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1 = Made Motion

2 = Supported Motion

Y = Yes

N = No

N/A = Not in attendance

A = Abstained



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Government Services

Membership Services

Economic
Development
Commission

RESOLUTION NO: 3005 - 84

POLICY STATEMENT REGARDING THE EXERCISE OF THE 1836 TREATY RIGHT

WHEREAS, the Sault Ste Marie Tribe of Chippewa Indians, Bay Mills Indian Community, Grand Traverse Band of Ottawa and Chippewa Indians, Little River Band of Ottawa Indians, and the Little Traverse Bay Bands of Odawa Indians are currently engaged in litigation with the State of Michigan and the United States of America for the purpose of having declared to be in existence their treaty right to hunt, fish, and gather within the ceded territory; and

WHEREAS, the State of Michigan, constituent conservation groups, and private property owners, have expressed concern over the possibility of the tribe's exercising their right to hunt, fish, and gather upon private property without the owner's consent; and

WHEREAS, the tribe's have asserted that they do not desire to exercise their right in such a manner and desire to codify this position in the form of a resolution for the purpose of allaying the concerns of the State of Michigan, constituent conservation groups, and private property owners.

WHEREAS, the Tribe believes it is in its best interest to formally state its position as such in this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Sault Ste Marie Tribe of Chippewa Indians through its Board of Directors hereby declares that it will prohibit tribal members from exercising the Tribe's treaty right to hunt, fish, and gather within the ceded territory upon private property without the property owner's consent.

CERTIFICATION

Aaron Payment, Tribal Chairperson Sault Ste. Marie Tribe of

Chippewa Indians



RESOLUTION NO: 2005-85

AUTHORIZING A DEPARTURE FROM THE TRIBAL LOGO IDENTITY SYSTEM

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WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians adopted a uniform tribal logo in Resolution 93-59 and further imposed an identity system on the use of the tribal logo in a manual dated December 1, 1993; and

WHEREAS, the manual states that the logo shall be presented only in black, must present the Tribe's name in a specified type face, and must present two turtles; and

WHEREAS, the Unit Two Tahquamenon Elder Sub-Committee desires to have produced for sale a vanity license plate that portrays the tribal logo in red rather than black, does not present the Tribe's name, and does not present two turtles; and

WHEREAS, the Unit Two Tahquamenon Elder Sub-Committee desires to present the tribal logo in such a manner for the purpose of identifying their appreciation for color.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors authorizes the Unit Two Tahquamenon Elder Sub-Committee to produce for sale a vanity license plate in a form substantially similar to the attached example.

BE IT FURTHER RESOLVED that this authorization shall apply only to the Unit Two Tahquamenon Elder Sub-Committee and shall be valid for only one production.

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 14 day of 2005; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 11 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron Payment, Tribal Chairperson

Sault Ste. Marie Tribe of Chippewa Indians

Cathy Abrantson, Secretary Sault Ste. Marie Tribe of



RESOLUTION NO: <u>2005-86</u>

2006 PERFORMANCE BUDGET DOCUMENT 001

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Government Services

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WHEREAS, the Tribe recognizes the need to authorize expenditures and revenues for key components of the Tribal organization which are essential to the continuing operation of the Sault Ste. Marie Tribe of Chippewa Indians.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves 2006 Performance Budget Document 001 totaling \$1,639,739 of which \$47,113 is Tribal Support and the entities listed up to December 31, 2006.

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 14 day of
2005: that the foregoing resolution was duly adopted at said meeting
by an affirmative vote of 11 members for, 0 members against, 0
members abstaining, and that said resolution has not been rescinded or amended
in any way.

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

Cathy Abramson, Secretary
Sault Ste. Marie Tribe of



RESOLUTION NO: 2005 -87

AUTHORIZING CHECKING ACCOUNT 132 ASSOCIATES

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Government Services

Membership Services

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NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes opening of a Checking Account for 132 Associates, at Bank One, Detroit.

BE IT FURTHER RESOLVED, said account will require the signature of two of the following officers of 132 Associates:

Aaron A. Payment William Connolly

Robert LaPoint Bruce Dall

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 _/2 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _/4 day of _______ 2005; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _/1 members for, _____ members against, _____ members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron Payment, Tribal Chairperson
Sault Ste. Marie Tribe of

Chippewa Indians



RESOLUTION NO: 3005-88

FY 2005 BUDGET MODIFICATIONS

Min Waban Dan

Administrative Office

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the attached FY 2005 Tribal Support Budget Modifications for \$6,798.64.

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Government Services

Membership Services

Economic Development Commission

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 14 day of June, 2005; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of _____ for, and _____ against, and ____ abstaining; and that said resolution has not been rescinded or amended in any way.

Aaron Payment, Tribal Charperson Sault Ste. Marie Tribe of

Chippewa Indians

Cathy Abramson, Secretary Sault Ste. Marie Tribe of



RESOLUTION NO. 2065 - 89

AMENDING TRIBAL CODE CHAPTER 71: CRIMINAL OFFENSES SEC. 710

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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 71: Criminal Offenses; and

WHEREAS, the Board of Directors acknowledges the importance of protecting an individual's private or personal information from improper disclosure or use; and

WHEREAS, the Board of Directors desires to impose criminal sanctions for such improper disclosure or use.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors amends Tribal Code Chapter 71: Criminal Offenses as follows:

(1) the following new Section 71.710, Misuse of Identity be added:

Government Services

71.710 Misuse of Identity

Membership Services

(1) Offense. A person commits the offense of misuse of identity by:

Economic Development Commission

- (a) using or attempting to use the name, address, telephone number, place of employment, employee identification number or other Personal Information of another person with intent to defraud or violate the law to obtain credit, goods, services, money, property, Vital Records, Personal Records, or employment, or to commit another unlawful act.
- (b) using or attempting to use the name, address, telephone number, place of employment, employee identification number or other Personal Information of another person by concealing, withholding, or misrepresenting the person's identity to obtain credit, goods, services, money, property, Vital Records, Personal Records, or employment, or to commit another unlawful act.
- (c) obtaining, possessing, or attempting to obtain or possess, Personal Information of another person with the intent to use that information to commit an unlawful act.

Res. No: <u>2005-89</u>

Page 2

- (d) selling, transferring, or attempting to sell or transfer, Personal Information of another person if the person knows or has reason to know that the specific intended recipient will use, attempt to use, or further transfer the information to another person for the purpose of committing an unlawful act.
- (e) the unauthorized communication, disclosure or transmittal, electronically or otherwise, of Personal Information of another person.
- (2) Defenses. A person may assert as an affirmative defense to misuse of identity that:
- (a) the person acted in otherwise lawful pursuit or enforcement of a person's legal rights, including an investigation of a crime or an audit, collection, investigation, or transfer of a debt, child or spousal support obligation, tax liability, claim, receivable, account, or interest in a receivable or account.
- (b) the action taken was authorized or required by federal, state or tribal law, rule, regulation, code, or court order or rule, or pursuant to legal discovery or process.
- (c) the person acted with the consent of the person whose Personal Information was used, unless the person giving consent knows that the information will be used to commit an unlawful act.
- (d) the Personal Information is disclosed to or used by a law enforcement agency, court, or prosecutor as part of a criminal investigation or prosecution, or is disclosed to or used by a health care provider for purposes of medical treatment and care.
- (e) the Personal Information is used to verify an individual's identity, identify an individual, or do another similar administrative purpose related to an account, transaction, product, service, or employment or proposed account, transaction, product, service, or employment.
- (f) the Personal Information is used to provide or administer employee or health insurance or membership benefits, claims, or retirement programs or to administer the ownership of shares of stock or other investments, or for other official governmental, employment, or medical investigatory or administrative purposes.
- (3) Sentence. A person convicted of misuse of identity may be sentenced to imprisonment for a period of one (1) year, or a fine not to exceed Five Thousand Dollars (\$5,000), or both.

Res. No: <u>2005-89</u>

Page 3

(4) Definitions.

- (a) "Personal Information" means a number or other information that is used for the purpose of identifying a specific person or providing access to a person's financial accounts, including, but not limited to:
 - (i) A person's driver license or other state issued personal identification card or license number;
 - (ii) All or more than four sequential digits of a social security number;
 - (iii) Employer or taxpayer identification number;
 - (iv) Government passport number;
 - (v) Health insurance identification number;
 - (vi) Demand deposit, savings account or other financial account number or the person's account password;
 - (vii) Stock or other security certificate or account number;
 - (viii) Credit card number;
 - (ix) Vital Records or other Personal Records.
- (b) "Vital Records" include, without limitation, a certificate or registration of birth, death, marriage, or divorce, an acknowledgment of parentage, tribal enrollment, or related data.
- (c) "Personal Records" include any item, collection or grouping of information encompassing any information about a person including, without limitation, medical and mental health records, financial transaction records, education records, employment records or history, or criminal history, that contain the person's name, or the identifying number, symbol or other identifying particular assigned to the person, such as a finger or voice print or a photograph, or are otherwise linked to that person through an identifying particular.

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 14 day of 2005; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 members for, 1 members against, 2 members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron Payment, Tibal Chairperson

Sault Ste. Marie Tribe of

Chippewa Indians



RESOLUTION NO: 3005-90

AMENDING TRIBAL CODE CHAPTER 71: CRIMINAL OFFENSES SEC. 706

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Government 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, 25 U.S.C. 467 et seq; and

WHEREAS, the Board of Directors has enacted Tribal Code Chapter 71: Criminal Offenses; and

WHEREAS, it is necessary to amend Tribal Code Chapter 71 to further clarify the offensive conduct to which criminal sanctions may be imposed for the offense of harassment.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors amends Tribal Code Chapter 71: Criminal Offenses as follows:

- (1) the present Section 71.706, Harassment is repealed; and
- (2) the following new Section 71.706 is enacted in place thereof:

71.706 Harassment

- (1) A person commits the offense of harassment if that person, by words or conduct, and, with the intent to annoy, harass, intimidate, threaten or alarm:
 - (a) causes physical injury or severe emotional distress to another person;
 - (b) subjects another person to offensive physical contact;
 - (c) causes physical damage to or destruction of the property of another person;
 - (d) places another person in reasonable fear of harm to his or her person or property or to the person or property of a third person;
 - (e) interferes with another person's free exercise or enjoyment of any right or privilege secured to him or her by any applicable law or otherwise violates the rights of another.

Res. No: 2005-90

Page 2

(2) Sentence.

- (a) A person convicted of harassment may be sentenced to imprisonment for a period not to exceed two (2) months, or a fine not to exceed One Thousand Dollars (\$1,000.00), or both.
- (b) A person convicted of harassment 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, if such harassment was by reason of, or in a way that was reasonably related to, associated with, or directed towards that person's actual or perceived race, color, religion, national origin, ancestry, gender, marital status, sexual orientation, or mental, physical or sensory disability of another individual or group.
- (c) Prosecution of a person under this Subsection does not preclude prosecution and imposition of penalties for another crime in addition to the penalties imposed under this Subsection.

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 _____ 2005; 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 Payment, Tribal Chairperson

Sault Ste. Marie Tribe of

Chippewa Indians

Cathy Abramson, Secretary Sault Ste. Marie Tribe of



RESOLUTION NO: 3005-91

GOVERNMENT RELATIONS BUDGET 2005

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Government Services

Membership Services

Economic Development Commission 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 Tribe recognizes the importance of maintaining intergovernmental relations with the federal and state governments; and

WHEREAS, the Tribe desires to fully support efforts to continue strong intergovernmental relations; and

WHEREAS, the Tribe desires to authorize and fund their continuing involvement in such efforts.

NOW, THEREFORE, BE IT RESOLVED, that the government relations budget for the fiscal year of 2005 is approved as attached.

BE IT FURTHER RESOLVED, that the Board of Directors appropriates \$60,000 for the purpose of funding the Government Relations Budget.

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 14 day of 2005; 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 Payment, Tribal Chairperson Sault Ste. Marie Tribe of

Chippewa Indians



RESOLUTION NO: <u>2005 - 92</u>

RESIDENTIAL LAND LEASING POLICIES AND PROCEDURES

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

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Administrative Office

WHEREAS, the Tribe is the Lessor of certain real property held in trust by the federal government; and

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NOW THEREFORE BE IT RESOLVED that the Board of Directors adopts the

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Government Services

Membership Services

Economic Development Commission WHEREAS, the Board of Directors desires to establish uniform policies and procedures for leasing residential land to prospective lessees.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors adopts the Residential Land Leasing Policies and Procedures as attached.

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 ______ 2005; 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 Payment, Tribal Chairperson Sault Ste. Marie Tribe of Chippewa Indians

Sault Ste. Marie Tribe of Chippewa Indians Real Estate Department

RESIDENTIAL LAND LEASING POLICIES AND PROCEDURES

PURPOSE

The purpose of the Residential Land Leasing Policy and Procedure is to establish guidelines for the leasing of residential land located on Sault Ste. Marie Tribe of Chippewa Indians reservation or trust land ("Tribal Land") and to assure compliance with applicable laws.

POLICY/PROCEDURE

1. Policy.

- a. It is the policy of the Sault Ste. Marie Tribe of Chippewa Indians (the "Tribe") to lease Tribal Land to Tribe members and members of other federally recognized Indian tribes for the purpose of constructing, improving, and/or maintaining a dwelling and related structures, and otherwise using the premises as a principal residence or other residential use not in conflict with applicable laws or ordinances.
- b. Furthermore, it is the policy of the Tribe to consent and grant permission to a lessee of Tribal Land to execute and deliver to a respective lender a mortgage or other security instrument covering the lessee's leasehold interest.

2. <u>Primary Eligibility</u>.

- a. Membership in the Tribe or other federally recognized Indian tribe. (At the discretion of the Tribe, a non-native co-lessee, e.g., spouse, adult-relative, significant other, may be included at the request of the primary leaseholder).
- b. Minimum of 18 years of age and not otherwise declared incompetent in any court.
- c. No prior convictions for: (1) felony crimes against person(s); (2) any felony drug or other illegal substance offense; or (3) any felony or misdemeanor sex related offense.

3. <u>Leasing Procedures</u>.

- a. Requests to lease Tribal Land must be submitted to the Tribe Real Estate Department on a Residential Land Lease application with proof of age and membership.
- b. The Tribe Real Estate Manager/Department reviews application and supporting documents to determine primary eligibility.
- c. If the applicant is determined to be eligible, the Tribe Real Estate Manager prepares a Tribal Resolution for review and approval at the next available Tribe Board of Directors meeting.
- d. If the applicant is determined to be ineligible, the Real Estate Manager/Department forwards a Denial Letter within seven (7) days to the applicant.
- e. Upon approval by the Tribe Board of Directors, the Real Estate Manager/Department forwards the executed Residential Land Lease with attached survey and legal description, an executed copy of the approved Tribal Resolution, and a request for a Title Status Report, to the BIA Agency Superintendent for Secretarial approval in accordance with 25 U.S.C. 415, as amended.
- f. Upon Secretarial approval, the Residential Land Lease is valid and the Lessee may take occupancy of the Tribal Land.

4. Special Eligibility Review.

- a. In the event primary eligibility is denied due to criminal conviction, an applicant who is an enrolled member of the Tribe may be eligible for a waiver upon a hearing by a five member Special Eligibility Review Committee (the "Committee"), consisting of: (1) a Tribal Board Member; (2) a Tribe Housing Commissioner; (3) one member from each of the Tribe's Real Estate, and Housing Departments; and (4) a community member who is a lessee within the community in which the applicant is seeking to reside. The Special Eligibility Review Committee shall be advised by the Tribe's Legal and Law Enforcement Departments.
- b. Special Eligibility Review may only be considered if the applicant: (1) is not currently incarcerated or on probation; (2) is not a repeat or habitual offender; and (3) has no criminal history for sexual assault.
- c. Applicants seeking Special Eligibility Review must submit a Request for Special Eligibility Review, together with any additional documentation for consideration, to the Tribe Real Estate Manager.

- d. The Tribe Real Estate Manager or designee will coordinate and schedule a Committee hearing within thirty (30) days of receipt of the Request for Special Eligibility Review.
- e. The applicant has the opportunity to present any information and has the burden to demonstrate justification for consideration for eligibility by clear and convincing evidence of rehabilitation or other special circumstances to the satisfaction of the Committee.
- f. The Committee may consider any information regarding rehabilitation of the applicant, potential threat or danger to the community, and any other information it deems relevant concerning eligibility of the applicant, and may request additional information prior to rendering a decision.
- g. The Committee shall notify the Real Estate Manager in writing within three (3) days if, based on the totality of the circumstances, primary eligibility has been: (1) granted; (2) denied; or (3) suspended, pending further information. If additional information is requested, the applicant shall have seven days (7) in which to respond to the Committee. The Committee shall determine whether to grant or deny primary eligibility and notify the Real Estate Manager within three (3) days of receipt of the additional information or the expiration of the seven (7) day response period, whichever occurs first.
- h. The Real Estate Manager or designee shall notify the applicant of the Committee's decision within seven (7) days of notification of the Committee's decision. The Committee's decision is not subject to appeal by the applicant, but is not binding on the Tribe Board of Directors.
- i. The Real Estate Manager shall resume the leasing procedure in the event the Committee decides to grant primary eligibility.

5. Recordation.

- a. After the BIA Office of Land Titles and Records records the Residential Land Lease and the Tribe receives the Title Status Report from the BIA, the Real Estate Manager or designee shall record the Residential Land Lease and supporting documentation with the County in which the Tribal Land is located.
- b. The Real Estate Manager or designee also records the Residential Land Lease and supporting documents within the Tribal Land Records and registers the lease on the Tribal Land Register.



RESOLUTION NO: 2065-93

APPROVING THE LONG-RANGE TRIBAL TRANSPORTATION PLAN

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Government 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, 25 U.S.C. 467, et seq; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians has identified transportation and road construction/re-construction priorities; and

WHEREAS, the Board of Directors agrees that the long-range transportation plan is an on-going project that will be reviewed, revised, and monitored on a routine basis; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby approves the Tribal Long-Range Transportation Plan.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians, hereby authorizes Renee Robinson to coordinate the activities of the Transportation Committee, implementing, reviewing, and revising the transportation plan as necessary.

CERTIFICATION

We, the undersigned, as Chairperson and Treasurer of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom /2 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the // day of 2005; 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 Payment, Tribal Chairperson Sault Ste. Marie Tribe of

Chippewa Indians

Todd Gravelle, Treasurer Sault Ste. Marie Tribe of



RESOLUTION NO: <u>2665-94</u>

2005 MICHIGAN INDIAN FAMILY OLYMPICS

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the attached FY 2005 Tribal Support Budget Modification of \$7,215.00 for the Michigan Indian Family Olympics.

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CERTIFICATION

Aaron Payment, Triba Chairperson

Sault Ste. Marie Tribe of Chippewa Indians