



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

**May 16, 2023
5:00 P.M.**

Min Waban Dan

**Administrative
Office**

523 Ashmun Street

Sault Ste. Marie

Michigan

49783

Phone

906.635.6050

Fax

906.635.4969

**Government
Services**

**Membership
Services**

**Economic
Development
Commission**

- I. CALL TO ORDER
- II. ROLL CALL
- III. INVOCATION: Prayer, Smudging
- IV. MEMBERSHIP PARTICIPATION
- V. PRESENTATION
- VI. MINUTES:
- VII. RESOLUTIONS: Transformational Shelter Plan
Approving Governmental Year End Reconciliation Policy
Approving Governmental Budget Policy
Approving Enterprise Budget Policy
Authorization to Negotiate and Purchase Property
Adding All Pow Wow Grounds to Cost Center 8628
Award Contracts to Wayne's Electrical and GT Mobile Comm.
FY 2023 Governmental Cap Ex – Sault Tribe Construction
Grants Mobilization
HC ITC Emergency Response to Suicide Prevention
HC Sault Ste. Marie Dental
Auth to Negotiate/Make Changes w MSHS on New Tribal HC
Urging an Amendment to INA for Purpose of the Jay Treaty
Establishing Authority to Direct Election Committee Amending
Tribal Code Chapter 10 Election Ordinance
Directing the Election Committee to Void Special Advisory
Election
Rescinding Resolution Emergency Power to Direct Election
Committee
- VIII. NEW BUSINESS: Committee Appointments
Election Committee Violation
Board Concerns
- IX. ADJOURN TO EXECUTIVE SESSION
- X. RECONVENE AND REAFFIRM
- XI. ADJOURN

RESOLUTION NO: _____

TRANSFORMATIONAL SHELTER PLAN

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 Sault Ste. Marie Tribe of Chippewa Indians wishes to provide trauma informed and culturally relevant/honoring sheltering services to Sault Tribe Members who are homeless or unsafely housed; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Anishnaabek Community and Family Services will work with shelter guests to develop individualized case plans which may address Physical/Mental/Spiritual/Emotional Health, ability to increase income (either through benefits and/or employment) and access to permanent housing; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Anishnaabek Community and Family Services (ACFS) desires to collectively partner with other Tribal and Community Partners to achieve the best possible outcomes for the homeless.

NOW, THEREFORE, BE IT RESOLVED, the Sault Ste. Marie Tribe of Chippewa Indian's hereby approves the ACFS Transformational Shelter Plan to be administered by ACFS.

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: _____

**APPROVING GOVERNMENTAL YEAR END
RECONCILIATION POLICY**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (“Tribe”) Board of Directors and Tribal administration recognize that an established process is needed for governmental year end reconciliations; and

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby authorizes and approves the Governmental Year End Reconciliation Policy, incorporated herein by reference.

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

BE IT FINALLY RESOLVED, that that the Board of Directors hereby authorizes and approves the Tribal Chairman, or designee, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions, and intent of this Resolution.

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: _____

APPROVING GOVERNMENTAL BUDGET POLICY

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (“Tribe”) Board of Directors and Tribal administration recognize that an established process is needed for the preparation of annual budgets, to clarify when a new budget is established, or when a budget modification is necessary; and

WHEREAS, a Governmental Budget Policy has been prepared to streamline the process for budget preparation and modifications and to make such actions more efficient.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby authorizes and approves the Governmental Budget Policy, incorporated herein by reference.

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

BE IT FURTHER RESOLVED, that the Budget Department will provide a report to the Board of Directors of all administrative budget modifications the month after the budget modification is approved.

BE IT FINALLY RESOLVED, that that the Board of Directors hereby authorizes and approves the Tribal Chairman, or designee, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions, and intent of this Resolution.

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: _____

APPROVING ENTERPRISE BUDGET POLICY

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (“Tribe”) Board of Directors recognize that an established process is needed for the preparation of annual budgets, to clarify when a new budget is established, or when a budget modification is necessary, for the Tribe’s Economic Development Corporation and Tribal enterprises; and

WHEREAS, an Enterprise Budget Policy has been prepared to streamline the process for budget preparation and modifications and to make such actions more efficient.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby authorizes and approves the Enterprise Budget Policy, incorporated herein by reference.

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

BE IT FURTHER RESOLVED, that the Budget Department will provide a report to the Board of Directors of all administrative budget modifications the month after the budget modification is approved.

BE IT FINALLY RESOLVED, that that the Board of Directors hereby authorizes and approves the Tribal Chairman, or designee, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions, and intent of this Resolution.

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: _____

**AUTHORIZATION TO NEGOTIATE – SAULT STE. MARIE, MI
AND PROPERTY ACQUISITION
(SUGAR ISLAND)**

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians authorizes the Sault Tribe Sault Tribe Inc. CEO, or his designee, to negotiate and enter into an agreement to purchase the following parcel(s) using funds identified by the CFO and terms approved by the Board of Directors

Property located in the City of Sault Ste. Marie, Chippewa County, Michigan,

Tax parcel ID: 013-158-010-00

BE IT FURTHER RESOLVED, the Tribal CFO is authorized to prepare the necessary internal budget modifications required to purchase the property.

BE IT FINALLY RESOLVED, upon successful completion of those negotiations, the Board of Director of the Sault Ste. Marie Tribe of Chippewa Indians herby authorizes its Chairman, Austin Lowes and its Treasurer, Isaac McKechnie, or their designee, to negotiate and execute any documents necessary to effectuate the purchase of the parcels of land using funds identified by the CFO.

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: _____

**ADDING ALL POW WOW GROUNDS TO THE EXISTING
POWWOW GROUNDS COST CENTER 8628**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians ("Tribe") is organized pursuant to the Constitution of the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, the Tribe's Board of Directors wishes to give operational authority to manage any current and/or future Pow Wow Grounds Located in the 5-units service area to Facilities Management.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby authorizes and approves the operational authority to manage any current and/or future Pow Wow Grounds located in the 5-unit service area to Facilities Management.

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, including ancillary or supplemental documents or forms that do not change the substantive terms of the agreements and project, as may be necessary and appropriate to carry out the terms, conditions, and intent of this Resolution.

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: _____

**AWARD CONTRACTS TO WAYNE’S ELECTRICAL AND
GRAND TRAVERSE MOBILE COMMUNICATIONS
AND BUDGET INCREASE FOR CONSTRUCTION REPAIRS/INSTALLATION
OF LIFE SAFETY EQUIPMENT.**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (“Tribe”) is organized pursuant to the Constitution of the Sault Ste. Marie Tribe of Chippewa Indians; and

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby approves the FY 2023 budget modification to Transformational Housing Shelter to increase Other Revenue monies of \$11,500.00 and use of Buildings Fund Balance monies of \$39,939.46.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 Governmental Capital Expenditure budget for an increase in the use of Buildings Fund Balance monies of \$115,781.50

BE IT FURTHER RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby authorizes and approves to award the contract to Wayne’s Electrical Services to install 66 new smoke detectors at the Emergency Housing Shelter.

BE IT FURTHER RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby authorizes and approves to award the contract to Grand Traverse Mobile Communications Inc. to install a DSX Pure Access System at the Transformational Housing Shelter.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Tribal Chairman, or his designee (Facilities & Operations Manager), to execute any and all documents, including ancillary or supplemental documents or forms that do not change the substantive terms of the agreements and project, as may be necessary and appropriate to carry out the terms, conditions, and intent of this Resolution.

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: _____

**FY 2023 GOVERNMENTAL CAPITAL EXPENDITURES
SAULT TRIBE CONSTRUCTION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 Governmental Capital Expenditure budget for Sault Tribe Construction for \$25,750.00 with the use Construction Fund Balance monies.

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, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

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

RESOLUTION NO: _____

**GRANTS MOBILIZATION
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 Grants Mobilization for an increase in Tribal Support monies of \$40,000.00 and an increase in Other Revenue monies of \$40,000.00.

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, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly 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 a decrease in Other Revenue ITC monies of \$20,000.00. This budget modification reflects the actual award amount. 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 Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**HEALTH CENTER – SAULT STE. MARIE DENTAL
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 Health Center – Sault Ste. Marie Dental for a change to the personnel page and a reallocation of 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 Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**AUTHORIZATON TO NEGOTIATE AND TO MAKE CHANGES WITH
MACKINAC STRAITS HOSPITAL SYSTEMS ON
NEW TRIBAL HEALTH CENTER**

THEREFORE, RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians authorizes the Health Director to authorize any additional costs that will be necessary to make changes that would be above the agreed costs for replacements, enhancements, and to identify the funding source for these changes.

BE IT FURTHER RESOLVED, the Health Director is authorized to prepare the necessary internal budget modifications that are required to move the construction phase without delay.

BE IT FINALLY RESOLVED, upon successful completion of those agreed changes, the Board of Director of the Sault Ste. Marie Tribe of Chippewa Indians herby authorizes its Chairman, Austin Lowes and its Treasurer, Isaac McKechnie or their designee, to negotiate and execute any documents necessary to effectuate these agreements.

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: _____

URGING AN AMENDMENT TO THE IMMIGRATION AND NATIONALITY ACT TO RECOGNIZE TRIBAL CITIZENSHIP RATHER THAN THE BLOOD QUANTUM FOR PURPOSES OF THE JAY TREATY

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (“Tribe”) is organized pursuant to the Constitution of the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, the 1794 Treaty of Amity, Commerce, and Navigation (Jay Treaty) delineated the United States-Canadian border, splitting many tribal communities living along with border in half. In order to reconcile this division, Article III preserved the right of Native Americans to pass freely across the border by land, inland, or water; and

WHEREAS, in an attempt to further preserve this right, Congress implemented Article III of the Jay Treaty with the enactment of the 1952 Immigration and Nationality Act (INA)(Pub. L. 114-38). The INA reads: “Nothing in this subchapter shall be construed to affect the right of American Indians born in Canada to pass the borders of the United States, but such right shall extend only to persons who possess at least 50 per centum of blood of the American Indian Race.” (8 U.S.C § 1359); and

WHEREAS, current law therefore authorizes border security agents to ask tribal members to prove they have at least 50 percent Indian blood quantum; and

WHEREAS, reference to the blood quantum in 8 U.S.C. § 1359 stems from termination era where lawmakers sought to eradicate tribes; and

WHEREAS, realized the negative impacts of termination era derived policies, Congress since worked to restore the government-to-government relationship by promoting self-determination, self-governance, and subsequent rights such as the right of tribal governments to determine their own membership; and

WHEREAS, regulations currently enforced continue to use outdated and inconsistent language with federal Indian law creating unnecessary tension along the border between tribal members and border security agents; and

WHEREAS, the Tribe recognizes the right of tribes to determine their own requirements for members and that current language in 8 U.S.C. § 1359 is outdated and inconsistent with current federal Indian law; and

WHEREAS, the Tribe finds that subjecting tribal members to language stemming from the termination era is offensive and creates unnecessary tension at the border between tribal members and border security agents; and

WHEREAS, the Tribe further finds that failing to recognize the right of tribal governments to determine their own membership when exercising treaty rights is a direct attack on tribal sovereignty and the principles of self-determination.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians urges Congress to quickly pass a technical amendment to the INA that recognizes tribal citizenship identification cards rather than proving one's blood quantum for the purposes of utilizing Article III of the Jay Treaty; and

BE IT FURTHER RESOLVED, that this resolution shall be the policy of the Sault Ste. Marie Tribe of Chippewa Indians until it is withdrawn or modified by subsequent resolution.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Tribal Chairman, or 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, Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is now 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, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

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

RESOLUTION NO: _____

**ESTABLISHING AUTHORITY TO DIRECT ELECTION COMMITTEE
AMENDING TRIBAL CODE CHAPTER 10: ELECTION ORDINANCE**

NOW, THEREFORE, BE IT RESOLVED, that Tribal Code Chapter 10: Election Ordinance is amended by adding the following new language:

10.126 Reservation of Authority.

The Board of Directors reserves onto itself the ability to direct the Election Committee by resolution.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

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 now 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, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

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

RESOLUTION NO: _____

**DIRECTING THE ELECTION COMMITTEE TO VOID THE SPECIAL
ELECTION CONDUCTED FOR THE CURRENT
VACANT UNIT 1 DIRECTOR'S SEAT**

WHEREAS, the Election Committee was charged with conducting a special election to fill the vacant Unit 1 Director's seat; and

WHEREAS, the Unit 1 Director's seat was declared vacant on December 20, 2022 requiring the Election Committee to prepare and post at each tribal office a Notice of Election within three (3) business days; and

WHEREAS, the Election Committee did not issue a Notice of Election until January 6, 2023; and

WHEREAS, this is in violation of the Election Ordinance Subchapter II: Special Advisory Elections Section 10.205 Election Announcement: § (1) Upon becoming aware of a vacancy the Election Committee shall within three (3) days prepare and post at each tribal office a Notice of Election which shall explain the purpose of the Special Advisory Election, give date of election, the manner by which the Vote is to be taken, the office to be filled, the procedures for the nomination of the Candidates, the time limit for each stage of the election procedure and the voting requirements for the elections.

WHEREAS, the January 6, 2023 Notice of Elections stated ballots were to be mailed on February 24, 2023; and

WHEREAS, the ballots were erroneously mailed ten days early; and

WHEREAS, the Special Election ballot counting that took place on March 20, 2023 consisted of a member of the Election Committee and Direct Relative of a Special Election Candidate, remaining inside the ballot count area throughout the election count; and

WHEREAS, this is in violation of the Election Ordinance Section 10.108 Tribal Election Committee: § (3) If an Immediate Family Member of an Election Committee members files as a Candidate, that Committee Member [SHALL] be Disqualified from Participating in any action of the Election Committee relating to the Office for which the Immediate Family Member has Filed

WHEREAS, Election Committee Attorney, Benjamin Pachito, stated during Election Appeal hearings in Sault Tribe Chippewa Tribal Court, on Friday, May 5, 2023, that an Election Committee member, as evidenced by surveillance video, did violate Election Code Section 10.108 § (3)

Page 2: _____

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians finds that these Election Code violations have spoiled the Special Election.

BE IT FURTHER RESOLVED, that pursuant to Tribal Code Chapter 10: Election Ordinance at Section 10.126 the Election Committee is directed to declare the ongoing Special Election to fill the vacant Unit 1 Director's seat as void.

BE IT FINALLY RESOLVED, that the Board of Directors directs the Election Committee to take any and all measures it seems appropriate to ensure that potential confusion amongst votes is addressed to the fullest extent possible.

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 now 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, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

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

RESOLUTION NO: _____

RESCINDING AUTHORITY TO DIRECT ELECTION COMMITTEE

NOW, THEREFORE IT BE RESOLVED, that Resolution No: _____ [the first one] is rescinded effective immediately.

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 now 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, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

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

BOARD OF DIRECTORS REGULAR MEETING

May 16, 2023
Sponsor's List

RESOLUTIONS:

Transformational Shelter Plan – Juanita Bye
Approving Governmental Year End Reconciliation Policy – Jennifer Clerc
Approving Governmental Budget Policy – Jennifer Clerc
Approving Enterprise Budget Policy – Jennifer Clerc
Authorization to Negotiate and Purchase Property – Sugar Island – Brenda Jeffreys
Adding All Pow Wow Grounds to Cost Center 8628 – Andrew Lane
Award Contracts to Wayne's Electrical and Grand Traverse Mobile Comm. – Andrew Lane
FY 2023 Governmental Cap Ex – Sault Tribe Construction – Billy Sams
Grants Mobilization – Larry Jacques
HC ITC Emergency Response to Suicide Prevention – Karen Alexander
HC Sault Ste. Marie Dental – Carrie Horton
Auth to Negotiate/Make Changes w MSHS on New Tribal HC – Christine McPherson
Urging an Amendment to INA for Purpose of the Jay Treaty – Director Hampton
Establishing Authority to Direct Election Committee Amending Tribal Code Chapter 10 Election Ordinance – Director Hampton
Directing the Election Committee to Void Special Advisory Election – Director Hampton
Rescinding Resolution Emergency Power to Direct Election Committee – Director Hampton

NEW BUSINESS:

Committee Appointments
Election Committee Violation
Board Concerns

MEMORANDUM

TO: Board of Directors
FROM: Elaine Clement, Executive Assistant to the Chairman
DATE: May 11, 2023
RE: Workshop Agenda for May 16, 2023

AGENDA **Closed Session**

10:00 a.m.	Kewadin Casino Gaming Authority
10:15 a.m.	ARPA/Building Projects
10:30 a.m.	Litigation
11:00 a.m.	Health Report
11:15 a.m.	Budget Modifications
11:30 a.m.	Executive Reports
12:00 p.m.	Working Lunch
1:00 p.m.	Josh Hovey/Martin Waymire PR
1:30 p.m.	Planning DOE Solar Project
2:00 p.m.	Transformational Shelter Program Plan
2:30 p.m.	Indian Energy
2:45 p.m.	Contracting Professional Firm for Elections
3:00 p.m.	Establishing ST Environmental Protection Committee
3:15 p.m.	Anonymous Reporting Process for Employee Complaints
3:30 p.m.	Agenda Review
5:00 p.m.	Membership Issues