

MEMORANDUM

TO: Board of Directors
FROM: Joanne Carr, Board Secretary
DATE: March 10, 2022
RE: Workshop Agenda for March 15, 2022

AGENDA

10 A.M.

Closed
Negotiations

Executive Reports

Working Lunch

Executive Reports

Land Acquisitions

Open Session

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**

March 15, 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: Continuing Funding April-March
 Buildings - CAC
 ACFS – Victim Services Set Aside
 ACFS – OVC – Victim Services Set Aside
 EDC Bud Mod
 Auth Construction Management Service Agreement
 Sault Tribe Corporate Charter Appointment
 Trust Land Cancellation – Captain
 Trust Land Lease – Captain
 Property Acquisition
 Emergency Rental Assistance –Amend
 Opposition to Senate Bill 251
 Land Acquisitions
- VII. NEW BUSINESS: Committee Actions
 Board Concerns
- VIII. ADJOURN TO EXECUTIVE SESSION:
- IX. RECONVENE AND REAFFIRM
- X. ADJOURN

BOARD OF DIRECTORS REGULAR MEETING
MARCH 15, 2022
Sponsor's List

RESOLUTIONS:

Continuing Funding April-March – Budget Dept.
Buildings - CAC – Andrew Lane
ACFS – Victim Services Set Aside – Jami Moran
ACFS – OVC – Victim Services Set Aside – Jami Moran
EDC Bud Mod – Joel Schultz
Auth Construction Management Service Agreement – Joel Schultz
Sault Tribe Corporate Charter Appointment – Joel Schultz
Trust Land Cancellation – Captain – Joel Schultz
Trust Land Lease – Captain – Joel Schultz
Property Acquisition Emergency Rental Assistance –Amend – Joni Talentino
Opposition to Senate Bill 251 – Mike McCoy/Legal
Land Acquisitions – Directors Morrow/Chase

NEW BUSINESS:

Committee Actions – Various Committees
Board Concerns – Director Causley

RESOLUTION NO: _____

**CONTINUING FUNDING AUTHORITY
FOR FISCAL YEAR 2023 APRIL TO MARCH**

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 2023; and

WHEREAS, the attached cost center list, for budget year 2023 is still under review and will not be completed until after the fiscal year start date of April; and

WHEREAS, the Board of Directors wants to ensure that services are not left unfunded for a period between expiration of the fiscal year 2022 budgets and approval of the fiscal year 2023 budgets.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors approves continuing funding for the attached cost centers for fiscal year 2023, at their 2022 spending levels, for a period not to exceed 90 days:

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: _____

**BUILDINGS – CHILD ADVOCACY CENTER
ESTABLISH FY 2022 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 2022 budget for the new Child Advocacy Center Building with Other Revenue monies of 31,456.44. No effect 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.

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

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

RESOLUTION NO: _____

**ACFS – OVC TRIBAL VICTIM SERVICES SET ASIDE
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 for OVC Tribal Victim Services Set Aside to increase Department of Justice Federal Revenue monies \$17,137.87. This budget modification will change the personnel 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 _____ 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: _____

**ACFS – OVC TRIBAL VICTIM SERVICES SET ASIDE
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 for OVC Tribal Victim Services Set Aside to decrease Department of Justice Federal Revenue monies \$73,289.54. 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 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: _____

**ECONOMIC DEVELOPMENT (EDC)
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 EDC for a decrease in Tribal Support of \$483,307.60 and an increase in Other Revenue of \$537,209.45.

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: _____

**AUTHORIZING CONSTRUCTION MANAGEMENT
SERVICES AGREEMENT**

WHEREAS, Sault Tribe Inc. is a federally chartered Corporation of the Tribe, incorporated pursuant to Section 17 of the Indian Reorganization Act of 1934 and wholly owned by the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, Sault Tribe Inc. owns 51% of Binesi Contracting, LCC, a contracting company with large construction and project management capabilities, and

WHEREAS, the Sault Tribe has determined it is in the best interest of the Tribe and the Tribal membership to streamline the procurement and construction process in order to facilitate the current and future construction projects, aide in addressing the current work load on existing tribal staff, and maximize cost savings by utilizing the expertise of Binesi Construction.

NOW, THEREFORE, BE IT RESOLVED, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors, authorizes a sole source award to Binesi Construction, LLC to provide Construction Management Services to the Sault Tribe, as negotiated between the Sault Ste. Marie Tribe of Chippewa Indians' CFO and Binesi Contracting, LLC.

BE IT FURTHER RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors authorizes its Tribal Chairperson, or his designee, to execute any documentation to effectuate the negotiated agreement(s).

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: _____

**SAULT TRIBE CORPORATE CHARTER
BOARD APPOINTMENT APPROVAL**

RESOLVED, pursuant to Article VI, section 6.6 of the Sault Tribe Corporate Charter, the following individuals are hereby appointed to the Corporate Board of Directors of Sault Tribe Incorporated, to serve terms as specified below; replacing the vacant seat of Scott LaVictor.

Rod Blanchard - for a term expiring June 30, 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 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: _____

**TRUST LAND LEASE CANCELLATION – CAPTAIN, B.
2300 SHAWANO DRIVE – SAULT STE. MARIE, MICHIGAN**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (Tribe) is a federally recognized Indian Tribe organized under the Indians Reorganization Act of 1934, 25 USC 461, et. seq; and

WHEREAS, heirs of the deceased Benny Captain, have requested that Lease No. 469-23-00048-16 be cancelled.

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

A parcel of land located in the Fractional Northwest 1/4, Section 16, Township 47 North, Range 1 East, City of Sault Ste. Marie, Chippewa County, Michigan more particularly described as commencing at the Northwest corner of said Section 16; thence S02°07'34"W along the West line of said Fractional Northwest 1/4 a distance of 425.00 feet; thence S87°52'26"E a distance of 33.00 feet to a point on the Easterly right of way line of Shunk Road, said point is also on the Southerly right of way line of Shawano Drive; thence continuing S87°52'26"E along said Southerly right of way line a distance of 100.00 feet; thence Easterly 276.54 feet along said Southerly right of way line and also along a curve to the right, said curve has a delta angle of 20°34'39", a radius of 770.00 feet and is subtended by a chord that bears S77°35'06"E a distance of 275.06 feet; thence Southeasterly along said Southerly (and Westerly) right of way line and also along a curve to the right, a distance of 281.28 feet. said curve has a delta angle of 70°04'17", a radius of 230.00 feet and is subtended by a chord that bears S32°15'40"E a distance of 264.08 feet; thence S02°46'26"W along said Westerly right of way line a distance of 100.00 feet; thence Southerly a distance of 308.08 feet along said Westerly right of way line and also along a curve to the right, said curve has a delta angle of 19°48'21", a radius of 891.23 feet and is subtended by a chord that bears S12°40'33"W a distance of 306.55 feet, said point is the POINT OF BEGINNING: Thence continuing Southerly along a curve to the right and also along said Westerly right of way line a distance of 94.29 feet, said curve has a delta angle of 06°03'43", a radius of 891.23 feet and is subtended by a chord that bears S25°36'34"W a distance of 94.25 feet; Thence N61°21'34"W a distance of 125.68 feet; Thence N09°33'44"E a distance of 82.98 feet; Thence S67°25'16"E a distance of 148.65 feet to the POINT OF BEGINNING. Containing 0.28 acres more or less. Subject to all easements, conditions, reservations, exceptions and restrictions contained in prior conveyances of record.

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 Lease No. 469-23-00048-16 pursuant to applicable law and regulations.

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: _____

**TRUST LAND LEASE – CAPTAIN, J.
2300 SHAWANO DRIVE – SAULT STE. MARIE, MICHIGAN**

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairperson and Treasurer, to execute a lease to the land located at 2300 Shawano Drive, Sault Ste. Marie, MI to Joshua J. Captain and land being described as:

A parcel of land located in the Fractional Northwest 1/4, Section 16, Township 47 North, Range 1 East, City of Sault Ste. Marie, Chippewa County, Michigan more particularly described as commencing at the Northwest corner of said Section 16; thence S02°07'34"W along the West line of said Fractional Northwest 1/4 a distance of 425.00 feet; thence S87°52'26"E a distance of 33.00 feet to a point on the Easterly right of way line of Shunk Road, said point is also on the Southerly right of way line of Shawano Drive; thence continuing S87°52'26"E along said Southerly right of way line a distance of 100.00 feet; thence Easterly 276.54 feet along said Southerly right of way line and also along a curve to the right, said curve has a delta angle of 20°34'39", a radius of 770.00 feet and is subtended by a chord that bears S77°35'06"E a distance of 275.06 feet; thence Southeasterly along said Southerly (and Westerly) right of way line and also along a curve to the right, a distance of 281.28 feet. said curve has a delta angle of 70°04'17", a radius of 230.00 feet and is subtended by a chord that bears S32°15'40"E a distance of 264.08 feet; thence S02°46'26"W along said Westerly right of way line a distance of 100.00 feet; thence Southerly a distance of 308.08 feet along said Westerly right of way line and also along a curve to the right, said curve has a delta angle of 19°48'21", a radius of 891.23 feet and is subtended by a chord that bears S12°40'33"W a distance of 306.55 feet, said point is the POINT OF BEGINNING:

Thence continuing Southerly along a curve to the right and also along said Westerly right of way line a distance of 94.29 feet, said curve has a delta angle of 06°03'43", a radius of 891.23 feet and is subtended by a chord that bears S25°36'34"W a distance of 94.25 feet; Thence N61°21'34"W a distance of 125.68 feet; Thence N09°33'44"E a distance of 82.98 feet; Thence S67°25'16"E a distance of 148.65 feet to the POINT OF BEGINNING. Containing 0.28 acres more or less. Subject to all easements, conditions, reservations, exceptions and restrictions contained in prior conveyances of record.

BE IT FURTHER RESOLVED, the lease is in furtherance of a Housing program operated in the promotion of the public purpose 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.

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: _____

**AUTHORIZATON TO NEGOTIATE – SAULT STE. MARIE, MI
PROPERTY ACQUISITION – A.B. WILGUS LOTS**

RESOLVED, that the Sault Ste. Marie Board of Directors authorizes the Sault Tribe EDC Executive Director or his designee, to negotiate the purchase of the property TIN: 051-815-001-00 and 051-816-011-00 not to exceed the agreed upon terms approved by the Board of Directors.

BE IT FURTHER RESOLVED, upon successful negotiations, the Board of Director authorizes the Tribal Chairperson, or his designee to sign any and all documentation to complete the purchase of the property using funds as determined by the CFO.

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: _____

**U. S. DEPARTMENT OF THE TREASURY
FY 2021 EMERGENCY RENTAL ASSISTANCE PROGRAM POLICY
AMENDED**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a duly organized Indian Tribe under the Indian Reorganization Act of June 15, 1934 (P. L. 73-383, 48 Stat. 984); and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Housing Authority (“STHA”), is organized by Tribal Ordinance, pursuant to the authority of the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, Section 501(a) of Division N of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260 (Dec. 27, 2020) authorizes the Department of the Treasury (“Treasury”) to make payments to Tribes/TDHEs to be used to provide emergency rental assistance; and

WHEREAS, the purpose of the Emergency Rental Assistance Program is to provide financial assistance and housing stability services to eligible tribal families, including but not limited to, rent, rental arrears, utilities and home energy costs and utilities and home energy cost arrears, for persons of low income.

NOW, THEREFORE, BE IT RESOLVED, the Sault Tribe Board of Directors approves the FY 2021 Emergency Rental Assistance Program Policy, as presented.

BE IT FURTHER RESOLVED, due to the frequently updated Treasury guidance on implementation requirements of the Emergency Rental Assistance Program, the Sault Tribe Board of Directors hereby delegates to the STHA the authority to revise the Emergency Rental Assistance Program Policy as necessary to carry out the program and maintain compliance with federal requirements. Revisions shall be reviewed and approved by the Grants Sub Committee Chairperson of the Executive Task Force prior to implementation.

BE IT FURTHER RESOLVED, that the Sault Tribe Board of Directors hereby authorizes the Emergency Rental Assistance Program eligibility to all enrolled members of the Sault Ste. Marie Tribe of Chippewa Indians residing within the United States who qualify for the program.

BE IT FINALLY RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors and Sault Tribe Housing Commission do agree to follow the approved U.S. Department of Treasury regulations, terms and conditions of the Emergency Rental Assistance program.

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: _____

OPPOSITION TO SENATE BILL 251

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, Senate Bill 251 has been passed by the Michigan Senate and House of Representatives in the current legislative session.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors finds that State of Michigan Senate Bill 251 is directly adverse to the treaty fishing rights and interests of the Sault Ste. Marie Tribe of Chippewa Indians and the Sault Ste. Marie Tribe of Chippewa Indians formally opposes Senate Bill 251.

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