

**BOARD OF DIRECTORS REGULAR MEETING  
KEWADIN CASINO AND CONVENTION CENTER  
SAULT STE. MARIE, MICHIGAN  
MINUTES  
October 4, 2022**

The meeting was opened at 5:00 p.m. by Vice- Chairman Lowes.

Present: Michael McKerchie, Austin Lowes, Betty Freiheit, Isaac McKechnie, Rob McRorie, Lana Causley, Kimberly Lee, Bridgett Sorenson, Shawn Borowicz, Darcy Morrow, Kimberly Hampton, Tyler LaPlaunt, and DJ Hoffman.

Absent:

**Moved by Director Morrow, by Director Causley, to approve the agenda as read.**

**Motion carried with Director Freiheit opposing.**

**Moved by Director Causley, supported by Director Sorenson, to approve the Minutes of 4-26-2022. Motion carried with Director Freiheit opposing.**

**Moved by Director Sorenson, supported by Director Morrow, to approve the Minutes of 5-3-2022. Motion carried unanimously.**

**Moved by Director Sorenson, supported by Director Morrow, to approve the Minutes of 6-14-2022. Motion carried unanimously.**

**Moved by Director Sorenson, supported by Director Morrow, to approve the Minutes of 6-20-2022. Motion carried with Director Freiheit opposing.**

**Moved by Director Morrow, supported by Director Sorenson, to approve the Minutes of 6-27-2022. Motion carried with Directors Freiheit, McRorie, McKechnie opposing.**

**Moved by Director Sorenson, supported by Director Morrow, to approve the Minutes of 7-5-2022. Motion carried unanimously.**

**Moved by Director Sorenson, supported by Director Morrow, to approve the Minutes of 7-12-2022. Motion carried unanimously.**

**Moved by Director Sorenson, supported by Director Morrow, to approve the Minutes of 7-19-2022. Motion carried unanimously.**

**Moved by Director Sorenson, supported by Director Morrow, to approve the Minutes of 7-26-2022. Motion carried unanimously.**

**Moved by Director Sorenson, supported by Director Morrow, to approve the Minutes of 8-9-2022. Motion carried unanimously.**

**Note: Director LaPlaunt will chair the meeting.**

**Moved by Director Morrow, supported by Director McRorie, to approve Res. 2022-263, FY 2023 – Budget Document – Health Division.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 Budget Document for the Health Division totaling \$71,211,735.

**Roll Call Vote: Motion carried unanimously.**

**Moved by Director Causley, supported by Director Sorenson, to approve Res. 2022-264, Stonegarden Grant Establishment of FY 2023 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 2023 budget for the Stonegarden Grant with Federal Department of Justice of Michigan monies of \$19,446.75. No effect on Tribal Support.

**Motion carried unanimously.**

**Moved by Director Causley, supported by Director Sorenson, to approve Res. 2022-265, Child Advocacy Program Establishment of FY 2023 Budget.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves establishment of a FY 2023 budget for the Child Advocacy Project with Federal Department of Justice of Michigan monies of \$164,670.14. No effect on Tribal Support.

**Roll Call Vote: Motion carried unanimously.**

**Moved by Director Causley, supported by Director Morrow, to approve Res. 2022-266, Natural Resources – Trust Land Management FY 2022 Budget Modification.**

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 Trust Land Management to decrease BIA Federal Revenue monies of \$23,504.81. No effect on Tribal Support.

**Roll Call Vote: Motion carried unanimously.**

**Moved by Director Morrow, supported by Director Sorenson, to approve Res. 2022-267, Natural Resources – GLRI Lake Michigan Deepwater Fish Establishment of FY 2023 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 2023 budget for GLRI Lake Michigan Deepwater Fish with BIA Federal Revenue monies of \$110,912.00. No effect on Tribal Support.

**Roll Call Vote: Motion carried unanimously.**

**Moved by Director Morrow, supported by Director Causley, to approve Res. 2022-268, Natural Resources – GLRI Lake Whitefish Experimental Rearing Establishment of FY 2023 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 2023 budget for GLRI Lake Whitefish Experimental Rearing with BIA Federal Revenue monies of \$199,963.00. No effect on Tribal Support.

**Roll Call Vote: Motion carried unanimously.**

**Moved by Director Sorenson, supported by Director Causley, to approve Res. 2022-269, Natural Resources – Inter-Tribal Fisheries and Nunn's Creek FY 2022 Budget Modifications.**

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 Inter-Tribal Fisheries to increase Other Revenue – Transfer In monies of \$34,415.33. No effect on Tribal Support.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2022 budget modification to Nunn's Creek to increase Other Revenue – Sales monies received of \$34,415.33 and Transfer Out monies of \$34,415.33. No effect on Tribal Support.

**Motion carried unanimously.**

**Moved by Director Morrow, supported by Director Sorenson, to approve Res. 2022-270, Authorization to Use Temporary Employment Solutions Provided by Sault Tribe Inc. or its Subsidiaries.**

RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby authorizes Sault Tribe Inc or its subsidiary to recruit specified talents, timely on board, and temporarily hire to fill open positions for the Tribe. BE IT FURTHER RESOLVED, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors authorizes Enterprises and Governmental Departments to use budgeted contract dollars and wages and fringe budget surpluses created by open positions to contract with Sault Tribe Inc. or its subsidiary(s) for temporary staff.

**Roll Call Vote: Motion carried with Directors Sorenson, McKerchie, Causley, Borowicz, Morrow, Hampton, Lowes approving; Directors McRorie, McKechnie, Freiheit, Lee opposing.**

**Moved by Director Lowes, supported by Director McKechnie, to approve the resolution titled Approval and Authorization of Commercial Purchase Agreement and Limited Waiver of Sault Ste. Marie Tribe of Chippewa Indian's Sovereign Immunity Therein.**

**Roll Call Vote: Motion denied with Directors McKechnie, Borowicz, Freiheit, Lee, Hampton, Lowes approving; Directors McKerchie, Causley, Morrow opposing; Directors McRorie, Sorenson abstaining. Note: Needed a vote of seven to approve for something previously adopted. GC stated needed a positive majority to waive sovereign immunity.**

Note: The General Counsel changed his mind on both counts, this resolution was provided a number after the meeting.

**Moved by Director Morrow, supported by Director Sorenson, to approve Res. 2022-271, Approving Covid-19 Fishery Participant Assistance Program.**

NOW, THEREFORE, BE IT RESOLVED, that the Tribe should and does hereby approve the attached COVID-19 Fishery Participant Assistance Program to offer financial assistance to meet necessary and eligible expenses incurred directly or indirectly as a result of the COVID-19 public health emergency and resulting economic conditions.

BE IT FURTHER RESOLVED, it is the intent of the Board of Directors that all assistance provided under the Program is done so under exigent circumstances as the sovereign act of a legislative body under the General Welfare Doctrine and thus eligible for non-taxable treatment to the fullest extent allowable; and

BE IF FURTHER RESOLVED, it is the intent of the Board of Directors that assistance provided under the COVID-19 Fishery Participant Assistance Program shall not be calculated as "eligible income" to limit or otherwise adversely impact a recipient's eligibility to receive assistance from any other existing tribal programs.

BE IT FURTHER RESOLVED, that the Program shall be funded with the Tribe's Division M Consolidated Appropriations Act of 2021 funds as set forth in the budget approved by the Board pursuant to the Tribe's existing budgeting and administrative processes.

BE IF FURTHER RESOLVED, that the Board of Directors reserves the right to amend the Program on an ongoing and as needed basis as additional guidance, funds, and needs arise.

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

**Motion carried unanimously.**

**Moved by Director Morrow, supported by Director Sorenson, to approve Res. 2022-272, Rejecting the United States Supreme Court's Decision in Oklahoma V. Castro-Huerta and Calling Upon the United States Congress and President Biden to Support a Legislative Fix.**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians ("Board of Directors") rejects the United States Supreme Court's erroneous ruling in *Oklahoma v. Castro-Huerta* and stands with tribes across Indian Country calling on Congress and the Biden Administration to enact a legislative fix to this decision.

BE IT FURTHER RESOLVED, the Board of Directors supports a legislative fix to the United States Supreme Court's errant decision in *Oklahoma v. Castro-Huerta* by amending 18 U.S.C. § 1152 to make it clear that "the general laws of the United States as to the punishment of offenses committed in any place within the sole and exclusive jurisdiction of the United States, except the District of Columbia, shall extend to Indian Country *and shall apply to preempt the application of state law and prosecutorial jurisdiction.*"

BE IT FURTHER RESOLVED, the Board of Directors authorizes and directs the Tribe's General Counsel to take the necessary steps to effectuate the intent of this resolution, including working to advance a legislative fix that protects the Sault Ste. Marie Tribe of Chippewa Indians' Jurisdiction and Sovereignty.

**Motion carried unanimously.**

**Moved by Director Sorenson, supported by Director Morrow, to accept the resignation of Denise Chase from the Housing Commission.**

**Motion carried unanimously.**

**Moved by Director Sorenson, supported by Director Morrow, to appoint the following Elder Committees:**

Unit 2 – Hessel Appoint Jackie Minton – Regular Member, 4 year term, expiring October 2026; Unit 2 – Naubinway reappoint Linda Livermore – Regular Member, 4 year term, expiring October 2026; Unit 5 – Munising appoint Gregory Pond – Regular Member, 4 year term, expiring October 2026; Elder Advisory:  
Unit 4 – Reappoint Ernest Demmon, Alternate Member, 4 year term, expiring October 2026; Unit 5 – Reappoint Rebecca Kolbus, Regular Member, 4 year term, expiring October 2026; Unit 5 – Appoint Phillip Martin, Alternate Member, 4 year term, expiring October 2026.

**Motion carried unanimously.**

Adjourned: 6:08 p.m.

Date: 12/20/22

Secretary: 

Others present: Christine McPherson, Jessica Dumback, Bob Schulte, Eric Clark, Bob Marchand, Jeremy Patterson, Jen Clerc, Katelynn Griffin, Joanne Carr.