

**BOARD OF DIRECTORS REGULAR MEETING  
KEWADIN CASINO AND CONVENTION CENTER  
SAULT STE. MARIE, MICHIGAN  
MINUTES  
August 1, 2017**

The meeting was opened at 6:01 p.m. by Chairperson Payment.

Present: Dennis McKelvie, DJ Hoffman, Michael McKerchie, Jennifer McLeod, Kim Gravelle, Bridgett Sorenson, Keith Massaway, Denise Chase, Darcy Morrow, Anita Nelson, and Aaron Payment.

Absent: Lana Causley, Catherine Hollowell.

**Moved by Director Massaway, supported by Director McLeod, to approve the agenda as read.**

**Motion carried Director Gravelle abstaining; Director Hoffman opposing.**

**Moved by Director Massaway, supported by Director McLeod, to approve the Minutes of 7-25-2017 as written.**

**Motion carried with Director Gravelle abstaining.**

**Moved by Director Sorenson, supported by Director Massaway, to approve Res. 2017-151, Authorize the Chairperson to Enter into Construction Contracts and Execute Associated Documents for the Construction of the Grand Marais Dock Project.**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorize the Chairperson of the Tribe, or his designee, to negotiate and execute a contract between the Sault Ste. Marie Tribe of Chippewa Indians and MCM Marine, Inc. for construction services for the Grand Marais Dock Project, and authorizes expenditures from the various funding sources which currently include: Michigan Economic Development Corporation (cc:11651) and Fishermen's Fund (cc:4101).

**Roll Call Vote: Motion carried with Directors Nelson, Massaway, Hoffman, Sorenson, Gravelle, McLeod, McKerchie, McKelvie approving; Directors Chase, Morrow opposing.**

**Moved by Directors McKelvie, supported by Director Hoffman, to approve Res. 2017-152, Approving Lease (Second Amended and Restated Lease) JKL School.**

BE IT RESOLVED, that the Chairperson and the Treasurer of the Tribe are authorized and directed to execute the lease for the property located at 1301 Marquette Avenue, in the form attached.

BE IT FURTHER RESOLVED, that the Tribe does hereby grant a limited waiver of sovereign immunity for declaratory and equitable relief only should an action be commenced under this Lease.

BE IT FURTHER RESOLVED, that by granting this limited waiver of sovereign immunity the Tribe does explicitly state that no monetary damages may be awarded against the Tribe in any court or dispute resolution process, and the Tribe will not be ordered to pay any money whatsoever, be it in damages, recoupment, equity, as a sanction, or in any other manner and this limited waiver will terminate upon performance by the Tribe of all its obligations under this Lease.

BE IT FURTHER RESOLVED, that this limited waiver is granted solely to the JKL School Board, its successors and assign.

BE IT FURTHER RESOLVED, that this limited waiver will apply only to judicial action, limited to lawsuits for equitable or declaratory relief, in the Tribal Court of the Sault Ste. Marie Tribe of Chippewa Indians, and that the Tribe shall not and does not consent to suit in any other court or any other jurisdiction.

BE IT FINALLY RESOLVED, that this Lease shall be construed in accordance with and governed by the internal laws of the State of Michigan. The Board of Directors does hereby authorize the Tribe, as Lessor to consent to the jurisdiction of the Tribal Court solely for equitable and declaratory relief, and no other, and this Lease shall not be construed so as to permit monetary damages or judgments against the Sault Ste. Marie Tribe of Chippewa Indians.

**Motion carried unanimously.**

**Moved by Director Hoffman, supported by Director Gravelle, to approve the Res. titled: Rescinding 2016-264 Assessment of Tribal Health Services System.**

**Roll Call Vote: Motion denied with Directors Massaway, McKerchie, Gravelle, Hoffman approving; Directors Nelson, Morrow, Sorenson, McLeod, Chase, McKelvie opposing.**

**Moved by Director McKelvie, supported by Director Morrow, to approve Res. 2017-153, Authorizing Chairperson to Approve Transportation Project USDA Entrance, Lot Repairs, & Bahweting Loop Expansion.**

NOW, THEREFORE, BE IT RESOLVED, that upon completion of the bid process and approval of the successful bid by the Tribe's Chief Financial Officer, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes and approves the Tribal Chairperson or his designee, to negotiate, execute, and amend a contract with the successful bidder (regarding the USDA Entrance, Lot Repairs, & Bahweting Loop Expansion) to carry out this project and to execute any related documents and agreements necessary to the completion of this project.

**Motion carried unanimously.**

**Moved by Director Chase, supported by Director Hoffman, to approve Res. 2017-154, American Legion Veterans Assistance Outreach Position.**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes and directs the Health Division and Executive Director of the Tribe, to negotiate a satisfactory agreement with the American Legion Department of Michigan, pursuant to which the Tribe will provide a grant not to exceed \$85,000 annually, and the American Legion will hire and supervise this staff and will provide, at a minimum, monthly reports detailing all activities of the staff, to support the expenditure, together with such other reporting, as may be required by the Department for oversight purposes.

BE IT FURTHER RESOLVED, that the Health Division and Executive Director shall ensure that oversight is provided to ensure that health services are made available and to assist in identifying any necessary services that may be added to the Tribe's Health Division internally.

BE IT FURTHER RESOLVED, the Board shall provide the funding for this position for the remainder of 2017, and through the end of the Health Division budget cycle, ending in September, 2018, subject to review and extension at that time.

**Motion carried unanimously.**

**Moved by Director Chase, supported by Director Morrow, to table the issue of publishing the HR Audit with a legal review at the next meeting/workshop.**

**Roll Call Vote: Motion carried with Directors Gravelle, Morrow, McKerchie, Sorenson, Hoffman, Nelson, Chase, Massaway approving; Directors McLeod, McKelvie opposing.**

**Moved by Director Nelson, supported by Director Chase, to move the September 19 meeting to September 18, 2017, with the location to remain in Munising, Michigan.**

**Motion carried with Director Sorenson opposing.**

Meeting adjourned: 6:34 p.m.

Date: 8-15-17

Secretary: Bridgett Sorenson

Others present: John Wernet, Christine McPherson, Bill Connolly, Jessica Dumback, Russ McKerchie, Bob Marchand, Joanne Carr.