

MEMORANDUM

TO: Board of Directors
FROM: Joanne Carr, Board Secretary
DATE: April 1, 2021
RE: Workshop Agenda for April 6, 2021

AGENDA

10:00 A.M.

Negotiations

Budgets

working lunch

Executive Reports

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**

April 6, 2021

5:00 P.M.

- I. CALL TO ORDER
- II. INVOCATION: Prayer, Smudging, Presentation of Grandfathers
- III. ROLL CALL
- IV. PRESENTATION:
- V. MINUTES: 3-16-2021
- VI. RESOLUTIONS: Bud Mod:
Medicare COVID Funding/3rd Party Revenue
Special Diabetes
Transit Cares Act
Transportation Program
Tribal Transportation Program
Trust Land Status- McGregor
Appt. Charter Members S.T. Corporate Charter
NIGA 2021
Settlement Haynes
Organizational Chart 2021 (2)
- VII. NEW BUSINESS: Conservation Request
Key Employee
Board Concerns
- VIII. ADJOURN TO EXECUTIVE SESSION:
- IX. RECONVENE AND REAFFIRM
- X. ADJOURN

BOARD OF DIRECTORS REGULAR MEETING

April 6, 2021

Sponsor's List

RESOLUTIONS:

Bud Mod:

Medicare COVID Funding/3rd Party Revenue – Leo Chugunov

Special Diabetes – Leo Chugunov

Transit Cares Act – Wendy Hoffman

Transportation Program- Wendy Hoffman

Tribal Transportation Program – Wendy Hoffman

Trust Land Status- McGregor – Candace Blocher

Appt. Charter Members S.T. Corporate Charter – Joel Schultz

NIGA 2021- Bob Schulte

Settlement Haynes – Jeremy Patterson

Organizational Chart 2021 (2) – Chairperson Payment

NEW BUSINESS:

Conservation Request – Conservation Committee

Key Employee – Tasha Caldwell

Board Concerns – Director Causley

RESOLUTION NO: _____

**MEDICARE COVID FUNDING
ESTABLISHMENT OF A FY 2021 BUDGET
AND
THIRD PARTY REVENUE
FY 2021 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2021 budget for Medicare Covid Funding with Third Party Revenue monies of \$60,733.00. No effect on Tribal Support.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2021 budget modification to Third Party Revenue increasing the transfer out of monies of \$60,733.00. 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 _____ 2021; 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 STE. MARIE TRIBE
IHS SPECIAL DIABETES
FY 2021 BUDGET MODIFICATIONS**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2021 budget modification to the his Special Diabetes to change the personnel sheet and reallocation 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 _____ 2021; 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 STE. MARIE TRIBE
TRANSIT CARES ACT
ESTABLISHMENT OF FY 2021 AND FY 2022 BUDGETS**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2021 budget for the Transit Cares Act with the Federal Department of Transportation of Revenue monies of \$94,500.00. No effect on Tribal Support.

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 Transit Cares Act with the Federal Department of Transportation of Revenue monies of \$256,446. 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 _____ 2021; 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 STE. MARIE TRIBE
TRANSPORTATION PROGRAM
FY 2021 BUDGET MODIFICATIONS**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2021 budget modification to the Tribal Transportation Program cost center 2931 for an increase in Federal BIA Revenue monies of \$500,000.00. No effect on Tribal Support.

BE IT FURTHER RESOLVED, that that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2021 budget modification to the Tribal Transportation Program cost center 2932 for a decrease in Federal BIA Revenue monies of \$1,021,500.00. 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 _____ 2021; 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 STE. MARIE TRIBE OF CHIPPEWA INDIANS
TRIBAL TRANSPORTATION PROGRAM
MANISTIQUE PROJECT – MDOT AGREEMENT**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians' Transportation Program has funds available to construct the Manistique Access Road and associated improvements on Highway US-2; located within Manistique Township, Schoolcraft County, Michigan; and

WHEREAS, the Michigan Department of Transportation (MDOT), 425 W. Ottawa St. Lansing, MI 48909 is planning improvements along Highway US-2 and the Sault Ste. Marie Tribe of Chippewa Indians has requested that MDOT perform additional work for and on behalf of the Sault Ste. Marie of Chippewa Indians in connection with Highway US-2 construction; and

WHEREAS, additional work is described as associated intersection improvements at the intersection of Highway US-2 and Manistique Access Road located adjacent to Kewadin Casino and the Sault Ste. Marie Tribal Health Center; and the Sault Ste. Marie Tribe of Chippewa Indians Tribal Transportation Program has funds available for this project; and

NOW, THEREFORE, BE IT RESOLVED, the parties hereto have reached an understanding with each other regarding the performance of the Project work and desire to enter into contract by and between the Michigan Department of Transportation and Sault Ste. Marie Tribe of Chippewa Indians Tribal Transportation Program for Contract #20-5525, Job # 210805CON; and

BE IT FINALLY RESOLVED, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors, hereby approves and agrees to enter into Contract#20-5525 with MDOT and cover all cost associated project costs.

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 _____ 2021; 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 STATUS
MCGREGOR ADDITION BLOCK 3 AND BLOCK 4
SAULT STE. MARIE
CHIPPEWA COUNTY, MI**

WHEREAS, the Tribe lacks an adequate land base within its reservation to provide for economic development or self-determination; and

WHEREAS, the Secretary of Interior has the authority under the provision of 25 U.S.C. Section 5108 to accept title to lands in trust for the Tribe; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors has the authority, under Article VII, Section 1 (k) of the Tribal Constitution to manage, lease, sell acquire, or otherwise deal with the tribal land; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors wishes to authorize its Chairperson and Treasurer, to obtain conveyance of lands to the Secretary of Interior on the Tribe's behalf, necessary to accomplish such conveyance.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors, hereby requests that the Secretary of Interior, accept title to the following parcel of land in trust for the benefit of Sault Ste. Marie Tribe of Chippewa Indians on behalf of the Tribe:

Land situated in the City of Sault Ste. Marie, County of Chippewa, and State of Michigan.

PARCEL A:

Lots 1 through 30, Block 3, McGregor Addition to Sault Ste. Marie, according to the plat recorded in Liber 1 of Plats, page 35, Chippewa County Records, Section 8, Town 47 North, Range 1 East, Michigan Meridian.

PARCEL B:

Lots 1 through 30, Block 4, of McGregor Addition to Sault Ste. Marie, according to the plat recorded in Liber 1 of Plats, page 35, Chippewa County Records, Section 8, Town 47 North, Range 1 East, Michigan Meridian.

BE IT FURTHER RESOLVED, that the Secretary of the Interior is hereby requested to declare said lands to be part of the Reservation of the "Sault Ste. Marie Tribe of Chippewa Indians" under 25 U.S.C. Section 5110.

BE IT FURTHER RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors, authorizes its Chairperson and Treasure, to execute any documents and take any further action on behalf of the Tribe as maybe necessary to complete such conveyance.

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 _____ 2021; 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
APPOINTING CHARTER MEMBERS**

RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby reappoints the following to serve on the Corporate Board of Directors of the Sault Tribe Corporate Charter, pursuant to Article VI, Section 6.6 of the Sault Tribe Corporate Charter:

Dr. Madan Saluja; term expiring June 30, 2023
Mitch Irwin; term expiring June 30, 2023
Linda Grow; term expiring June 30, 2024

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 _____ 2021; 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: _____

NATIONAL INDIAN GAMING ASSOCIATION 2021

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors is the governing body of the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, the health, safety, welfare and education of the Indian people of the Sault Ste. Marie Tribe is the responsibility of the Board of Directors; and

WHEREAS, the National Indian Gaming Association (NIGA) is a voluntary association composed of member Tribes and associate members representing federally recognized Tribal governments, gaming Tribes, Rancherias, Pueblos, Bands, and Businesses engaged in gaming enterprises in Indian Country; and

WHEREAS, the primary objectives and purpose of NIGA are:

1. to promote, protect, and preserve the general welfare and interest of Indian gaming Tribes through the development of sound policies and practices with respect to the conduct of gaming activities in Indian Country; and
2. to assist in the dissemination of information to the Indian gaming community, federal government and general public on issues related to the conduct of gaming in Indian Country; and
3. to preserve and protect the integrity of gaming in Indian Country; and
4. to maintain, protect and advocate Indian Tribal sovereignty.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized the payment of dues for 2021 NIGA membership of \$7,500, which will be paid out of Kewadin Casinos.

BE IT FURTHER RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby appoints the following as the Sault Ste. Marie Tribe of Chippewa Indians' representatives to NIGA:

Delegate: Aaron A. Payment, Chairperson
Alternate: DJ Hoffman, Director, Vice Chair
Alternate: Bridgett Sorenson, Director, Secretary
Alternate: Keith Massaway, Director, Treasurer
Alternate: Betty Freiheit, Director
Alternate: Michael McKerchie, Director
Alternate: Austin Lowes, Director
Alternate: Kimberle Gravelle, Director
Alternate: Lana Causley-Smith, Director
Alternate: Catherine Hollowell, Director
Alternate: Denise Chase, Director
Alternate: Darcy Morrow, Director
Alternate: Charles Matson, Director
Alternate: Gaming Commission Director Michael Pins

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 _____ 2021; 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: _____

**AUTHORIZATION OF FULL SETTLEMENT
HAYNES V. SAULT STE. MARIE TRIBE OF CHIPPEWA INDIANS**

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, litigation has been ongoing regarding claims made against the Tribe in the case of *Haynes v. Sault Ste. Marie Tribe of Chippewa Indians*, 20-21937-GC, currently pending in the 91st District Court in the State of Michigan; and

WHEREAS, a settlement agreement has been negotiated which will resolve the litigation.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves settlement in the case of *Haynes v. Sault Ste. Marie Tribe of Chippewa Indians* pursuant to the terms described in the Settlement Agreement and Release.

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.

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 _____ 2021; 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: _____

Organizational Chart 2021: Version 1: Preferred ~ Chair's Request

WHEREAS, the previously designated administrative authority to the Tribal Executive Director continues to be supported by the Tribal Board of Directors and by the Tribal Chairperson; and

WHEREAS, the Sault Tribe is the largest tribe east of the Mississippi and given the volume of work Chairperson Payment performs as Sault Tribe Chairperson, President of the United Tribes of Michigan, President of the Midwest Alliance of Sovereign Tribes, 1st Vice President for the National Congress of American Indians and serves on the HHS Secretary Tribal Advisory Council, Tribal Interior Budget Committee, Substance Abuse and Mental Health Services Administration Tribal Advisory, and the Nation Advisory Council on Indian Education; and

WHEREAS, most, if not all, Tribal Nations support their Tribal Chairperson having at least a core staffing reporting directly to the Tribal Chairperson and that minimal level of staffing is necessary to respect the role of Tribal Chairperson, allow direct supervision and project coordination, and that the attached resolution only designates five (5) personnel to report directly to the Tribal Chairperson including the two (2) Member Liaisons receiving routine project oversight (dotted line) and constituent follow up from the Assistant Executive Director on behalf of the Tribal Board of Directors;

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves attached organizational chart;

BE IT FURTHER RESOLVED, that the titles for the Tribal Governmental Executive Director and the Economic Development Director be changed to Tribal Governmental CEO and Economic Development CEO (respectively).

BE IT FINALLY RESOLVED, that implementation of this organizational chart change, delegation to the Tribal Executive Director, title changes noted above, position descriptions modifications to match (effective without reposting said positions) are all here by approved subject to a Legal Opinion from the Tribal General Legal Council on the specific question of whether or not the Tribal Board of Directors has the authority to approve this resolution and attached organization chart.

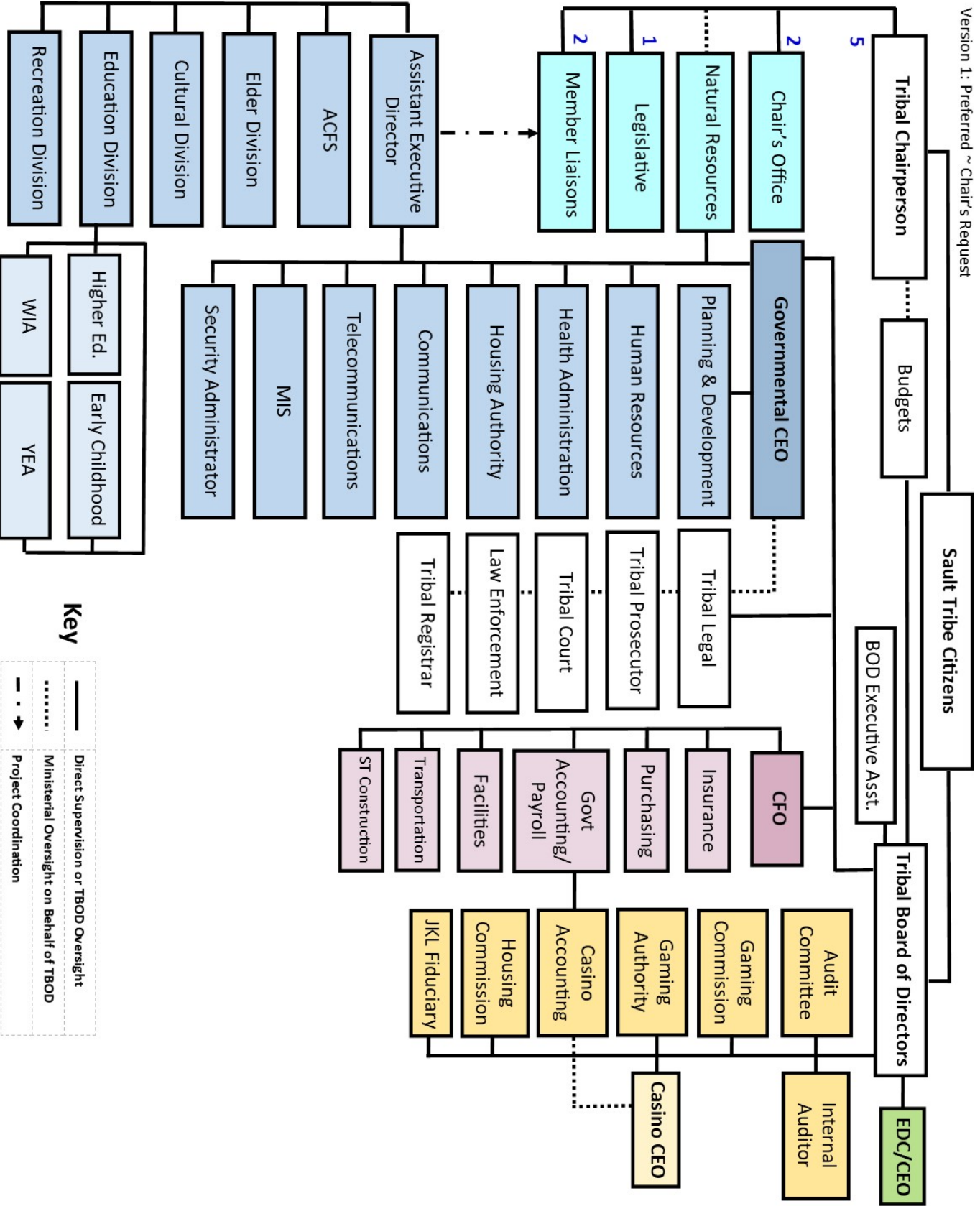
C E R T I F I C A T I O N

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 _____ 2021; 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

Version 1: Preferred ~ Chair's Request



Key

- Direct Supervision or TBOD Oversight
- Ministerial Oversight on Behalf of TBOD
- Project Coordination

RESOLUTION NO: _____

Organizational Chart 2021: Version 2

WHEREAS, the previously designated administrative authority to the Tribal Executive Director continues to be supported by the Tribal Board of Directors and by the Tribal Chairperson; and

WHEREAS, the Sault Tribe is the largest tribe east of the Mississippi and given the volume of work Chairperson Payment performs as Sault Tribe Chairperson, President of the United Tribes of Michigan, President of the Midwest Alliance of Sovereign Tribes, 1st Vice President for the National Congress of American Indians and serves on the HHS Secretary Tribal Advisory Council, Tribal Interior Budget Committee, Substance Abuse and Mental Health Services Administration Tribal Advisory, and the Nation Advisory Council on Indian Education; and

WHEREAS, most, if not all, Tribal Nations support their Tribal Chairperson having at least a core staffing reporting directly to the Tribal Chairperson and that minimal level of staffing is necessary to respect the role of Tribal Chairperson, allow direct supervision and project coordination, and that the attached resolution only designates three (3) personnel to report directly to the Tribal Chairperson with the two (2) Member Liaisons receiving routine project oversight (dotted line) and constituent follow up from the Tribal Chairperson on behalf of the Tribal Board of Directors;

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves attached organizational chart;

BE IT FURTHER RESOLVED, that the titles for the Tribal Governmental Executive Director and the Economic Development Director be changed to Tribal Governmental CEO and Economic Development CEO (respectively).

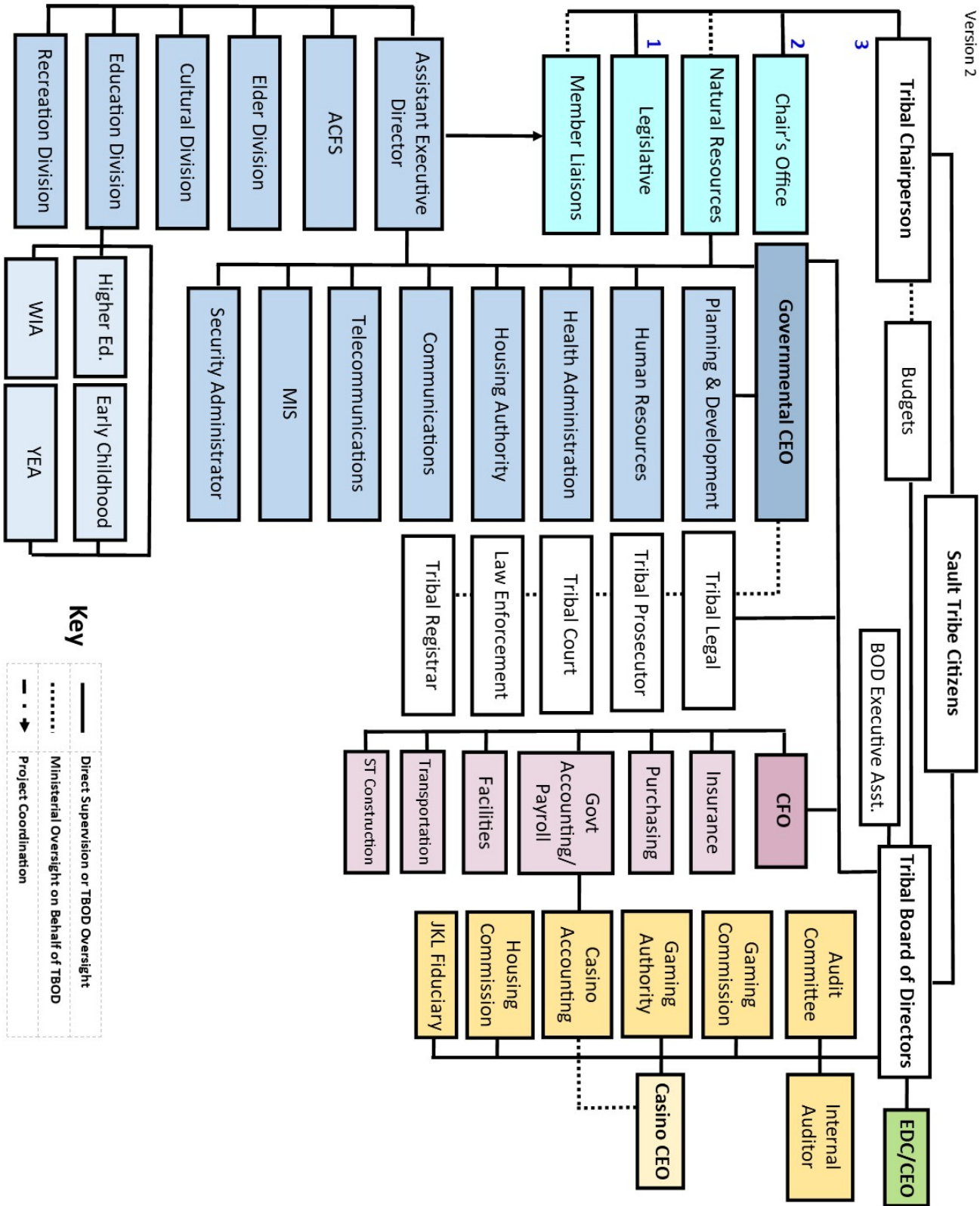
BE IT FINALLY RESOLVED, that implementation of this organizational chart change, delegation to the Tribal Executive Director, title changes noted above, position descriptions modifications to match (effective without reposting said positions) are all here by approved subject to a Legal Opinion from the Tribal General Legal Council on the specific question of whether or not the Tribal Board of Directors has the authority to approve this resolution and attached organization chart.

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 _____ 2021; 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



Key

—	Direct Supervision or TBOD Oversight
.....	Ministerial Oversight on Behalf of TBOD
- - - - ->	Project Coordination