

ROLL CALL MATRIX

Meeting Date: 6-2-2020

P	A	Res. Number 2020	106	107	108							
		Unanimous	U	U	U							
X		Michael McKerchie										
X		Kim Gravelle			1							
X		Betty Freiheit										
X		DJ Hoffman			2							
X		Jennifer McLeod										
X		Lana Causley	2	2								
X		Cath Hollowell										
X		Bridgett Sorenson	1	1								
X		Keith Massaway										
X		Denise Chase										
X		Darcy Morrow										
X		Charles Matson										
X		Aaron Payment										

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



RESOLUTION NO: 2020-106

**PERFORMANCE RESOLUTION
MDOT PERMITS**

Min Waban Dan

**Administrative
Office**

523 Ashmun Street

Sault Ste. Marie

Michigan

49783

Phone

906.635.6050

Fax

906.635.4969

**Government
Services**

**Membership
Services**

**Economic
Development
Commission**

WHEREAS, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians (hereinafter referred to as the "TRIBE") periodically applies to the Michigan Department of Transportation, (hereinafter referred to as the "DEPARTMENT") for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under state trunkline right of way at various locations; within and adjacent to its tribal government properties.

NOW, THEREFORE, BE IT RESOLVED, in consideration of the DEPARTMENT granting such PERMIT, the TRIBE agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.

2. Any work performed for the TRIBE will be solely as for the TRIBE and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the TRIBE, or their subcontractors, or any other person not a party to the PERMIT, without its specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims against the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof will be the sole responsibility of the TRIBE. Certificate of insurance shall be provided to the DEPARTMENT by the contractors. The liability policies shall meet the requirements of the Department's Permit.

3. The TRIBE will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State trunkline right of way resulting from the installation, construction, operation and/or maintenance of the TRIBE'S facilities according to a PERMIT issued by the DEPARTMENT.

4. With respect to any activities authorized by PERMIT, when the TRIBE requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.

5. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.

6. This resolution shall continue in force from this date until cancelled by the TRIBE or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the TRIBE with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within state trunkline right of way on behalf of the TRIBE.

Name	and/or	Title
Aaron A. Payment		Chairperson of the Tribe
Christine McPherson		Executive Director
Robert Schulte		Chief Financial Officer
Joel Schultz		Director of Economic Development
Allen Kerridge		Casino CEO

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 2 day of June 2020; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 12 members for, 0 members against, 0 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: 2020-107

ACCEPTANCE OF THE 2019 HOUSING AUTHORITY AUDIT

Min Waban Dan

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Office**

523 Ashmun Street

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Michigan

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BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians, hereby accepts and approves the 2019 Housing Authority Audit, as presented to the Sault Tribe Audit Committee by Anderson, Tackman & Company, PLC.

CERTIFICATION

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

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



RESOLUTION NO: 2020-108

**AMENDMENT TO AUTHORIZATION TO RETAIN LAW FIRM
INTERIM GENERAL COUNSEL
PATTERSON EARNHART REAL BIRD & WILSON LLP**

Min Waban Dan

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Office**

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WHEREAS, the attorneys of the Colorado Office of Fredericks Peebles & Patterson (the "Attorneys") submitted a proposal to serve as interim general counsel of the Sault Ste. Marie Tribe of Chippewa Indians (the "Tribe") in response to the Tribal request for proposals, which the Board of Directors approved in Resolution No. 2020-97; and

WHEREAS, the Attorneys have since restructured their practice to form the majority Native American owned firm of Patterson Earnhart Real Bird & Wilson LLP.

BE IT RESOLVED, that Resolution 2020-97 is hereby amended and superseded in part to retain Patterson Earnhart Real Bird & Wilson LLP to act as interim general counsel for the Tribe, the Tribe's Gaming Authority, and Economic Development Commission, and to attend, telephonically or otherwise, Board meetings and workshops for the purpose of advising the Board.

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


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