

ROLL CALL MATRIX

Meeting Date: February 6, 2024

P	A	RESOLUTION NUMBER	35	36	37	38	39	40	41	42	43	44	45	46
		UNANIMOUS		U	U				U	U	U	U		
P		MICHAEL MCKERCHIE	Y		2	1Y	Y	Y					Y	Y

P		BETTY FREIHEIT	N			Y	Y	Y	1	1	1		2Y	Y
P		ISAAC MCKECHNIE	Y	1		N	N	N	2	2	2	2	Y	2Y
P		ROBERT MCRORIE	Y			Y	Y	Y					Y	Y
P		LANA CAUSLEY-SMITH	Y			Y	Y	A					N	N
P		KIMBERLY LEE	Y			Y	Y	Y					Y	Y
P		BRIDGETT SORENSON	1Y			Y	2Y	1Y					Y	Y
P		SHAWN BOROWICZ	Y			Y	Y	Y					Y	Y
P		DARCY MORROW	2Y	2		Y	Y	Y					N	N
P		KIMBERLY HAMPTON	Y			Y	Y	Y					Y	Y
P		TYLER LAPLAUNT	Y		1	2Y	1Y	2Y				1	1Y	1Y
P		AUSTIN LOWES												

1- Made Motion

Y-Voted Yes

A-Abstained

UA- Unanimous Acclamation

2-Second/Support Motion

N-Voted No

U-Unanimous

ROLL CALL MATRIX

Meeting Date: February 6, 2024

P	A	RESOLUTION NUMBER	47	48	49	50	51	52	53					
		UNANIMOUS			U			U						
P		MICHAEL MCKERCHIE	Y	Y		Y	Y		N					

P		BETTY FREIHEIT	Y	1Y	2	1Y	1Y		Y					
P		ISAAC MCKECHNIE	2Y	2Y		2Y	N	1	2Y					
P		ROBERT MCRORIE	1Y	Y		Y	Y		Y					
P		LANA CAUSLEY-SMITH	A	Y		Y	A	2	A					
P		KIMBERLY LEE	Y	Y		Y	Y		Y					
P		BRIDGETT SORENSON	N	Y	1	Y	2Y		N					
P		SHAWN BOROWICZ	Y	Y		Y	Y		Y					
P		DARCY MORROW	A	N		Y	A		N					
P		KIMBERLY HAMPTON	Y	A		Y	Y		Y					
P		TYLER LAPLAUNT	Y	Y		A	Y		1Y					
P		AUSTIN LOWES												

1- Made Motion
 Y-Voted Yes
 A-Abstained
 UA- Unanimous Acclamation

2-Second/Support Motion
 N-Voted No
 U-Unanimous



RESOLUTION NO: 2024-35

**HEALTH DIVISION – COVID EQUIPMENT
ESTABLISHMENT OF FY 2024 BUDGET**

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BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2024 budget for Covid Equipment with Federal Covid IHS Revenue monies of \$165,486.00. No effect on Tribal Support.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 members for, 1 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2024-36

**BUILDINGS – INTERNAL REPAIRS & MAINTENANCE
FY 2024 BUDGET MODIFICATION**

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BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2024 budget modification to Buildings – Internal Repairs and Maintenance for an increase in use of Buildings Fund Balance monies of \$11,572.63. This budget modification reflects changes to the personnel sheet and a reallocation of expenses.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 11 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

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Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2024-31

**TELECOMMUNICATIONS, TELECOM SALES, AND TELECOM
CAPITAL EXPENDITURES
ESTABLISHMENT OF FY 2024 BUDGETS**

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BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2024 budget for Telecommunications for a total budget of \$810,615.05, of which \$776,460.00 is Other Revenue and \$34,155.05 is Fund Balance.

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 2024 budget for Telecommunication Sales with Other Revenue monies of \$906,348.00.

BE IT FINALLY RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2024 capital expenditures budget for Telecommunications for a total budget of \$200,000.00, with funds coming from Fund Balance.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 11 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2024-38

FY 2024 BUDGET DOCUMENT – HEALTH DIVISION

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2024 Budget Document for the Health Division totaling \$67,015,098.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 members for, 1 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
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Kimberly Hampton, Secretary
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RESOLUTION NO: 2024-39

FY 2024 BUDGET DOCUMENT 003

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NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2024 Budget Document 003 totaling \$74,759,009, of which \$22,719,341 comes from Tribal Support.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 members for, 1 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
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RESOLUTION NO: 2024-40

**FY 2024 GOVERNMENTAL
CAPITAL EXPENDITURES**

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BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2024 Governmental Capital Expenditure budget modification for a total of \$1,024,500, which will come from Tribal Support.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 1 members against, 1 members abstaining, and that said resolution has not been rescinded or amended in any way.


Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians


Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2024-41

LEASE MODIFICATION TO RITA MCKERCHIE AND RICHARD RAPSON
LEASE NO: STHA-JKL-006 (11)

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

WHEREAS, Richard Rapson has requested a Lease Modification on Lease STHA-JKL-006(11) BIA Lease No. 469-23-00068-11 be modified to remove Rita McKerchie (Deceased) and add Connie Rolston.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorize its Tribal Chairman and Treasurer to execute a Lease Modification to the land located at Sault Ste. Marie, Michigan, to Richard Rapson, a single man, and Connie Rolston, a single woman, the land being described as:

Part of the Southwest ¼, of Section 16, Town 47 North, Range 1 East, City of Sault Ste. Marie, Chippewa County, Michigan, more particularly described as commencing at the Southwest corner of said Section 16; thence N02°15'24"E 987.79 feet along the West line of said Section 16; thence S88°32'51" E 926.75 feet to the POINT OF BEGINNING; thence continuing S88°32'51"E 118.25 feet; thence N02°15'21"E 131.78 feet to the North right-of-way line of J.K. Lumsden Way; thence N88°33'19"W 118.25 feet along said right-of-way line; thence S02°15'21"W 131.76 feet to the POINT OF BEGINNING. Containing 0.36 acres. Also known as Lot 100 of H.U.D. Project No. MI 149-010 of the Sault Ste. Marie Tribe of Chippewa Indians Housing Authority.

BE IT FURTHER RESOLVED, that the Tribal staff is directed to prepare the appropriate Land Lease Modification documents.

BE IT FINALLY RESOLVED, the lease is in furtherance of a Housing program operated in the promotion of the public purpose, 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.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 11 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2024-42

TRUST LAND LEASE – SHIELDS, BLAKE

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

NOW, THEREFORE, BE IT 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 Blake Shields, a single man, the land being described as:

Township of Kinross, County of Chippewa, State of Michigan
Lots 640 and 641, Cedar Grove Estates III

BE IT FURTHER RESOLVED, that the Tribal staff is directed to prepare the appropriate Land Lease Modification documents for BIA approval.


BE IT FINALLY RESOLVED, the lease is in furtherance of a Housing program operated in the promotion of the public purpose, 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.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 11 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.



Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians



Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2024-43

**LEASE MODIFICATION TO SIERRA D. LEWIS
LEASE NO: DD-0098 (19)**

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

WHEREAS, and Sierra D. Lewis has requested a Lease Modification on Lease DD-0098 (19) BIA Lease No. 469-23-00015-19 be modified to change the name from Sierra D. Lewis to Sierra D. Yiirs and add Clifford L. Yiirs.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorize its Tribal Chairman and Treasurer to execute a Lease Modification to the land located at Kincheloe, Michigan, to Sierra D. Yiirs, a married woman, and Clifford L. Yiirs, a married man, the land being described as:

Township of Kinross, County of Chippewa, State of Michigan
Sec. 29, T 45 N, R 1 W (.35 acres),
Lots 702 and 701, Cedar Grove Estates III

BE IT FURTHER RESOLVED, that the Tribal staff is directed to prepare the appropriate Land Lease Modification documents for BIA approval.

BE IT FINALLY RESOLVED, the lease is in furtherance of a Housing program operated in the promotion of the public purpose, and the negotiated rental amount has been determined to be in the best interest of the Tribal and its people, and valuation in accordance with 25 CFR 162.320 is hereby waived.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 10 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 11 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2024-44

AMENDING TRIBAL CODE CHAPTER 20: BOAT LENGTH REQUIREMENTS

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Government Services

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WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors has enacted Tribal Code Chapter 20 to regulate tribal fishing; and

WHEREAS, the current provisions for boat length in Tribal Code Chapter 20 are as follows:

20.102 Licensing of Commercial Treaty Fishing Activity.

(4) The fees for the issuance of tribal commercial fishing licenses shall be as follows:

- (a) A fee of \$25.00 for a helper on a boat owned by a licensed commercial fisherman.
- (b) A fee of \$50.00 for a fisherman fishing without a boat or with a boat not exceeding twenty-five feet in length.
- (c) A fee of \$100.00 for a fisherman fishing with a boat in excess twenty-five feet in length

And;

(8) Issuance of new commercial fishing licenses is closed unless opened by action of the Tribal Board of Directors.

- (a) A license shall not be issued to a person who was unlicensed in the previous year.
- (b) No small boat license shall be increased to a large boat license unless in accordance with the 2000 Great Lakes Consent Decree. A small boat shall be defined as a boat with a total length of 25 feet or less; a large boat shall be defined as a boat with a total length greater than 25 feet; and

WHEREAS, the Board of Directors has determined that it is in the best interests of the fishery and the commercial fishers to redefine boat length for the purposes of Tribal Code Chapter 20.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors hereby amends Tribal Code Chapter 20 to modify the Boat Length requirements on fishing licenses as follows:

20.102 Licensing of Commercial Treaty Fishing Activity.

(4) The fees for the issuance of tribal commercial fishing licenses shall be as follows:

- (a) A fee of \$25.00 for a helper on a boat owned by a licensed commercial fisherman.

(b) A fee of \$50.00 for a fisherman fishing without a boat or with a boat not exceeding thirty-two feet in length.

(c) A fee of \$100.00 for a fisherman fishing with a boat in excess thirty-two feet in length

And;

(8) Issuance of new commercial fishing licenses is closed unless opened by action of the Tribal Board of Directors.


(a) A license shall not be issued to a person who was unlicensed in the previous year.

(b) No small boat license shall be increased to a large boat license unless in accordance with any applicable rules and regulations as enacted by the Tribal Board of Directors. A small boat shall be defined as a boat with a total length of 32 feet or less; a large boat shall be defined as a boat with a total length greater than 32 feet.


BE IT FURTHER RESOLVED, that these revisions shall be effective immediately.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 11 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.



Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians



Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2024-45

AMENDING CHAPTER 71: CRIMINAL OFFENSES

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Government Services

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Economic Development Commission

WHEREAS, the Board of Directors wishes to amend Chapter 71 of the Tribal Code, to establish the sale and use of electronic cigarettes with the jurisdiction of the Tribe.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby amends Tribal Code Chapter 71: Criminal Offenses as follows:

71.1508 Use in Gaming Facilities Permitted - REPEALED

71.1509 Ban on Sale of Electronic Cigarettes – REPEALED

BE IT FURTHER RESOLVED, that the Board of Directors hereby rescinds Resolution 2019-278.

BE IT FURTHER RESOLVED, that the Board of Directors hereby designates that 25% of net revenue of all sales are to be distributed to the Youth Education and Activities program to establish a smoking awareness and prevention program.

BE IT FINALLY RESOLVED, that the Board of Directors hereby designates that 25% of net revenue of all sales to be distributed to the Land Claims Fund.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 2 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2024-46

**RE-ALLOCATE/RESCIND ARPA RESOLUTIONS
FOR REVENUE REPLACEMENT**

Min Waban Dan

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

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523 Ashmun Street

WHEREAS, the Tribe received the American Rescue Plan Act's (ARPA) funds to support response to and recovery from the COVID-19 pandemic; and

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WHEREAS, ARPA funds must be obligated by 12/31/2024 and spent by 12/31/2026; and

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WHEREAS, the Tribe allocated \$80,000 for Reconnect Broadband Consulting Project in Resolution 2022-248; and

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WHEREAS, the Tribe allocated \$2,000,000 for Tribal Government and EDC Revenue Replacement in Resolution 2021-196; and

**Government
Services**

WHEREAS, the Tribe allocated \$42,842.05 for ACFS Division-Tribal Emergency Assistant Program in Resolution 2022-232 of which \$37,432.37 remains; and

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WHEREAS, the Tribe allocated \$645,551.34 for the Commercial Fisher Assistance Program in Resolution 2021-313 of which \$115,672.69 remains; and

**Economic
Development
Commission**

WHEREAS, the Tribe allocated \$91,000,000 for the \$2,000 Direct Payments to Membership in Resolution 2021-167 of which \$3,700,450.47 remains;

WHEREAS, the Tribe would like to reallocate this funding for Governmental Revenue Replacement.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors hereby rescinds Resolution 2022-248 and Resolution 2021-196.

BE IT FURTHER RESOLVED, the Board of Directors hereby re-allocates \$5,933,555.53 from the funds remaining from Resolution 2022-232, Resolution 2021-313, and Resolution 2021-167 along with the remaining funds re-allocated from Resolution 2022-248 and Resolution 2021-196 for Governmental Revenue Replacement.


BE IT FINALLY RESOLVED, the Board of Directors hereby authorizes the CFO to make any internal budget modifications necessary to carry out the intent of this resolution.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 2 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.



Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians



Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2024-47

**EXAMINING COMPLIANCE WITH SECTION 8(a) OF THE SMALL
BUSINESS ACT (15 U.S.C. 637(a))**

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WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (the "Tribe") is organized pursuant to the Constitution of the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, the Board of Directors of the Tribe has become aware of certain potential errors or inaccuracies in its financial reporting, compliance, and submissions to third parties (the "Subject Matter"); and

WHEREAS, the Board of Directors desires to form a committee (the "Committee") to investigate the Subject Matter and other matters discovered during such investigation and to report its findings and any recommendations to the Board of Directors; and

WHEREAS, the Board of Directors has authorized the General Counsel to retain the law firm of Butzel Long to conduct an internal investigation in order to provide legal advice to the Committee and the Board of Directors; and

WHEREAS, the Board of Directors recognizes that it will be necessary to retain other experts, including an accounting or auditing firm, to assist Butzel Long in conducting an internal investigation; and

NOW, THEREFORE, BE IT RESOLVED that the that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors authorizes the creation of the Committee to investigate the Subject Matter and other matters discovered during such investigation and to report its findings and any recommendations to the Board of Directors; and

BE IT FURTHER RESOLVED that the Committee shall consist of the General Counsel, Director of Enterprise Operations, and Chief Financial Officer, with the General Counsel being the Chairperson of the Committee; and

BE IT FURTHER RESOLVED that the General Counsel is authorized to undertake any other actions reasonably necessary to complete the internal investigation, including, without limitation, to retain other experts, including an accounting or auditing firm, to assist the Butzel Long law firm in conducting an internal investigation; and

BE IT FURTHER RESOLVED that the General Counsel is authorized to have checks issued and to pay the fees and expenses of Butzel Long, including an initial retainer of \$40,000, plus the fees and expenses of any expert who has been retained to assist Butzel Long in conducting the internal investigation; and

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes and approves the General Counsel, or his designee, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions and intent of this Resolution.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the General Counsel, or his designee, to make any internal budget modifications necessary to carry out the intent of this Resolution.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 8 members for, 1 members against, 2 members abstaining, and that said resolution has not been rescinded or amended in any way.



Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians



Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2024-48

**LETTER OF CREDIT DOCUMENTS WITH PNC BANK– SAULT TRIBE
SELF-FUNDED UNEMPLOYMENT PROGRAM INCLUDING A LIMITED
WAIVER OF SOVEREIGN IMMUNITY AND TRIBAL COURT
JURISDICTION**

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**Government
Services**

**Membership
Services**

**Economic
Development
Commission**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (“Tribe”) currently has a “Letter of Credit” in the amount of \$2,586,549.03 issued by PNC Bank, N.A. (“PNC Bank”) to satisfy the security requirement of the Michigan Employment Security Act for the Sault Tribe Self- Fund Unemployment Program; and

WHEREAS, Resolution 2023-101 gave the authority to increase the Letter of Credit up to \$3,000,000 for the subsequent two-year term; and

WHEREAS, the Tribe wishes to modify the Letter of Credit and related documents to release the Kewadin Casino Gaming Authority as a guarantor on it; and

WHEREAS, the Tribe wishes to enter into an Amended and Restated Reimbursement and Security Agreement and Pledge Agreement with PNC Bank to facilitate such release of Kewadin Casinos Gaming Authority as guarantor and to provide cash collateral to secure the Tribe’s obligations with respect to the Letter of Credit, Amended and Restated Reimbursement and Security Agreement and Pledge Agreement.

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 an Amended and Restated Reimbursement and Security Agreement (“Letter of Credit Agreement”) and Pledge Agreement (“Bank Deposit”) and one or more letter of credit applications (“LC Applications”) with PNC Bank, N.A., (“PNC Bank”) as negotiated by the CFO; and

1.3 PNC Bank will not consent to such agreement without a waiver of sovereign immunity or Tribal Court jurisdiction; and

1.4 In order to induce PNC Bank to maintain the Letter of Credit and to enter into the Letter of Credit Agreement, Bank Deposit, and accept LC Applications from the Tribe, the Tribe is required to confirm that the Tribe and all other entities claiming by, through or under the Tribe will not claim sovereign immunity or exclusive Tribal Court jurisdiction with respect to any disputes or causes of action between the Tribe and PNC

Bank that might arise from, or relate to, in any respect, the Letter of Credit, Letter of Credit Agreement, Bank Deposit, and LC Applications (Collectively "Letter of Credit Documents") or object to the venue clauses found in any of the Letter of Credit Documents. All the foregoing are referred to herein as the "Waiver and Consent Obligations"; and

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

Section 2 WAIVER OF SOVEREIGN IMMUNITY; CONSENT TO JURISDICTION; GOVERNING LAW

2.1 The Tribe hereby waives its sovereign immunity from suit in favor of PNC Bank only should an action be commenced under any of the Letter of Credit Documents referenced above.

This waiver:

Shall terminate upon performance by the Tribe of all of its obligations under the Letter of Credit Documents; and

Is granted solely to PNC Bank; and

Shall extend to inter alia, any judicial or non-judicial action, including, but not limited to, any lawsuit, arbitration, and judicial or non-judicial action to resolve disputes between the Tribe and PNC Bank and the assertion of any claim in a court of competent jurisdiction or with any arbitrator or arbitration panel to enforce the obligations under the Letter of Credit Documents; and

Shall be enforceable only in a court of competent jurisdiction, including courts in the State of Michigan, the Tribal Court and federal courts in Michigan (including the United States Bankruptcy Court or any arbitrator or arbitration pane); and

Shall be enforceable against the assets of the Tribe to the extent necessary to satisfy the Tribe's obligation in the Letter of Credit Documents; and

The Letter of Credit Documents, and other associated finance documents shall be construed in accordance with and governed by all applicable laws and regulations of governmental bodies with competent jurisdiction, as set forth in such documents.

Section 3. WAIVER OF TRIBAL COURT JURISDICTION

3.1 The Board of Directors waives the exclusive jurisdiction of the Tribal Court over any action arising under the Letter of Credit Documents. The Board authorized the Tribe to consent to the jurisdiction of any courts with competent jurisdiction, including any courts to which decisions may be appealed, with respect to any

controversies arising from this resolution or any of the finance documents, note or Letter of Credit Documents.

Section 4. EFFECTIVE DATE

4.1 This waiver with respect to any Letter of Credit Documents shall become effective upon the final execution of such Letter of Credit Documents executed by the Chairman or his designee. Failure or refusal of any individual to execute the Letter of Credit Documents shall render the waivers and consents granted in this resolution with respect to such Letter of Credit Documents to become void immediately. Failure or refusal to execute the Letter of Credit Documents prior to the close of business on April 1, 2024, shall render the waivers and consents granted in this resolution to become void immediately.


BE IT FURTHER RESOLVED, the Board of Directors authorizes the Chairman or his designee to execute the Letter of Credit Agreement, Bank Deposit, and any LC Applications.

BE IT FURTHER RESOLVED, the Board of Directors authorizes the Chairman or his designee to execute the Release Letter with PNC Bank, to release Kewadin Casino Gaming Authority of their guaranty on the Letter of Credit.


BE IT FINALLY RESOLVED, the Board of Directors authorizes the CFO to transfer \$3,000,000 from Huntington Bank to PNC Bank under the Bank Deposit to serve as cash collateral for the Tribe's obligations with respect to the Letter of Credit Documents.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 1 members against, 1 members abstaining, and that said resolution has not been rescinded or amended in any way.



Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians



Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2024-49

NAMING OF USDA FOOD DISTRIBUTION BUILDING

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, Anthony "Tony" Nertoli, "M'Kogiimaa" built the USDA Food Distribution Program from the ground up making it a model program throughout Indian Country; and

WHEREAS, Tony Nertoli assumed additional service at the national level as President of the Native American Food Distribution Program on Indian Reservations (NAFDPIR), serving four consecutive, two-year terms. Due to his efforts, the Sault Tribe became a national leader in addressing food insecurity in Indian Country.

WHEREAS, Tony Nertoli served as the USDA Program Director from 1980 when they began operation on Eureka Street in Sault Ste. Marie until the day of his passing November 25, 2021; and

WHEREAS, Tony Nertoli's vision for storefront operation became a reality when the program opened its first storefront in 2020 which provided members with dignity and respect by allowing them to shop for themselves.

NOW, THEREFORE, BE IT RESOLVED, in honor of his dedication, the USDA Building and Store is hereby designated the Anthony "Tony" Nertoli, "M'Kogiimaa" Building and Store.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 11 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

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Government Services

Membership Services

Economic Development Commission



RESOLUTION NO: 2024-50

SUPPORTING THE NOMINATION OF VICE-CHAIRMAN TYLER LAPLAUNT TO SERVE AS AN AT-LARGE TRIBAL DELEGATE TO THE SECRETARY OF HEALTH AND HUMAN SERVICES' TRIBAL ADVISORY COMMITTEE

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WHEREAS, the Sault 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 Department of Health and Human Services has a long-standing Secretary Tribal Advisory Committee (STAC), which provides advice and counsel to the Secretary on a wide range of issues facing the Department of Health and Human Services (HHS); and

WHEREAS, the STAC consists of Delegates from all of the Indian Health Service Areas, as well as At-Large Delegates who represent the broader interests of Tribes nationally; and

WHEREAS, consistent with the STAC protocols, Chairman Lowes nominated Sault Ste. Marie Tribal Vice-Chairman Tyler LaPlaut to serve as a Primary At-Large Delegate to the HHS STAC; and

WHEREAS, Vice-Chairman LaPlaut is qualified to serve in this At-Large position, as he has served on a number of National Boards and worked on a number of national health and human services issues that impact tribes.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors supports Chairman Lowes' nomination of Vice-Chairman LaPlaut to serve as a Primary At-Large Delegate on the HHS STAC.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 members for, 0 members against, 1 members abstaining, and that said resolution has not been rescinded or amended in any way.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2024-51

APPROVING AN AMENDMENT TO THE COVID-19 FISHERY PARTICIPANT ASSISTANCE PROGRAM

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Government Services

Membership Services

Economic Development Commission

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors hereby amends the Covid-19 Fishery Assistance Program as follows;

1. Any Commercial Fisher who has been negatively impacted by the Covid-19 may be eligible for assistance as a subsistence fisher if all of the following are true:
 - a. Can certify that they engaged in subsistence fishing activity in 2020; and
 - b. Can certify that they have been negatively impacted by the Covid-19 pandemic.

BE IT FURTHER RESOLVED, that all other provisions of the Covid-19 Fishery Participant Program as outlined in Resolution 2022-271 and 2023-051 remain in effect.

BE IT FURTHER RESOLVED, that applications for this relief shall be managed and overseen by the Tribe's Accounting Department with assistance from the Tribe's Natural Resources Department.

BE IT FURTHER RESOLVED, that these revisions shall be effective immediately.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 8 members for, 1 members against, 2 members abstaining, and that said resolution has not been rescinded or amended in any way.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2024-52

**ARPA FUND APPROPRIATION – UNIT II
COMMUNITY CENTER AND COVER OPERATIONAL LOSSES**

Min Waban Dan

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

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WHEREAS, the Tribe designated a portion of ARPA funds to benefit each unit; and

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WHEREAS, Unit II was designated \$8 million in Resolution 2022-71 for housing and community centers; and

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WHEREAS, Unit II appropriated \$4 million of those funds to housing in Resolution 2022-154; and

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WHEREAS, due to COVID-19 there is increased need for enhanced and revitalized public spaces where Tribal members may safely gather to obtain services and participate in matters of Tribal governance, culture, and community; and

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**Government
Services**

WHEREAS, in 2023 Bear on the Mountain Golf Course's gross revenue was \$310,972; and

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WHEREAS, Unit II wishes to commit the \$4 million remaining funds to build a community center in the space next to the parking lot at Bear on the Mountain Golf Course and to cover operational losses to Bear on the Mountain Golf Course for the 2022 and 2023 seasons.

**Economic
Development
Commission**

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Board of Directors authorizes \$3,424,000 for the new construction and infrastructure of the Hessel Community Center project, following the Tribal Purchasing Policy, in the space next to the parking lot at Bear on the Mountain Golf Course in the location attached.

BE IT FURTHER RESOLVED, the Board of Directors authorizes \$387,166, approximately as attached, to cover operational losses for Bear on the Mountain Golf Course to cover the net losses of the 2022 and 2023 seasons.

BE IT FURTHER RESOLVED, the Board of Directors hereby authorizes the Executive Director and CFO to create the necessary budget documents that appropriate Unit II ARPA funds.

BE IT FURTHER RESOLVED, the Board of Directors hereby incorporates this Resolution into Resolution 2022-155.

Resolution No: 2024-52

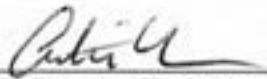
Page 2

BE IT FURTHER RESOLVED, the Board of Directors hereby rescinds Resolution 2023-18.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Tribal Chairman, or his designee, to execute any and all engineering and construction documents up to the budgeted amount that would be necessary and appropriate to carry out the terms, conditions and intent of this Resolution.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 11 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.



Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians



Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2024-53

TRANSFER OF LUME LEASE MONEY FROM SAULT TRIBE INC. TO SAULT TRIBE LENDING

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Government Services

Membership Services

Economic Development Commission

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

WHEREAS, Resolution 2020-161 authorized the development of a Lease Agreement with Sault Tribe Inc. for business development purposes including the subleasing of tribal lands; and

WHEREAS, the Tribe owns Sault Tribe Inc. as a Federally Chartered Section 17 Corporation; and

WHEREAS, Sault Tribe Inc. entered into land lease agreements with Lume based on the authority granted to them in Resolution 2020-161; and

WHEREAS, the Tribe wishes to have Sault Tribe Inc. transfer all funds received from the Lume leases to Eagle Lending.

NOW, THEREFORE, BE IT RESOLVED, The Board of Directors hereby directs Sault Tribe Inc. transfer all funds received from Lume Leases to Eagle Lending

BE IT FURTHER RESOLVED, The Board of Directors hereby authorizes the CFO to execute any internal budget modifications needed to create a new cost center within Eagle Lending and any other related cost centers for the purposes of this resolution.

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 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of February 2024; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 7 members for, 3 members against, 1 members abstaining, and that said resolution has not been rescinded or amended in any way.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
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