

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN CASINO AND CONVENTION CENTER
SAULT STE. MARIE, MICHIGAN
MINUTES
November 6, 2018**

The meeting was opened at 5:02 p.m. by Chairperson Payment.

Present: Dennis McKelvie, Kim Gravelle, DJ Hoffman, Jennifer McLeod, Michael McKerchie, Lana Causley, Bridgett Sorenson, Keith Massaway, Denise Chase, Darcy Morrow, Charles Matson, and Aaron Payment.

Absent: Catherine Hollowell.

Moved by Director Hoffman, supported by Director Morrow, to excuse Director Hollowell from the meeting.

Motion carried unanimously.

Moved by Director McLeod, supported by Director Sorenson, to approve the agenda as read.

Motion carried unanimously.

Moved by Director McLeod, supported by Director Causley, to approve the Minutes of 10-16-2018 with corrections noted.

Motion carried unanimously.

Moved by Director Chase, supported by Director Morrow, to approve Res. 2018-247, American Legion Veterans Assistance Outreach Position.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes and directs the Health Division and Executive Director of the Tribe, to renew the existing approved terms of the contract with the American Legion Department of Michigan, pursuant to which the Tribe will provide a grant not to exceed \$85,000 annually, and the American Legion will hire and supervise this staff and will provide, at a minimum, monthly reports detailing all activities of the staff, to support the expenditure, together with such other reporting, as may be required by the Department for oversight purposes.

BE IT FURTHER RESOLVED, that the Health Division and the Executive Director shall ensure that oversight is provided to ensure that health services are made available and to assist in identifying any necessary services that may be added to the Tribe's Health Division internally.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Gravelle, to approve Res. 2018-248, Authority and Approval for the Chairperson to Execute Memorandum of Understanding ("MOU") With Indian Land Tenure Foundation, Spatial Informatics Group – Natural Assessts Laboratory and the National Indian Carbon Coalition (NICC).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby authorizes the Tribal Chairperson, to enter into the MOU Agreement.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians ("Tribe") hereby authorizes the Tribal Chairperson, or his designee, to deliver any documents or instruments as may be required to take any and all actions which may be necessary to execute the foregoing.

Motion carried unanimously.

Moved by Director McLeod, supported by Director Massaway, to approve Res. 2018-249, Consent to Waiver of Tribal Court Jurisdiction and Approval of Patient Care Network Agreement Hazelden Betty Ford Foundation.

BE IT RESOLVED, by the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians, as follows:

Section 1 FINDINGS AND DETERMINATIONS: The Board of Directors finds and determines that:

1.1 The Sault Ste. Marie Tribe of Chippewa Indians ("Tribe") is a federally recognized Indian Tribal Government organized under the provisions of the Indian Reorganization Act of 1934.

1.2 The Tribe wishes to enter into a Patient Care Network Agreement with Hazelden Betty Ford Foundation ("the Foundation") on terms determined to be favorable to the Tribe, as negotiated by the Health Director, without bid; and

1.3 The Foundation has established a world-renown reputation for excellence in the area of addiction counseling and rehabilitation; and

1.4 The Foundation will not consent to such agreement without a waiver Tribal Court jurisdiction and an agreement to indemnify the Foundation against certain limited claims; and

1.4 In order to induce the Foundation to enter into the Patient Care Network Agreement ("Agreement"), the Tribe is required to confirm that the Tribe and all other entities claiming by, through or under the Tribe will not claim exclusive Tribal Court jurisdiction with respect to any disputes or causes of action between the Tribe and the Foundation that might arise from, or relate to, in any respect, the Agreement, or object to the Indemnification provisions of that agreement, found in Article 4, page 4; and

1.5 It is in the Tribe's interest to resolve as stated herein.

Section 2 CONSENT TO JURISDICTION; GOVERNING LAW, INDEMNIFICATION

2.1 The Tribe hereby consents to the indemnification clause found in Article 4, page 4, of the Agreement, which requires Tribe to indemnify the Foundation for loss, liability, damage or cost resulting from (i) the provision of products and services offered by Member or its Providers, including, without limitation, its Services, (ii) the use of the Logo or program materials, (iii) any breach or failure to perform by Member of any terms or covenants contained in this Agreement, and (iv) any alleged unauthorized or infringing use by Member of any patent, process, trade secret, copyright, trademark or publicity right or other similar property; and

2.2 the Agreement and all questions related to the subject matter thereof shall be governed by and construed in accordance with the laws of the State of Minnesota, as set forth in the Agreement, paragraph 10.2; and

2.3 The Board of Directors waives the exclusive jurisdiction of the Tribal Court over any action arising under the Agreement and consents to the jurisdiction of the Courts of the State of Minnesota, Hennepin County, as set forth in the Agreement, including any courts to which decisions of these courts may be appealed.

Motion carried unanimously.

Moved by Director Massaway, supported by Director McKerchie, to approve Res. 2018-250, Contract Approval Meritain Health (An Aetna Company) and Delta Dental.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Chairperson of the Tribe, or his designee, to execute contracts with Meritain Health and Delta Dental, with an effective date of January 1, 2019, for a period of one year, and to further take such actions as may be required to extend the current contracts for another year.

Roll Call Vote: Motion carried with Directors Massaway, McLeod, Gravelle, McKelvie, Sorenson, Causley, McKerchie approving; Directors Chase, Matson, Hoffman, Morrow opposing.

Moved by Director Massaway, supported by Director McLeod, to approve Res. 2018-251, Appointing Broker of Employee Benefits.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby directs the Insurance Manager to take such steps as it is necessary to appoint Cottingham & Butler as the Broker of Record for the Tribe's Employee Benefits Plan.

Motion carried with Director Hoffman opposing.

Moved by Director McLeod, supported by Director Massaway, to approve Res. 2018-252, Approving Huntington Bank Credit Card Authorization for SIE Grant.

BE IT RESOLVED, by the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians, that the Chairperson or his designee is authorized and directed to execute and deliver any contracts as may be necessary for the commercial credit card services as offered by Huntington Bancshares Incorporated, through MasterCard, and further to incur such revolving credit card indebtedness as is reasonable in the performance of the daily operations of the Tribe's governmental operations to meet the deadline of expending funds related to the SIE grant to purchase Cultural and Educational program resources, for use at the JKL Bahweting Public School Academy with a grant deadline of December 31, 2018.

BE IT FINALLY RESOLVED, that Robert Schulte, CFO of the Tribe, and Julie Hagan, Senior Accountant, are authorized as Co-Administrators on these credit card accounts, and two signatures, or a subsequent resolution of this Board, shall be required to make material changes to these credit accounts.

Roll Call Vote: Motion carried with Directors Hoffman, Sorenson, Matson, McKerchie, Gravelle, Massaway, McLeod, Morrow, Chase, McKelvie approving; Director Causley opposing.

Moved by Director Hoffman, supported by Director Massaway, to approve Res. 2018-253, Approving Huntington Bank Credit Card Authorization for TED Grant.

BE IT RESOLVED, by the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians, that the Chairperson or his designee is authorized and directed to execute and deliver any contracts as may be necessary for the commercial credit card services as offered by Huntington Bancshares Incorporated, through MasterCard, and further to incur such revolving credit card indebtedness as is reasonable in the performance of the daily operations of the Tribe's governmental operations to meet the deadline of expending funds related to the TED grant to purchase Cultural and Educational program resources for use by tribal youth across the Tribal 7-county service area with a grant deadline of June 30, 2019.

BE IT FINALLY RESOLVED, that Robert Schulte, CFO of the Tribe, and Julie Hagan, Senior Accountant, are authorized as Co-Administrators on these credit card accounts, and two signatures, or a subsequent resolution of this Board, shall be required to make material changes to these credit accounts.

Roll Call Vote: Motion carried with Directors Sorenson, Morrow, McKelvie, Gravelle, McLeod, Chase, Hoffman, Massaway, McKerchie approving; Directors Causley, Matson opposing.

Moved by Director Sorenson, supported by Director Massaway, to approve Res. 2018-254, FY 2019 Budget Document 002.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2019 Budget Document 002 totaling \$43,261,130 of which \$799,405 comes from Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director Causley, supported by Director Sorenson, to approve Res. 2018-255, Fiscal Year 2019 Budget Document 004 Enterprises.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the Fiscal Year 2019 Budget Document 004 Enterprises for revenue of \$12,874,864 and expenses of \$12,780,069.

Roll Call Vote: Motion carried with Directors McKerchie, Causley, Morrow, Matson, Hoffman, Chase, Massaway, McLeod, Sorenson, Gravelle approving; Director McKelvie opposing.

Moved by Director Causley, supported by Director Sorenson, to approve Res. 2018-256, Fiscal Year 2019 Enterprises Capital Purchases Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves a total of \$763,660 as the Enterprises Fiscal Year 2019 Capital Purchases Budget.

Roll Call Vote: Motion carried unanimously.

Moved by Director Hoffman, supported by Director Causley, to approve Res. 2018-257, DeMawating Development Storage 2018 Capital Expenditures Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians approves the FY 2018 budget modification to the Enterprise Capital Expenditure Budget for an increase of DeMawating Development Fund Balance monies of \$100,000.00 for the DeMawating Development Storage.

Roll Call Vote: Motion carried unanimously.

Moved by Director McLeod, supported by Director Gravelle, to approve Res. 2018-258, Tribal Opioid Response (SAMSHA) Acceptance of Grant and Establishment of 2019 Budget.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby accepts the Sault Tribe Opioid Prevention and Response Grant Award from the Department of Health and Human Services.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2019 budget for Tribal Opioid Response (SAMHSA) with Federal Health and Human Services monies of \$313,627.00. No effect on Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director McLeod, supported by Director Gravelle, to approve Res. 2018-259, Cancer Control Program Establishment of 2019 Budget.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2019 budget for Cancer Control Program with Other Revenue Inter-Tribal Council monies of \$10,000.00. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Massaway, to approve Res. 2018-260, Education – SIE Grant FY 2019 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2019 budget modification to the SIE Grant for an increase in BIA Revenue monies of \$73,972.48. These funds represent carry over. No effect on Tribal Support.

Roll Call Vote: Motion carried with Directors McKerchie, Matson, Hoffman, Chase, Massaway, McLeod, Sorenson, McKelvie, Gravelle approving; Director Causley, Morrow opposing.

Moved by Director Morrow, supported by Director Causley, to approve Res. 2018-261, USDA Fish Barrier Establishment of 2019 Budget.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2019 budget for USDA Fish Barrier with Federal USDA monies of \$16,866.90. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Matson, supported by Director Massaway, to approve Res. 2018-262, Lake Whitefish Rearing Project Establishment of 2019 Budget.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2019 budget for Lake Whitefish Rearing Project with Federal BIA monies of \$74,879.77. No effect on Tribal Support.

Roll Call Vote: Motion carried with Directors Hoffman, Morrow, McKelvie, Causley, Chase, McKerchie, Matson, Sorenson, Massaway approving; Directors McLeod, Gravelle opposing.

Moved by Director Morrow, supported by Director McLeod, to approve Res. 2018-263, TRP Fire Ecology Establishment of 2019 Budget.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2019 budget for TRP Fire Ecology with Federal BIA monies of \$45,499.59. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director McKerchie, supported by Director Gravelle, to approve Res. 2018-264, Inland Fish and Wildlife Department 2018 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2018 budget modification to Inland Fish and Wildlife Department to increase Federal BIA monies \$67,640.28. No effect on Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director Hoffman, supported by Director Matson, to approve Res. 2018-265, Lease Cancellation to Michelle L. McKechnie BIA Lease No: 469-23-00035-16 STHA- KIN-003(16).

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairperson and Treasurer, to execute this lease cancellation and land being described as: Township of Kinross, County of Chippewa, State of Michigan PART OF Sec. 29 & The S. ½ Sec 20, T 45 N, R 1 W (.034 acres), Lots 555 & 556, Cedar Grove Estates III.

BE IT FURTHER RESOLVED, that the Tribal staff is directed to prepare the appropriate lease cancellation documents.

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 No. 469-23-00035-16 STHA – KIN-003(16) pursuant to applicable law and regulations.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Matson, to approve Res. 2018-266, Trust Land Lease -Lot (s) 555 and 556, Tobias, Kinross, Michigan.

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairperson and Treasurer, to execute a lease to the land located at Kinross, Michigan to, Timothy L. Tobias, a single man land being described as follows: Township of Kinross, County of Chippewa, State of Michigan PART OF Sec. 29 & The S. ½ Sec 20, T 45 N, R 1 W (.034 acres), Lots 555 and 556, Cedar Grove Estates III.

RESOLVED, the lease is in furtherance of a housing program operated in the promotion of the public purposes and the negotiated rental amount has been determined to be in the best interest of the Tribe and its people, and valuation in accordance with 25 CFR 162.320 is hereby waived.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Matson, to approve Res. 2018-267, Lease Cancellation to Andrew D. Noble and Bambi L. Noble.

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairperson, and Treasurer to execute this lease cancellation, and land being described as: Township of Kinross, County of Chippewa, State of Michigan PART OF Sec. 29 & The S. ½ Sec 20, T 45 N, R 1 W (.034 acres), Lots 690 & 689, Cedar Grove Estates III.

BE IT FURTHER RESOLVED, that the Tribal staff is directed to prepare the appropriate lease cancellation documents.
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 No. DD-044(02) pursuant to applicable law and regulations.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Matson, to approve Res. 2018-268, Trust Land Lease - Lot (s) 690 and 689, Curtis, Kinross, Michigan.

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairman and Treasurer to execute a lease to the land located at Kinross, Michigan to, Roberta R. Curtis, land being described as follows: Township of Kinross, County of Chippewa, State of Michigan, PART OF Sec. 29 & The S. ½ Sec 20, T 45 N, R 1 W (.034 acres), Lots 690 and 689, Cedar Grove Estates III.

RESOLVED, the lease is in furtherance of a housing program operated in the promotion of the public purposes and the negotiated rental amount has been determined to be in the best interest of the Tribe and its people, and valuation in accordance with 25 CFR 162.320 is hereby waived.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Matson, to approve Res. 2018-269, Trust Land Lease - Lot (s) 886 and 885, King, Kinross, Michigan.

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairperson and Treasurer, to execute a lease to the land located at Kinross, Michigan to, Rose A. King, a single woman, land being described as follows: Township of Kinross, County of Chippewa, State of Michigan, PART OF Sec. 29 & The S. ½ Sec 20, T 45 N, R 1 W (.034 acres), Lots 886 and 885, Cedar Grove Estates III.

RESOLVED, the lease is in furtherance of a housing program operated in the promotion of the public purposes and the negotiated rental amount has been determined to be in the best interest of the Tribe and its people, and valuation in accordance with 25 CFR 162.320 is hereby waived.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Matson, to approve Res. 2018-269, Trust Land Lease – 4858 Zeez-Ba-Tik, Smithson, Newberry, Michigan.

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairman and Treasurer to execute a lease to the land located at Kinross, Michigan to, John P. Smithson, Jr. and Kathy J. Smithson, husband and wife and land being described as follows:

Part of the northwest ¼ of the northwest ¼ of section 18, Town 45 North, Range 9 West, Pentland Township, Chippewa County, Michigan, more particularly described as commencing at the northeast corner of Lot 25 of the recorded plat of Greenwood Park Subdivision No. 3; thence N89°51'00"W 50.64 feet along the north line of said plat to the POINT OF BEGINNING; thence continuing N89°51'00"W 120.97 feet along said north line; thence N02°31'50"W 118.58 feet to the southerly right-of-way line of county Road 388; thence northeasterly 76.00 feet along a curve to the left in said southerly right-of-way line, having a radius of 233.00 feet, a central angle of 18°41'20", and a long cord bearing N78°07'30"E 75.66 feet; thence S21°13'10"E 144.12 feet to the POINT OF BEGINNING. Containing 0.284 acres.

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RESOLVED, the lease is in furtherance of a housing program operated in the promotion of the public purposes and the negotiated rental amount has been determined to be in the best interest of the Tribe and its people, and valuation in accordance with 25 CFR 162.320 is hereby waived.

Motion carried unanimously.

Moved by Director Massaway, supported by Director McLeod, to approve Res. 2018-271, Authorization to Transfer Funds from Operating Cash Accounts to Purchase Certificates of Deposit.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Chief Financial Officer to transfer the following funds from Huntington Bank and Wells Fargo operating accounts to purchase Certificates of Deposit at MBank: Huntington: MidJim Sault Ste. Marie Operating Account -\$700,000; Wells Fargo: Sawyer Village Operating Account - \$300,000.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director Gravelle, to approve Res. 2018-272, COPS TRGP 2018 Establishment of 2019 Budget.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2019 budget for COPS TRGP 2018 with Federal DOJ monies of \$198,490.72. No effect on Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director Hoffman, supported by Director Gravelle, to appoint Annette King to the Unit One Elders Subcommittee, for a four year term, expiring November 2022.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Sorenson, to table the Conservation Committee resignation.

Motion carried unanimously.

Without objection, will go into Closed Session. No objections.

Open Session.

Board Concerns:

Director McLeod: Chairs at Niigaanagiizhik; Solar Roofing.

Director Sorenson: Scholarships; Father Marquette Park.

Director Gravelle: KBIC – Safety Request.

Meeting adjourned: 6:08 p.m.

Date: 11-20-18

Secretary: Bridgett Sorenson

Others present: John Wernet, Jessica Dumback, Bob Schulte, Sheila Berger, Leo Chugunov, Doug Goudreau, Susan McCoy, Jen Clerc, Eric Clark, Brad Silet, Jeri Eby, Larry Jacques, Joel Schultz, Russ McKerchie, Joanne Carr.