

Tribe busy with budgets and holiday activities



D.J. HOFFMAN,
DIRECTOR, UNIT I

Over the past month, the tribe has been extremely busy. It is budget season, as well as the advent of the holidays. It has also been an early winter, causing a variety of issues ranging from business profitability, to meeting cancellations.

MEETING/ABSTENTION ISSUE

I have been asked to explain why I abstained from "agenda" items on the postponed tribal board of directors regular meeting scheduled for Nov. 18, 2014. On Nov. 18, 2014, notice was posted on the tribal website that the meeting would be postponed until Nov. 25, 2014, due to inclement weather.

On Thursday, Nov. 20, 2014, I replied to an e-mail regarding notice of a Gaming Authority meeting. I clearly stated: A "Gaming Authority" meeting doesn't need to be called/noticed for next week **if the special board meeting scheduled for next Tuesday has been properly called for and noticed.**

"Special meetings" shall mean those meetings that are called by the chairperson or by a positive majority vote of the board of directors (14.120) pursuant to Article I, Section 2 of the Bylaws Under the GA Bylaws:

A special meeting may be held at any duly convened and noticed meeting of the board of directors of the Sault Ste. Marie Tribe of Chippewa Indians without any further notice required.

On Nov. 25, 2015, (in Hessel) I abstained from all of the actionable items on the agenda for the

"postponed meeting" due to the fact that there is no provision within tribal code to postpone or reschedule a meeting outside an action of the board during a meeting, or an officially noticed special meeting that is called in accordance with the Constitution and Bylaws of the Sault Ste. Marie Tribe of Chippewa Indians.

Sec. 2. Special meetings may be called from time to time by the chairperson or by a majority vote of the board of directors. Written notice of such special meetings shall be given to all members of the board at least five (5) days in advance of such meeting. At special meetings, the board shall have the same power to transact business as at regular meetings.

In addition, Tribal Code prohibits action outside of a duly called meeting:

96.104 Open meetings

(3) No votes may be taken and no binding decisions may be made at a board workshop.
AND

16.105 Contents of petition.

(3) Violations of the following shall constitute the only grounds which a petition for removal may be based upon:

Violation of the Constitution and Bylaws.

Violation of the Tribal Code Ch. 10: Election Ordinance, or Tribal Code

Ch. 96: Open Meetings Ordinance.

Others may differ in their respective opinion regarding this matter; however, all of the materials provided stated "postponed" and "regular" meeting regarding the Nov. 25 event. We have rules and need to ensure that we follow them.

Ironically, the legal staff has provided a resolution to amend Tribal Code, Chapter 14, to include a provision for postponing meetings at our upcoming December meeting. I use the word "ironic," since the addition of a provision to call for postponing of meetings is an acknowledgement that there is no current authorization to do as such.

WE HAVE RULES AND NEED TO ENSURE THAT WE FOLLOW THEM.

CASINOS

The tribe has recently introduced its new temporary CEO for Gaming Operations.

I did not vote to hire the temporary casino executive officer because every effort was made to bypass adopted policy, procedure, and adopted tribal resolutions in this process. For Example: (1) The position was not posted, (2) The position's name (**CASINO EXECUTIVE OFFICER**) was intentionally changed to attempt to bypass the Key Employee Resolution (2014-142) in which the Kewadin Casinos **CHIEF EXECUTIVE OFFICER** position would require a vote of seven votes to hire in a public session of the tribal board of directors. (See resolution above).

While I did not vote to approve the temporary CEO, the lack of adherence to the rules and regulations of the tribe by the board of directors should not be reflected upon this individual.

The temporary CEO selected is a very experience individual and I am hopeful that they will be able to make positive changes to help us to find a permanent management solution, free of the politics of the tribe.

ACCOUNTABILITY

Recently I received an email commenting upon my previous report on the lack of adherence to rules and regulations, which unfortunately seems to be a common theme. The individual was correct in their respective statements that it is one thing to inform membership about wrongdoings, and yet another to provide solutions.

To provide solutions to the lack of adherence to adopted rules and regulations, as well as board adopted resolutions I will be proposing the following in 2015:

— Amending the Removal Code to reflect the membership's constitutional rights (which are hindered by the current version).

— Push forward with a Code of Ethics: Work on legislation to allow the tribal membership to challenge the constitutionality of actions taken by the tribal board. The intent of these actions would be to ensure that there are con-



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RESOLUTION NO: 2014-142

AMENDING KEY TEAM MEMBER LIST

WHEREAS, Chapter 94 of the Tribal Code vests the Management Board of the of the Kewadin Casinos Gaming Authority with broad authority to manage and operate the Tribe's licensed gaming operations including the employment, management, and discharge of casino employees; and

WHEREAS, pursuant to the authority vested in it by Chapter 94 of the Code, the Management Board of the of the Kewadin Casinos Gaming Authority is making proactive changes within the Kewadin Casinos management structure to ensure the long term financial success of its casino operations; and

WHEREAS, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians has adopted a series of resolutions that restrict the hiring and termination of certain employees who are designated as "Key Employees" or "Key Team Members, including Resolution 2004-7. Approval of Key Employees (July 6, 2004), Resolution 2005-199, Clarifying Key Employee Resolution 2004-71 "Approval of Key Employees" (December 6, 2005), Resolution 2008-225, Amending Key Employee Resolution 2005-199 (November 4, 2008), and Resolution 2014-10, Amending Key Employee Resolution 2005-199 (January 14, 2014);" and

WHEREAS, the Board of Directors deems it necessary to revise the current list of "Key Team Members" to better conform that list to the structural changes now being made by the Management Board.

NOW, THEREFORE, BE IT RESOLVE, that the list of "Key Team Members" for the Kewadin Casinos contained in Resolution 2005-199, as amended, is further amended to remove the following positions from the list of "Key Team Members" for the Kewadin Casinos:

CHIEF OPERATING OFFICER
CHIEF FINANCIAL OFFICER

BE IT FURTHER RESOLVED, that the list of "Key Team Members" for the Kewadin Casinos contained in Resolution 2005-199, as amended, is further amended to ADD the following position to the list of "Key Team Members" for the Kewadin Casinos:

CHIEF EXECUTIVE OFFICER

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 11 day of August, 2014; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 8 members for, 3 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

sequences for ignoring adopted rules, regulations, policies, and laws.

DIVERSIFICATION

"Most of the Fortune 500's top 20 companies now do business in Indian Country, including Wal-Mart, Exxon, GM, Ford, Verizon, AT&T, Home Depot, Target and Bank of America."

The above mentioned quotation derived from *Business Weekly* illustrates the economic potential that lies out there for tribes. These potential opportunities have been overlooked, unfortunately, by our tribe.

These quotes will seem familiar, and they should. I will continue to harp on the issue of business diversification for the tribe. We need new income streams to ensure that we are successful for this and future generations.

In the New Year, I will be pushing to diversify our enterprises and welcome any and all assistance in this area.

CULTURE

Our culture is our identity as a people, without which we would cease to exist. In fact, one of the requirements for federal recognition as a tribe is an established language within our culture. I am hopeful that in 2015, and thereafter, we will place the appropriate (increased) emphasis in an area that is essentially our foundation. I will be working with any/all individuals to ensure that this occurs.

HOLIDAY SEASON

I would like to personally wish all of you a happy holiday and ask that if you have any issues or concerns, please feel free to contact me any time.

Sincerely,
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