

MEMORANDUM

TO: Board of Directors
FROM: Jessica Dumback, Assistant Executive Director
DATE: February 16, 2023
RE: Workshop Agenda for February 21, 2023

AGENDA **Closed Session**

9:00
ARPA/Building Projects

9:30
Gaming Authority

9:45
Litigation

10:15
Health Report

10:45
Executive Reports

Working Lunch

12:00
Bidding Process

12:30
Elder Funds

1:00
Vaping Ordinance

1:30
Tribal Wage Ordinance

2:00
Schedule C Budgets

4:00
Agenda Review

5:00
Membership Participation

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN CASINO AND CONVENTION CENTER
SAULT STE. MARIE, MICHIGAN
February 21, 2023
5:00 P.M.**

- I. CALL TO ORDER
- II. ROLL CALL
- III. INVOCATION: Prayer, Smudging, Presentation of Grandfathers
- IV. MEMBERSHIP PARTICIPATION
- V. PRESENTATION:
- VI. MINUTES:
- VII. RESOLUTIONS: Cultural After School Ojibwe Language
ITC Suicide Prevention
Tribal Court Judicial Services FY 2023 Budget
Intern Program FY 2023 Budget
Accounting FY 2023 Budget
Document 003 FY 2023
2023 OVW Tribal Government
MIEA Delegate
BIA Lifesavers Conference
Transportation Program Award
Rescinding Resolution 2022-237
- VIII. NEW BUSINESS Notice of Election Timeline
Special Election
Health Grid Tenure Review
Key Employee
Budget Department
Board Concerns
- IX. ADJOURN TO EXECUTIVE SESSION
- X. RECONVENE AND REAFFIRM
- XI. ADJOURN

BOARD OF DIRECTORS REGULAR MEETING

February 21, 2023

Sponsor's List

RESOLUTIONS:

Cultural After School Ojibwe Language – Cathy Devoy
ITC Emergency Response to Suicide Prevention – Mallinda Lumsden/Leo Chugunov
Tribal Court – Judicial Services – Jocelyn Fabry
Intern Program – Jessica Dumback
Accounting – Robert Schulte
Document 003 FY 2023 – Jennifer Clerc
2023 OVW Tribal Government – Jami Moran
MIEA Delegate – Holly Kibble
BIA Lifesavers Conference – Wendy Hoffman
Transportation Program Award – Wendy Hoffman
Rescinding Resolution 2022-237 – Aaron Schlehuber

NEW BUSINESS:

Notice of Election Timeline – Director Freiheit
Special Election – Director Freiheit
Health Grid Tenure Review – Director LaPlaunt
Key Employee – Director LaPlaunt
Budget Department – Director LaPlaunt
Board Concerns

RESOLUTION NO: _____

**CULTURAL – AFTER SCHOOL NATIVE LANGUAGE
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 After School Native Language for an increase in Federal HHS revenue monies of \$22,412.37, to make changes to 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 Vincent-Hampton
Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**HEALTH DIVISION – ITC EMERGENCY RESPONSE
TO SUICIDE PREVENTION
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 ITC Emergency Response to Suicide Prevention for an increase in Other Revenue ITC monies of \$11,751.32. 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 Vincent-Hampton
Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**TRIBAL COURT – JUDICIAL SERVICES
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 FY 2023 budget for Judicial Services with BIA Revenue monies of \$638,422.00, Tribal Support of \$208,705.15, and with a transfer out of \$20,943.84.

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 Vincent-Hampton
Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**INTERNS
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 Interns with Tribal Support monies of \$61,438.00.

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 Vincent-Hampton
Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**ACCOUNTING
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 Accounting with Tribal Support monies of \$649,864.69, Indirect Revenue monies of \$1,058,472.00 and Other Revenue monies \$2,152,384.85.

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 Vincent-Hampton
Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

FY 2023 BUDGET DOCUMENT 003

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 Budget Document 003 totaling \$109,899,374, of which \$23,446,061 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 _____ 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 Vincent-Hampton
Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**OVW FISCAL YEAR 2023
GRANTS TO INDIAN TRIBAL GOVERNMENTS PROGRAM**

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, the United States Department of Justice, Office On Violence Against Women provides funding authorized to assist Tribal governments to respond to domestic violence, dating violence, sexual assault, sex trafficking, and stalking in their communities; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is eligible to apply for an OVW Fiscal Year 2023 Grants to Indian Tribal Governments Program; and

WHEREAS, the Sault Ste. Marie Tribe Chippewa Indians desires to continue the provision of services necessary to meet the needs of survivors through accessing funding intended for Tribal governments.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes an application for funding from the OVW Fiscal Year 2023 Grants to Indian Tribal Governments Program.

BE IT FURTHER RESOLVED, that Austin Lowes, Tribal Chairman, is hereby authorized to submit said proposal to the Department of Justice, Office on Violence Against Women, to negotiate, execute, and amend any documents resulting therefrom on the Tribe's behalf.

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: _____

**Michigan Indian Elders Association
Tribal Elder Delegate Appointments**

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. 461 et seq; and

WHEREAS, the Michigan Indian Elders Association (MIEA) was established to aid and assist in the improvements of the economic, social, healthful, and spiritual well-being of the American Indian Elders of Michigan, providing a forum in which the American Indian Elders may speak, learn, grow, and exercise control over their environment.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians appoints Lou Anne Bush of Sault Ste. Marie, and Dianne Compo of Brimley as Delegates and Anita Nelson of Munising as the Alternate Delegate representing the Elders of the Sault Ste. Marie Tribe of Chippewa Indians for a two-year period, expiring in February, 2025. They will exercise the duties of the delegates as outlined in the MIEA by-laws.

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, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

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

RESOLUTION NO: _____

TRIBAL TRANSPORTATION

**BUREAU OF INDIAN AFFAIRS
INDIAN HIGHWAY SAFETY PROGRAM**

WHEREAS, the Bureau of Indian Affairs, Office of Justice Service administers the Indian Highway Safety Program; and

WHEREAS, the Ste. Marie Tribe of Chippewa Indians has the opportunity to submit an application to receive travel and training support through Indian Highway Safety Program for staff to attend FY 2023 Lifesavers Conference; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes Austin Lowes, Tribal Chairperson or his designee, to submit or amend any grant documents resulting therefrom on the Tribe's behalf for Bureau of Indian Affairs, Office of Justice Services, Indian Highway Safety Program Funding FY 2023.

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 12 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, Chairperson
Secretary Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Vincent-Hampton
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**TRIBAL TRANSPORTATION PROGRAM
AWARD CONTRACT PAYNE & DOLAN, INC.
TRIBAL ROADS PAVING PROJECT**

WHEREAS, the Tribal Transportation Program requests authorization to award Payne & Dolan, INC. the contract for Tribal Roads Paving Project; and

WHEREAS, the Tribal Transportation Program has funds available for the above project; and

WHEREAS, bids were solicited for this work and it has been determined that Payne & Dolan, INC is the lowest and most qualified bidder.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorize Austin Lowes, Tribal Chairperson or his designee, to negotiate, execute and amend any documents resulting therefrom on the Tribe's behalf on a contract between the Sault Ste. Marie Tribe of Chippewa Indians and Payne & Dolan, INC, for General Contracting Services for Paving Project, and authorizes expenditures from Tribal Transportation Program funds, Cost Center's # 2932 and # 29310.

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 12 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, Chairperson
Secretary Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Vincent-Hampton,
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

RESCINDING RESOLUTION 2022-237

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 Tribe was advised by previous legal counsel, Patterson Earnhart Real Bird & Wilson LLP (“Former Counsel”), to pass Resolution 2022-237; and

WHEREAS, the Tribe passed Resolution 2022-237 on September 13, 2022 upon the advice of Former Counsel; and

WHEREAS, no action has yet been taken as to Resolution 2022-237; and

WHEREAS, the Tribe has no intention to take any action that would otherwise be contrary to the controlling/applicable law; and

WHEREAS, the Tribe wishes to rescind Resolution 2022-237; and

NOW, THEREFORE, BE IT RESOLVED, that Resolution 2022-237 is hereby rescinded; and

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

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 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 Vincent-Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians