

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN CASINO AND CONVENTION CENTER
SAULT STE. MARIE, MICHIGAN
MINUTES
July 20, 2021**

The meeting was opened at 5:00 p.m. by Chairperson Payment.

Present: Kim Gravelle, Austin Lowes, DJ Hoffman, Betty Freiheit, Michael McKerchie, Lana Causley, Catherine Hollowell, Bridgett Sorenson, Keith Massaway, Denise Chase, Darcy Morrow, and Aaron Payment.

Absent: Charles Matson.

Moved by Director Causley, supported by Director Hoffman, to excuse Director Matson from the meeting.

Motion carried unanimously.

Moved by Director Freiheit, supported by Director Lowes, to approve the agenda as read.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Massaway, to approve the Minutes of 6-15-2021; 7-6-2021, as read.

Motion carried unanimously.

Moved by Director Causley, supported by Director Gravelle, to approve Res. 2021-171, Recovery Hospital and Third Party Revenue FY 2021 Budget Modifications.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2021 budget modification to the Recovery Hospital to change the personnel sheets and increase Third Party Revenue monies \$55,075.60. 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 2021 budget modification to Third Party Revenue increasing the transfer of monies \$55,075.60. No effect on Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director Massaway, supported by Director Causley, to approve Res. 2021-172, Tribal Practices for Wellness in Indian Country 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 Tribal Practices for Wellness in Indian Country to increase Federal CDC monies \$56,574.41. No effect on Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director Hoffman, supported by Director Gravelle, to table the resolution regarding Purchased and Referred Cared.

Roll Call Vote: Motion carried with Directors Sorenson, Morrow, Hoffman, Massaway, McKerchie, Hollowell, Chase, Gravelle, Causley, Lowes approving; Director Freiheit opposing.

Moved by Director Massaway, supported by Director Causley, to approve Res. 2021-173, Environmental – Air Programs FY 2022 Budget Modification and Establishment of FY 2022 Budget.

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 Environmental – Air Program for a decrease in Federal EPA Revenue monies of \$55,593.25 and Tribal Support monies of \$3,158.00. This modification reflects carry over funds.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2022 budget for Environmental – Air Program with Federal EPA Revenue monies of \$57,963.98. No effect on Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director Massaway, supported by Director Hoffman, to approve Res. 2021-174, American Rescue Plan Act (ARPA) – Governmental Administration Establishment of FY 2021 and 2022 Budgets.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2021 budget for ARPA Governmental Administration with Federal ARPA Revenue monies of \$147,107.22 and Other Revenue monies of \$25,000.00, for a total budget of \$172,107.22. 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 establishment of a FY 2022 budget for ARPA Governmental Administration with Federal ARPA Revenue monies of \$1,121,124.18 and Other Revenue monies of \$15,000.00, for a total budget of \$1,136,124.18. No effect on Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director Gravelle, supported by Director Hoffman, to approve Res. 2021-175, Strategic Director FY 2021 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2021 budget modification to Strategic Director for an increase in Other Revenue monies \$17,136.00. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Causley, supported by Director Sorenson, to approve Res. 2021-176, Approve Contract Award and Federal Funds for Sault Tribe Broadband Consultant Project.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the Sault Tribe Broadband project and authorizes Aaron A. Payment, Tribal 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 the winning bidder for contracted services required to complete the Sault Tribe Broadband Project, and authorizes \$200,000 expenditures from Governmental Cares Act, cost center 12163.

Roll Call Vote: Motion carried unanimously.

Moved by Director Chase, supported by Director Morrow, to approve Res. 2021-177, Approving Lease Amendment for the Escanaba Tribal Community Health Center.

NOW, THEREFORE, BE IT RESOLVED, that the Chairperson of the Tribe is authorized and directed to execute the Lease renewal for the property located at 1401 North 26th Street, Escanaba, Michigan, expiring on July 31, 2022.

BE IT FURTHER RESOLVED, Health Center staff shall look for a grant/loan funding to build a center in the Escanaba Tribal Reservation and bring back to the Board of Directors for review.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Gravelle, to approve Res. 2021-178, Authorization to Set Up NADP Site.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians does hereby, as follows:
Authorize the Environmental Program to move the NADP site platform and equipment to the Gardenville Road location, set it up, and operate it at this location for a three year term, which shall be renewable with approval of the Tribal Board of Directors.

BE IT FURTHER RESOLVED, that the Chairperson and Treasurer, are authorized to execute any and all documents necessary to proceed with the intent of this resolution.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Gravelle, to approve Res. 2021-179, Authorization to Bid on Parcels Public Land Auction (August 3, 2021).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby authorizes the Tribe's EDC Executive Director, or his designee, to participate in the public land auction, scheduled for August 3, 2021, either in person or on-line; and to place bids on any or all parcels approved for purchase in Resolutions 2018-185, 2018-207, 2018-219 and 2019-171 using previously approved funds.

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes the Tribe's EDC Executive Director, or his designee, to place bids on any and all of the additional parcels of lands being offered as discussed, at a total cost not to exceed \$15,000.

Motion carried unanimously.

Moved by Director Morrow, supported by Director Chase, to approve Res. 2021-Manistique Ranger District Office and Complex.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby consents to the transfer of the land, and expresses its willingness to consent despite the nominal value and those exceptions listed on the Title commitment, Schedule B, Section 2, including but not limited to the reservation of the right to quarry limestone, dated March 2, 1873, and any other mineral deeds related to the properties.

BE IT FURTHER RESOLVED, that the Sault Ste. Marie Tribe hereby expresses its intent to pay the delinquent taxes on the properties dating from 2018 through present, and that the Tribal Chairperson and Treasurer, are authorized to execute such documents as may be necessary, for the transfer of these properties to the Sault Ste. Marie Tribe, and to expend those funds needed for the payment of all delinquent back taxes on the property, following the conveyance.

BE IT FURTHER RESOLVED, that any expenses will come from the Facility Fund Balance.

Motion carried unanimously.

Moved by Director Causley, supported by Director Sorenson, to approve Res. 2021-181, Authorization to File Notice of Intent State Small Business Credit Initiative (SSBCI).

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Chairperson, or his designee, is authorized to file a notice of intent (NOI).

BE IT FURTHER RESOLVED, that the Board of Directors, authorizes the Tribal Chairperson or his designee, to submit any and all documentation need to make application to the SSBCI, for the funding to operate the above mentioned programs.

Motion carried unanimously.

Moved by Director Causley, supported by Director Gravelle, to approve Res. 2021-182, Authorizing the Joinder and Filing of an Amicus Brief in Gray Wolf Delisting Cases.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors does hereby authorize the Tribe's General Counsel to coordinate with Animal Wellness Action and other tribes towards the joinder and filing of an amicus brief on behalf of the Tribe in the consolidated cases of *Defenders of Wildlife, et al. v. U.S. Fish and Wildlife Service et al.*; *WildEarth Guardians, et al. v. Debra Haaland, U.S. Secretary of the Interior, et al.*; and *Natural Resources Defense Council, Inc. v. United States Department of the Interior, et al.*, in the United States District Court, Northern District of California.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Tribal 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.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Causley, to approve Res. 2021-183, Authorizing Litigation Relating to Tribal Insurance Claim.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors does hereby authorize the Sault Ste. Marie Tribe of Chippewa Indians' General Counsel to initiate litigation on the Tribe's behalf to resolve the Tribe's insurance claim filed in 2020 due to COVID-19 related closures.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Tribal 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.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Massaway, to refer the resolution regarding the Election Code to the Election Committee for review.

Motion carried with Directors Freiheit and Lowes opposing.

Moved by Director Hoffman, supported by Director Freiheit, to disenroll the following people: Sally Brown (aka Mark); Kevin Herro; Michael Herro; Collin Herro; Michele Ogle (Herro); Anthony Ogle; Heather Ogle, Matthew Stoken; Ethan Stoken. They are all eligible to be reinstated (to be members) if they can prove their lineage.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Gravelle, to accept the resignation of Annette King from the Unit One Elders Committee, and declare the seat vacant, effective immediately.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Gravelle, to appoint Bud Biron and Carol Eavou to the Unit One Elder Committee, for a four year term, expiring July 2025. Both are Regular Seats.

Motion carried unanimously.

Moved by Director Causley, supported by Director Hollowell, to appoint Marlene Crisp, to an Alternate Seat, to the Unit Two Hessel Elder Committee, for a four year term, expiring July 2025.

Motion carried unanimously.

Moved by Director Hollowell, supported by Director Causley, to appoint Stan Johnston, to a Regular Seat, , to the Unit Two Newberry Elder Committee, for a four year term, expiring July 2025.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director Massaway, to appoint Dell Powers, to the Elder Advisory Committee for the Unit Three Elder Committee, Regular Seat, for the remaining time Dell has on the Elder Committee.

Motion carried unanimously.

Moved by Director Morrow, supported by Director Chase, to appoint Carol Strauser, Regular Seat, Janet Krueger – Regular Seat, Sharon Barber – Alternate Seat, to the Unit Four Manistique Elder Committee, for a four year terms, expiring July 2025.

Motion carried unanimously.

Moved by Director Morrow, supported by Director Chase to appoint Phillip Martin, to a Regular Seat, to the Unit Five Munising Elder Committee, for a four year term, expiring July 2025.

Motion carried unanimously.

Moved by Director Morrow, supported by Director Hollowell, to appoint Kevin Tillison, to a Regular Seat, to the Unit Five Marquette Elder Committee, for a four year term, expiring July 2025.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Sorenson, to hire Candidate B for the Key Employee position.

Roll Call Vote: Motion denied with Directors Hoffman, McKerchie, Massaway, Sorenson, Gravelle approving; Directors Morrow, Causley, Freiheit, Chase, Lowes opposing. Note: a key employee needs a vote of seven to be approved.

Moved by Director Lowes, supported by Director Freiheit, to hire Candidate A for the Key Employee position.

Roll Call Vote: Motion denied with Directors McKerchie, Massaway, Freiheit, Lowes approving; Directors Gravelle, Sorenson, Hoffman, Morrow, Chase opposing; Director Causley abstaining. Note: a key employee needs a vote of seven to be approved.

Meeting adjourned: 6:42 p.m.

Date: 8-3-2021

Secretary: Bridgett Sorenson

Others present: Christine McPherson, Robert Schulte, Tasha Caldwell, Jen Clerc, JR Loera, Joel Schultz, Leo Chugunov, Sheila Berger, Kristyn Libby, Linda Grossett, Joanne Carr.