



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

**April 18, 2023
5:00 P.M.**

**Min Waban Dan
Administrative
Office**

523 Ashmun Street
Sault Ste. Marie
Michigan
49783

Phone

906.635.6050

Fax

906.635.4969

**Government
Services**

**Membership
Services**

**Economic
Development
Commission**

- I. CALL TO ORDER
- II. ROLL CALL
- III. INVOCATION: Prayer, Smudging, Presentation of Grandfathers
- IV. MEMBERSHIP PARTICIPATION
- V. PRESENTATION:
- VI. MINUTES: 02/21/2023
- VII. RESOLUTIONS: Trust Land Lease Cancellation – Erickson, Da. - Haack
Trust Land Lease – Erickson, Do.
ACFS – Child Care Fund
ACFS – ICWA Title IV-B Subpart 1
Health – Community Health Technician and 3rd Party
Health – Lab and 3rd Party
Health – Traditional Medicine and 3rd Party
Natural Resources – Inland Fish & Wildlife
EDC – Economic Development
Tribal Court – Judicial Services
Accept. of the 2022 Kewadin Casinos Audit
Accept. of the 2022 Kewadin Casinos Gaming Authority Audit
Acting Appointment for Fishery Program
Assigning Chi Mukwa CRC to Sault Tribe Health Division
2023 Missing and Murdered Indigenous Relatives Day
Roundabout Statue
Authorizing RFP for Documentary on Commercial Fishery
Approval/Adoption of Schedule of Tribal Prevailing Wage
Approval/Adoption of Benefits/Eligibility Sheets TPW
Limited Waiver of Sovereign Immunity
Amending Tribal Code Ch. 71: Criminal Offenses
Lowering Board of Director’s Pay
- VIII. NEW BUSINESS: Relinquishments
Board Concerns
- IX. ADJOURN TO EXECUTIVE SESSION
- X. RECONVENE AND REAFFIRM
- XI. ADJOURN

RESOLUTION NO: _____

**TRUST LAND LEASE CANCELLATION – ERICKSON - HAACK
LOT(S) 661 AND 660
KINCHELOE, MICHIGAN**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (Tribe) is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934 25 USC 467, et. seq; and

WHEREAS, David F. Erickson and Jessica A. Haack, Lessees, requests that BIA Lease No. 469-23-00112-06 (DD-0072(06)) be cancelled.

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairman, and Treasurer to execute this lease cancellation, and land being described as:

Township of Kinross, County of Chippewa, State of Michigan
Sec. 29, T 45 N, R 1 W
Lot(s) 661 and 660, Cedar Grove Estates III
(0.28 acres)

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 BIA Lease No. 469-23-00112(06) (DD-0072(06)) along with any Modifications or Assignments pursuant to applicable law and regulations.

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 _____ 2023; that the 3 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.

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

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

RESOLUTION NO: _____

**TRUST LAND LEASE – LOT(S) 661 and 660
ERICKSON, DOMINIC
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, Dominic Erickson and land being described as follows:

Township of Kinross, County of Chippewa, State of Michigan
Sec. 29, T 45 N, R 1 W (.028 acres),
Lots 661 and 660, 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.

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 _____ 2023; 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.

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

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

RESOLUTION NO: _____

**ACFS – CHILD CARE FUND (STATE)
FY 2023 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to Child Care Fund (State) for an increase in MDHHS Revenue monies of \$26,796.36. No effect on Tribal Support. This budget modification will change the personnel sheet and reallocate expenses.

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 _____ 2023; 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.

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

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

RESOLUTION NO: _____

**ACFS – ICWA TITLE IV-B SUBPART 1
FY 2023 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to ICWA Title IV-B Subpart 1 for a decrease in Tribal Support of \$16,158.20 and reallocation of expenses.

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 _____ 2023; 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.

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

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

RESOLUTION NO: _____

**HEALTH DIVISION – COMMUNITY HEALTH TECHNICIAN
AND THIRD-PARTY REVENUE
FY 2023 BUDGET MODIFICATIONS**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to Community Health Technician for an increase in Third-Party Revenue monies of \$46,019.06. No effect on Tribal Support.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to Third-Party Revenue increasing the transfer out of \$46,019.06. No effect on Tribal Support.

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 _____ 2023; 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.

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

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

RESOLUTION NO: _____

**HEALTH DIVISION – LAB
AND THIRD-PARTY REVENUE
FY 2023 BUDGET MODIFICATIONS**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to Lab for an increase in Third-Party Revenue monies of \$214,957.51. No effect on Tribal Support.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to Third-Party Revenue increasing the transfer out of \$214,957.51. No effect on Tribal Support.

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 _____ 2023; 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.

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

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

RESOLUTION NO: _____

**HEALTH DIVISION – TRADITIONAL MEDICINE
AND THIRD-PARTY REVENUE
FY 2023 BUDGET MODIFICATIONS**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to Traditional Medicine for an increase in Third-Party Revenue monies of \$21,944.71. No effect on Tribal Support.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to Third-Party Revenue increasing the transfer out of \$21,944.71. No effect on Tribal Support.

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 _____ 2023; 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.

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

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

RESOLUTION NO: _____

**NATURAL RESOURCES – INLAND FISH & WILDLIFE
FY 2023 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to Inland Fish & Wildlife for an increase in Federal BIA Revenue monies of \$107,652.58. This budget modification will change the personnel sheet and reallocate expenses. No effect on Tribal Support.

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 _____ 2023; 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.

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

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

RESOLUTION NO: _____

**EDC – ECONOMIC DEVELOPMENT
ESTABLISHMENT OF FY 2023 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 2023 budget for EDC with Tribal Support monies of \$370,788.31 and other revenues of \$144,312.98.

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 _____ 2023; 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.

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

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

RESOLUTION NO: _____

**TRIBAL COURT – JUDICIAL SERVICES
FY 2023 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to Judicial Services with an increase in Tribal Support monies of \$42,127.90 and to make changes to the personnel sheet.

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 _____ 2023; 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.

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

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

RESOLUTION NO: _____

ACCEPTANCE OF THE 2022 KEWADIN CASINOS AUDIT

BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby accepts and approves the 2022 Northern Kewadin Casinos Audit as accepted by the Audit Committee, on April 13, 2023.

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 _____ 2023; 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.

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

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

RESOLUTION NO: _____

**ACCEPTANCE OF THE 2022 KEWADIN CASINOS
GAMING AUTHORITY AUDIT**

BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors, hereby accepts and approves the 2022 Kewadin Casinos Audit, which includes the Downstate Developments, as accepted by the Audit Committee, on April 13, 2023.

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 _____ 2023; 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.

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

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

RESOLUTION NO: _____

ACTING APPOINTMENT FOR FISHERY PROGRAM

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the Acting appointment of Amanda Stoneman for the Administrative oversight of the Fishery program until the Lead Fishery Biologist Position is filled. This appointment will provide a 5% increase in salary per this resolution with an administrative modification.

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 _____ 2023; that the 3 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.

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

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

RESOLUTION NO: _____

**ASSIGNING CHI MUKWA COMMUNITY CENTER
TO SAULT TRIBE HEALTH DIVISION**

WHEREAS, the Board of Directors continually analyzes tribal budgets to ensure the tribe's needs are being met as fiscally responsible as possible; and

WHEREAS, there is general agreement that in order to maintain current budget levels for next year and future years the tribal government needs to find additional sources of revenues to fund its needs, particularly those programs greatly reliant on Tribal Tax Revenues; and

WHEREAS, Chi Mukwa is operated as a community service focused on wellness and recreation and as such intentionally does not generate a profit and relies heavily on tribal tax revenues; and

WHEREAS, the Board of Directors desires to identify a way to lessen the financial burden Chi Mukwa imposes on Tribal Tax Revenues; and

WHEREAS, the Sault Tribe Health Division is in a strong financial position; and

WHEREAS, the Board of Directors finds the wellness and recreation community services provided by Chi Mukwa to be congruent within the goals and allowable expenditures of the Sault Tribe Health Division.

NOW, THEREFORE, BE IT RESOLVED, that tribal administration and Sault Tribe Health Division are directed to create and implement a mechanism whereby the Sault Tribe Health Division shall: (a) fund the operation of Chi Mukwa; and (b) execute an agreement with tribal administration whereunder tribal administration shall manage Chi Mukwa on behalf of the Sault Tribe Health Division.

BE IT FURTHER RESOLVED, that the Board of Directors authorizes the administrative budget modification to the FY 2023 budgets to include all necessary and appropriate actions.

BE IT FURTHER RESOLVED, that the Board of Directors authorizes tribal administration and Sault Tribe Health Division to execute any and all documents necessary to effectuate the forgoing.

BE IT FINALLY RESOLVED, that within sixty days of this resolution's enactment the forgoing shall be fully implemented and a report detailing the action taken under this resolution shall be provided to the Board of Directors.

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 _____ 2023; 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.

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

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

RESOLUTION NO: _____

**2023 MISSING AND MURDERED INDIGENOUS
RELATIVES DAY OF AWARENESS**

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, since 1492, Indigenous peoples have been stereotyped, displaced, and erased due to simultaneous acts of forced colonization and systemic assimilation. Furthermore, the landmark Supreme Court decision *Oliphant v. Suquamish Indian Tribe* impacted the jurisdictional powers of Sovereign Tribal Nations since 1978. In part, this trifecta connects directly to the high rates of violence, poverty, homelessness, addiction, mental health, PTSD, and shortened life expectancy for our Indigenous relatives. These risk factors all intersect with the Missing and Murdered Indigenous Relatives epidemic.

WHEREAS, 84.3% of Native American and Alaskan Native Women will be victimized by a violent crime in their lifetime. The Centers for Disease Control and Prevention has reported that murder is the third-leading cause of death among American Indian and Alaska Native women and that rates of violence on reservations can be up to ten times higher than the national average. (*André B. Rosay, "Violence Against American Indian and Alaska Native Women and Men," June 1, 2016, nij.ojp.gov: <https://nij.ojp.gov/topics/articles/violence-against-american-indian-and-alaska-native-women-and-men>*)

WHEREAS, 81.6% of Native American and Alaskan Native Men will be victimized by a violent crime in their lifetime. (*André B. Rosay, "Violence Against American Indian and Alaska Native Women and Men," June 1, 2016, nij.ojp.gov: <https://nij.ojp.gov/topics/articles/violence-against-american-indian-and-alaska-native-women-and-men>*)

WHEREAS, though it is difficult to capture accurate statistics of violent crimes committed against our 2Spirit+ relatives, we do know that 43.8% of lesbian women and 61.1% of bisexual women have experienced rape, physical violence, and/or stalking by an intimate partner at some point in their lifetime, as opposed to 35% of heterosexual women. 26% of gay men and 37.3% of bisexual men have experienced rape, physical violence, and/or stalking by an intimate partner in their lifetime, in comparison to 29% of heterosexual men. Transgender victims are more likely to experience intimate partner violence in public compared to those who do not identify as transgender. LGBTQ victims on public assistance are more likely to experience intimate partner violence compared to those who are not on public assistance. (*Source: NCADV.org*)

Page 2: _____

WHEREAS, The Sault Ste. Marie Tribe of Chippewa Indians implemented the MMIP Tribal Community Response Plan in May 2021. The plan addresses four integrant pieces to coordinate an appropriate response when an Indigenous person goes missing within our tribal boundaries. The plan was created to be empowering to the victim(s) while being culturally honoring and trauma-informed on how to proceed if an MMIR case develops in our community.

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians approved amendments to Tribal Code Chapter 70: Criminal Procedure and Tribal Code Chapter 71: Criminal Offences to implement the expanded terms of the Violence Against Women Act on September 27, 2022. This includes expanding the special criminal domestic violence jurisdiction of Tribal courts to cover non-Native perpetrators of sexual assault, child abuse, stalking, sex trafficking, and assaults on tribal law enforcement officers on tribal lands. The epidemic of Missing and Murdered Indigenous Relatives is exacerbated by all of these major crimes.

THEREFORE, BE IT RESOLVED, As Anishinabek people, we know that all life is sacred. The Sault Ste. Marie Tribe of Chippewa Indians Board of Directors honor and recognize the importance of protecting and supporting ALL of our relatives impacted by the epidemic of Missing and Murdered Indigenous Relatives.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby designates May 05, 2023, as a Day of Awareness for Missing and Murdered Indigenous Relatives throughout our Tribal Nation.

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 _____ 2023; 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.

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

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

RESOLUTION NO: _____

ROUNDAABOUT STATUE

WHEREAS, the city of Sault Ste. Marie is placing a bronze statue of a French Fur Trader at the roundabout where the I-75 Business Spur intersects with Three Mile Road and Mackinac Trail to commemorate the city's French fur trading history.

WHEREAS, the city of Sault Ste. Marie reached out to the Sault Tribe of Chippewa Indians and the Bay Mills Indian Community to invite them to place a bronze statue of a Native American at this location to honor the city's Native American history.

WHEREAS, this bronze statue is estimated to cost \$80,000 with the Bay Mills Indian Community agreeing to pay for half.

WHEREAS, each hotel guest that stays at a Kewadin property pays a 5% cultural enhancement tax, which is evenly distributed among the five units, with each unit receiving 1% of these funds.

WHEREAS, there is an abundance of cultural enhancement funds, and financing this project falls under the scope of why this fund was originally created.

WHEREAS, the Sault Tribe of Chippewa Indians and Bay Mills Indian Community will each select two community members to assist the statue's artist in ensuring that the project will remain culturally appropriate.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors will utilize an equal portion of cultural enhancement funds from each unit (\$8,000 per unit) to purchase this statue (\$40,000) to honor our Tribe's history.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Tribal Chairman, 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.

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 2023; 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.

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

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

RESOLUTION NO: _____

**AUTHORIZING REQUEST FOR PROPOSAL FOR
DOCUMENTARY ON THE COMMERCIAL FISHERY**

WHEREAS, the commercial fishery has been misrepresented in the media in light of the ongoing 2020 Consent Decree negotiations; and

WHEREAS, the Board of Directors has determined that in order address the ongoing misrepresentation an aggressive response is necessary and has determined that producing a documentary on the commercial fishery is the best approach.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors directs administration to publish a request for proposals for a commercial fisheries documentary.

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 _____ 2023; 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.

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

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

RESOLUTION NO: _____

**APPROVAL AND ADOPTION OF SCHEDULE
OF TRIBAL PREVAILING WAGE**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, with tribal land located through the state of Michigan; and

WHEREAS, the Tribe has adopted Chapter 97: Prevailing Wage Ordinance pursuant to 25 U.S. C. A. §4114(b)(3) from which the Tribe has completed a market study to determine the local Schedule of Tribal Prevailing Wages; and

WHEREAS, the Board of Directors had previously approved and adopted the Schedule of Prevailing Wage per Resolution # 2017-17, from this point forward will now be referred to as the Schedule of Tribal Prevailing Wages; and

WHEREAS, the approval and adoption of the Schedule of Tribal Prevailing Wage, will help the Sault Tribe keep competitive with the ever-changing construction industry and assist in maintaining trained and skilled Construction Field Workers;

WHEREAS, the ONAP Program Guidance 2003-04, dated February 5, 2003, recommends an administrative mechanism be established for determining the Tribal prevailing wage rates. The Board of Directors gives the authority to the tribes Executive Director, CFO, Housing and Human Resource Director to keep them current.

WHEREAS, the competitive wages will be in the best interest of the Sault Tribe and the Housing Authority; and

NOW, THEREFORE, BE IT RESOLVED, the Sault Tribe Board of Directors hereby approves the 2023 Tribal Prevailing Wage Grid for the Sault Tribe Construction and Housing Authority Field Workers 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 Board of Directors, certifies that the Board of Directors is composed of _____ members, members constituting a quorum were present at the meeting thereof duly called, noticed, convened and held on the ____ day of _____, 2023; that the foregoing resolution, was adopted at the said meeting by an affirmative vote of members _____ for, _____ against, 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: _____

**APPROVAL AND ADOPTION, BENEFITS/ELIGIBILITY SHEETS,
SICK LEAVE AND HOLIDAY PAY FOR
PREVAILING WAGE ORDINANCE POSITIONS**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, with tribal land located through the state of Michigan; and

WHEREAS, the Tribe has adopted Chapter 97: Prevailing Wage Ordinance pursuant to 25 U.S. C. A. §4114(b)(3) from which the Tribe has completed a study to determine the local prevailing wages; and

WHEREAS, the Board of Directors has previously approved policies affecting team member benefits for Governmental, Enterprise and Casino Team Member Manuals; and

WHEREAS, the approval and adoption of the Schedule of Tribal Prevailing Wage, Benefits/Eligibility Sheet, Sick Leave Policy and Holiday Policy will help the Sault Tribe remain competitive with the ever-changing construction industry and assist in maintaining trained and skilled Construction Field Workers; and

WHEREAS, the competitive wages, Benefits/Eligibility, Sick Leave and Holiday Pay will be in the best interest of the Sault Tribe Construction and the Housing Authority; and

NOW, THEREFORE, BE IT RESOLVED, the Sault Tribe Board of Directors approves the attached Benefit/Eligibility Sheet with amended Sick Leave and Holiday pay for the Sault Tribe Construction and Housing Authority Field Workers as attached.

BE IT FURTHER RESOLVED, that the Board of Directors hereby rescinds the Leave Pay for Field Workers Policy per Resolution # 2001-163; Amendment Governmental Policy.

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 Board of Directors, certifies that the Board of Directors is composed of _____ members, _____ members constituting a quorum were present at the meeting thereof duly called, noticed, convened and held on the _____ day of _____, 2023; that the foregoing resolution, was adopted at the said meeting by an affirmative vote of members for, _____ against, _____ 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: _____

**LIMITED WAIVER OF SOVEREIGN IMMUNITY
AND CONSENT TO WAIVER
OF TRIBAL COURT JURISDICTION
AMERICAN RURAL COOPERATIVE POWER, INC.**

BE IT RESOLVED, by the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians (“Board” and “Tribe”), as follows:

Section 1 APPROVALS AND AUTHORIZATION

1.1 The Board authorizes and directs the Tribe, through its Chairman and attorneys, on such conditions and terms as they deem fit, to enter into the Membership Agreement and Term Sheet for ARC Membership (“Agreements”) with American Rural Cooperative Power, Inc. (“ARC”) on such terms as they may agree upon.

1.2 The Chairman and attorneys are authorized and directed to execute and deliver such other certificates, documents, or instruments, as may be required or to take any and all such action which may be necessary or convenient to effectuate the Agreements consistent with this Resolution.

**Section 2 LIMITED WAIVER OF SOVEREIGN IMMUNITY AND
CONSENT TO JURISDICTION.**

2.1 The Tribe hereby grants a limited waiver of sovereign immunity from suit in favor of ARC only should an action be commenced to enforce the Agreements.

This waiver:

i) shall terminate upon performance by the Authority of all of its obligations under the Agreements,

ii) is granted solely to ARC;

iii) 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 Authority and the ARC to enforce the obligations under the Agreements;

iv) shall be enforceable only in the state courts of Chippewa County, Michigan and any court from which an appeal may be taken from that court; and

v) shall be enforceable against all assets of the Tribe to the extent necessary to satisfy the Authority’s obligation under the Agreements.

2.2 The Agreements shall be construed in accordance with and governed by the internal laws of the State of Michigan, as set forth in the Agreements.

Section 3 LIMITED WAIVER OF TRIBAL COURT JURISDICTION

The Board expressly grants a limited waiver of jurisdiction of the Tribal Court over any action arising related to enforcement by ARC of the Agreements pursuant to the provisions of Tribal Code Chapter 44.107.

Section 4 TIME LIMITATION

This Resolution shall become automatically void, without further action of the Board, upon conclusion of all of the Tribe's obligation under the Agreements.

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 Board of Directors, certifies that the Board of Directors is composed of _____ members, _____ members constituting a quorum were present at the meeting thereof duly called, noticed, convened and held on the _____ day of _____, 2023; that the foregoing resolution, was adopted at the said meeting by an affirmative vote of members _____ for, _____ against, _____ 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: _____

**AMENDING TRIBAL CODE CHAPTER 71: CRIMINAL OFFENSES
PERMITTING SALE OF ELECTRONIC CIGARETTES**

WHEREAS, the Board of Directors has determined that its prior decision, as codified in Resolution No: 2019-278, to prohibit the sale of electronic cigarettes and related products is no longer in the tribe's best interest; and

WHEREAS, the Board of Directors desires to permit the sale of electronic cigarettes and related products and must overturn the existing prohibition in order to do so.

NOW, THEREFORE, BE IT RESOLVED that Tribal Code Chapter 71: Criminal Offenses at Section 71.1509 Ban On Sale of Electronic Cigarettes, is deleted in its entirety.

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 _____ 2023; 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.

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

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

RESOLUTION NO: _____

LOWERING BOARD OF DIRECTOR'S PAY

NOW THEREFORE BE IT RESOLVED, that the Board of Directors directs their pay to be reduced by half \$33,677.80

BE IT FURTHER RESOLVED, that this reduction shall not affect the Chairman position.

BE IT FINALLY RESOLVED, that the Board of Directors authorizes the administrative budget modification to the FY 2023 Board of Director's budget to include all necessary and appropriate actions. Effective May 1st, 2023.

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 _____ 2023; 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.

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

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

BOARD OF DIRECTORS REGULAR MEETING

April 18, 2023

Sponsor's List

RESOLUTIONS:

Trust Land Lease Cancellation – Erickson, Da. – Haack – Brenda Jeffreys
Trust Land Lease – Erickson, Do. – Brenda Jeffreys
ACFS – Child Care Fund – Juanita Bye, Melissa VanLuven
ACFS – ICWA Title IV-B Subpart 1 – Juanita Bye, Melissa VanLuven
Health – Community Health Technician /3rd Party – Leo Chugunov, Jenni O'Dell, Jackie McLean
Health – Lab and 3rd Party – Leo Chugunov, Carrie Horton, Jackie McLean
Health – Traditional Medicine and 3rd Party – Leo Chugunov, Lori Gambardella, Jackie McLean
Natural Resources – Inland Fish & Wildlife – Eric Clark
EDC – Economic Development – Christine McPherson
Tribal Court – Judicial Services – Aaron Schlehuber
Acceptance of the 2022 Kewadin Casinos Audit – Dana Schlehuber
Acceptance of the 2022 Kewadin Casinos Gaming Authority Audit – Dana Schlehuber
Acting Appointment for Fishery Program – Christine McPherson
Assigning Chi Mukwa CRC to Sault Tribe Health Division – Director McKechnie
2023 Missing and Murdered Indigenous Relatives Day – Director Sorenson
Roundabout Statue – Chairman Lowes
Authorizing RFP for Documentary on Commercial Fishery – Director Sorenson
Approval/Adoption of Schedule of Tribal Prevailing Wage – Joni Talentino
Approval/Adoption of Benefits/Eligibility Sheets TPW Positions – Joni Talentino
Limited Waiver of Sovereign Immunity – Director McKechnie
Amending Tribal Code Ch. 71: Criminal Offenses – Vice-Chairman LaPlaunt
Lowering Board of Director's Pay – Director Freiheit

NEW BUSINESS:

Relinquishments – Enrollment
Board Concerns

MEMORANDUM

TO: Board of Directors
FROM: Elaine Clement, Executive Assistant to Chairman
DATE: April 13, 2023
RE: Workshop Agenda for April 18, 2023

AGENDA **Closed Session**

10:00
Gaming Commission

10:30
Kewadin Casinos & Gaming Authority Audits

10:45
Gaming Authority Meeting

11:00
ARPA/Building Projects

11:15
Litigation

11:45
Health Report

12:00
Executive Reports

Working Lunch

1:00
Casino CFO Structure

1:30
Mobile Technology

3:00
Agenda Review

5:00
Membership Issues