



RESOLUTION NO: 2005-124

**LEASE CANCELLATION TO  
John R Lindsay and Linda A. Cook, Lessee(s)  
BIA LEASE NO: DD-0033(01)**

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 USC 467, et. seq; and

WHEREAS, John R Lindsay and Linda A. Cook, Lessee(s), and the Sault Ste. Marie Tribe of Chippewa Indians, Lessor, entered into Residential Land Lease DD-0033(01); and

WHEREAS, John R Lindsay and Linda A. Cook, Lessee(s) has requested Lease No. DD-033(01) be cancelled and authorization for a new 50 year lease to be in conformity with the Fannie Mae Memorandum of Understanding, be granted.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes its Tribal Chairman Aaron A. Payment, and Treasurer, Todd K. Gravelle, to execute a lease to the land located at Sault Ste. Marie, Michigan to, John R Lindsay, a single man, and Linda A. Cook, a single woman, Lessee(s), and land being described as follows:

**\*Lots 872 and 871, Cedar Grove Estates III \***

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes its Tribal Chairman, Aaron A. Payment and Treasurer, Todd K. Gravelle, to execute this lease cancellation.

BE IT FURTHER RESOLVED, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby requests the Bureau of Indian Affairs to cancel Lease DD-0033(01) pursuant to applicable law and regulations.

**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 10 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of September 2005; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

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

Cathy Abramson  
Cathy Abramson, Secretary  
Sault Ste. Marie Tribe of  
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RESOLUTION NO: 2005-125

**UNITED WAY**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians has been participating in United Way fundraising since 1988; and.

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians has made an annual contribution equal to the Tribal employee contributions during the 1996/97, 1997/98, 1998/99, 1999/00, 2000/01, 2001/02, 2002/03, 2003/04, and 2004/05 campaigns; and


WHEREAS, 95% of the United Way contributions support local programs and agencies, many of which assist Tribal members; and

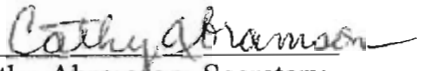
WHEREAS, Tribal employees will make contributions to the 2005/06 United Way campaign.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors approve a contribution by the Sault Ste. Marie Tribe of Chippewa Indians for the 2005/06 United Way campaign for \$20,000, of which \$2,500 is designated for incentives to employees who contribute.

**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 11 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of September 2005; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 1 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  
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RESOLUTION NO: 2005-126

**UNITED WAY – DELTA COUNTY**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians has been participating in United Way fundraising since 1988; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians has made an annual contribution equal to the Tribal employee contributions during the 1996/97, 1997/98, 1998/99, 1999/00, 2000/01, 2001/02, 2002/03, 2003/04, and 2004/05 campaigns; and

WHEREAS, 95% of the United Way contributions support local programs and agencies, many of which assist Tribal members; and

WHEREAS, Tribal employees will make contributions of the 2005.06 United Way Campaign.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors approve a contribution by the Sault Ste. Marie Tribe of Chippewa Indians for the 2005/06 Delta County United Way campaign of \$2,000. Employees contributing will be eligible for the same incentives as those in the Sault Ste. Marie location.

**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 11 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 12 day of September 2005; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron Payment  
Aaron Payment, Tribal Chairperson  
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Cathy Abranson  
Cathy Abranson, Secretary  
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**RESOLUTION NO: 2005-127**  
**NATIONAL CONGRESS OF AMERICAN INDIANS 2005-2006**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians wishes to become a member in Good Standing of the National Congress of American Indians; 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 the Bylaws of the National Congress of American Indians (NCAI); and

WHEREAS, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians authorizes Aaron Payment, Tribal Chairperson, to take the necessary action to place the Tribe in membership in NCAI; and

WHEREAS, the Board of Directors authorizes the expenditure of funds in the amount of \$5,000, based on the tribal membership dues schedule in the NCAI Bylaws, Article III, Section 3B; and

WHEREAS, based on the tribal citizenry of 31,400 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 Delegate and Alternate Delegates and instructs them to become Individual Members in Good Standing in the NCAI in order to fulfill their responsibilities.

- Delegate: Aaron Payment \_\_\_\_\_
- Alternate: Kenneth Ermatinger \_\_\_\_\_
- Alternate: Cathy Abramson \_\_\_\_\_
- Alternate: Todd Gravelle \_\_\_\_\_
- Alternate: Lana Clausley \_\_\_\_\_

**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 11 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of September 2005; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 0 members against, 1 members abstaining, and that said resolution has not been rescinded or amended in any way.

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

Cathy Abramson  
Cathy Abramson, Secretary  
Sault Ste. Marie Tribe of  
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RESOLUTION NO: 2005-128

**AMENDING SAULT TRIBE 401 (k) PLAN**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (the "Tribe") has adopted and maintains the Sault Tribe 401(k) Plan, originally effective as of January 1, 1998, as most recently amended and restated on the MFS Retirement Services, Inc. Prototype Paired Defined Contribution Plan for Corporations, Associations, and Self-Employed Individuals, Basic Plan Document #01, together with its Non-standardized 401(k) Profit Sharing Plan and Trust Adoption Agreement, effective as of January 1, 2005 (the "Plan"), and

WHEREAS, pursuant to Section 8.1 of the Plan, the Employer has reserved the right to amend the Plan at any time; and

WHEREAS, the Tribe desires to amend the Plan in order to modify the Plans provisions relating to small benefit cash-outs.

WHEREAS, there has been presented to the Board of Directors an amendment to the Plan, captioned "Amendment #3" to the MFS Retirement Services, Inc. Prototype Paired Defined Contribution Plan for Corporations, Associations and Self-Employed Individuals, Involuntary Distribution Amendment (the "Amendment"), and

WHEREAS, the Amendment is deemed appropriate for implementation.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors does hereby adopt the Amendment, in the manner and form presented to the Board of Directors, effective as of March 28, 2005.

BE IT FURTHER RESOLVED, that the Board of Directors does hereby authorize execution of the Amendment in the name of an on behalf of the Tribe by any officer of the Tribe, and does hereby authorize them to take such other actions as they may deem appropriate to implement the purposes of this resolution.

**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 11 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of September 2005; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

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

Cathy Abramson  
Cathy Abramson, Secretary  
Sault Ste. Marie Tribe of  
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**Economic Development Commission**



**RESOLUTION NO: 2005-129**  
**APPROVING BUDGET AND PURCHASE OF NEW DENTAL SOFTWARE AND HARDWARE FOR CONVERSION TO DIGITAL AND ELECTRONIC DENTAL RECORD**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians has identified health care and specifically dental care as a priority for tribal members; and

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WHEREAS, the Board of Directors agrees that the tribal health centers have a need to modernize their existing systems to better meet the needs of the Tribe and tribal members; and

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WHEREAS, the Board of Directors has identified the need to upgrade the existing imaging equipment and purchase new computer hardware and software in order to meet the needs of the Tribe and tribal members; and

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NOW, THEREFORE BE IT RESOLVED, that the Board of Directors hereby approves the total project budget of \$398,000.00 for the purchase of upgrades and new equipment to implement the new dental system.

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BE IT FURTHER RESOLVED, that funding for the project is approved with funds to be allocated from the following sources and in the following amounts: A maximum of \$80,000.00 is hereby allocated to this project from the previously approved 2005 Manistique Health Facility budget. The additional funds, not to exceed the total aggregate project budget of \$398,000.00 are hereby immediately approved for this project, in lieu of, and to be included in, the normal 2006 budget approval process for Tribal Support, to be paid from the 2006 capital expenditure budget for Tribal Support; and

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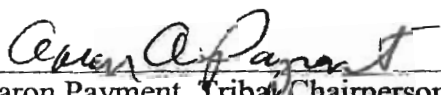
**Membership Services**


**Economic Development Commission**

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians, hereby authorizes the Tribal Chairperson or his designee to enter into the necessary agreements and contracts necessary to implement the said dental system immediately.

**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 11 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of September 2005; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 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  
Chippewa Indians



RESOLUTION NO: 2005-130

**AMENDING EMPLOYEE/EMPLOYER  
HEALTH INSURANCE PORTION FROM 20/80 TO 15/85  
FOR EMPLOYEE'S WHO MAKE UNDER \$30,000 ANNUALLY**

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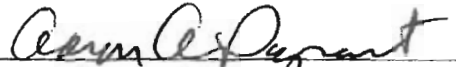
WHEREAS, the Sault Ste. Marie Tribe Insurance Department has presented the Board of Directors with financial information to reflect the need to amend the employee/employer percentage portions of health insurance premiums from 20/80 to 15/85 for employee's who make under \$30,000 annually.

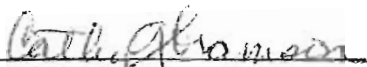
NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians authorizes the Insurance Department to amend the employer's portion of health insurance premiums from 80% to 85% and to amend the employee's health insurance premium portion from 20% to 15% for those employees who have wages under \$30,000 annually.

BE IT FURTHER RESOLVED, that the Board of Directors authorizes the amended employee/employer portion for health insurance premiums for those who make under \$30,000 annually to be effective the 1<sup>st</sup> day of October, 2005.

**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 11 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of September 2005; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 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  
Chippewa Indians



RESOLUTION NO: 2005-131

**AMENDED HEALTH INSURANCE ELIGIBILITY FOR CASINO AND EDC EMPLOYEES**

WHEREAS, the Sault Ste. Marie Tribe Insurance Department has presented the Board of Directors with financial information and the organizational needs to justify the reduction for Casino and EDC employee's health insurance eligibility from 18 months to 12 months.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians authorizes the Insurance Department to offer health insurance to Casino and EDC employees, the first of the month following 12 months of full-time consecutive employment from date of hire.

BE IT FURTHER RESOLVED, that the Board of Directors authorizes the amendment of NGS health insurance plan eligibility for Casino and EDC employee's from 18 months to 12 months effective October 1, 2005.

**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 11 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of September 2005; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

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

Cathy Abramson  
Cathy Abramson, Secretary  
Sault Ste. Marie Tribe of  
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**RESOLUTION NO:** 2005-132

**ADJUSTMENTS TO WAGE SCALE FOR 2006**

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 Board of Directors has approved a budgeted 3.5 % total increase for wage rates for 2006; and

WHEREAS, the Board of Directors desires to equitably distribute an increase in the wage rates for employees.

NOW, THEREFORE, BE IT RESOLVED, that the following wage adjustments are approved to be implemented effective with the pay period ~~that~~ includes January 1, 2006, to be paid for from existing budgets and additional operational savings. These wage rate adjustments do not apply to temporary employment, elder employment, or construction workers:

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<u>WAGE RANGE</u>	<u>% INCREASE</u>
Under \$15,000	5.5 %
\$15,000 - 19,999	5.0 %
\$20,000 - 29,999	4.5 %
\$30,000 - 49,999	3.2 %
\$50,000 - 69,000	2.5 %
\$70,000 and over	2.0 %

**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 11 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of September 2005; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

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

Cathy Abramson  
Cathy Abramson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians

RESOLUTION NO: 2005-133  
CONSERVATION COMMITTEE  
APPLICATION OF 26 U.S.C. 7873



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

WHEREAS, the right to fish commercially and for subsistence by the members of the Sault Ste. Marie Tribe of Chippewa Indians was reserved and guaranteed in the Treaty of March 28, 1836 (7 Stat. 491); and

WHEREAS, the right to fish in the waters of the Great Lakes ceded pursuant to the 1836 Treaty was confirmed by the Michigan Supreme Court in People v. LeBlanc, 399 Mich. 31, 248 N.W. 2d 199 (1976) and by the federal courts in U.S. v. Mich., 471 F. Supp. 192 (W. D. Mich. 1979), aff'd 653 F. 2d 277 (6<sup>th</sup> Cir. 1981), cert. denied, 454 U.S. 1124 (1981); and

WHEREAS, tribal self-regulation of treaty fishing activity is recognized as an integral element of the rights reserved by treaty, by the courts and by the United States in its role as trustee; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians established in December 1978 the Sault Ste. Marie Tribe of Chippewa Indians Conservation Committee; and

WHEREAS, it has been the consistent position of the Tribe that the Conservation Committee is essential and integral to the perpetuation of the tribal fishery; and

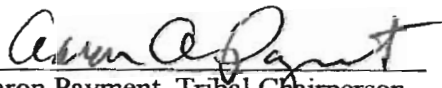
WHEREAS, the Tribe recognizes that the Chairperson of the Conservation Committee devotes a significant percentage of his time to leading the efforts of the Conservation Committee and in the performance of the duties as Chairperson of the Conservation Committee in its role of protecting and exercising treaty fishing rights through, among other things: (1) representation of the Tribe in the Board of Directors of the Chippewa-Ottawa Resource Authority; (2) development of tribal management decisions for the fishery; (3) development of tribal positions in the ongoing U.S. v. Mich. litigation; and (4) development of markets for treaty fish.

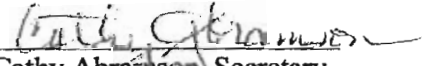
WHEREAS, the Tribe also recognizes that other Board of Directors members may also sit on the Conservation Committee and devote more of their time to the above mentioned issues.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the accounting and personnel departments for the Tribe are directed to allocate and account for a thirty percent (30%) time expenditure for the Chairperson of the Conservation Committee and an additional percentage (2.5%), for a total of twenty percent (20%) for Board Members who also sit on the Conservation Committee, for the purpose calculating the 26 U.S.C. 7873 exemption for federal and state income tax.

**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 11 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of September 2005; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 8 members for, 0 members against, 2 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  
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RESOLUTION NO: 2005 - 134

**APPROVAL OF AGREEMENT WITH THE CITY OF ST. IGNACE FOR PAYMENT IN LIEU OF TAXES**

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

WHEREAS, the Tribe is the owner of land held in trust by the federal government within the city limits of the City of St. Ignace (the "Trust Land"); and

WHEREAS, the Tribe owns housing units located on the Trust Land that is maintained using federal funds in accordance with the Native American Housing Assistance and Self Determination Act of 1996 ("NAHASDA"); and

WHEREAS, NAHASDA requires tribes to enter into agreements for cooperation with local units of government and the payments in lieu of taxes to qualify for funding for housing on trust land; and

WHEREAS, the Tribe has negotiated an agreement for payment in lieu of taxes with the City of St. Ignace.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors approves the attached agreement with the City of St. Ignace for payments in lieu of taxes, subject to formal approval by the City of St. Ignace.

BE IT FURTHER RESOLVED, that the Chairperson, or his designee, is authorized and directed to execute and deliver such other agreements, certificates, documents, or instruments, as may be required or take any and all such action which may be necessary to execute the foregoing.

**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 11 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of September 2005; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

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

Cathy Abramson  
Cathy Abramson, Secretary  
Sault Ste. Marie Tribe of  
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**Agreement  
Between  
Sault Ste. Marie Tribe of Chippewa Indians  
And  
City of St. Ignace, Michigan**

I. Purpose and Intent

1. The purpose and intent of the parties to this Agreement is:
  - a. To provide for cooperation between the Sault Ste. Marie Tribe of Chippewa Indians (the “Tribe”) and the City of St. Ignace, Michigan (the “City”) in connection with the delivery of public services to the Tribe’s trust land located in the City (the “Trust Land”).
  - b. To provide for payments in lieu of taxes by the Tribe to the City as compensation for services provided for the benefit of the Trust Land and its residents within the City.

II. Parties

This Agreement is entered into between the Tribe, a federally recognized Indian Tribe organized under Section 16 of the Indian Reorganization Act of 1934, 25 U.S.C. Sec. 476, and the City, a municipal corporation of the State of Michigan.

III. Payment in Lieu of Taxes

1. The Tribe agrees to make payments to the City general fund each year as follows:
  - a. A payment in the amount equal to the amount prescribed by regulations of the Department of Housing and Urban Development for federally assisted housing for each housing unit located on Trust Land as such regulations may be amended from time to time.
  - b. The Tribe will not make payments in lieu of taxes for property which is utilized for essential governmental functions (within the meaning of the Indian Tribal Governmental Tax Status Act 26 U.S.C. 71(e)).
  - c. The payments described in this Section III shall be made in one annual payment made on or before May 30<sup>th</sup> of each year.

- d. The Tribe shall provide for the filing of an affidavit of transfer with the City Assessor, whenever an assignment or transfer of Trust Land occurs.
- e. In the event that the Tribe disagrees with any payment required under Section III, it may appeal to the City Board of Review, which shall hear and decide the matter as part of its review of tax assessments under the state statute. The decision of the Board of Review shall be subject to appeal pursuant to Section VI hereof.

#### IV. Public/Utility Service

The parties agree that the PILT provided for in this Agreement compensates the City for the cost of the services normally provided to City residents and to properties within the City without additional charges. The City agrees to provide such services to the Trust Land without additional charge, except for City owned, or managed services (water, sewer, garbage collection) which will be charged directly to each resident at the same rate as other structures receiving the same services according to City of St. Ignace Sewer and Water Rate Ordinances (“Service Payments”). It is understood that collection of delinquent Service Payments will be in accordance with the above referenced ordinances. The Tribe shall guarantee payment of such Service Payments.

#### V. Specific Project Funding

The Parties may, from time to time, enter into specific undertakings for projects or services to be provided by the City and funded in full or in part by the Tribe under this Agreement. Funding for such undertakings shall be in addition to the PILT described above. Such undertakings shall be set forth in written summaries specifically describing the project or service to be provided, the amount of funding to be provided by the Tribe, and approved and executed by both Parties.

#### VI. Consultation Between Parties

- 1. A committee to be known as Tribal Liaison Committee is hereby established, consisting of the Mayor, two appointed Council Members of the City of St. Ignace, the Chairman of the Tribe and/or designee and two persons appointed by the Tribal Board of Directors. The Tribal Liaison Committee shall:
  - a. Review any proposals for joint Tribal-City projects to be funded under Section V, and make recommendations to the parties;
  - b. Review any issue raised by either the City or the Tribe regarding implementation of this Agreement and make recommendations to

the parties relating thereto. The parties agree to convene a meeting of the committee within 10 days of receipt of written request by either party;

- c. Review and decide any appeal of the City Board of Review decision on a payment assessed pursuant to Section III. The decision of the Tribal Liaison Committee regarding such appeal shall be final.
- d. Consider any other matters which the parties may refer to it from time to time.

VII. Authority to Enter

The Tribe hereby grants to the City's employees, the Building Inspector, City of St. Ignace Assessor, the City Fire Chief, City Police Department through its mutual aid with the Tribe and the State Marshall, its permission to enter onto the Trust Land for purpose of carrying out their official responsibilities in accordance with this Agreement, subject to the rights of individual occupants of the Trust Land.

VIII. Trust Land Use Restrictions

The Tribe agrees to subject the Trust Land to the following City Ordinances, except to the extent such City Ordinances may restrict or conflict with Tribal governmental operations:

- a. #366 – Disorderly Persons
- b. #377 – Weed Control
- c. #410 – Nuisance Ordinance
- d. #421 – Burning Ordinance
- e. #422 – Street Excavation
- f. #424 – Snow Removal Ordinance
- g. #427 – Construction Code Act; Enforcing Agency
- h. #437 – Parental Responsibility
- i. #439 – Garbage & Refuse Collection Disposal
- j. #461 – Uniform Traffic Code
- k. #464 – Curfew Ordinance
- l. #492 – Animal Control Ordinance
- m. #513 – Tree Ordinance
- n. #529 – Dangerous Building Ordinance
- o. #538 – Noise Emissions & Noise Creation
- p. #542 – Adult Bookstores, Adult Theatres, Live Entertainment and Cabarets
- q. #554 – Blight Ordinance
- r. #600 – Zoning Ordinance

Any other adopted Ordinances by the City subject to mutual approval by both parties as per Article VI of this agreement.

IX. Federally Assisted Housing

The parties recognize that federally assisted housing operated by the Tribal Housing Authority is governed by federal regulations regarding cooperation with local units of government and payments in lieu of taxes. The City agrees to accept the payment in lieu of taxes prescribed by regulations of the Department of Housing and Urban Development, to facilitate the development of federally assisted housing on the Trust Land.

X. Non-Applicability to Taxable Property

In the event that any improvements or leasehold interest relating to any portion of the Tribe's Trust Land is determined to be subject to taxation as determined by the Federal Government, then the provision of this agreement relating to payments in lieu of taxes shall no longer pertain to such taxable property.

XI. Term


This Agreement becomes effective when the United States of America accepts a parcel of land located within the City in trust for the Tribe. The payment provided for in Section III shall apply to the first tax year following trust status.

The term of this Agreement shall be two (2) years. It shall renew for additional terms of two (2) years automatically unless either party gives sixty (60) days written notice of its intent to renegotiate the agreement.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

SAULT STE. MARIE TRIBE  
OF CHIPPEWA INDIANS

CITY OF ST. IGNACE, MICHIGAN

  
By: Aaron Payment  
Its: Tribal Chairperson

\_\_\_\_\_  
By: Bruce Dodson  
Its: Mayor

# ROLL CALL

Date: 9-6-05

Member	124	125	126	127	128	129
Cathy Abramson		Y		Y		
Joe Eitrem	<del>absent</del>					
Todd Gravelle	1	1	1	A	1	1
Dennis McKelvie		N		Y		
Paul Shagen	<del>absent</del>					
Lana Causley		Y		Y		
Bob LaPoint		Y		Y		
Fred Paquin	2	Y		Y		
Rob Lambert		Y		Y		
Denise Chase		Y	2	Y		
Tom Miller		2		2 Y		2
Vic Matson		Y		1 Y	2	
Aaron Payment	<del>absent</del>					
Unanimous	X		X		X	X

A-Abstain

1- Motion

2- Support

N- NO

Y- Yes



