

MEMORANDUM

TO: Board of Directors
FROM: Joanne Carr, Board Secretary
DATE: November 10, 2021
RE: Workshop Agenda for November 16, 2021

AGENDA

10:00 A.M.

Negotiations

Working Lunch

Executive Reports

Transportation TIP

3:30 p.m. - Agenda Review

4:00 p.m.

Membership /Board Concerns

5:00 p.m.

Regular Meeting of the Board of Directors

**GO TO SAULT TRIBE WEBSITE LINK
WWW.SAULTTRIBE.COM TO REGISTER TO ATTEND THE MEETING**

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN CASINO AND CONVENTION CENTER
SAULT STE. MARIE, MICHIGAN
November 16, 2021
5:00 P.M.**

- I. CALL TO ORDER
- II. INVOCATION: Prayer, Smudging, Presentation of Grandfathers
- III. ROLL CALL
- IV. PRESENTATION:
- V. MINUTES: 11-2-2021
- VI. RESOLUTIONS: Transportation Mobility Coordinator
Health Informational Tech/Telehealth
2022 Health COVID 19 Telehealth
Child Advocacy Accept Grant
DeMawating Development Cap Ex
DeMawating Development Tanglewood
Bud Doc 004 Enterprises
FY 2022 Enterprises Cap Purchases
Establish Membership in MTERA
Transportation – City of SSM Agreement
Designate Indigenous Peoples Day as Holiday
LTBB v. Whitmer
Pandemic Related Vacation Accrual Adjustment.
Agreement with Sault Tribe Inc.
ARPA Fund Unit 1 Elder Housing
- VII. NEW BUSINESS: Negotiation Request
Board Concerns
- VIII. ADJOURN TO EXECUTIVE SESSION:
- IX. RECONVENE AND REAFFIRM
- X. ADJOURN

BOARD OF DIRECTORS REGULAR MEETING

November 16, 2021

RESOLUTIONS:

Transportation Mobility Coordinator – Wendy Hoffman
Health Informational Tech/Telehealth- Leo Chugunov
2022 Health COVID 19 Telehealth – Leo Chugunov
Child Advocacy Accept Grant – Larry Jacques
DeMawating Development Cap Ex – Joel Schultz
DeMawating Development Tanglewood – Joel Schultz
Bud Doc 004 Enterprises – Joel Schultz/Budgets
FY 2022 Enterprises Cap Purchases – Joel Schultz/Budgets
Establish Membership in MTERA – Kathie Brosemer
Transportation – City of SSM Agreement – Wendy Hoffman
Designate Indigenous Peoples Day as Holiday – Jeremy Patterson
LTBB v. Whitmer – Jeremy Patterson
Pandemic Related Vacation Accrual Adjustment – Christine McPherson/Robert Schulte
Agreement with Sault Tribe Inc. – Various Board Members
ARPA Fund Unit 1 Elder Housing – Director Hoffman

NEW BUSINESS:

Negotiation Request – Chairperson Payment
Board Concerns – Director Causley

RESOLUTION NO: _____

**ESTABLISH FY 2022 BUDGET FOR TRANSPORTATION
MOBILITY COORDINATOR**

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 Transportation Mobility Coordinator with Federal BIA monies \$137,288.00. 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 _____ 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: _____

**ESTABLISH FY 2022 BUDGET FOR HEALTH
INFORMATIONAL TECHNOLOGY AND TELEHEALTH**

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 Health Informational Technology and Telehealth Federal IHS monies \$273,215.00. 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: _____

**ESTABLISH FY 2022 BUDGET FOR HEALTH
COVID 19 TELEHEALTH**

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 Health Covid 19 Telehealth Federal IHS monies \$295,435.00. 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: _____

**CHILD ADVOCACY ACCEPTANCE OF GRANT
AND ESTABLISH OF FY 2022 BUDGET**

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

WHEREAS, the Department of Justice, under the Children’s Justice Act Partnerships for Indians Communities, has awarded the Sault Ste. Marie Tribe of Chippewa Indians a grant of \$450,000.00 to provide trauma-informed assessment and victim support services to child victims and their families involved in the Sault Tribe’s criminal justice system.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the acceptance of the Department of Justice, Children’s Justice Act Partnerships for Indians Communities award; and authorizes Aaron Payment, Tribal Chairperson, or his designee, to sign, negotiate, execute, and amend any document resulting therefrom on the Tribe’s behalf.

BE IT FURTHER 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 Child Advocacy with Department of Justice monies \$151,876.70 for the first year of the program operation. 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 _____ 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: _____

**DEMAWATING DEVELOPMENT
FY 2021 ENTERPRISE CAPITAL EXPENSES MODIFICAITON**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the modification to the FY 2021 Enterprise Capital Budget to increase the expenses for DeMawating Development \$890,000.00, from Other Revenue/Fund balance.

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: _____

**DEMAWATING DEVELOPMENT-
TANGLEWOOD MARSH GOLF COURSE
ESTABLISHMENT OF FY 2021 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 2021 budget for Demawating Development - Tanglewood Marsh Golf Course with fund balance monies of \$43,887.00. 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: _____

**FISCAL YEAR 2022 BUDGET DOCUMENT 004
ENTERPRISES**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, and the Tribe recognizes the need to authorize expenditures and revenues for key components of the Tribal organization which are essential to the continuing operation of the Sault Ste. Marie Tribe of Chippewa Indians.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the Fiscal Year 2022 Budget Document 004 Enterprises for revenue of \$17,081,702 and expenses of \$16,240,516

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: _____

**FISCAL YEAR 2022 ENTERPRISES
CAPITAL PURCHASES BUDGET**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, and the Tribe recognizes the need to authorize expenditures and revenues for key components of the Tribal organization which are essential to the continuing operation of the Sault Ste. Marie Tribe of Chippewa Indians.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves a total of \$1,607,905.00 as the Enterprises Fiscal Year 2022 Capital Purchases Budget.

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 TO ESTABLISH MEMBERSHIP IN THE MIDWEST TRIBAL ENERGY RESOURCES ASSOCIATION (MTERA)

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (the Tribe) is a federally recognized Tribe with a duly constituted government; and

WHEREAS, the Tribe is passionate about energy and is committed to promoting a sustainable and secure energy future for Tribes and their neighbors; and

WHEREAS, the Tribe seeks to support providing energy opportunities and resources to Midwest Tribes that advance energy policy and development through collaborative efforts; and

WHEREAS, the Tribe recognizes and supports the Midwest Tribal Energy Resources Association (MTERA), a regional organization that empowers Midwest Tribes to manage energy resources through collective action; and

WHEREAS, the Tribe recognizes and supports MTERA's bylaws, strategic plan, and member-tribe commitments; and

WHEREAS, the Tribe shall retire its sovereign immunity.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes and support the Sault Tribe's membership into the Midwest Tribal Energy Resources Association (MTERA) and appoints the Tribal Chairperson to the MTERA Board of Directors (person to vote) and the Environmental Program Manager as the Sault Tribe's proxy member. Designated representatives are eligible to serve as a member, on the Board of Directors as an officer and/or on committees.

BE IT FURTHER RESOLVED, that the Chairperson and/or designee, are authorized to execute and all documents necessary to carry out 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: _____

**TRANSPORTATION PROGRAM
CITY OF SAULT STE. MARIE
COOPERATIVE AGREEMENT**

WHEREAS, the Tribal Transportation Program has funds available to construct the Admin-Annex back lot and associated improvements on Court Street; located within City of Sault Ste. Marie, Chippewa County, Michigan; and

WHEREAS, the City has made improvement to Court Street and the Tribe has requested that the City perform additional work for and on behalf of the Tribe, in connection with the Court Street construction; and

WHEREAS, additional work is described as associated access improvements at the entrance to Admin-Annex Building located adjacent to Court Street; and the Tribal Transportation Program has funds available for this project.

NOW, THEREFORE, BE IT RESOLVED, the parties hereto have reached an understanding with each other regarding the performance of the Court Street Project work and desire to enter into contract by and between the City and Sault Ste. Marie Tribe of Chippewa Indians Transportation Program.

BE IT FINALLY RESOLVED, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby approves and agrees to enter into a Cooperative Agreement with the City and cover associated project costs for the additional work with connection with the Court Street construction.

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: _____

**RESOLUTION TO DESIGNATE INDIGENOUS PEOPLES' DAY AS A
SAULT TRIBE HOLIDAY FOR SAULT TRIBE
GOVERNMENTAL, CASINO AND ENTERPRISE TEAM MEMBERS**

WHEREAS, the federal government established an executive order, effective October 11, 2021, designating the Nation's first Indigenous Peoples' Day as a National Holiday; and

WHEREAS, there was insufficient time to provide for budget modifications in order to share in this celebration for 2021 by providing Sault Tribe Governmental, Casino and Enterprise Team Members with a paid holiday or time and half for working on a tribal holiday; and

WHEREAS, the Sault Tribe Board of Directors and Chairperson wish to memorialize and honor the sacrifices of our ancestors, our current tribal citizens and future generations through the designation of this paid tribal holiday to coincide with this National holiday.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste Marie Tribe of Chippewa Indians hereby reaffirms the designation of the 2nd Monday in October as Indigenous Peoples' Day as supported by Resolution No. 2016-160 and urges all other local governments and universities to do the same.

BE IT FURTHER RESOLVED, that the Tribe hereby directs the Tribal Governmental Administration to prepare 2021-2022 budgets for appropriations to include a paid vacation day for 2022 to celebrate Indigenous Peoples' day as a paid holiday.

BE IT FURTHER RESOLVED, that the Tribe also directs the Casino and Enterprise Administrations to prepare budgets for 2021-2022 budgets to provide for double pay for this tribal holiday for Casino and Enterprise team members.

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: _____

LTBB v. WHITMER

WHEREAS, the Little Traverse Bay Band of Odawa Indians has filed a request for certiorari with the United States Supreme Court in the case they have pursued for the recognition of their ancestral reservation boundaries ; and

WHEREAS, the Stanford University Supreme Court Litigation Clinic is willing and able to write and submit an amicus brief with the Supreme Court supporting the LTBB and press forward the other issues of importance to the Sault Tribe in this litigation; and

WHEREAS the Board of Directors is of the opinion that joining an amicus brief in this case will serve to advance the Tribe's position and interests in relation to land and reservation restoration for Indian Tribes.

NOW, THEREFORE, BE IT RESOLVED, that the engagement letter with the Stanford Supreme Court Litigation Clinic is hereby approved, and the Board of Directors does authorize the signing of the amicus brief in this case on behalf of the Sault Ste. Marie Tribe of Chippewa Indians.

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: _____

AUTHORIZING AGREEMENT WITH SAULT TRIBE INC.

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (“Tribe”) desires management services to be provided to the Tribe’s Economic Development Corporation for the Fiscal Year 2022-2023.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby authorizes and approves the creation of an agreement for Sault Tribe Inc. to provide management services to the Tribe’s Economic Development Corporation for the Fiscal Year 2022-2023.

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

CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 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: _____

**ARPA FUND APPROPRIATION
UNIT 1 ELDER HOUSING
SAULT TRIBE HOUSING**

RESOLVED, that the Sault Ste. Marie Board of Directors authorizes the Sault Tribe Housing Director to execute the Unit 1 Elder Housing plan provided to the Sault Ste. Marie Tribe of Chippewa Indians; the plan is expected to result in 20 Elder Units (inclusive of quads and Triplex buildings) with associated land work and associated infrastructure upgrades on Tribal Lands located in Chippewa County.

BE IT FURTHER RESOLVED, the Board of Directors appropriates Five Million (\$5,000,000.00) dollars of UNIT 1 approved ARPA funds to accomplish the Elder Housing Unit construction.

BE IT FURTHER RESOLVED, the Board of Directors authorizes the Housing Director to Administratively establish a(n) FY21 and FY 22 budget for the Sault Tribe Housing Elder Housing plan.

BE IT FINALLY RESOLVED, the Board of Directors authorizes the Tribal Chairperson, or his designee, to execute any/all contracts and purchase agreements related to the Five-Million-dollar administrative budget to ensure the construction of these Elder Units by both internal and external construction companies during FY21 and FY22.

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