

# ***MEMORANDUM***

**TO: Board of Directors**  
**FROM: Katelynn Griffin, BOD Executive Assistant**  
**DATE: February 17, 2022**  
**RE: Workshop Agenda for February 22, 2022**

## **AGENDA**

**9:00 A.M.**

### **Gaming Commission Meeting**

Negotiations

Executive Reports

PRC and Third Party Revenue

### **Working Lunch**

Charitable Foundation

Compensation Study

3:30 p.m.

Agenda Review

4:00 p.m.

Membership /Board Concerns

5:00 p.m.

Regular Meeting of the Board of Directors

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

**February 22, 2022**

**5:00 P.M.**

- I. CALL TO ORDER
- II. INVOCATION: Prayer, Smudging, Presentation of Grandfathers
- III. ROLL CALL
- IV. PRESENTATION:
- V. MINUTES:
- VI. RESOLUTIONS:      Governmental Schedule A and B  
                                 Sawyer Village-Gladstone Medical Facility  
                                 Enterprise Sub Recipient-Emergency Housing  
                                 Elder Services Division Title VI  
                                 ACFS Advocacy Resource Center DTE Foundation  
                                 USDA Natural Resources Conservation Services  
                                 Stonegarden Grant  
                                 Child Care Stabilization Grant  
                                 Medical Equipment Covid Funds  
                                 Covid Funds Maintenance and Improvements  
                                 Purchased Referred Care Covid 19  
                                 Emergency Preparedness and Third-Party Revenue  
                                 Health Center Main., Imp., Cap. Outlays, Third-Party Revenue  
                                 Health Center Administration and Third-Party Revenue  
                                 Extending Covid-19 Executive Task Force Auth. Under ARPA  
                                 Amending Letter of Credit with PNC Bank-Sault Tribe  
                                 Amending Res. No. 2021-247 Covid American Rescue Act  
                                 Amending Res. No. 2021-295 ARPA Fund Appropriation
- VII. NEW BUSINESS:      Relinquishment  
                                 Committee Appointments  
                                 Key Employee  
                                 Key Employee  
                                 Board Concerns
- VIII. ADJOURN TO EXECUTIVE SESSION:
- IX. RECONVENE AND REAFFIRM
- X. ADJOURN

# **BOARD OF DIRECTORS REGULAR MEETING**

**February 22, 2022**

## **Sponsor's List**

### **RESOLUTIONS:**

Governmental Schedule A and B – Budget Department  
Sawyer Village – Gladstone Medical Facility – EDC Joel Schultz/Brenda Jeffreys  
Enterprise Sub Recipient – Emergency Housing – EDC Joel Schultz/Brenda Jeffreys  
Elder Services Division Title VI – Holly Kibble  
ACFS Advocacy Resource Center DTE Foundation – Jami Moran  
USDA Natural Resources Conservation Services – Brad Silet  
Stonegarden Grant – Robert Marchand/Lona Stewart  
Child Care Stabilization Grant – Shondra Gervais  
Medical Equipment Covid Funds – Leo Chugunov  
Covid Funds Maintenance and Improvements – Leo Chugunov/Joel Lumsden  
Purchased Referred Care Covid 19 – Leo Chugunov/Tina Fox  
Emergency Preparedness and Third-Party Revenue – Leo Chugunov/Brandi Macarthur  
Health Center Maintenance, Improvements, & Cap Outlays & Third-Party Revenue – Leo Chugunov/Joel Lumsden  
Health Center Administration and Third-Party Revenue – Leo Chugunov/Jackie McLean  
Extending the Covid-19 Executive Task Force's Authority under ARPA – Legal  
Amending Letter of Credit with PNC Bank-Sault Tribe – Robert Schulte  
Amending Resolution No. 2021-247 Covid American Rescue Act – Various Board Members  
Amending Resolution No. 2021-295 ARPA Fund Appropriation-Unit 1 Elder Housing – Various Board Members

### **NEW BUSINESS:**

Relinquishment – Enrollment Committee  
Committee Appointments – Various Committees  
Key Employee – Christine McPherson  
Key Employee – Christine McPherson  
Board Concerns - Director Causley

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

**GOVERNMENTAL SCHEDULE A AND B  
FY 2022 BUDGET MODIFICATIONS  
FOR PAY INCREASE**

WHEREAS, the Board of Directors approved FY 2022 budgets for Schedule A on June 16, 2020, Resolution #2020-111, and FY 2022 budgets for Schedule B (excluding Health Division) on September 1, 2020, Resolution #2020-212 and Schedule B Health Division on November 2, 2021, Resolution #2021-277: and

WHEREAS, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians approved resolution #2021- 252, October 19, 2021, Permanent Salary Increase Allocation providing an increase to wages by \$3.00, after the approvals and submission of FY 2022 Schedule A and B budgets; and

WHEREAS, the approved FY 2022 Budgets for programs in Schedule A and B do not include the expense of the \$3.00 wage increase.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2022 Budget Modifications to those programs that are unable to find savings within their current budget to cover the \$3.00 wage increase.

BE IT FURTHER RESOLVED, the increase in funds will be provided by increases in the following: Third Party Revenue monies \$722,312, Tribal Support monies \$141,706, Other Revenue – Grant Funds monies \$18,479, State of Michigan monies \$3,923, Other Revenue – Transfers \$3,923 and a decrease in Federal IHS monies \$30,340 for a total increase in Governmental FY 2022 Schedule A and B budgets of \$860,003.

**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 \_\_\_\_\_ 2022; 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 2022 ENTERPRISE CAPITAL OUTLAYS BUDGET MODIFICATION  
SAWYER VILLAGE – GLADSTONE MEDICAL FACILITY**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the modification to the FY 2022 Enterprise Capital Outlay Budget to increase the expenses for Sawyer Village \$575,000.00 from fund balance.

**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 \_\_\_\_\_ 2022; 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.

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

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

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

**ESTABLISHMENT OF FY 2022 BUDGET  
ENTERPRISE SUB RECIPIENT – EMERGENCY HOUSING**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2022 budget for Enterprise Emergency Housing Other Revenue monies of \$93,222.00. 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 \_\_\_\_\_ 2022; 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.

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

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

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

**FY 2022 BUDGET MODIFICATIONS  
ELDER SERVICE DIVISION – TITLE VI 20-23**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2022 budget modification to Elder Service Division – Title VI 20-23 for a decrease in Federal HHS monies of \$35,599.37 and increase Other Revenue monies of \$2,450.00. This budget modification reflects changes to the personnel sheet and a reallocation of expenses.

**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 \_\_\_\_\_ 2022; 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.

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

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

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

**ESTABLISHMENT OF FY 2022 BUDGET  
ACFS ADVOCACY RESOURCE CENTER – DTE FOUNDATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of FY 2022 budget for DTE Foundation with Other Revenue monies of \$6,500.00. 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 \_\_\_\_\_ 2022; 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.

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Aaron A. Payment, Chairperson  
Sault Ste. Marie Tribe of  
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Bridgett Sorenson, Secretary  
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Chippewa Indians



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

**ESTABLISHMENT OF FY2022 BUDGET  
NATURAL RESOURCES -  
USDA NATURAL RESOURCES CONSERVATION SERVICES**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of FY 2022 budget for USDA NRCS program with Federal USDA monies of \$312,090.00. 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 \_\_\_\_\_ 2022; 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.

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Sault Ste. Marie Tribe of  
Chippewa Indians

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

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

**STONEGARDEN GRANT  
ESTABLISHMENT OF FY 2022 BUDGET**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves establishment of a FY 2022 budget for Stonegarden grant with Federal Department of Homeland Security pass through from State of Michigan monies of \$62,841.88. 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 \_\_\_\_\_ 2022; 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.

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Aaron A. Payment, Chairperson  
Sault Ste. Marie Tribe of  
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Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians

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

**CHILD CARE STABILIAZTION GRANT  
ESTABLISHMENT OF FY 2022 BUDGET**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves establishment of a FY 2022 budget for Child Care Stabilization Grant with State of Michigan monies of \$178,183.03. 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 \_\_\_\_\_ 2022; 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.

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Sault Ste. Marie Tribe of  
Chippewa Indians

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Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
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**RESOLUTION NO:** \_\_\_\_\_

**MEDICAL EQUIPMENT COVID FUNDS  
ESTABLISHMENT OF FY 2022 BUDGET**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves establishment of a FY 2022 budget for Medical Equipment Covid Funds with Federal IHS monies of \$315,699.73. 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 \_\_\_\_\_ 2022; 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.

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

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Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
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**RESOLUTION NO:** \_\_\_\_\_

**COVID FUNDS MAINTENANCE AND IMPROVEMENTS  
ESTABLISHMENT OF FY 2022 BUDGET**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves establishment of a FY 2022 budget for Covid Funds Maintenance and Improvements with Federal IHS monies of \$86,305.15. 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 \_\_\_\_\_ 2022; 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.

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

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Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
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**RESOLUTION NO:** \_\_\_\_\_

**PURCHASED REFERRED CARE COVID 19  
FY 2022 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2022 budget modification to Purchased Referred Care COVID 19 to increase Federal IHS Covid monies \$164,507.79. 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 \_\_\_\_\_ 2022; 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.

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

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

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

**EMERGENCY PREPAREDNESS  
AND THIRD PARTY REVENUE  
FY 2022 BUDGET MODIFICATIONS**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2022 budget modification to the Emergency Preparedness to increase expenses, increase State of Michigan monies \$13,831.00, and decrease Third Party Revenue monies \$4,118.58. No effect on Tribal Support.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of the Chippewa Indians hereby approves the FY 2022 budget modification to Third Party Revenue decreasing the transfer out \$4,118.58. 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 \_\_\_\_\_ 2022; 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.

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

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

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

**HEALTH CENTER  
MAINTENANCE, IMPROVEMENTS, CAPITAL OUTLAY  
AND THIRD PARTY REVENUE  
FY 2022 BUDGET MODIFICATIONS**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2022 budget modification to the Health Center Maintenance, Improvements, and Capital Outlays to increase expenses and increase Third Party Revenue monies \$550,000.00. No effect on Tribal Support.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of the Chippewa Indians hereby approves the FY 2022 budget modification to Third Party Revenue increasing the transfer out \$550,000.00. 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 \_\_\_\_\_ 2022; 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: \_\_\_\_\_**

**EXTENDING THE COVID-19 EXECUTIVE TASK FORCE’S AUTHORITY  
UNDER ARPA AND APPROVING THE ARPA FISCAL RECOVERY FUND  
EXPENDITURE REVIEW PROTOCOL**

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 spread of COVID-19 has been declared a global pandemic by the World Health Organization, a public health emergency by the United States Secretary of Health and Human Services, a national emergency by the President of the United States, and a Tribally declared emergency by the Tribe’s Board of Directors; and

WHEREAS, the Board of Directors has allocated and budgeted the Tribe’s American Rescue Plan Act State and Local Fiscal Recovery Funds (“ARPA Funds”) in accordance with its existing administrative and budgeting procedures; and

WHEREAS, pursuant to Resolution Nos. 2020-216, 2020-217, 2020-260, and other applicable Tribal laws, the Board of Directors previously established the COVID-19 Executive Task Force (“ETF”) to develop strategies for the utilization of funding received for COVID-19 relief under the CARES Act and to provide recommendations to the Board of Directors regarding the utilization of CARES Act funding; and

WHEREAS, the Board of Directors has determined to extend the ETF’s authority to ARPA funded projects, irrespective of the status of a Tribally declared state of emergency, to ensure the expenditure of COVID relief funds comply with applicable federal laws and guidance and to help streamline the expenditure of ARPA Funds in a similar fashion to the Tribe’s CARES Funds.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby extends the ETF’s powers and authority previously provided under Tribal law for CARES Act funding to all future projects that are to be funded with the Tribe’s ARPA Funds.

BE IT FURTHER RESOLVED, that the Board of Directors hereby approves the ARPA Fiscal Recovery Fund Expenditure Review Protocol (“Protocol”), attached hereto and incorporated herein by this reference, to establish an internal workflow process for the ETF to review and approve or deny any proposed use of the Tribe’s ARPA Funds.

BE IT FURTHER RESOLVED, that pursuant to Resolution No. 2020-117, the ETF’s powers and authority are authorized to continue in the event the Tribally declared state of emergency is terminated.

BE IT FURTHER RESOLVED, that the terms of this Resolution hereby control, supersede, and rescind any past Resolution or policy that is contrary to the action of the Board of Directors set forth in this Resolution.

BE IT FINALLY RESOLVED, that the Board of Directors retains its budget allocation authority over the Tribe’s ARPA Funds and reserves the right to amend the terms of this Resolution and Protocol on an ongoing and as needed basis.

## 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 \_\_\_\_\_ 2022; 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: \_\_\_\_\_**

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

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (“Tribe”) currently has a “Letter of Credit” in the amount of \$2,195,094.66 with 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, the Tribe wishes to amend this Letter of Credit to increase the letter of credit to \$2,250,988.11 and to authorize further extensions of this Letter of Credit, without additional action of this Board, for a subsequent two year term.

WHEREAS, PNC Bank will not consent to such amendment without a limited waiver of sovereign immunity or waiver of Tribal Court jurisdiction; and

WHEREAS, in order to induce PNC Bank to enter into the amended Letter of Credit, the Tribe shall 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 PNC Bank that might arise from, or relate to, in any respect, the Letter of Credit, the Amendment to Reimbursement and Security Agreement, the Pledge Agreement, or the Notification and Control Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes and approves an amendment to the Letter of Credit with PNC Bank to increase the amount of credit to \$2,250,988.11.

BE IT FURTHER RESOLVED, that the Board of Directors hereby waives the Tribe’s sovereign immunity from suit in favor of PNC Bank only should an action be commenced under the PNC Bank contract referenced above, and this waiver:

- i. Shall terminate upon performance by the Tribe of all its obligations under the amended Letter of Credit, the Amendment to Reimbursement and Security Agreement, the Pledge Agreement, or the Notification and Control Agreement, or any subsequent extensions of the Letter of Credit, the Amendment to Reimbursement and Security Agreement, the Pledge Agreement, or the Notification and Control Agreement;
- ii. Is granted solely to PNC Bank;
- 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 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, the Amendment to Reimbursement and Security Agreement, the Pledge Agreement, or the Notification and Control 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 arbitration or arbitration panel.

BE IT FURTHER RESOLVED, that the Board of Directors hereby waives the exclusive jurisdiction of the Tribal Court over any action arising under the Letter of Credit, the Amendment to Reimbursement and Security Agreement, the Pledge Agreement, or the Notification and Control Agreement.

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes further extensions of the Letter of Credit, without additional action of the Board of Directors, for a subsequent two year term.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Chairperson, Treasurer, and Chief Financial Officer of the Tribe, and each of their designees, to each act to execute the necessary documents to effectuate this transaction and subsequent extensions of the expiration date, as needed, including, but not limited to the Letter of Credit, the Amendment to Reimbursement and Security Agreement, the Pledge Agreement, and the Notification and Control 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 \_\_\_\_\_ 2022; 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:** \_\_\_\_\_

**AMENDING RESOLUTION NO. 2021-247  
COVID AMERICAN RESCUE ACT FUNDS  
HOUSING AND COMMUNITY CENTERS**

WHEREAS, the spread of COVID-19 has been declared a global pandemic by the World Health Organization, a public health emergency by the United States Secretary of the Health and Human Services, a national emergency by the President of the United States, and a Tribally declared emergency by the Sault Tribe Board of Directors; and

WHEREAS, the Board of Directors has determined that the COVID-19 global pandemic and corresponding impacts to the national and local economy has and will continue to strain the financial resources of the Tribal membership and employees, necessitating the invocation of assistance programs to help protect their respective health and welfare; and

WHEREAS, the Board of Directors has identified Housing and Community Centers as a priority to be addressed from the American Recovery Act funds received by the Tribe.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Tribe Board of Directors has identified Housing and Community Centers as essential to the Health and Welfare of its Membership and hereby amends its previously adopted budget of \$36 million dollars to \$48 million dollars from the American Recovery Act funds (currently received), of which: \$20 million is earmarked for Unit 1, \$8 Million is earmarked for Unit 2, \$8 million earmarked for Unit 3, \$ 8 million earmarked for Unit 4, and \$4 million for Unit 5 to address these future Board Actions.

BE IT FURTHER RESOLVED, that the terms of this Resolution hereby amend Resolution No. 2021-247.

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 and authorizes all internal Budget Modifications.

**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 \_\_\_\_\_ 2022; 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:** \_\_\_\_\_

**AMENDING RESOLUTION NO. 2021-295  
ARPA FUND APPROPRIATION – UNIT 1 ELDER HOUSING**

WHEREAS, the Sault Tribe Board of Directors has appropriated five million dollars (\$5,000,000.00) of Unit 1 approved ARPA funds to accomplish the Unit 1 Elder Housing Unit construction.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors authorizes the construction of the Unit 1 Elder Housing Unit to include all necessary and appropriate actions, includes budgeting allocations for external construction management services as authorized by the Chief Financial Officer, for completion of the project.

BE IT FURTHER RESOLVED, that the Sault Tribe Board of Directors authorizes the Tribe's Purchasing Department to create and execute the bidding process in collaboration with external construction management services, for the hiring of an external contractor(s) to construct the Unit 1 Elder Housing Unit based upon the Sault Tribe Housing Authority's Quad and Triplex building plans and designs.

BE IT FURTHER RESOLVED, that after completion of the construction of the Unit 1 Elder Housing Unit, the Board of Directors authorizes and directs the Sault Tribe Housing Director to oversee, manage, and operate the Unit 1 Elder Housing Unit, including all associated buildings and inventory.

BE IT FURTHER RESOLVED, that the terms of this Resolution hereby amends Resolution No. 2021-295.

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 and authorizes all internal administrative budget modifications from the authorized budgeted funding.

**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 \_\_\_\_\_ 2022; 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