### **ROLL CALL MATRIX**

Meeting Date: 8-21-2012

P	A	Res. Number												
		2012	161	162	163	164	165	166	167	168	169	170	171	172
		Unanimous												
			U	U	U	U	U	U	U	U	U	U	U	
X		Cathy Abramson				2			1					Y
X		Deb Pine												A
X		Denny McKelvie												Y
X		DJ Malloy		1					2	1				2Y
X		Jennifer McLeod										2	1	A
X		Lana Causley			2			1					2	Y
X		Cath Hollowell	2					2						Y
X		Bridgett Sorenson	1								1			Y
X		Keith Massaway		2	1	1	1			2		1		1Y
X		Denise Chase												Y
X		Darcy Morrow					2				2			Y
X		Joan Anderson												Y
X		Aaron Payment												

• 1 = Made Motion

2 = Second/Support Motion

• Y = Voted Yes

N = Voted No

• A = Abstained

U = Unanimous

• S = Sponsored by Board Member



### Kewadin Casinos Gaming Authority

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### RESOLUTION NO: 20/2 -15

### **AUTHORIZATION FOR LANSING MARKET STUDY**

WHEREAS, pursuant to Resolution 2012-11, the Sault Tribe Board of Directors authorized the Tribe to enter into a Comprehensive Development Agreement (the "CDA") with the City of Lansing to acquire property in Lansing for the purpose of pursuing a tribal casino project (the "Lansing Project"); and

WHEREAS, the Management Board adopted Kewadin Casinos Gaming Authority Resolution 2012-01 similarly approving the Lansing CDA on behalf of the Authority; and

WHEREAS, the CDA in its current form requires the Tribe to complete its evaluation of the feasibility of the project and close on the initial property by November 1, 2012; and

WHEREAS, the Tribe will greatly benefit from having more detailed market information available to it prior to making this determination; and

WHEREAS, the Tribe has received the attached proposal from Jacob Miklocjik of Michigan Consultants to conduct such a market study for a fixed cost of \$13,500; and

WHEREAS, the costs of this study are expected to be advanced to the Tribe as provided in the Amended and Restated Turnkey Development Agreement approved by Kewadin Casinos Gaming Authority Resolutions 2011-03 and 2011-12; and

WHEREAS, the Management Board has determined that it is in the best interests of the Tribe to contract with Michigan Consultants to conduct this study.

NOW, THEREFORE, BE IT RESOLVED, that the Management Board hereby authorizes the Chairperson to enter into a contract with Mr. Jacob Miklocjik of Michigan Consultants to provide a market study for the Lansing Project at a cost not to exceed \$13,500 as described in the attached proposal.

### CERTIFICATION

Aaron A. Payment, Chairperson Kewadin Casinos Gaming Authority



# RESOLUTION NO: 3613-160

### AUTHORIZATION TO PURCHASE THE GRIMES ESTATE REAL PROPERTY

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Membership Services

Economic Development Commission WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (Tribe) is a federally recognized Indian Tribe organized pursuant to the provisions of the Indian Reorganization Act of 1934; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians wishes to purchase the real property comprising the estate of Lawrence C. Grimes, located at 2354 E. M-134, Hessel, MI, including the cemetery located on that property; and

WHEREAS, the Board has determined that sufficient funds exist in the Building Fund to support that purchase.

NOW, THEREFORE, BE IT RESOVLED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes its Chairperson (or his designee) and Treasurer, to negotiate and execute any documents necessary to effectuate the purchase of the aforementioned property for a price up to the amount predetermined by the Board, as reflected in the minutes of the Board.

BE IT FURTHER RESOLVED, that the Tribe seeks to enact a strategic policy to acquire ancestral sites within its service area as feasible.

### CERTIFICATION

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

Chippewa Indians



### MOU APPROVAL BETWEEN THE SAULT STE. MARIE TRIBE OF CHIPPEWA INDIANS AND

# THE STATE OF MICHIGAN MICHIGAN AUTOMATED PRESCRIPTION SYSTEM

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

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WHEREAS, the Health Division runs a Pharmacy Department; and

WHEREAS, the Michigan Automated Prescription System (MAPS) is the prescription monitoring program for the State of Michigan through which prescription monitoring programs is undertaken to identify and prevent drug diversion at the prescriber, pharmacy and patient levels by collecting Schedule 2-5 controlled substances prescriptions dispensed by pharmacies and practitioners; and

WHEREAS, collection of this prescription information allows physicians, dentists, pharmacists, nurse practitioners, physician's assistants, podiatrists and veterinarians to query this data for patient-specific reports which allow a review of the patient's Schedules 2-5 controlled substance prescription records, enabling the practitioner to determine if patients are receiving controlled substances from other providers and to assist in the prevention of prescription drug abuse; and

WHEREAS, prescription data collected by pharmacies and dispensing practitioners is stored into a secure central database within the Department of Licensing and Regulatory Affairs, and only those persons authorized by Section 333.7333a of the Michigan Public Health Code are allowed access to the information contained in the MAPS database, which includes health professionals and law enforcement agencies; and

WHEREAS, online registration to MAPS is required to submit prescription data electronically and to request patient controlled substance history reports; and

WHEREAS, it is in the best interests of the Tribe, the members of the Tribe, and the people of the State of Michigan that all Sault Tribe health practitioners and pharmacies participate in the MAPS program; and

WHEREAS, the Tribe has negotiated with the State of Michigan for an MOU underwhich the Tribe's health practitioners will have access to and provide information into the MAPS program.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Chairperson of the Tribe, or his designee, to execute this Memoranda of Understanding with the State of Michigan to facilitate participation in the MAPS program by all Sault Tribe health practitioners and pharmacies and to further take such actions as may be required or needed pursuant to the terms of this agreement.

### CERTIFICATION

Aaron A. Payment, Chairperson

Sault Ste. Marie Tribe of Chippewa Indians

Cathy Abranson, Secretary Sault Ste. Marie Tribe of

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### APPROVING AMENDMENT TAX AGREEMENT WITH THE STATE OF MICHIGAN

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WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians has entered into a longterm agreement with the State of Michigan regarding a variety of tax matters which is of great benefit to the Tribe and its members; and

WHEREAS it has become necessary to make certain minor amendments to the agreement to clarify tax treatment for purchases by minor children and to comport with the change over involving the new Michigan Corporate Income Tax.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the attached amendment to the Sault Tribe Tax Agreement.

BE IT FURTHER RESOLVED, that this Board of Directors does hereby authorize the Chairperson or his designee to execute this document in whatever form may be necessary.

#### 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 /3 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 2/ day of Hugust 2012; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of / members for, o members against, U 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

Cathy Abramson, Secretary Sault Ste. Marie Tribe of

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# CONTINUING FUNDING AUTHORITY FOR FISCAL YEAR 2013 SEPTEMBER TO AUGUST

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Economic Development Commission 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 2013; and

WHEREAS, the below cost center list, with fiscal year of September to August, for budget year 2013 is still under review and will not be completed until after the fiscal year start date of September; and

WHEREAS, the Board of Directors wants to ensure that services are not left unfunded for a period between expiration of the fiscal year 2012 budgets and approval of the fiscal year 2013 budgets.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors approves continuing funding for the following cost centers for fiscal year 2013, at their 2012 spending levels, for a period not to exceed 30 days:

CC#4650 - Transitional Housing

CC#2233 – Early Head Start BIA

CC#3071 – Head Start BIA CC#2254 – COPS TRGP 201 CC#2230 – Early Head Start

CC#3070 – Head Start

CC#11181 – Technical Training Bld CC#11161 – Tribal Homeland Security

### CERTIFICATION

Aaron A. Payment, Chairperson

Sault Ste. Marie Tribe of Chippewa Indians



# RESOLUTION NO: <u>2012 - 164</u>

#### 2013 TRIBAL WILDLIFE GRANT

WHEREAS, Waabizheshi (American marten) are a species that is important to Anishnabek culture; and

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Economic Development Commission WHEREAS, Waabizheshi is an important resource for members of the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, the Inland Fish and Wildlife Department is charged with ensuring the important cultural and subsistence resources are sustainably managed for current and the next 7 generations; and

WHEREAS, the United State Fish and Wildlife Services provides funds for the management and enhancement of Tribal resources through the Tribal Wildlife Grant Program.

NOW, THEREFORE, BE IT RESOVED, that the Inland Fish and Wildlife Department is authorized to apply for the 2013 Tribal Wildlife Grant through the United States Fish and Wildlife Service and the Chairperson is authorized to execute any necessary documents.

#### CERTIFICATION

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

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Cathy Abramson, Secretary Sault Ste. Marie Tribe of

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### RESOLUTION NO: 2012 -165

# PROFESSIONAL SERVICES AGREEMENT – GROUP FACILITATOR JOHN SULLIVAN

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians was awarded a 2011 Grants to Indian Tribal Governments grant, which included funding for contracting with individuals to facilitate a batterer's intervention program; and

WHEREAS, the contractual position of Group Facilitator has been advertised and applications received; and

WHEREAS, interested applicants were interviewed and a recommendation for selection has been made.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes Aaron Payment, Tribal Chairperson, or his duly authorized representative, to sign, amend, negotiate and execute any agreement necessary to engage John Sullivan for group facilitation services.

### CERTIFICATION

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

Chippewa Indians



# PROFESSIONAL SERVICES AGREEMENT – GROUP FACILITATOR SUSAN SHUNK

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Government Services

Membership Services

Economic Development Commission WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians was awarded a 2011 Grants to Indian Tribal Governments grant, which included funding for contracting with individuals to facilitate a batterer's intervention program; and

WHEREAS, the contractual position of Group Facilitator has been advertised and applications received; and

WHEREAS, interested applicants were interviewed and a recommendation for selection has been made.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes Aaron Payment, Tribal Chairperson, or his duly authorized representative, to sign, amend, negotiate and execute any agreement necessary to engage Susan Shunk for group facilitation services.

### CERTIFICATION

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

Chippewa Indians



### APPOINTING REPRESENTATIVE COMMUNITY CARE CLINIC BOARD

WHEREAS, the Tribe has partnered with War Memorial Hospital in the creation of the Community Care Clinic, which is operated by an Operations Board; and

WHEREAS, Article III of the Bylaws of the Operations Board calls for the Board to have two representatives of the Tribe; and

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Government Services

Membership Services WHEREAS, there exists a vacancy on the Operations Board to be filled by the Tribe.

NOW THEREFORE BE IT RESOLVED that the Board of Directors appoints the following persons to the Operations Board of the Community Care Clinic, to serve while maintaining their current position as an officer of the Tribe:

Chairperson Aaron Payment

### 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 \_/3 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the \_2/ day of \_/10415+ 2012; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of \_/2 members for, \_\_O members against, \_O 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



# U. S. DEPARTMENT OF ENERGY (DOE) ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANTS (EECBG) CONTRACTOR APPROVAL FOR EXTERIOR LIGHTING RETROFITS ROY ELECTRIC

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a duly organized Indian Tribe under the Indian Reorganization Act of June 15, 1934 (48 stat. 37); and

WHEREAS, the U. S. Department of Energy (DOE) has awarded an Energy Efficiency and Conservation Block Grant (EECBG) to Sault Tribe for the purpose of performing lighting retrofits of Tribally-owned governmental buildings; and

WHEREAS, the Sault Tribe Purchasing Department has conducted procurement of a qualified electrical contracting firm to perform the grant-funded lighting retrofits of Tribally-owned governmental buildings; and

WHEREAS, as explained in the Bid Recommendation from the Sault Tribe Purchasing Department, Roy Electric Company, Inc. is the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Sault Tribe Purchasing Department to award the contract for the EECBG Exterior Lighting Retrofits project to Roy Electric Company, Inc.

BE IT FURTHER RESOLVED that the Chairperson of the Tribe, or his designee, is authorized to execute or amend all documents relating to the EECBG Exterior Lighting Retrofits contract award.

### 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 <a href="mailto://dx/day.of.composed-noticed">/3</a> members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the <a href="mailto://day.of.com/d

Aaron A. Payment, Chairperson

Sault Ste. Marie Tribe of

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Cathy Abramson, Secretary
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### U. S. DEPARTMENT OF ENERGY (DOE) ENERGY AUDITS (DE-EE0002520) CONTRACTOR APPROVAL U. P. ENGINEERS

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Membership Services

Economic Development Commission WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a duly organized Indian Tribe under the Indian Reorganization Act of June 15, 1934 (48 stat. 37); and

WHEREAS, the U. S. Department of Energy (DOE) has awarded a Building Efficiency Energy Audits to Sault Tribe for the purpose of conducting energy audits of seven Tribally-owned governmental buildings; and

WHEREAS, the Sault Tribe Purchasing Department has conducted procurement of a qualified engineering and architectural firm to conduct energy audits of Tribally-owned governmental buildings; and

WHEREAS, as explained in the Bid Recommendation from the Sault Tribe Purchasing Department, U. P. Engineers and Architects is the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Sault Tribe Purchasing Department to award the contract for the Building Efficiency Energy Audits project to U. P. Engineers and Architects.

BE IT FURTHER RESOLVED that the Chairperson of the Tribe, or his designee, is authorized to execute or amend all documents relating to the Sault Tribe Building Efficiency Energy Audits contract award.

### 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 \( \frac{13}{2} \) members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the \( \frac{2}{2} \) day of \( \frac{Aproperson}{2012} \); that the foregoing resolution was duly adopted at said meeting by an affirmative vote of \( \frac{12}{2} \) members for, \( \frac{0}{2} \) members against, \( \frac{0}{2} \) 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



# RESOLUTION NO: 30/3 - 170

# AMENDNING TRIBAL CODE CHAPTER 20: GREAT LAKES AND ST. MARY'S RIVER TREATY FISHING REGULATIONS

WHEREAS, the Great Lakes Conservation Committee is charged with overseeing the regulation of the Tribe's treaty commercial fishery; and

WHEREAS, the Tribe authorizes Small Mesh Permits that allow holders to pursue certain species of fish with small mesh gill nets; and

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Economic Development Commission WHEREAS, the Committee has identified certain instances where the use of a Small Mesh Permit may not be in the best interest of the Tribe's treaty commercial fishery; and

WHEREAS, the Tribe authorizes Helper Cards that allows holders to work on a treaty commercial fishing vessel; and

commercial fishing vessel fishing for another tribe may not be in the best interest of the Tribe's treaty commercial fishery; and

WHEREAS, the Committee has identified certain instances where a helper's work upon a treaty

WHEREAS, the Committee has promulgated the amendment below to Tribal Code Chapter 20 in order to better regulate both Small Mesh Permits and helpers and respectfully requests the Board of Directors to amend Tribal Code Chapter 20 by adopting the same.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby amends Tribal Code Chapter 20 by creating Section 20.120(4) which shall read:

"No tribal member shall captain in any capacity a commercial fishing vessel on behalf of anyone other than a Captain licensed pursuant to this Chapter except upon approval of the Committee."

BE IT FURTHER RESOLVED that the Board of Directors hereby amends Tribal Code Chapter 20 by creating Section 20.120(5) which shall read:

"No tribal member holding a small mesh permit issued pursuant to this Chapter shall work for, employ, fish for shares, or in any way conduct a joint commercial fishing operation with a Captain licensed pursuant to this Chapter or a captain fishing for another tribe pursuant to the Chippewa Ottawa Resource Authority Fishing Regulations.

BE IT FINALLY RESOLVED, that these amendments shall become effective thirty days after adoption 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 \_/3 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the \_3/ day of \_/wolfster \_\_2012; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of \_/2 members for, \_\_o members against, \_\_o 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



# RESOLUTION NO: 20/2 - 17/

# SUPPORT FOR KENNETH J. ERMATINGER FOR THE ELECTED POSITION OF CHAIRMAN OF THE NATIONAL TRIBAL GAMING COMMISSIONERS/REGULATORS

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

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Economic Development Commission WHEREAS, Indian Tribes are sovereigns that pre-date the United States, through the Treaty, Commerce, and Apportionment Clauses and the 14<sup>th</sup> Amendment, recognizes the sovereign status of Indian Tribes as Native Nations, established prior to the United States; and

WHEREAS, Kenneth J. Ermatinger has served as Executive Director of the Sault Ste. Marie Tribe of Chippewa Indians Gaming Commission for 15 years; and

WHEREAS, Kenneth J. Ermatinger has served in Inter-Tribal leadership positions at the national level, including on the National Tribal Advisory Committee as Technical Advisor to the National Indian Gaming Commission for Class II Technical Standards; as the Midwest Area Representative of the National Tribal Gaming Commissioners and Regulators; the Chairman of the Michigan Indian Gaming Communications Network; Alternate for the National Indian Gaming Association/National Congress of American Indians Task Force on Land into Trust; and

WHEREAS, Kenneth J. Ermatinger has received the 2008 Bruce Longhorn Award for Excellence in Tribal Gaming Regulations in recognition of his outstanding performance.

NOW, THEREFORE, BE IT RESOVLED, that the Sault Ste. Marie Tribe of Chippewa Indians hereby advocate and supports the nomination of Kenneth J. Ermatinger for the position of Chairman, National Tribal Gaming Commissioners/Regulators.

### CERTIFICATION

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



### RESOLUTION NO: 30/2-172

# APPROVAL OF MEMORANDUM OF COOPERATIVE AGREEMENT WITH INTER-TRIBAL COUNCIL OF MICHIGAN, INC FOR IMPLEMENTATION OF KELLOGG FOUNDATION HONORING OUR CHILDREN INITIATIVE

WHEREAS, the Inter-Tribal Council of Michigan, Inc. has been awarded a grant from the W.K. Kellogg Foundation under a program entitled "Honoring Our Children Initiative" to engage tribal leaders and tribal citizen in creating a plan to improve the well-being of tribal children up to the age of 8 including quality education, safe communities, and good health; and

WHEREAS, the Inter-Tribal Council proposes to enter into the attached proposed Memorandum of Cooperative Agreement with the Sault Tribe under which the Tribe would appoint a representative to actively participate on the steering committee for the project and generally assist in carrying out the goals and objectives of the project including the hosting of at least three community events, forums, and/or talking circles; and

WHEREAS, the Inter-Tribal Council will provide program staffing and will reimburse the Tribe's allowable expenses under the provisions of the Foundation's grant.

NOW, THEREFORE, BE IT RESOLVED that the Tribal Chairperson is authorized to enter into a Memorandum of Cooperative Agreement with the Inter-Tribal Council of Michigan in substantially the same form as the attached memorandum.

### 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 13 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 21 day of meeting by an affirmative vote of 10 members for, 0 members against, 2 members abstaining, and that said resolution has not been rescinded or amended in any way.

Aaron A. Payment, Chairperson

Sault Ste. Marie Tribe of

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Cathy Abramson, Secretary Sault Ste. Marie Tribe of Chippewa Indians

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