

# ***MEMORANDUM***

**TO: Board of Directors**  
**FROM: Joanne Carr, Executive Assistant**  
**DATE: August 6, 2020**  
**RE: Workshop Agenda for August 11, 2020**

## **AGENDA**

### **Negotiations**

10:00 a.m. – Special Meeting

Gaming Commission

### **Lunch**

1:00 p.m. – Budgets Modifications

130: p.m. – Resolution – Board Pension Plan/SS Pay

Schedule B Budgets

Executive Reports

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

**August 11, 2020**

**10 a.m.**

- I. CALL TO ORDER
- II. INVOCATION: Prayer, Smudging, Presentation of Grandfathers
- III. ROLL CALL
- IV. PRESENTATION: Negotiations
- V. MINUTES:
- VI. RESOLUTIONS: Expungement  
Loan to Lume
- VII. NEW BUSINESS: Letter to the City  
Board Concerns
- VIII. ADJOURN TO EXECUTIVE SESSION:
- IX. RECONVENE AND REAFFIRM
- X. ADJOURN

RESOLUTION NO: \_\_\_\_\_

**EXPUNGEMENT FOR MARIJUANA CONVICTIONS  
FOR SAULT TRIBE MEMBERS**

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

WHEREAS the legalized personal use and possession of a limited amount of marijuana has become more accepted across the country, including by the Sault Tribe of Chippewa Indians and within the state of Michigan; and

WHEREAS, Marijuana has been decriminalized for medical and recreational purposes by the Sault Tribe of Chippewa Indians and the Tribe has entered an agreement to sell marijuana for recreational purposes at various trust land locations; and

WHEREAS, the Sault Tribe Board of Directors acknowledges that prior Marijuana convictions create obstacles for individual Tribal Members to obtain higher education assistance, housing, and employment; and

WHEREAS, Tribal Code currently only allows members to apply for only one marijuana related offense to be expunged after five years of the conviction date; and

WHEREAS, the Board of Directors does not believe it to be in the best interests of the Tribe to allow convictions to remain on a tribal member's record for an act that has been legalized; and

WHEREAS, Tribal Code, Chapter 71, section 71.1617 currently states:

*71.1617 Vacating Offenses. All past marijuana convictions now authorized by these Sections may be set aside pursuant to Tribal Code Chapter 77.*

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby amends Tribal Code, Chapter 71, section 71.1617 to state the following:

*71.1617 Vacating Offenses.*

*All past marijuana convictions authorized by these Sections shall be set aside and expunged from individual records for all convictions prior to August 11, 2020. Future convictions may be set aside pursuant to Tribal Code Chapter 77.*

**CERTIFICATION**

We, the undersigned, as Chairperson 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 \_\_\_\_\_ 2020; 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.

\_\_\_\_\_  
Aaron A. Payment, Chairperson  
Sault Ste. Marie Tribe of  
Chippewa Indians

\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians

**RESOLUTION NO: \_\_\_\_\_**

**AUTHORIZING THE BORROWING OF \$2 MILLION FOR THE PURPOSE OF  
ISSUING LOAN TO LUME OR ITS DESIGNEE**

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, pursuant to Article VII, Section 1(m) of the Constitution of the Tribe, the Board of Directors has the power to manage any and all economic affairs and enterprises of the tribe and to engage in any business not contrary to Federal law that will further the economic development of the tribe or its members, and to use the tribal funds or other tribal resources for such purposes; and

WHEREAS, the Tribe and its affiliates, are engaged in the leasing of tribal lands to Lume Cannabis Company (“Lume”) or its designee(s) for the purpose of operating retail centers for marijuana products; and

WHEREAS, in furtherance of the Tribe’s business activities with Lume, the Tribe plans to provide financing to Lume or its designee(s) by issuing a \$2 million loan, subject to repayment terms acceptable to the Board of Directors.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors does hereby authorize the Tribe to borrow \$2 million (“Borrowed Funds”) at an annual interest rate of 4.75% or less.

BE IT FURTHER RESOLVED, that the Borrowed Funds shall be for the exclusive purpose of issuing a \$2 million loan to Lume or its designee, under repayment terms acceptable to the Board of Directors, which shall include an annual interest rate of 5% or greater.

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes its Chairperson to execute any and all documents necessary to carry out the terms and intent of this Resolution.

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

We, the undersigned, as Chairperson 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 \_\_\_\_\_ 2020; 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.

\_\_\_\_\_  
Aaron A. Payment, Chairperson  
Sault Ste. Marie Tribe of

\_\_\_\_\_  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of

Chippewa Indians

Chippewa Indians

# **BOARD OF DIRECTORS SPECIAL MEETING**

**August 11, 2020**

## **Sponsor's List**

Negotiations - Chairperson Payment

### **RESOLUTIONS:**

Expungement – Directors Hoffman, Lowes, Freiheit, Causley, McKerchie, Gravelle, Hollwell, Morrow,  
Massaway, Chase, Sorenson.

Loan to Lume – Joel Schultz

### **NEW BUSINESS:**

Letter to the City – Director Hoffman

Board Concerns- Director Causley