

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN CASINO AND CONVENTION CENTER
SAULT STE. MARIE, MICHIGAN
MAY 5, 2009**

Sponsor's List

RESOLUTIONS:

FY 2009 Indirect Cost Bud Mod #2 – Budgets/Vic Matson
FY 2010 SYEP Admin Stimulus/SYEP Stimulus- Budgets/Kristi Little
Approving the Economic Stimulus TIP – Brenda Cooper
Approving the Long Range Tribal Transportation Plan – Brenda Cooper
IRR Inventory Revisions/Additions – Brenda Cooper
Appt of Appellate Court Judge – Nertoli – Kellie LaVictor
Appt of Appellate Court Judge – Jump – Kellie LaVictor
Proposal to Cancel Cost Share Contract w/USDA-NRCS – Tom Gorenflo
Head Start/E.H.S.2009 COLA /Quality Improvement- Anne Suggitt
Am. Governmental Team Member Manual: Vacation – Holly Haapala
Am. Enterprise Team Member Manual: Vacation – Holly Haapala
Am. Bylaws of Elder Advisory Com./SubCommittees – Courtney Kachur/Lana Causley

RESOLUTION NO: _____

APPOINTMENT OF APPELLATE COURT JUDGE - NERTOLI

WHEREAS, Tribal Code Section 82.103 states that “[f]ive (5) judges, appointed by the Board of Directors, shall sit as the Court of Appeals and hear all cases ... Any number of judges may be appointed as reserve judges, who shall be available to serve on the Court of Appeals to hear a particular appeal for which an appellate judge is disqualified or otherwise unable to sit”; and,

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Court of Appeals historically includes one permanent elder Appellate Judge; and,

WHEREAS, Judge Jeannine Gable, who had served as the elder Appellant Judge for a decade, walked on July 18, 2008, leaving only four Appellate Judges and no elder Appellate Judge serving on the Court of Appeals; and

WHEREAS, on Monday March 30, 2009, a committee consisting of two representatives from the Board of Directors, as well as representatives from the Cultural Department, Enrollment, and the Co-Executive Office, interviewed four Sault Ste. Marie Tribe of Chippewa Indians Tribal Elders who were interested in the position of permanent Elder Appellate Judge; and

WHEREAS, following discussion and a scoring of the candidates by committee members, the committee recommends the appointment of Anthony Nertoli to the position of elder Appellate Judge; and

WHEREAS, as a recognized tribal elder, community member, former member of the Board of Directors, and former Tribal Court Judge, Anthony Nertoli is well-qualified to serve on the Court of Appeals as the elder Appellate Judge.

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians does hereby appoint Anthony Nertoli to act as Elder Appellate Judge for the Sault Ste. Marie Tribe of Chippewa Indians Court of Appeals, for a term of three (3) years, together with all of the authority and responsibility that attends to that position.

C E R T I F I C A T I O N

We, the undersigned, as Chairman 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 _____ 2009; 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.

Darwin “Joe” McCoy, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

DJ Hoffman, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

APPOINTMENT OF APPELLATE COURT JUDGE - JUMP

WHEREAS, Tribal Code Section 82.103 states that “[f]ive (5) judges, appointed by the Board of Directors, shall sit as the Court of Appeals and hear all cases ... Any number of judges may be appointed as reserve judges, who shall be available to serve on the Court of Appeals to hear a particular appeal for which an appellate judge is disqualified or otherwise unable to sit”; and

WHEREAS, on January 6, 2009, the Board of Directors declined to re-appointed the previous judge to a consecutive term on the Sault Ste. Marie Tribe of Chippewa Indians Court of Appeals leaving a vacancy on the Court of Appeals; and

WHEREAS, on Monday March 30, 2009, a committee, consisting of two representatives from the Board of Directors, as well as representatives from the Cultural Department, Enrollment, and the Co-Executive Office, interviewed six Sault Ste. Marie Tribe of Chippewa Indians members who were interested in the position of Appellate Judge; and

WHEREAS, following discussion and a scoring of the eligible candidates after each individual interview by the committee members, the committee recommends the appointment of Lori Jump to the position of Appellate Judge; and

WHEREAS, as a recognized and respected tribal member, Lori Jump is well-qualified to serve on the Court of Appeals as an Appellate Judge.

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians does hereby appoint Lori Jump to act as Appellate Judge for the Sault Ste. Marie Tribe of Chippewa Indians Appellate Court, for a term of two (2) years, together with all of the authority and responsibility that attends to that position.

C E R T I F I C A T I O N

We, the undersigned, as Chairman 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 _____ 2009; 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.

Darwin “Joe” McCoy, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

DJ Hoffman, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**AMENDING THE BYLAWS OF THE
ELDER ADVISORY COMMITTEE**

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

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians has created the Elder Advisory Committee; and

WHEREAS, in January, 2008, this Board of Directors amended the Bylaws of the Elder Advisory Committee to provide guidance and direction in its purpose and authority; and

WHEREAS, the Board of Directors has determined to amend the bylaws of the Elder Advisory Committee, to harmonize the entire document to the purpose and authority statements previously clarified; and

WHEREAS, the Board of Directors further wishes to adopt, as recommended by the Elder Advisory Committee, the Bylaws of the several Elder Advisory Subcommittees.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby adopts the amended Elder Advisory Committee Bylaws as shown in the attached pages.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby adopts the amended Elder Advisory Subcommittee Bylaws for each Subcommittee, as shown in the attached pages.

C E R T I F I C A T I O N

We, the undersigned, as Chairman 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 _____ 2009; 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.

Darwin "Joe" McCoy, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

DJ Hoffman, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

AMENDING GOVERNMENTAL TEAM MEMBER VACATION POLICY.

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 previously approved employment policies for governmental team members regarding vacation; and

WHEREAS, the Board of Directors desires to change the vacation policies to include the wording as attached.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors enacts the proposed revision to the governmental vacation policy as attached.

C E R T I F I C A T I O N

We, the undersigned, as Chairman 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 _____ 2009; 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.

Darwin "Joe" McCoy, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

DJ Hoffman, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**PROPOSAL TO CANCEL THE COST SHARE CONTRACT WITH USDA-NRCS FOR
CONSTRUCTION OF A
WALLEYE AQUACULTURE POND ON TRIBAL LAND**

WHEREAS, in December 2005, the Tribe, through its Inter-tribal Fisheries and Assessment Program (ITFAP), submitted a pre-application to USDA-NRCS for the construction of a walleye rearing pond on tribal land near Barbeau, Michigan; and

WHEREAS, USDA-NRCS engineers provided preliminary pond construction design plans and preliminary cost share estimates that were incorporated into the contract; the Tribe's share was estimated at \$104,450; and

WHEREAS, the Board of Directors approved \$104,450 as the tribal contribution for the project on June 6, 2006, Resolution 2006-60; and

WHEREAS, USDA-NRCS indicated that it would complete the final project design plans by December 2006; however, the plans were not presented to tribal staff, ITFAP, until March 2009; and

WHEREAS, the final (March 2009) construction design plans and associated cost estimates increased the expected tribal contribution for the project to \$198,634; and

WHEREAS, the extended delay in finalizing the construction design plans, coupled with the substantial increase in expected cost to the Tribe, represents a material change in the circumstances with regard to the Tribe's existing contract with USDA-NRCS; and

WHEREAS, the Tribe is now undergoing financial restructuring and will therefore not be able to meet its financial obligation proposed by the substantially increased construction cost estimates (\$198,634).

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors supports cancellation of the existing contract (#EQIP 745D2216A459) with USDA-NRCS for construction of an aquaculture pond on tribal land, and authorizes the Tribal Chairman to contact USDA-NRCS to propose such cancellation.

BE IT FURTHER RESOLVED, the Board of Directors directs ITFAP to explore reapplying for a similar pond construction project in 2009 under the new (2008) Farm Bill, which contains a more favorable cost share arrangement.

BE IT FURTHER RESOLVED, Resolution 2006-60, is hereby rescinded.

CERTIFICATION

We, the undersigned, as Chairman 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 _____ 2009; 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.

Darwin "Joe" McCoy, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

DJ Hoffman, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____
IRR INVENTORY REVISIONS/ADDITIONS

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 said Constitution and Bylaws provide that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors is the governing body for the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, the Board of Directors has the authority under the Constitution and Bylaws to promulgate resolutions, institute regulations, and consider various legal matters that fall within the authority of a federally recognized Indian Tribe; and

WHEREAS, the Board of Directors has the authority under the Constitution and Bylaws to promote the general welfare of the Members by regulating the conduct of trade and the use and disposition of property upon the Reservation; and

WHEREAS, the Board of Directors has identified that the roads listed in Attachment A are important to the general health and welfare of the Members and the residents of the Reservation; and

WHEREAS, the Board of Directors believes that the transportation system affecting the Reservation will be enhanced by the revision and/or addition of these roads to their existing inventory.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby requests that the Bureau of Indian Affairs (BIA) add the above-cited revisions and additions of roads to the Sault Ste. Marie Tribe of Chippewa Indians IRR Inventory.

BE IT FURTHER RESOLVED, that the Chairman or his designee, is authorized and directed to execute and deliver such agreements, documents, or instruments to the Bureau of Indian Affairs (BIA) as may be required or to take any and all such action which may be necessary to implement the foregoing and update the Tribal Long Range Transportation Plan approved by Resolution No: _____.

C E R T I F I C A T I O N

We, the undersigned, as Chairman 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 _____ 2009; 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.

Darwin "Joe" McCoy, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

DJ Hoffman, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

APPROVING THE LONG-RANGE TRIBAL TRANSPORTATION PLAN

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/reconstruction 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.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes Darwin McCoy, Tribal Chairman, or his designee, to coordinate the activities of the Transportation Committee, implementing, reviewing, and revising the transportation plan as necessary.

C E R T I F I C A T I O N

We, the undersigned, as Chairman 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 _____ 2009; 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.

Darwin "Joe" McCoy, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

DJ Hoffman, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

FY 2009 INDIRECT COST BUDGET MODIFICATIONS #2

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the attached FY 2009 Indirect Cost Budget Modifications.

C E R T I F I C A T I O N

We, the undersigned, as Chairman 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 _____ 2009; 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.

Darwin "Joe" McCoy, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

DJ Hoffman, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**FY 2010 SYEP ADMINISTRATION STIMULUS AND SYEP STIMULUS
BUDGET MODIFICATIONS
MAY 2009**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians here by approves the FY 2010 budget modifications to establish budgets for SYEP Administration Stimulus and SYEP Stimulus with Federal Department of Labor monies of \$25,181.00.

C E R T I F I C A T I O N

We, the undersigned, as Chairman 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 _____ 2009; 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.

Darwin "Joe" McCoy, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

DJ Hoffman, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

APPROVING THE ECONOMIC STIMULUS TIP

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/reconstruction 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.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes Darwin McCoy, Tribal Chairman, or his designee, to coordinate the activities of the Transportation Committee, implementing, reviewing, and revising the transportation plan as necessary.

BE IT FURTHER RESOLVED, that the Board of Directors approves the Economic Stimulus Transportation Improvement Plan (TIP).

C E R T I F I C A T I O N

We, the undersigned, as Chairman 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 _____ 2009; 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.

Darwin "Joe" McCoy, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

DJ Hoffman, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**HEAD START AND EARLY HEAD START
2009 COLA AND QUALITY IMPROVEMENT**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian tribe, organized under Section 16 of the Indian Reorganization Act of 1934, 25 U.S.C. et seq.; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indian's mission is to improve the health, welfare, and education of its members and has determined there is a need for Head Start and Early Head Start services.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors hereby supports and recommends the submission of a supplemental application enabling the Sault Ste. Marie Tribe of Chippewa Indians to apply for COLA and Quality Improvement funding and authorizes the Tribal Chairman, Darwin J. McCoy, or his designee to sign, submit, negotiate, contract and /or amend a grant with the Department of Health and Human Services, Office of Head Start, American Indians and Alaskan Natives Program Branch.

C E R T I F I C A T I O N

We, the undersigned, as Chairman 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 _____ 2009; 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.

Darwin "Joe" McCoy, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

DJ Hoffman, Secretary
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Chippewa Indians