

**BOARD OF DIRECTORS REGULAR MEETING  
KEWADIN CASINO AND CONVENTION CENTER  
SAULT STE. MARIE, MICHIGAN  
MINUTES  
September 5, 2017**

The meeting was opened at 6:00 p.m. by Chairperson Payment.

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

Absent:

**Moved by Director Hoffman, supported by Director Causley, to approve the agenda as read.**

**Motion carried unanimously.**

**Moved by Director Hollowell, supported by Director McLeod, to approve Res. 2017-170, Establish Budget for FY 2018 Air Program 17-18 and Air Program Development FY 2018 Budget Modification.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of the FY 2018 budget for Air Program 17-18 with Federal EPA monies of \$45,620.00. No effect on Tribal Support.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians approves the FY 2018 budget modification to Air Program Development to eliminate the budget for Federal EPA monies of \$45,670.45. No effect on Tribal Support.

**Motion carried unanimously.**

**Moved by Director Hoffman, supported by Director Morrow, to table the Res. regarding the Big Bear Budget Mod.**

**Motion carried with Directors McKelvie, Massaway, McLeod, Sorenson opposing.**

**Moved by Director Morrow, supported by Director Sorenson, to approve Res. 2017-171, DeMawating Development – Property Management 2017 Budget Modification.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2017 budget modification to DeMawating Development – Property Management for an increase in Other Revenue monies of \$6,680.00 and an increase in expenses of \$5,598.74. No effect on Tribal Support.

FURTHER BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2017 increase to Capital Expenditures for DeMawating Development – Property Management for an increase of \$96,000. No effect on Tribal Support.

**Roll Call Vote: Motion carried unanimously.**

**Moved by Director Causley, supported by Director McLeod, to approve Res. 2017-172, Authorization to Purchase Real Estate Parcels Cedar Grove Lots 274 & 292.**

NOW, THEREFORE BE IT RESOLVED, the Board of Directors of the Sault Ste Marie Tribe of Chippewa Indians hereby authorizes its Chairperson, and the Treasurer of the Tribe or their designated staff members to negotiate and execute any documents necessary to purchase of the following parcels of land, at a price not to exceed the amount in the attached PSA, plus any legal and closing costs for 37 & 39 Evergreen Dr., Kincheloe, MI described as Cedar Grove Estates #1 Lot 274 & Cedar Grove Estates #1 Lot 292.

**Motion carried unanimously.**

**Moved by Director Hollowell, supported by Director Massaway, to approve Res. 2017-173, Authorization to Change Signature Authority Bank Accounts.**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the signatures for the following attached Bank Accounts. Said Bank Accounts will require the signatures of two of the signatories.

BE IT FURTHER RESOLVED, this resolution hereby rescinds all previously approved resolutions regarding signature authority on Bank Accounts.

**Motion carried with Director McKerchie opposing.**

**Moved by Director Hollowell, supported by Director Morrow, to approve Res. 2017-174, Authorization to Change Signature Authority Trust Accounts.**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the signatures for the following attached Trust Accounts. Said Trust Accounts will require the signatures of two of the signatories.

BE IT FURTHER RESOLVED, this resolution hereby rescinds all previously approved resolutions regarding signature authority on Trust Accounts.

**Motion carried with Director McKerchie opposing.**

**Moved by Director McLeod, supported by Director Causley, to approve Res. 2017-175, National Congress of American Indians 2017 Annual Convention Delegates and 2018 Dues.**

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 Delegates and Alternate Delegate and instructs them to become Individual Members in good standing in the NCAI in order to fulfill their responsibilities: Delegate: Aaron A. Payment, Chairperson Alternate: DJ Hoffman, Director, Vice Chair Alternate: Bridgett Sorenson, Director, Secretary Alternate: Dennis McKelvie, Director, Treasurer Alternate: Keith Massaway, Director Alternate: Michael McKerchie, Director Alternate: Jennifer McLeod, Director Alternate: Kimberle Gravelle, Director Alternate: Lana Causley-Smith, Director Alternate: Catherine Hollowell, Director Alternate: Denise Chase, Director Alternate: Darcy Morrow, Director Alternate: Anita Nelson, Director Alternate: Michael McCoy, Legislative Director Alternate: Kenneth Ermatinger, Gaming Commission Director.

**Motion carried unanimously.**

**Moved by Director Morrow, supported by Director Gravelle, to table the Res. regarding 2018 Indian Housing Plan.**

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

**Moved by Director Morrow, supported by Director McLeod, to approve Res. 2017-176, Appointment and Delegation of Certifying Officer for Environmental Reviews.**

NOW, THEREFORE, BE IT RESOLVED, that the Tribe authorizes and delegates to the current Chairperson, and each subsequent Chairperson duly elected and serving, the full authority to act as the Certifying Officer for the Tribe, as contemplated in 25 USC Section 4115(c) (2) and 42 USC Section 5304(g) (3) (B) for any federal programs under which these funding requirements are mandated, including the Department of HUD, NAHASDA and ONAP.

BE IT FURTHER RESOLVED, in the absence of an elected and serving Chairperson of the Tribe, the then current Vice Chairperson of the Tribe shall serve as the Certifying Officer of the Tribe pursuant to the authority delegated pursuant to this resolution.

**Motion carried unanimously.**

**Moved by Director Sorenson, supported by Director McLeod, to approve Res. 2017-177, Authorize Construction Contract and Execute Associated Documents for George K. Nolan Judicial Complex Renovation & Addition Project.**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorize the Chairperson of the Tribe, or his designee, to negotiate and execute a contract between the Sault Ste. Marie Tribe of Chippewa Indians and McGahey Construction for renovation and addition construction services for the Project, and authorizes expenditures from the Department of Justice, Bureau of Justice Assistance Grant Funds (CC 11461).

**Roll Call Vote: Motion carried with Directors Gravelle, McLeod, Morrow, McKerchie, Sorenson, Hollowell, McKelvie, Causley, Nelson, Chase, Massaway approving; Director Hoffman abstaining.**

**Moved by Director Sorenson, supported by Director Causley, to approve Res. 2017-178, Amending Purchasing Policy Internal Sourcing.**

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Purchasing Policy is amended to read as Sec 1.2.2 Exceptions as follows:

“a. Purchases are exempt from this policy if the grant or funding sources specifies otherwise. If the funding source allows the Tribe to select between this policy and another procedure for purchase, the Tribe shall choose to follow this policy unless good cause exists not to.

*b. Except as precluded by a grant or funding source, any department, program, entity or wholly owned governmental instrumentality is exempt from this policy if the purchase is made from another department, program or entity.”*

**Motion carried with Directors McKerchie, Morrow opposing.**

**Moved by Director Causley, supported by Director Hollowell, to approve Res. 2017-179, Authorization of Full Settlement Lesperance V. Tribe.**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves settlement on the terms described in the settlement agreement and release and authorizes and directs the Chairperson of the Tribe to conclude and implement the settlement, including for the Chairperson and the Tribe’s attorneys to execute the settlement agreement and associated pleadings and other papers necessary to carry out the settlement and this Resolution.

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

**Moved by Director Massaway, supported by Director Gravelle, to approve Res. 2017-180, Approving Contract Sonosky, Chambers, Sachse, Endreson, & Perry, LLP.**

BE IT HEREBY RESOLVED, that the Board of Directors hereby approves and authorizes the Chairperson to sign the contract between the Sault Ste. Marie Tribe of Chippewa Indians and the three law firms together of Sonosky, Chambers, Sachse, Endreson & Perry, LLP.; Fields, PLLC.; and Gilbert, LLP., for the purpose of providing legal services in relation to claims against manufacturers, distributors, and pharmacy chain retailers of opioid drugs for damages caused to the Tribe by such drugs.

BE IT FURTHER RESOLVED, that this Board of Directors does hereby grant to these firms, and the Legal Department of the Tribe, the discretion necessary to pursue and prosecute these action to completion, including the authority to file such legal actions as may be necessary so as to protect the interests of the Tribe and pursue full recompense for damages suffered by the Tribe.

BE IT FURTHER RESOLVED, it is the intent of this Board, that all settlement monies received will be earmarked for preventative treatment services.

**Motion carried unanimously.**

**Moved by Director Hoffman, supported by Director McKelvie, to table the Res. regarding the Budget Department.**

**Motion carried with Directors McLeod, Chase, Morrow, Nelson opposing.**

**Moved by Director Sorenson, supported by Director Hoffman, to table the Res. regarding the Great Lakes Conservation Committee.**

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

**Moved by Director Hollowell, supported by Director Hoffman, to approve Res. 2017-181, Code of Conduct Resolution.**

**NOW, THEREFORE, BE IT RESOLVED, that the Legal Department shall collaborate and draft a proposed Code of Conduct for Board of Directors review within 30 days.**

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

**Moved by Director Chase, supported by Director Morrow, to table the Res. regarding the Secretarial Election.**

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

**Moved by Director Morrow, supported by Director Chase, to refer the Res. amending Ch. 10 to the Election Committee, with the recommendations to come back to the Board of Directors within 60 days.**

**Roll Call Vote: Motion carried with Director Hoffman opposing.**

**Moved by Gravelle, supported by Director McKelvie, to reconsider the vote on the Res. regarding the Great Lakes Conservation Committee.**

**Motion carried with Directors Massaway, McKerchie, Causley, Gravelle, Nelson, Hoffman, McLeod, McKelvie, Hollowell approving; Directors Morrow, Sorenson, Chase opposing.**

**Moved by Director Morrow, supported by Director Sorenson, to conflict Director Gravelle from voting on the Great Lakes Conservation Committee due to her husband sitting on the committee.**

**Roll Call Vote: Motion denied with Directors Morrow, Sorenson, Chase approving; Directors Gravelle, McKerchie, Hoffman, McKelvie, Causley, Nelson, Chase, Massaway opposing; Director McLeod abstaining.**

**Without Objection – will move the vote on the Great Lakes Conservation Committee to the end of the agenda. No objections.**

**Moved by Director Morrow, supported by Director Nelson, to appoint Mary Jenerou to the Special Needs Enrollment Committee for a term of two years, expiring August 2019.**

**Motion carried unanimously.**

**Moved by Director Nelson, supported by Director Morrow, to appoint Michael Wachter, to the Unit Five Marquette Elders Subcommittee, Regular Member, for a four year term, expiring August 2021.**

**Motion carried unanimously.**

**Moved by Director Hoffman, supported by Director Massaway, to accept the recommendations of the Special Needs Enrollment Committee and relinquish Cera A. Shelafoe from the Tribe.**

**Motion carried unanimously.**

**Moved by Director Hoffman, supported by Director Morrow, to refer the Referendum Petition to the Legal Department for a written legal opinion.**

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

**Moved by Director Hoffman, supported by Director Sorenson, to table the vote on the Great Lakes Conservation Committee until the next meeting.**

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

**Board Concerns:**

Director Nelson: Using funding from Unit Five from Elders; Cost of drinks at Casino; Tax Agreement.

Director Hoffman: Status of CFO; Health Director; TAP Project Specialist.

Director McKelvie: Written timetable of position- Assistant Ex. Director's Assistant.

**Meeting adjourned: 8:26 p.m.**

Date: 10-3-17 Secretary: Bridgett Sorenson

Others present: John Wernet, Jessica Dumback, Sheila Berger, Russ McKerchie, Bob Marchand, Joanne Carr.