

MEMORANDUM

TO: Board of Directors
FROM: Joanne Carr, Board Secretary
DATE: August 10, 2017
RE: Workshop Agenda for August 15, 2017

AGENDA

10:00 a.m. – EDC
10:30 a.m. - Gaming Authority Meeting
11:30 a.m. – Legal

Lunch

1:15 pm – Big Bear Update

2:30 p.m. - Review of Agenda

4:00 p.m. – Matters Raised by the Membership
6:00 p.m. – Meeting of the Board of Directors

**BOARD OF DIRECTORS REGULAR MEETING
RAMADA INN
MARQUETTE, MICHIGAN
AUGUST 15, 2017
6:00 P.M.**

- I. CALL TO ORDER
- II. INVOCATION: Prayer, Smudging, Presentation of Grandfathers
- III. ROLL CALL
- IV. PRESENTATION:
- V. MINUTES: 8-1-2017
- VI. RESOLUTIONS: Stand In Level Forest Planning
Gathering Cedar – Partnership -MTU
Symetra Life Insurance Company
First Insurance Funding Corp.
Bud Mods:
Forestry Funds
MEDC Grand Marais
ACFS – USDA
HC After Care
HC – Maintenance
Head Start 2018
FY2018 Budget Doc 002
Continuing Funding Authority
- VII. NEW BUSINESS: Committee Requests
Audit Committee
Key Employee
Board Concerns
- VIII. ADJOURN TO EXECUTIVE SESSION:
- IX. RECONVENE AND REAFFIRM
- X. ADJOURN

RESOLUTION NO: _____

INTEGRATING TRADITIONAL KNOWLEDGE, COMMUNITY INPUT, AND CLIMATE CHANGE ADAPTATION IN STAND-LEVEL FOREST PLANNING

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 mission of the Sault Ste. Marie Tribe of Chippewa Indians is to provide for the perpetuation of our way of life and the welfare and prosperity of our people, to preserve our right to self-government and to protect our property and resources as ordained by the establishment of our constitution and bylaws; and

WHEREAS, the Tribe desires to improve relations with institutions that perform work in areas that benefit tribal membership; and

WHEREAS, Inter-tribal Council of Michigan has expressed an interest in entering into a formal partnership.

THEREFORE, BE IT RESOLVED, that the Chairperson of the Tribe, or their designee, is authorized to execute and / or amend all documents relating to the formal creation of such partnerships regarding the Forest Planning with the Inter-Tribal Council of Michigan.

BE IT FURTHER RESOLVED, that Aaron A. Payment, Tribal Chairperson, or his duly authorized designees, are authorized to sign, negotiate, amend, or rescind any agreement thereto.

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 _____ 2017; 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: _____

**GATHERING CEDAR ON A CHANGING LANDSCAPE: PARTNERSHIP
WITH MICHIGAN TECHNOLOGICAL UNIVERSITY**

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 mission of the Sault Ste. Marie Tribe of Chippewa Indians is to provide for the perpetuation of our way of life and the welfare and prosperity of our people, to preserve our right to self-government and to protect our property and resources as ordained by the establishment of our constitution and bylaws; and

WHEREAS, the Tribe desires to improve relations with institutions that perform work in areas that benefit tribal membership; and

WHEREAS, Michigan Technological University has expressed an interest into entering a formal partnership.

THEREFORE, BE IT RESOLVED, that the Chairperson of the Tribe, or their designee, is authorized to execute and/or amend all documents relating to the formal creation of such partnerships regarding the Gathering Cedar with Michigan Technological University.

BE IT FURTHER RESOLVED, that Aaron A. Payment, Tribal Chairperson, or his duly authorized designees, are authorized to sign, negotiate, amend, or rescind any agreement thereto.

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 _____ 2017; 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: _____

**SYMETRA LIFE INSURANCE COMPANY
LIFE AND DISABILITY BENEFITS**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians has determined that it is in the best interests of the Tribe and the employees of the Tribe to continue to offer life and disability benefits; and

WHEREAS, the Board of Directors would like to continue to offer the current level of life and disability benefits.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes transfer of the life and disability benefits to Symetra Life Insurance Company for a two year period and authorizes the Chairperson or his designee to execute such documents as may be necessary to effectuate this transfer.

BE IT FURTHER RESOLVED, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby resolves to transfer the benefits at the rates indicated in the attached document.

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 _____ 2017; 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: _____

**WAIVER OF SOVEREIGN IMMUNITY AND CONSENT TO WAIVER
OF TRIBAL COURT JURISDICTION
FINANCE AGREEMENT WITH LAKE FOREST BANK & TRUST
FIRST INSURANCE FUNDING CORP**

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 would like to enter into a Commercial Premium Finance Agreement with Lake Forest Bank & Trust Company ("Lender"), with said financing agreement to be serviced by First Insurance Funding Corp. ("Servicing Company") with the first installment due on August 1, 2017, and the ten payments each to be in the amount of \$46,311.32; and

1.3 Lender has refused to consent to such Financing Agreement without a waiver of sovereign immunity or Tribal Court jurisdiction.

1.4 In order to induce Lender to enter into the Financing Agreement, the Tribe is required to confirm that the Tribe and all other entities claiming by, through or under the Tribe will not claim tribal immunity or exclusive Tribal Court jurisdiction with respect to any disputes or causes of action between the Tribe and Lender or Servicing Company that might arise from, or relate to, in any respect, the Premium Financing Agreement. All of the foregoing are referred to herein as the "Waiver and Consent Obligations."

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 Lender only should an action be commenced under the Premium Financing Agreement referenced above.

This waiver:

i) shall terminate upon performance by the Tribe of all of its obligations under the Premium Finance Agreement or any subsequent extensions of the Premium Finance Agreement

ii) is granted solely to Lender or Servicing Company;

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 Tribe and Lender or Servicing Company 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 Premium Finance Agreement.

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

v) shall be enforceable against the assets of the Tribe to the extent necessary to satisfy the Tribe's obligation under the Premium Finance Agreement,; and

vi) the Premium Finance Agreement, and other associated finance documents shall be construed in accordance with and governed by the internal laws of the State of Michigan, as set forth in such documents. The Board authorizes the Tribe to consent to the jurisdiction of the courts of the State of Michigan and the federal courts in Michigan, 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 Premium Finance Agreement.

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 Premium Finance Agreement.

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 _____ 2017; 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: _____

**FORESTRY FUNDS
ESTABLISHMENT OF FY 2017 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 2017 budget for Forestry Funds with BIA Revenue monies of \$16,041.40. No effect on Tribal Support

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 _____ 2017; 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: _____

**MEDC GRAND MARAIS
2018 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2018 budget modification to MEDC Grand Marais for an increase in State of Michigan monies of \$23,913.14. No effect on Tribal Support.

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 _____ 2017; 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: _____

**ACFS – USDA
FY 2017 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2017 budget modification to USDA for an increase in Federal USDA Revenue monies of \$61,250.00 and for a decrease in Tribal Support of \$11,350.00.

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 _____ 2017; 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: _____

**HEALTH CENTER IHS AFTER CARE
2017 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2017 budget modification to Health Center IHS After Care to 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 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 _____ 2017; 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: _____

**HEALTH CENTER
MAINTENANCE/IMPROVEMENTS/CAPITAL OUTLAYS
2017 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2017 budget modification to Health Center Maintenance/Improvements/Capital Outlays to reallocate expenses and reduce Federal IHS monies \$819.70. No effect on Tribal Support.

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 _____ 2017; 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: _____

**HEAD START
ESTABLISHMENT OF FY 2018 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 2018 budget for Head Start with HHS Revenue monies of \$851,605.06, State monies of \$33,250.00 and Tribal Support \$123,980.00 for a total budget of \$1,008,835.06. By approving this budget by the fiscal year start date of September, we will be able to move forward with hiring of the new staff that was approved in the grant.

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 _____ 2017; 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: _____

FY 2018 BUDGET DOCUMENT 002

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2018 Budget Document 002 totaling \$42,940,454 of which \$823,916 comes from 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 _____ 2017; 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: _____

**CONTINUING FUNDING AUTHORITY
FOR FISCAL YEAR 2018 SEPTEMBER TO AUGUST**

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 U.S.C. 467 et seq; and

WHEREAS, the Board of Directors and tribal staff have not completed the process of reviewing budgets for their respective budget year 2018; and

WHEREAS, the below cost center list, with fiscal year of September to August, for budget year 2018 is still under review and will not be completed until after the fiscal year start date of September; and

WHEREAS, the Board of Directors wants to ensure that services are not left unfunded for a period between expiration of the fiscal year 2017 budgets and approval of the fiscal year 2018 budgets.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors approves continuing funding for the following cost centers for fiscal year 2018, at their 2017 spending levels, for a period not to exceed 45 days:

CC#2230 – Early Head Start	CC#2233 – Early Head Start BIA
CC#3071 – Head Start BIA	CC#2255 – COPS TRGP 2014
CC#2256 – COPS TRGP 2015	

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 _____ 2017; 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

BOARD OF DIRECTORS REGULAR MEETING
AUGUST 15, 2017
Sponsor's List

RESOLUTIONS:

Stand In Level Forest Planning – Eric Clark
Gathering Cedar – Partnership –MTU – Eric Clark
Symetra Life Insurance Company-Doug Goudreau
First Insurance Funding Corp.-Doug Goudreau
Bud Mods:
Forestry Funds-Eric Clark
MEDC Grand Marais-Christine McPherson
ACFS – USDA-Tony Nertoli
HC After Care-Tony Abramson
HC – Maintenance-Joel Lumsden
Head Start 2018-Anne Suggitt
FY2018 Budget Doc 002
Continuing Funding Authority

NEW BUSINESS:

Committee Requests-Variou
Audit Committee-Director Hoffman
Key Employee-Christine McPherson
Board Concerns-Director Causley