

**BOARD OF DIRECTORS REGULAR MEETING
SNOWMOBILE MUSEUM
NAUBINWAY, MICHIGAN
MINUTES
May 19, 2015**

The meeting was opened at 6:10p.m. by Chairperson Payment.

Present: Dennis McKelvie, Cathy Abramson, Kim Gravelle, Jennifer McLeod, DJ Hoffman, Lana Causley-Smith, Catherine Hollowell, Keith Massaway, Bridgett Sorenson, Denise Chase, Darcy Morrow, Rita Glyptis, Aaron Payment.

Absent:

Moved by Director Massaway, supported by Director Gravelle, to approve the agenda as read.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director Hollowell, to suspend the rules and add the Bear Permit motion and the Opioid Resolutions to the agenda.

Motion carried unanimously.

Moved by Director Hollowell, supported by Director Chase, to have a five minute recess.

Motion carried unanimously.

Moved by Director Causley-Smith, supported by Director Massaway, to approve Res. 2015-109, Purchasing FY 2015 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2015 budget modification for Sault Tribe Purchasing, for a change in the Personnel Sheet, reallocation of expenses, and a decrease in Internal Services monies of \$18,922.26.

Motion carried with Director Morrow opposing.

Moved by Director Abramson, supported by Director Morrow, to approve Res. 2015-110, Tribal Transportation Program for U.S. DOT Tiger Grant Odenaang Reconstruction.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes application to the U. S. Department of Transportation, Transportation Investment Generating Economic Recovery (TIGER) competitive grant-Odenaang Development Reconstruction for FY 2015 through FY 2017. BE IT FURTHER RESOLVED, that Aaron Payment, Tribal Chairperson or his designee, is hereby authorized to submit said proposal to the U. S. Department of Transportation, Transportation Investment Generating Economic Recovery (TIGER) competitive grant, to negotiate, execute, and amend any documents resulting therefrom on the Tribe's behalf.

Roll Call Vote: Motion carried unanimously.

Moved by Director Morrow, supported by Director Hoffman, to approve the resolution titled Posting the Chief Executive Officer Position.

Roll Call Vote: Motion denied with Directors Hoffman, Gravelle, Chase, Morrow, Glyptis approving, Directors Causley-Smith, Massaway, Hollowell, McKelvie, Sorenson, McLeod opposing, Director Abramson abstaining.

Moved by Director Hoffman, supported by Director Causley-Smith, to approve Res. 2015-111, Amending Resolution 2009-87 Minimum Wage.

NOW, THEREFORE, BE IT RESOLVED, that effective June 19, 2015, the minimum wage for all non-tipped positions shall be increased to the higher of the state minimum wage or the federal minimum wage. This change does not affect any other positions within the wage structure. Current employees, occupying an affected position, but earning more than the minimum wage are not affected by this resolution. The administration is authorized and directed to effectuate this directive within existing budgets provided that, where this is not possible, the administration shall bring forward appropriate budget modifications.

Roll Call Vote: Motion carried unanimously.

Moved by Director Hoffman, supported by Director Abramson, to approve Res. 2015-112, Approving Lease JKL School.

BE IT FURTHER RESOLVED, that the Chairman and the Treasurer of the Tribe are authorized and directed to execute the lease for the property located at 1301 Marquette Avenue, in the form attached; and
BE IT FURTHER RESOLVED, that the Tribe does hereby grant a limited waiver of sovereign immunity for declaratory and equitable relief only should an action be commenced under this Lease; and
BE IT FURTHER RESOLVED, that by granting this limited waiver of sovereign immunity the Tribe does explicitly state that no monetary damages may be awarded against the Tribe in any court or dispute resolution process, and the Tribe will not be ordered to pay any money whatsoever, be it in damages, recoupment, equity, as a sanction, or in any other manner and this limited waiver will terminate upon performance by the Tribe of all its obligations under this Lease; and
BE IT FURTHER RESOLVED, that this limited waiver is granted solely to the JKL School Board, its successors and assigns; and
BE IT FURTHER RESOLVED, that this limited waiver will apply only to judicial action, limited to lawsuits for equitable or declaratory relief, in the Tribal Court of the Sault Ste. Marie Tribe of Chippewa Indians, and that the Tribe shall not and does not consent to suit in any other court or any other jurisdiction; and
BE IT FINALLY RESOLVED, that this Lease shall be construed in accordance with and governed by the internal laws of the State of Michigan. The Board of Directors does hereby authorize the Tribe, as Lessor to consent to the jurisdiction of the Tribal Court solely for equitable and declaratory relief, and no other, and this Lease shall not be construed so as to permit monetary damages or judgments against the Sault Ste. Marie Tribe of Chippewa Indians.

Roll Call Vote: Motion carried with Directors Morrow, Hoffman, Chase, Abramson, Massaway, Glyptis, Gravelle approving, Directors Causley-Smith, McKelvie opposing, Directors McLeod, Sorenson, Hollowell abstaining.

Moved by Director Hoffman, supported by Director Massaway, to authorize the Tribal Chairperson, subject to the written review and concurrence by the Legal Department, to approve the 2015 Bear Quota Proposal, submitted by the Inland Fish & Wildlife Department on May 19, 2015.

Motion carried unanimously.

Moved by Director Causley, supported by Director Massaway, to approve Res. 2015-113, FY15 Rural Opioid Overdose Reversal Grant Program –Application.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes application to the Rural Opioid Overdose Reversal Grant Program for FY 2015. BE IT FURTHER RESOLVED, that Aaron Payment, Tribal Chairperson, or designee is hereby authorized to submit said proposal to the Department of Health and Human Services, to negotiate, execute, and amend any documents resulting there from on the on the Tribe's behalf.

Motion carried unanimously.

Minutes
5-19-2015

Moved by Director McKelvie, supported by Director Causley-Smith, to appoint Lori Ann Fabry to the Election Committee for a four year term, expiring May 2019.

Motion carried unanimously.

Moved by Director Abramson, supported by Director Chase, to accept the resignation of CJ Mosher from the Election Committee, effective immediately.

Motion carried unanimously.

Moved by Director Massaway, supported by Director McLeod, to accept the resignation of Dennis McKelvie to the Child Welfare Committee, effective immediately.

Motion carried with Directors Hoffman, Abramson, Glyptis, Morrow opposing.

Moved by Director McKelvie, supported by Director Abramson, to appoint Director Causley-Smith to the Child Welfare Committee, as the Board Representative, pending approval of a background check.

Motion carried with Directors Hoffman, Morrow, Glyptis opposing.

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

Motion carried unanimously.

Meeting adjourned: 7:574 p.m.

Date: 6-9-15

Secretary: Bridgett Brennan

Others present: John Wernet, Bill Connolly, Christine McPherson, Angeline Bouley, Trish Gough, Russ McKerchie, Clarence Hudak, Joanne Carr.