribe Board of Directors hereby approves the Funding Agreement as effective from October 1, 2014 through September 30, 2017, and authorizes the Tribal Chairperson to execute such Agreement on behalf of the Tribe.

**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 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 7 day of October 2014; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 12 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

  
Aaron A. Payment, Chairperson  
Sault Ste. Marie Tribe of  
Chippewa Indians

  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
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RESOLUTION NO: 2014-189

**FY 2015 BUDGET DOCUMENT 002  
EXCLUDING INTERNAL SERVICES**

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BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2015 Budget Document 002 (excluding Internal Services) totaling \$33,696,816 of which \$683,036 comes from 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 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 7 day of October 2014; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 members for, 2 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron A. Payment, Chairperson  
Sault Ste. Marie Tribe of  
Chippewa Indians

Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians



RESOLUTION NO: 2014-190

**AMENDING TRIBAL CODE CHAPTER 36: JUVENILE CODE**

WHEREAS, Tribal Code 36.502 currently states the following:

36.502 Initiation of Proceedings.

(1) Requests stating that a juvenile has committed a status offense pursuant to this subchapter may be submitted by the child, the child's parent, guardian or custodian, an appropriate social services agency and/or the juvenile probation officer. A request stating that a child is habitually and without justification absent from school may also be submitted by an authorized representative of a local school board or governing authority of a private school.

(2) A petition pursuant to this subchapter shall not be filed unless the prosecutor has determined and endorsed upon the petition that the filing of the petition is in the best interest of the child and his family.

(3) A petition filed pursuant to this subchapter shall include:

- (a) The name, birth, date and residence address of the child.
- (b) The name and residence address of the parents, guardian or custodian of the child.
- (c) That the child and his or her parent, guardian or custodian has exhausted or refused appropriate and available services as evidenced by a report which shall be prepared and submitted by the juvenile probation officer at the same time the petition is filed, or, in the case of petition based upon a child's alleged habitual and unjustifiable absence from school, that a declaration as required under subsection (4) of this Chapter.
- (d) That Court intervention is necessary to secure services which are accessible to the Court.
- (e) The additional required allegations set forth in either subsection (4) or (5) of this Chapter.

(4) In addition to the allegations required under subsection (3) of this Chapter, a petition alleging that a child is habitually and without justification absent from school shall also allege the following:

- (a) That the school and a child's parent, guardian or custodian have held a meeting or the child's parent, guardian or custodian has refused to attend a meeting to discuss the child's habitual and unjustified absence from school.
- (b) That the school has provided an opportunity for counseling to determine whether a curriculum change would resolve the child's problem and if the local school board or governing authority of a private school provides an alternative education program, that the child has been provided with an opportunity to enroll in the alternative education program.
- (c) That the school has conducted a review of the child's educational status which may include medical, psychological and/or educational testing of the child in accordance with the school regulations to determine whether learning problems may be a cause of the child's absence from school and, if so, what steps have been taken to overcome the learning problems.

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- (d) That the social worker or other appropriate official of the child's school has conducted an investigation to determine whether social problems may be a cause of the child's absence from school, and, if so, that appropriate action has been taken.
- (e) That the school has sought assistance from appropriate agencies and resources available to the local school board or private school, or has referred the matter to a local social services agency for the purpose of utilizing and coordinating such agencies and resources.

(5) In addition to the allegations required under subsection (3) of this Chapter, a petition alleging that the child is incorrigible shall also allege that the filing of the petition was preceded by complying with each of the following that are applicable and appropriate:

- (a) The child and his family have participated in counseling or either the child or his family has refused to participate in family counseling.
- (b) The child has been placed in the home of a relative, if available, or the child has refused placement in the home of a relative.

(6) After a petition alleging that the child has committed a status offense has been filed, a summons shall be issued directed to the child, the child's parent, guardian or custodian, their counsel and to such other persons as the Court considers proper or necessary parties. The content and service of the summons shall be in accordance with '36.407 of this Chapter.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby amends Tribal Code, Chapter 36.502 to read as follows:

36.502 Initiation of Proceedings.

(1) Requests stating that a juvenile has committed a status offense pursuant to this subchapter may be submitted by the child, the child's parent, guardian or custodian, an appropriate social services agency and/or the juvenile probation officer. A request stating that a child is habitually and without justification absent from school may also be submitted by an authorized representative of a local school board or governing authority of a private school.

(2) A petition pursuant to this subchapter shall not be filed unless the prosecutor has determined and endorsed upon the petition that the filing of the petition is in the best interest of the child and his family.

(3) A petition filed pursuant to this subchapter shall include:

- (a) The name, birth, date and residence address of the child.
- (b) The name and residence address of the parents, guardian or custodian of the child.
- (c) That the child and his or her parent, guardian or custodian has exhausted or refused appropriate and available services as evidenced by a report which shall be prepared and submitted by the juvenile probation officer at the same time the petition is filed, or, in the case of petition based upon a child's alleged habitual and unjustifiable absence from school, that a declaration as required under subsection (4) of this Chapter.

- (d) That Court intervention is necessary to secure services which are accessible to the Court.
- (e) The additional required allegations set forth in either subsection (4) or (5) of this Chapter.

(4) By signing a petition alleging that a child is habitually and without justification absent from school, the prosecutor is certifying that school has assessed if the following steps are necessary, and if necessary, that they were completed:

- (a) That the school and a child's parent, guardian or custodian have held a meeting or the child's parent, guardian or custodian has refused to attend a meeting to discuss the child's habitual and unjustified absence from school.
- (b) That the school has provided an opportunity for counseling to determine whether a curriculum change would resolve the child's problem and if the local school board or governing authority of a private school provides an alternative education program, that the child has been provided with an opportunity to enroll in the alternative education program.
- (c) That the school has conducted a review of the child's educational status which may include medical, psychological and/or educational testing of the child in accordance with the school regulations to determine whether learning problems may be a cause of the child's absence from school and, if so, what steps have been taken to overcome the learning problems.
- (d) That the social worker or other appropriate official of the child's school has conducted an investigation to determine whether social problems may be a cause of the child's absence from school, and, if so, that appropriate action has been taken.
- (e) That the school has sought assistance from appropriate agencies and resources available to the local school board or private school, or has referred the matter to a local social services agency for the purpose of utilizing and coordinating such agencies and resources.

It shall be a defense to the petition filed that one, or more, of the steps above were necessary and were not completed. A child, parent, or their attorney, can object to a petition, at any point prior to disposition, if the above steps were necessary but were not completed. If the court finds that the one or more of the steps above would have eliminated the need for the Court to take jurisdiction of the child and they were not completed, the Court may order that the necessary evaluation or service be completed, or the Court may dismiss the case.

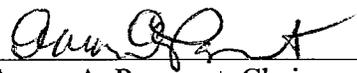
(5) In addition to the allegations required under subsection (3) of this Chapter, a petition alleging that the child is incorrigible shall also allege that the filing of the petition was preceded by complying with each of the following that are applicable and appropriate:

- (a) The child and his family have participated in counseling or either the child or his family has refused to participate in family counseling.
- (b) The child has been placed in the home of a relative, if available, or the child has refused placement in the home of a relative.

(6) After a petition alleging that the child has committed a status offense has been filed, a summons shall be issued directed to the child, the child's parent, guardian or custodian, their counsel and to such other persons as the Court considers proper or necessary parties. The content and service of the summons shall be in accordance with '36.407 of this Chapter.

### 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 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 7 day of October 2014; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 8 members for, 4 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

  
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Aaron A. Payment, Chairperson  
Sault Ste. Marie Tribe of  
Chippewa Indians

  
\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians