

ROLL CALL MATRIX

Meeting Date: 6-6-2022

P	A	Res. Number 2022	158	159	160	161	162	163	164				
		Unanimous	U	U	U	U	U	U	U				
	X	Michael McKerchie	---	---	---	---	---	---	---				
	X	Kim Gravelle	Y										
	X	Betty Freiheit	Y		1								
	X	DJ Hoffman	---	---	---	---	---	---	---				
	X	Austin Lowes	Y		2	2			2				
	X	Lana Causley	---	---	---	---	---	---	---				
	X	Cath Hollowell	1Y	1				2					
	X	Bridgett Sorenson	2Y	2		1	1						
	X	Keith Massaway	Y				2		1				
	X	Denise Chase	Y					1					
	X	Darcy Morrow	Y										
	X	Charles Matson	Y										
	X	Director Hoffman											
		Chaired the mtg.											

- 1 = Made Motion
- Y = Voted Yes
- A = Abstained
- UA = Unanimous Acclamation
- 2 = Second/Support Motion
- N = Voted No
- U = Unanimous



RESOLUTION NO: 2022-158

ARPA FUND APPROPRIATION - FACILITIES

Min Waban Dan

Administrative Office

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Sault Ste. Marie

Michigan

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Government Services

Membership Services

Economic Development Commission

NOW, THEREFORE, BE IT RESOLVED, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors authorizes One Million Dollars (\$1,000,000.00) of remaining ARPA funds from resolution 2021-165, for Facility Upgrades for the following Tribal Facilities: Tribal Court, Elderly Building, and Shedawin Building.

BE IT FURTHER RESOLVED, that the Board of Directors authorizes the construction and facilitation of the Facility upgrades, to include all necessary and appropriate actions, including budgeting, allocations for external construction management, and design services, as authorized by the Chief Financial Officer, for completion of the project.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Tribal Vice 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 Vice-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 10 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of June 2022; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

DJ Hoffman, Vice-Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2022-159

**TRIBAL AWARD CONTRACT TO
ARROW CONSTRUCTION
FOR HEALTH CENTER PARKING LOT**

Min Waban Dan

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. 461 et seq; and

**Administrative
Office**

WHEREAS, Tribal Facilities requests authorization to award Arrow Construction the contract for the Health Parking Lot Project; and

523 Ashmun Street

WHEREAS, the Health Division has funds available for the above project; and

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Michigan

WHEREAS, bids were previously solicited for this work and it has been determined that Arrow is the lowest bidder.

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NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Tribal Vice Chairperson or his designee, to negotiate, execute and amend any documents resulting therefrom on the Tribe's behalf, on a contract between the Sault Ste. Marie Tribe of Chippewa Indians and Arrow Construction, for General Contracting Services for the Health Center Parking Lot Project, and authorizes expenditures from allowable Health Centers funds, as determined by the Tribe's Chief Financial Officer, in collaboration with the Tribe's Health Director and General Counsel.

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BE IT FINALLY RESOLVED, that the Board of Directors authorizes the construction and facilitation of the Parking Lot upgrades to include all necessary and appropriate actions, including budgeting allocations, modifications for external construction management, and design services, as authorized by the Chief Financial Officer, for completion of the project.


**Membership
Services**

CERTIFICATION

**Economic
Development
Commission**

We, the undersigned, as Vice-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 10 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of June 2022; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.


DJ Hoffman, Vice-Chairman
Sault Ste. Marie Tribe of
Chippewa Indians


Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2022-160

**CONSERVATION MANAGEMENT AND PUBLIC SAFETY
ENFORCEMENT FY 2022 BUDGET MODIFICATIONS
AND
SCHOOL FIDUCIARY COMMITTEE
FY 2023 BUDGET MODIFICATION**

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**Membership
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**Economic
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Commission**

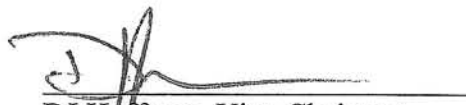
BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2022 budget modification to Conservation Management to change the personnel sheet and increase Federal BIA monies \$26,728.98. No effect on Tribal Support.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of the Chippewa Indians hereby approves the FY 2022 budget modification to Public Safety Enforcement to change the personnel sheet, decrease Federal BIA monies \$23,610.21, and increasing Other Revenue monies \$49,998.00. No effect on Tribal Support.


BE IT FINALLY RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to School Fiduciary Committee to increase expenses with Federal BIA monies \$100,000.00. No effect on Tribal Support.

CERTIFICATION

We, the undersigned, as Vice-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 10 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of June 2022; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.



DJ Hoffman, Vice-Chairman
Sault Ste. Marie Tribe of
Chippewa Indians



Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2022-161

**MDOT PERMIT
MICHIGAN DEPARTMENT OF TRANSPORTATION**

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**Government
Services**


**Membership
Services**

**Economic
Development
Commission**


BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Vice-Chairman or his designee, to sign and execute the attached MDOT Permit.

CERTIFICATION

We, the undersigned, as Vice-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 10 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of June 2022; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.



DJ Hoffman, Vice-Chairman
Sault Ste. Marie Tribe of
Chippewa Indians



Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2022-162

AUTHORIZING A LIMITED WAIVER OF SOVEREIGN IMMUNITY AND CONSENT TO JURISDICTION AS REQUIRED TO OBTAIN A LIQUOR LICENSE FROM THE MICHIGAN LIQUOR CONTROL COMMISSION

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Government Services

Membership Services

Economic Development Commission

BE IT RESOLVED, by the Board of Directors for the Sault Ste. Marie Tribe of Chippewa Indians:

Section 1 **RECITALS**

- 1.1 The Sault Ste. Marie Tribe of Chippewa Indians (the "Tribe") purchased the Tanglewood Marsh Golf Course located in Sault Sainte Marie, Michigan, as a wholly owned governmental instrumentality of the Tribe. The purchase included the transfer of a liquor license issued by the Michigan Liquor Control Commission ("Commission") to Tanglewood Marsh Golf Course.
- 1.2 The Commission requires the governing body of a federally recognized Indian tribe to adopt a resolution or otherwise take the steps required under tribal law to authorize a limited waiver of tribal sovereign immunity and consent to the Commission's jurisdiction to address the uncertainties related to the Commission's ability to monitor and ensure the Tribe's compliance with, and prosecute violations of, the Michigan Liquor Control Code of 1998, as amended, and the administrative rules promulgated thereunder.
- 1.3 In order for the Commission to approve the transfer the liquor license for the Tanglewood March Golf Course to the Tribe, the Tribe pledges herein not to claim or assert tribal sovereign immunity, exclusive Tribal Court jurisdiction, or the non-applicability of the Michigan Liquor Control Code of 1998, as amended, and the administrative rules promulgated thereunder, with respect to any disputes, claims, issues, or causes of action between the Commission and Tribe that might arise from, or relate to, in any respect, the operation, management, and business activities at the Tanglewood Marsh Golf Course involving the purchase, sale, transportation, and/or dispensing of liquor, beer, and/or wine and the liquor license for that location, , as limited below. All of the foregoing are referred to herein as "Waiver and Consent Obligations."
- 1.4 It is in the Tribe's interest to resolve as stated herein.

Section 2 **LIMITED WAIVER OF SOVEREIGN IMMUNITY; CONSENT TO JURISDICTION; GOVERNING LAW**

- 2.1 **Limited waiver of sovereign immunity and consent to jurisdiction.**
The Tribe waives its sovereign immunity and consents to the Commission's jurisdiction solely for the limited purpose of allowing the

Commission to enforce the terms and requirements of the Michigan Liquor Control Code of 1998, as amended, and the administrative rules promulgated thereunder against the Tribe for its operation, management, and business activities at the Tanglewood Marsh Golf Course involving the purchase, sale, transportation, and/or dispensing of liquor, beer, and/or wine, and its liquor license. This limited waiver applies to any tribal sovereign immunity that may be asserted or claimed on behalf of the Tribe's officers, employees, clerks, representatives, and agents for the operation, management, and business activities at the Tanglewood Marsh Golf Course involving the purchase, sale, transportation, and/or dispensing of liquor, beer, and/or wine, and its liquor license.

- 2.2 **Actions by those working with or on behalf of the Commission.** The Tribe recognizes and agrees that this limited waiver of tribal sovereign immunity and consent to the Commission's jurisdiction is intended to allow any individuals working for or on behalf of the Commission, including the Commission's members, employees, and attorneys, as well as any state or local law enforcement agency or its staff, to enforce the Michigan Liquor Control Code of 1998, as amended, and the administrative rules promulgated thereunder in connection with the operation, management, and business activities at the Tanglewood Marsh Golf Course involving the purchase, sale, transportation, and/or dispensing of liquor, beer, and/or wine, and its liquor license.
- 2.3 **Limits on the waiver of tribal sovereign immunity.** This limited waiver of tribal sovereign immunity and consent to the Commission's jurisdiction does not extend to any claim or action against any other instrumentality of the Tribe, person or entity, other state liquor licenses that the Tribe may possess, or to any issue arising under the Tribe's gaming compact with the State of Michigan in its current form as it may be amended or superseded in the future. Nor shall this limited waiver of tribal sovereign immunity and consent to the Commission's jurisdiction be deemed a waiver of any other of the rights, privileges, or immunities of any other person or entity.
- 2.4 **No expanded scope without the Board of Directors' express, written consent.** This limited waiver of sovereign immunity and consent to the Commission's jurisdiction may not be expanded beyond the scope stated in this resolution without the Board of Directors' express, written consent on behalf of the Tribe.
- 2.5 **Governing law.** The Tribe agrees to be bound by, and to comply with the Michigan Liquor Control Code of 1998, as amended, and the administrative rules promulgated thereunder, in the same manner as any other licensee of the Commission without tribal sovereign immunity.
- 2.6 **Enforcement.** The Tribe agrees that the Commission may seek and/or impose any legal, equitable, or other relief or penalties, including fines

and the seizure and forfeiture of contraband, authorized by the Michigan Liquor Control Code of 1998, as amended, and the administrative rules promulgated thereunder, without limitation.

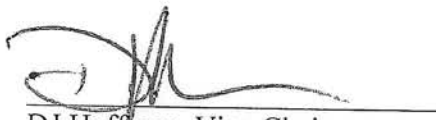
- 2.7 **No specific pledge of assets.** To the extent that the Commission seeks to recover any unpaid fees or fines, no specific pledge of assets is required if the fees or fines can be satisfied or otherwise recovered from the Tanglewood Marsh Golf Course assets, including its real property. Nor is any specific pledge of assets required for the Commission to seek to seize and forfeit any contraband associated with the Tanglewood Marsh Golf Course in accordance with the Michigan Liquor Control Code of 1998, as amended, and the administrative rules promulgated thereunder.
- 2.8 **Effective date.** This limited waiver of tribal sovereign immunity takes effect upon the date that the liquor license, if any, is transferred to the Tribe by the Commission and the license is effective under Michigan law. This limited waiver of tribal sovereign immunity remains in effect as long as the Tribe, or any assignee of the Tribe's rights, holds any liquor license under the Michigan Liquor Control Code of 1998, as amended, and the administrative rules promulgated thereunder, at the Tanglewood Marsh Golf Course.
- 2.9 **Survival.** This limited waiver of tribal sovereign immunity shall survive until the *later* of either one of the following two circumstances:
- a. The conclusion of any legal proceedings by or against the Tribe for its operation, management, and business activities at the Tanglewood Marsh Golf Course involving the purchase, sale, transportation, and/or dispensing of liquor, beer, and/or wine, or its liquor license.
 - b. The Tribe permanently ceases to own, operate, manage, or engage in business activities at the Tanglewood Marsh Golf Course involving the purchase, sale, transportation, and/or dispensing of liquor, beer, and/or wine, or liquor license, whether directly or through a different entity or tribal instrumentality.
- 2.10 **Revoking, rescinding, altering, or rendering this resolution ineffective.** The Tribe understands and agrees that, if this resolution is revoked, rescinded, altered, or made otherwise ineffective while the Tribe owns, operates, manages, or engages in business activities at the Tanglewood Marsh Golf Course involving the purchase, sale, transportation, and/or dispensing of liquor, beer, and/or wine, or a liquor license, the Commission may initiate disciplinary proceedings, including proceedings to summarily suspend and/or revoke the liquor license for Tanglewood Marsh Golf Course.

Section 3 **WAIVER OF TRIBAL COURT JURISDICTION**

- 3.1 **Waiver of Tribal Court jurisdiction.** The Board of Directors waives any exclusive jurisdiction that the Tribe's Tribal Court may otherwise have over any action arising under Section 2.
- 3.2 **Consent to jurisdiction in state court and in the Commission.** The Tribe agrees that actions initiated by Commission in accordance with this limited waiver of sovereign immunity and consent to the Commission's jurisdiction may be brought in the courts of the State of Michigan and/or in an administrative proceeding before the Commission.

CERTIFICATION

We, the undersigned, as Vice-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 10 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of June 2022; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.



DJ Hoffman, Vice-Chairman
Sault Ste. Marie Tribe of
Chippewa Indians



Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians



RESOLUTION NO: 2022-163

**U. S. DEPARTMENT OF THE TREASURY
FY 2021 EMERGENCY RENTAL ASSISTANCE PROGRAM – ON LINE SUBMISSION
(ADDITIONAL FUNDING)**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a duly organized Indian Tribe under the Indian Reorganization Act of June 15, 1934 (P. L. 73-383, 48 Stat. 984) and;

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Housing Authority (“STHA”), is organized by Tribal Ordinance, pursuant to the authority of the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, Section 501(a) of Division N, of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260 (Dec. 27, 2020), authorizes the Department of the Treasury (“Treasury”) to make payments to Tribes/TDHEs, to be used to provide emergency rental assistance; and

WHEREAS, the purpose of the Emergency Rental Assistance Program is to provide financial assistance and housing stability services to eligible tribal families, including but not limited to, rent, rental arrears, utilities and home energy costs, and utilities and home energy cost arrears, for persons of low income; and

WHEREAS, the Treasury has made available excess funds that have been reallocated from grantees who did not meet the 65% spend down requirement; and

WHEREAS, the Treasury is currently accepting on-line requests for the excess funds through June 10, 2022. STHA has member applications that were not provided financial assistance due to obligating and expending the initial grant allocation; and

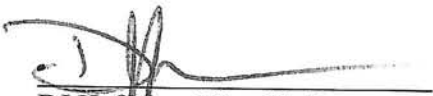
WHEREAS, the Sault Tribe Housing Authority requests approval to submit an on-line application for \$1,500,000 in additional Emergency Rental Assistance funding.


NOW, THEREFORE, BE IT RESOLVED, that the Sault Tribe Board of Directors hereby authorizes the Sault Tribe Housing Authority Director or its duly authorized representative, to complete the on-line submission, as noted above, to apply for additional U.S. Treasury Emergency Rental Assistance funding.

BE IT FINALLY RESOLVED, that the Sault Tribe of Chippewa Indians Board of Directors hereby authorizes and directs the Vice-Chairman of the Tribe to accept the FY 2021 Emergency Rental Assistance Funding and execute such documents and agreements as may be necessary to further this purpose.

CERTIFICATION

We, the undersigned, as Vice-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 10 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of June 2022; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.


DJ Hoffman, Vice-Chairman
Sault Ste. Marie Tribe of
Chippewa Indians


Bridgett Sorenson, Secretary
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**Government
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RESOLUTION NO: 2022-164

**ACCOUNTING
FY 2022 BUDGET MODIFICATION**

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BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2022 budget modification to the Accounting Cost Center 8510, for a change to the personnel sheet.


CERTIFICATION


We, the undersigned, as Vice-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 10 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 6 day of June 2022; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 9 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

**Government
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**Economic
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DJ Hoffman, Vice-Chairman
Sault Ste. Marie Tribe of
Chippewa Indians


Bridgett Sorenson, Secretary
Sault Ste. Marie Tribe of
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