

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN CASINOS CONVENTION CENTER
SAULT STE. MARIE, MICHIGAN
MINUTES
January 3, 2023**

This meeting was opened at 5:00 p.m. by Chairman Austin Lowes.

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

Absent: None

Moved by Director LaPlaunt, supported by Director McRorie, to approve the agenda as read.

Motion carries unanimously.

Moved by Director LaPlaunt, supported by Director McRorie, to approve the minutes from 11/22/22, 11/29/22, and 12/5/22.

Motion carries unanimously.

Moved by Director Causley-Smith, supported by Director McKerchie, to approve Resolution 2023-01, Gitchi Auto, Home, and RV FY 2023 Enterprise Capital Outlays Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the modification to the FY 2023 Enterprise Capital Outlay Budget to increase the expenses for Gitchi Auto, Home, and RV \$500,000 from Other Revenue. No effect on Tribal Support.

Roll Call Vote: Motion carries unanimously.

Moved by Director McKechnie, supported by Director Causley-Smith, to approve Resolution 2023-02, Child Care Stabilization Grant Establishment of FY 2023.

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 Child Care Stabilization Grant with State of Michigan monies of \$109,624.07. No effect on Tribal Support.

Roll Call Vote: Motion carries unanimously.

Moved by Director Causley-Smith, supported by Director LaPlaunt, to approve Resolution 2023-03, Sanitation BE-22-M79 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 Sanitation BE-22-M79 with Federal IHS monies \$354,000.00. No effect on Tribal Support.

Roll Call Vote: Motion carries unanimously.

Moved by Director Causley-Smith, supported by Director Freiheit, to approve Resolution 2023-04, Sanitation BE-22-M84 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 Sanitation BE-22-M84 with Federal IHS monies \$75,000.00. No effect on Tribal Support.

Roll Call Vote: Motion carries unanimously.

Moved by Director Freiheit, supported by Director LaPlaunt, to approve Resolution 2023-05, ACFS – Transitional Housing 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 Transitional Housing with Other Revenue monies of \$72,056.00 and Tribal Support monies of \$569,845.22.

Roll Call Vote: Motion carries with Directors' LaPlaunt, McKechnie, McKerchie, Causley-Smith, Freiheit, Borowicz, Hampton, Lee, McRorie approving; Director Morrow opposing; Director Sorenson abstaining.

Moved by Director LaPlaunt, supported by Director Hampton, to approve Resolution 2023-06, Health Center – Sault Administration FY 2023 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification for Health Center – Administration for a change to the personnel page. No effect on Tribal Support.

Roll Call Vote: Motion carries unanimously.

Moved by Director Causley-Smith, supported by Director McKechnie, to approve Resolution 2023-07, Health Center – COVID Maintenance & Improvements 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 Covid Maintenance & Improvements with Federal IHS monies of \$48,462.48. No effect on Tribal Support.

Motion carries unanimously.

Moved by Director Morrow, supported by Director Causley-Smith, to approve Resolution 2023-08, Health Center – COVID Testing Related Activities 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 Covid Testing Related Activities with Federal IHS monies of \$408,118.28. No effect on Tribal Support.

Roll Call Vote: Motion carries unanimously.

Moved by Director McKechnie, supported by Director LaPlaunt, to approve Resolution 2023-09, Health Division – Health and Wellness Indian Country FY 2023 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to Health and Wellness Indian Country for an increase in Federal CDC Revenue monies \$96,892.97. No effect on Tribal Support.

Roll Call Vote: Motion carries unanimously.

Moved by Director McKechnie, supported by Director LaPlaut, to approve Resolution 2023-10, Health Division – Maintenance/Improvement/Capital Outlays and 3rd Party Revenue FY 2023 Budget Modifications.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to Maintenance/Improvement/Capital Outlays for an increase in 3rd Party Revenue of \$100,000.00, and an increase in Federal I.H.S. Revenue monies \$243,561.86. 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 3rd Party Revenue increasing the transfer out of \$100,000.00. No effect on Tribal Support.

Roll Call Vote: Motion carries unanimously.

Moved by Director McRorie, supported by Director LaPlaut, to approve Resolution 2023-11, Health Center – PRC COVID 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 PRC Covid with Federal I.H.S. monies of \$101,610.14. No effect on Tribal Support.

Roll Call Vote: Motion carries unanimously.

Moved by Director Causley-Smith, supported by Director LaPlaut, to approve Resolution 2023-12, Health Division – SAMHSA STOPR FY 2023 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to SAMHSA STOPR for an increase in Federal HHS Revenue monies \$14,694.22. No effect on Tribal Support.

Roll Call Vote: Motion carries unanimously.

Moved by Director Morrow, supported by Director Causley-Smith, to approve Resolution 2023-13, Health Division – Special Diabetes 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 Special Diabetes with Federal I.H.S. monies of \$912,394.00. No effect on Tribal Support.

Roll Call Vote: Motion carries unanimously.

Moved by Director Freiheit, supported by Director Hampton, to approve Resolution 2023-14, Grid Resilience 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 GRID Resilience with Tribal Support monies of \$10,000 and Other Revenue monies of \$10,000.

Motion carries unanimously.

Moved by Director Freiheit, supported by Director LaPlaut, to approve Resolution 2023-15, Board of Directors Head Start Advisory Committee.

NOW, THEREFORE BE IT RESOLVED, that it is the intent of the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians that the Membership of the Head Start Advisory Committee consist of four members, at least two of whom shall be sitting members of the Board of Directors,

who will be appointed by the Board of Directors, and when needed, appointed and/or reappointed by the Board of Directors.

BE IT FURTHER RESOLVED, that Robert McRorie will be appointed to the Head Start Advisory Committee until their term as a member of the Board of Directors expires.

BE IT FINALLY RESOLVED, that Kimberly Vincent-Hampton and Kimberly Lee will be appointed as alternate members of the Head Start Advisory Committee, until their terms as members of the Board of Directors expires.

Motion carries unanimously.

Moved by Director Causley-Smith, supported by Director Freiheit, to approve Resolution 2023-16, Food Distribution Program on Indian Reservations (FDPIR) Food Nutrition Services (FNS).

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Chairman, Austin Lowes, or his designee to sign, amend, negotiate, and execute any agreements thereof for the FDPIR FNS Program authorized under the USDA Food Distribution Program on Indian Reservations.

Motion carries unanimously.

Moved by Director Sorenson, supported by Director Causley-Smith, to approve Resolution 2023-17, U.S. Department of Housing and Urban Development (HUD) FY 2023 Indian Housing Block Grant Program – Competitive Grant (IHBG-C) Application.

NOW, THEREFORE BE IT RESOLVED, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby authorizes and directs the Sault Tribe Housing Authority Director, or its duly authorized representative, to develop and submit an application requesting \$7,500,000 for the FY 2022 Indian Housing Block Grant P Competitive (FR-6600-N-48) and the Tribe will not be submitting a separate application.

BE IT FINALLY RESOLVED, that the Sault Tribe of Chippewa Indians Board of Directors hereby authorizes and directs the Chairman of the Tribe to accept the FY 2022 Indian Housing Block Grant Program Competitive Grants (IHBG-C) grant if it is awarded, and execute such documents and agreements as may be necessary to further this purpose.

Motion carries unanimously.

Moved by Director McKechnie, supported by Director Causley-Smith, to approve Resolution 2023-18, U.S. Department of Housing and Urban Development (HUD) FY 2022 Indian Housing Block Grant Program – Competitive Grants (IHBG-C) – Unit 2.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians concurs with and approves the firm commitment of \$1,000,000 of ARPA Fund Appropriation Unit 2 Housing Funds.

Motion carries unanimously.

Moved by Director Freiheit, supported by Director Hampton, to approve Resolution 2023-19, Transportation Program 2023-2026 Transportation Improvement Plan (TIP).

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors supports and adopts the 2023-2026 Transportation Improvement Plan for the projects listed in the attached TIP forms that were developed between us and the BIA for Tribal Shares Funding.

Motion carries unanimously.

Moved by Director Causley-Smith, supported by Director LaPlaunt, to approve Resolution 2023-20, Approving Contract Traci Swan.

BE IT RESOLVED, that the Board of Directors hereby approves the contract between the Sault Ste. Marie Tribe of Chippewa Indians and Traci Swan, starting February 1, 2023 and ending January 31, 2024, for the purpose of providing Court Administrator and Magistrate duties.

Roll Call Vote: Motion carries with Directors' LaPlaunt, McKechnie, McKerchie, Causley-Smith, Freiheit, Borowicz, Hampton, Sorenson, Lee, McRorie approving; Director Morrow opposing.

Moved by Director Causley-Smith, supported by Director LaPlaunt, to approve Resolution 2023-21, Approving Contract Amendment Khoury Johnson Leavitt.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors hereby approves the contract between the Sault Ste. Marie Tribe of Chippewa Indians and Khoury Johnson Leavitt, ending December 31, 2023, at the monthly fee of \$7,500, for the purpose of providing consulting services to the Tribe.

Roll Call Vote: Motion carries unanimously.

Moved by Director Causley-Smith, supported by Director Morrow, to approve Resolution 2023-22, Approving Contract Amendment Sonosky Chambers.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors hereby approves the contract between the Sault Ste. Marie Tribe of Chippewa Indians and Sonosky Chambers, ending December 31, 2023, at the monthly fee of \$7,500, for the purpose of providing consulting services to the Tribe.

Roll Call Vote: Motion carries unanimously.

Moved by Director Freiheit, supported by Director McKerchie, to approve a Resolution, Amending Appeal Policies.

Moved by Director Sorenson, supported by Director LaPlaunt, to Table.

Roll Call Vote: Motion to Table carries unanimously.

Moved by Director LaPlaunt, supported by Director McKerchie, to approve a Resolution, Amending/Approving Drug-Free Workplace Policy and Rescission of Substance Abuse Policy.

Moved by Director McKechnie, supported by Director LaPlaunt, to Table.

Roll Call Vote: Motion to Table carries unanimously.

A Resolution, Amending Company Vehicle Policies Including Company Vehicle Supervisor Manuals.

Resolution Fails due to Lack of Support.

Moved by Director McKechnie, supported by Director Morrow, to approve Resolution 2023-23, Clarifying 401(K) Employer Contributions.

NOW, THEREFORE BE IT RESOLVED, THAT THE Board of Directors hereby determines and clarifies that Resolution No. 2022-306 amended the Plan to change the three percent (3%) discretionary employer contribution created under Resolution No. 2021-122 into a three percent

(3%) mandatory employer contribution into the Plan wherein all employees over the age of 18 will automatically receive an annual three percent (3%) employer contribution, without any discretionary contribution requirement, after an employee has been with the Tribe for at least one year of employment and completed one thousand (1,000) hours of service.

BE IT FURTHER RESOLVED, that the Board of Directors hereby determines and clarifies that Resolution No. 2022-306 did not negate or affect the one percent (1%) match to the Plan, contingent upon the employee contributing one percent (1%), as authorized under Resolution No. 2017-08.

BE IT FURTHER RESOLVED, that the combination of the currently authorized employer's contributions includes the three percent (3%) mandatory contribution, and one percent (1%) discretionary contribution, totaling a potential four percent (4%) employer contribution each year for employees over the age of 18 that have been with the Tribe for at least one year of employment and completed one thousand (1,000) hours of service.

BE IT FURTHER RESOLVED, that the terms of this Resolution hereby control, supersede, and amend any past Resolution that is contrary to the action of the Board of Directors set forth in this Resolution.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Tribal Chairman, or designee, to execute any and all documents, including ancillary or supplemental documents or forms that do not change the substantive terms of the Plan as may be necessary and appropriate to carry out the terms, conditions, and intent of this Resolution.

Roll Call Vote: Motion carries unanimously.

Moved by Director McKechnie, supported by Director LaPlaunt, to approve Resolution 2023-24, Rescinding Resolutions 2021-280 and 2022-84 and ARPA Fund Reappropriations for Unit 1 for Affordable Housing.

Moved by Director Sorenson, supported by Director Causley-Smith, to Table.

Roll Call Vote: Motion to Table fails, with Directors' Lee, Morrow, Causley-Smith, McKerchie, Sorenson supporting; Directors' Freiheit, Borowicz, McRorie, Hampton, LaPlaunt, McKechnie opposing.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby rescinds Resolutions 2021-280 and 2022-84.

BE IT FURTHER RESOLVED, that this Resolution amends and supersedes any prior conflicting Resolution of the Board of Directors.

BE IT FURTHER RESOLVED, that a Tribal enterprise named Odenaang Homes Tribal Enterprise, shall be created to execute Affordable Housing Development in place of Demawating Development.

BE IT FURTHER RESOLVED, that Odenaang Homes Tribal Enterprise will be managed by the Sault Tribe Housing Authority.

BE IT FURTHER RESOLVED, the Tribe's Board of Directors now reappropriates the Eleven Million dollars (\$11,000,000) of UNIT 1 approved ARPA funds initially appropriated to Demawating Development to Odenaang Homes Tribal Enterprise to be managed by Sault Tribe Housing Authority in order to accomplish the Affordable Housing Development.

BE IT FURTHER RESOLVED, the Tribe's Board of Directors authorizes the Sault Tribe Housing Authority Director to administratively establish a budget for the Affordable Housing Development.

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

Roll Call Vote: Motion carries with Directors' LaPlaut, McKechnie, Borowicz, Lee, Hampton, McRorie, Freiheit approving; Directors' Sorenson, Morrow, McKerchie opposing; Director Causley-Smith abstaining.

Moved by Director Sorenson, supported by Director Morrow, to approve a Resolution, Possession and Return of Public Records, Tribal Records, and Documents of the Tribe.

Moved by Director Freiheit, supported by Director LaPlaut, to Table.

Roll Call Vote: Motion to Table fails with Directors' Freiheit, LaPlaut, McKechnie, McRorie, Hampton supporting; Directors' Causley-Smith, McKerchie, Lee, Morrow, Sorenson, Borowicz opposing.

Roll Call Vote: Motion fails with Directors' Morrow, McKerchie, Causley-Smith, Sorenson, Lee approving; Directors' LaPlaut, McKechnie, Freiheit, Borowicz, Hampton, opposing; Director McRorie abstaining; Tie Vote: Chairman Lowes opposing.

Moved by Director Sorenson, supported by Director Morrow, to separate Election Committee Resignations from the rest of the Committee Requests.

Roll Call Vote: Motion carries unanimously.

Moved by Director Causley-Smith, supported by Director McRorie, to approve the following Committee Appointments/Reappointments:

Child Welfare Committee: Reappoint Latisha Willette, Regular Member and Chairperson, 4-year term, expiring January 2027.

Special Needs/Enrollment Committee: Appoint Diane McLeod-Maleport as Chairperson, Remainder of term expiring December 2023.

Unit 2-Newberry Elder Committee: Reappoint Roberta Chippewa, Regular Member, 4-year term, expiring January 2027; Reappoint Lillian Hoerz, Regular Member, 4-year term, expiring January 2027.

Unit 3-St. Ignace Elder Committee: Reappoint Roberta Paquin, Regular Member, 4-year term, expiring January 2027.

Unit 4-Manistique Elder Committee: Appoint Viola Neadow, Regular Member, 4-year term, expiring January 2027.

Motion carries with Director Sorenson abstaining.

Moved by Director LaPlaut, supported by Director McRorie, to Accept the following Election Committee Resignations:

Traci Kangas, Chairperson, accept and declare seat vacant, remain on Committee as a Regular Member.

Kristi Franklin, Member, accept and declare seat vacant.

Roll Call Vote: Motion carries with Directors' Lee, Freiheit, Borowicz, McRorie, Causley-Smith, Hampton, McKerchie, LaPlaut approving; Directors' Morrow, Sorenson opposing.

**Moved by Director Causley-Smith, supported by Director Freiheit, to approve the Large Boat License Transfer from Albert LeBlance to Duke White.
Roll Call Vote: Motion carries unanimously.**

**Moved by Director Freiheit, supported by Director LaPlaunt, to Allow HR to Waive Policy and Procedure in hiring the two displaced Northern Hospitality Team Members into positions that they have been determined to be qualified for.
Roll Call Vote: Motion carries with Directors' Causley-Smith, McKerchie, Lee, Freiheit, LaPlaunt, McKechnie, Borowicz, McRorie, Hampton approving; Director Morrow opposing; Director Sorenson abstaining.**

**Moved by Director LaPlaunt, supported by Director Hampton, to Suspend the Rules to name the Jacobson Law Group to Assume the Role of Chair of the Election Committee until a Chair is identified so that Elections may resume and business can continue as normal.
Roll Call Vote: Motion to Suspend Rules fails with Directors' LaPlaunt, McKechnie, Hampton supporting; Directors' Morrow, McKerchie, Causley-Smith, Freiheit, Borowicz, Sorenson, Lee, McRorie opposing.**

Adjourned at approximately 8:30 p.m.

Date: 12/15/23

Secretary: 
Kimberly Hampton

Others Present: Christine McPherson, Jessica Dumback, Robert Schulte, Katelynn Griffin