

## ROLL CALL MATRIX

Meeting Date: 7-14-2020

P	A	Res. Number 2020	159	160	161	162	163
		Unanimous	U	U	U	U	
X		Michael McKerchie		Y			Y
X		Kim Gravelle		Y			Y
X		Betty Freiheit		Y			Y
X		DJ Hoffman		1Y		1	2Y
X		Austin Lowes		Y			Y
X		Lana Causley	1	Y			1Y
	X	Cath Hollowell	---	---	---	---	---
X		Bridgett Sorenson		Y	1		N
X		Keith Massaway	2	2Y		2	Y
X		Denise Chase		Y	2		N
X		Darcy Morrow		Y			N
	X	Charles Matson	---	---	---	---	---
X		Aaron Payment					

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



RESOLUTION NO: 2020-159

**APPROVING  
GAN ENTERTAINMENT**

**Min Waban Dan**

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**Government  
Services**

**Membership  
Services**

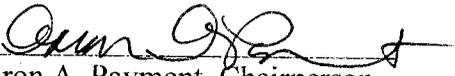
**Economic  
Development  
Commission**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby authorizes the Chairperson to negotiate and enter into a binding term sheet agreement with GAN Entertainment at terms presented and subject to legal review.

BE IT FURTHER RESOLVED, that the Board of Directors hereby discontinues any agreements with Bet 365.

**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 11 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 14 day of July, 2020; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.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: 2020-160

**FEDERAL CARES ACT – ENTERPRISES AND CASINOS  
ESTABLISHMENT OF FY 2020 BUDGET**

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**Government  
Services**

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**Economic  
Development  
Commission**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2020 budget for Enterprises and Casinos with Federal CARES Act monies of \$28,106,000.00. No effect on Tribal Support.

**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 11 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 14 day of July 2020; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 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: 2020-161

**AUTHORIZING DEVELOPMENT OF LEASE AGREEMENT WITH SAULT TRIBE INC. FOR BUSINESS DEVELOPMENT PURPOSES**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (the "Tribe") organized pursuant to the Constitution of the Sault Ste. Marie Tribe of Chippewa Indians; and

**Min Waban Dan**

WHEREAS, pursuant to the Constitution of the Tribe, the Board of Directors has the power to regulate trade, commerce and all manner of criminal and non-criminal conduct within the boundaries of its reservation; and

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Sault Ste. Marie  
Michigan

WHEREAS, the Board of Directors, under the authority of the Constitution of the Tribe, has the power and responsibility to manage, lease, sell, acquire or otherwise deal with the tribal lands, interest in lands and water or other tribal assets; and

49783

WHEREAS, Sault Tribe Inc. is a federally chartered corporation established pursuant to Section 17 of the Indian Reorganization Act of 1934; and

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WHEREAS, pursuant to its Corporate Charter, Sault Tribe Inc. has the power to conduct business activities for the economic benefit of the Tribe, including the power to own, hold, improve, manage, operate, and dispose of trust or restricted property; and

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WHEREAS, the Tribe wishes to lease tribal trust lands to Sault Tribe Inc., in furtherance of developing trust lands for business purposes, including the subleasing of tribal lands to third parties to develop, cultivate, or improve these lands.

**Government Services**

NOW, THEREFORE, BE IT RESOLVED, that the Tribe should and does hereby approve developing and entering into an agreement to lease the tribal trust lands listed in Attachment A, attached here to and incorporated herein by this reference, to Sault Tribe Inc., with such agreement authorizing Sault Tribe Inc., to manage and develop these lands for the economic benefit of the Tribe and its members, which shall include the authority to sublease tribal lands to third parties in furtherance of tribal economic development.

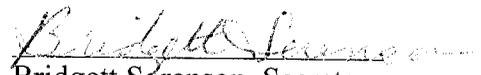
**Membership Services**

**Economic Development Commission**

**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 11 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 14 day of July 2020; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 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

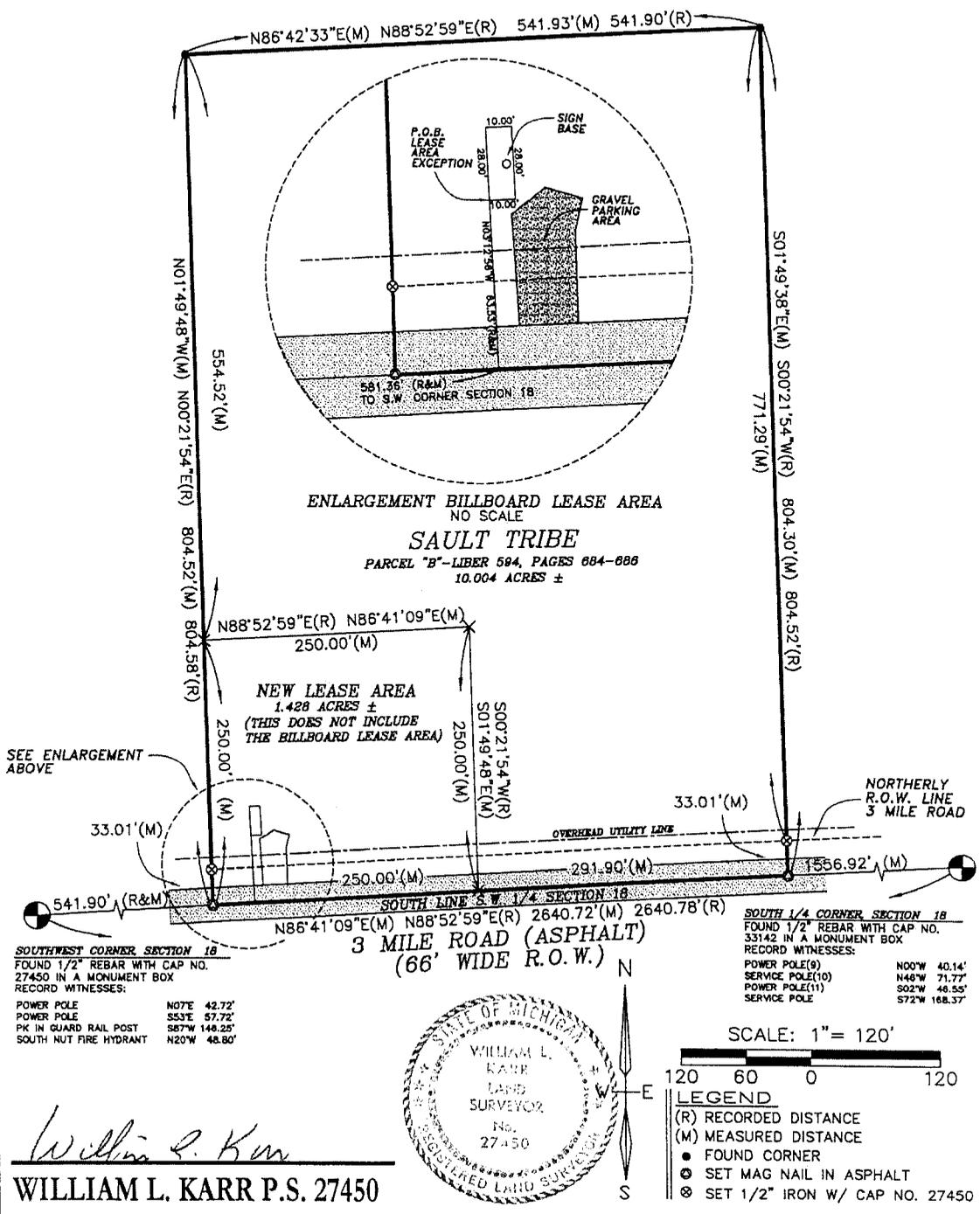
  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians

Res. 2020-161

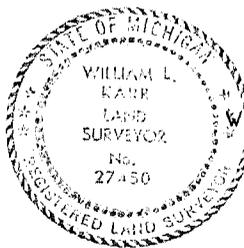
# CERTIFICATE OF SURVEY

PART OF THE SOUTHWEST 1/4, SECTION 18, T.47N.,  
R.01E., CITY OF STE. MARIE, CHIPPEWA COUNTY, MICHIGAN

**NOTE:** MEASURED BEARINGS ARE BASED ON THE CITY OF SAULT STE. MARIE CONTROL NETWORK (MICHIGAN STATE PLANE COORDINATE SYSTEM). RECORD BEARINGS ARE BASED ON A SURVEY BY THOMAS P. O'BRIEN, P.S. 21274 RECORDED IN L.439, P.546, CHIPPEWA COUNTY RECORDS.



*William L. Karr*  
**WILLIAM L. KARR P.S. 27450**



SURVEY FOR: SSM TRIBE REAL ESTATE	<b>WILLIAM L. KARR P.S.</b> SURVEYOR * CONSULTANT * LAND PLANNING CERTIFIED FEDERAL SURVEYOR (CFEDS)	SCALE 1" = 120' DRAWN WK SHEET 1 OF 2 COMPUTED WK JOB 2018-019A
DATE: APRIL 2, 2020	24705 S. M. 129 PICKFORD, MICHIGAN 49774	TELEPHONE: (906) 417-4224 W.L.KARR1@GMAIL.COM

# CERTIFICATE OF SURVEY

## LEGAL DESCRIPTION

(New Lease Area-3 Mile Road)

A parcel of land located in the Southwest 1/4 of the Southwest 1/4, Section 18, Town 47 North, Range 1 East, City of Sault Ste. Marie, Chippewa County, Michigan more particularly described as commencing at the Southwest corner of said Section 18; thence N88°52'59"E along the South line of said Section 18 a distance of 541.90 feet to the POINT OF BEGINNING;

thence N00°21'54"E a distance of 250.00 feet;  
 thence N88°52'59"E a distance of 250.00 feet;  
 thence S00°21'54"W a distance of 250.00 feet to a point on the South line of said Section 18;  
 thence S88°52'59"W along said South line a distance of 250.00 feet to the POINT OF BEGINNING.

### EXCEPTING THEREFROM, THE FOLLOWING BILLBOARD LEASE AREA:

A parcel of land located in the Southwest 1/4 of the Southwest 1/4, Section 18, Township 47 North, Range 1 East, City of Sault Ste. Marie, Chippewa County, Michigan more particularly described as commencing at the Southwest corner of said Section 18; thence a record bearing of N88°52'59"E along the South line of said Section a distance of 581.36 feet; thence N03°12'56"W a distance of 63.53 feet to the Southwest corner of this leased billboard area:

Thence continuing N03°12'56"W a distance of 28 feet to the Northwest corner of the occupied billboard space;  
 Thence N86°47'04"E a distance of 10 feet to the Northeast corner of occupied billboard space;  
 Thence S03°12'56"E a distance of 28 feet to the Southeast corner of occupied billboard space;  
 Thence S86°47'04"W a distance of 10 feet to the Southwest corner of occupied billboard space and POINT OF BEGINNING.

Billboard Lease area contains 280 square feet, more or less.

New Lease area contains 1.428 acres (This acreage does not include the Billboard Lease Area). Subject to all easements, conditions, reservations, exceptions and restrictions contained in prior conveyances of record.



*William L. Karr*  
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 William L. Karr, P.S. 27450  
 CFedS No. 1488

SURVEY FOR: SSM TRIBE REAL ESTATE	<b>WILLIAM L. KARR P.S.</b> <small>SURVEYOR • CONSULTANT • LAND PLANNING                  CERTIFIED FEDERAL SURVEYOR (CFEDS)</small>	SCALE							
DATE: April 2, 2020	<small>28709 S. M. 129                  PICKFORD, MICHIGAN 49774</small>	<small>TELEPHONE: (866) 647-6224                  WLKARRS1@GMAIL.COM</small>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">DRAWN</td> <td style="width: 10%;">WK</td> <td style="width: 57%;">SHEET 2 OF 2</td> </tr> <tr> <td>COMPUTED</td> <td>WK</td> <td>JOB 2019-019A</td> </tr> </table>	DRAWN	WK	SHEET 2 OF 2	COMPUTED	WK	JOB 2019-019A
DRAWN	WK	SHEET 2 OF 2							
COMPUTED	WK	JOB 2019-019A							

**ATTACHMENT A**

Leases to be within the boundaries of the following Tribal properties:

ST. IGNACE - (MC-006) - South Entrance to Casino on Mackinac Trail. (Trust)

NEWBERRY - (LC-001) - NE Corner of Housing site with acquisition of Neighbors garage and 2 +/- acres. (Trust)

ESCANABA - (DC-001) - Back corner of Housing facing new 16 acres/Old State Highway (Trust).

ESCANABA - (DC-005) - Portion of 16 acre recent acquisition to accommodate access to Trust parcel. (Fee Simple)

CHRISTMAS - (AC-010) - East End of Casino Employee Parking. (Trust)

MANISTIQUE - (SC-003) - Between Casino and Health Center near US 2. (Trust)



RESOLUTION NO: 2020-163

## WAIVER OF IMMUNITY AND RIGHT TO EXCLUDE THREE MILE PROPERTY

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (“Tribe”), is a federally recognized Indian Tribe organized under the Constitution and Bylaws of the Sault Ste. Marie Tribe of Chippewa Indians adopted by the tribal membership on October 9, 1975 pursuant to the Indian Reorganization Act of 1934, 25 U.S.C. § 5101 *et seq.* (formerly codified as 25 U.S.C § 461 *et seq.*) and exercising inherent sovereign authority over its members and its territories; and

WHEREAS, Green Sunrise Products, LLC (“Applicant”) plans to submit an application to the Michigan Marihuana Regulatory Agency (“MRA”) for a State of Michigan license to operate a marihuana retail establishment under the Michigan Regulation and Taxation of Marihuana Act (“MRTMA”), MCL § 333.27101 *et seq.*, and associated administrative rules; and

WHEREAS, the proposed marihuana establishment is to be located on the property legally described in Exhibit A, which is land held in trust for the Tribe by the United States and is leased from the Tribe to Applicant (“Premises”); and

WHEREAS, the Tribe does not hold any direct or indirect ownership interest in Applicant, does not exercise any managerial control over Applicant, and does not fall within the definition of “applicant” under MRTMA or associated administrative rules for purposes of Applicant’s application; and

WHEREAS, the MRA is responsible for administering and enforcing the State of Michigan’s marihuana laws and associated administrative rules, including conducting background investigations and inspections of applicants and licensees, investigating alleged violations, and taking disciplinary and other enforcement action against applicants and licensees; and

WHEREAS, the Michigan Department of Treasury (“Treasury”) and the State Treasurer are responsible for implementing, administering, and ensuring the collection of any taxes imposed under MRTMA and any other applicable taxes imposed under State of Michigan law and associated administrative rules and for administering and/or directing the investment of the funds created under MRTMA; and

WHEREAS, the Tax Agreement between the Tribe and the State of Michigan entered into on December 20, 2002 and subsequently amended remains in effect; and

WHEREAS, State and local law enforcement are responsible for enforcing and for assisting the MRA in administering and enforcing the State of Michigan’s marihuana laws and associated administrative rules, including by conducting background investigations and criminal history checks of applicants and conducting investigations of applicants and licensees to ensure compliance; and

WHEREAS, State of Michigan building code officials, code enforcement officials, and fire officials (collectively, “state building and fire officials”) are responsible for enforcing and for assisting the MRA in administering and enforcing the State of Michigan’s marihuana laws and associated administrative rules, including by conducting inspections of applicants and licensees; and

WHEREAS, the Tribe desires to lease the Premises to Applicant for the purpose of Applicant participating in the State of Michigan marihuana industry subject to the same requirements, privileges, and responsibilities as any other similarly situated entity outside the Tribe’s reservation and trust lands; and

WHEREAS, any actions by the Tribe that attempt to bar the MRA and its agents, Treasury and the State Treasurer and their agents, any successors of the MRA or Treasury, state and local law enforcement, or state building and fire officials from entering the Premises as permitted under MRTMA and associated administrative rules may result in the denial, suspension, and/or revocation of any state license sought by or issued to Applicant; and

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#### Government Services

#### Membership Services

#### Economic Development Commission

WHEREAS, the Tribe has authority under Article VII of the Tribal Constitution and Chapter 44 of the Tribal Code of Ordinances (collectively, "Authority") to waive tribal sovereign immunity and tribal court jurisdiction and the Tribe has inherent authority to waive any right the Tribe may have to exclude persons from its reservation or trust lands by resolution of the Board of Directors, the Tribe has provided a copy of the Authority to the MRA, and this waiver is consistent with the Authority; and

WHEREAS, the Tribe finds that the waiver of the right to exclude and the waiver of sovereign immunity and tribal court jurisdiction contained in this resolution are necessary in order for Applicant to obtain and maintain a license to operate a marihuana establishment on the Premises; and WHEREAS, the Tribe voluntarily provides this waiver of the right to exclude and this waiver of sovereign immunity and tribal court jurisdiction.

NOW THEREFORE, BE IT RESOLVED THAT,

1. The Board of Directors, expressly waives any right the Tribe may have to exclude the MRA and its agents, Treasury and the State Treasurer and their agents, any successors of the MRA or Treasury, state and local law enforcement, or state building and fire officials from entering the Premises as permitted under MRTMA, applicable tax statutes, and associated administrative rules, without a warrant and without notice to Applicant, for the purpose of administering and enforcing the State of Michigan's marihuana laws, applicable tax laws, and associated administrative rules.
2. The right of the MRA and its agents, Treasury and the State Treasurer and their agents, any successors of the MRA or the Treasury, state and local law enforcement, and state building and fire officials to enter the Premises includes the right to go inside, outside, over, or below any structure or feature on the Premises in any matter related to Applicant's application or licensure; conduct investigations and inspections; inspect, examine, and audit relevant records of Applicant; and impound, seize, assume physical control of, or summarily remove records from the Premises if Applicant fails to cooperate with an investigation. Provided, however, nothing herein waives or alters any existing obligations that the MRA and its agents, Treasury and the State Treasurer and their agents, any successors of the MRA or the Treasury, state and local law enforcement, and/or state building and fire officials give notice to the Tribe's law enforcement prior to entering the Premises as may be required by Michigan State law or policy, or by agreement.
3. This limited waiver of the right to exclude is solely for the purpose of ensuring the MRA and its agents, Treasury and the State Treasurer and their agents, any successors of the MRA or Treasury, state and local law enforcement, and state building and fire officials have the ability to exercise all authorities, powers, duties, functions, and responsibilities under State of Michigan law and associated administrative rules for the specific purposes identified in this resolution.
4. The Tribe expressly waives its sovereign immunity for the limited purpose of subjecting the Tribe to the jurisdiction of State of Michigan courts, administrative agencies, and law enforcement agencies for the sole purpose of enforcing this waiver of the Tribe's right to exclude; provided, however, that this waiver is limited to injunctive and declaratory relief and therefore no pledge of specific assets by the Tribe is necessary to satisfy any judgment or decision obtained in a State of Michigan court action or administrative proceeding contemplated by this paragraph.
5. This waiver of the Tribe's right to exclude and limited waiver of sovereign immunity shall take effect immediately.
6. This waiver of the Tribe's right to exclude and limited waiver of sovereign immunity shall continue in effect so long as the above-referenced state license, if issued to Applicant, is in effect; for the duration of any dispute arising out of or related to the license or operations under the license; and to allow the MRA to take action after expiration of the license as permitted under State of Michigan law and associated administrative rules.

7. If Applicant's application for a state license is denied, this waiver of the Tribe's right to exclude and limited waiver of sovereign immunity shall continue in effect for the duration of any administrative or judicial proceedings related to the license denial, including any appeals.
8. The Tribe expressly waives the jurisdiction of the Tribal Court with respect to any claim or cause of action for declaratory or injunctive relief arising out of or within the scope of this resolution.
9. The Tribe acknowledges that if this limited waiver of sovereign immunity is rescinded or otherwise made ineffective, or if the Tribe asserts any right it may have to exclude the MRA and its agents, Treasury and the State Treasurer and their agents, any successors of the MRA or Treasury, state and local law enforcement, or state building and fire officials from entering the Premises in any matter related to Applicant's application or licensure, the MRA may in its discretion deny, suspend, revoke, restrict, refuse to renew, impose a fine against, and/or take other disciplinary action against any state license sought by or issued to Applicant.

### 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 11 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 14 day of July 2020; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 10 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  
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RESOLUTION NO: 2020-163

**ALCOHOL AND SUBSTANCE ABUSE GRANT  
FY 2020 BUDGET MODIFICATION**

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**Government  
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**Economic  
Development  
Commission**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2020 budget modification to Alcohol and Substance Abuse Grant to change the personnel sheet, reallocate expenses, and decrease Federal DOJ monies \$78,396.32 No effect on Tribal Support.

**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 11 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 14 day of July 2020; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 7 members for, 3 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  
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Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians