

**BOARD OF DIRECTORS REGULAR MEETING
MANISTIQUE TRIBAL CENTER
MANISTIQUE, MICHIGAN
MINUTES
March 19, 2019**

The meeting was opened at 5:01 p.m. by Chairperson Payment.

Present: Kim Gravelle, Jennifer McLeod, Michael McKerchie, DJ Hoffman, Dennis McKelvie, Lana Causley, Catherine Hollowell, Bridgett Sorenson, Keith Massaway, Denise Chase, Darcy Morrow, Charles Matson, and Aaron Payment.
Absent:

Moved by Director McLeod, supported by Director Massaway, to approve the agenda as read.

Motion carried unanimously.

Without objection, will recess to finish the Membership Issues. No objections.

Moved by Director McLeod, supported by Director Massaway, to approve the Minutes of 3-4-2019 as written.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director McLeod, to approve Res. 2019-61, Health Center Administration and Emergency Preparedness 2019 Budget Modifications.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2019 budget modifications to Health Center Administration and Emergency Preparedness to change the personnel sheet, reallocate expenses, and reduce State of Michigan monies \$8,904.00. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director McLeod, to approve Res. 2019-62, Fiscal Year 2018 Year End Reconciliations.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2018 Year End Reconciliations for the re-allocation of Tribal Support monies of \$30,479.29 to the attached cost centers and a reduction in total Tribal Support of \$2,664,483.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director McLeod, to approve Res. 2019-63, FY 2020 Budget Document 001.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2020 Budget Document 001, totaling \$5,984,783 of which \$68,722 comes from Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director Causley, supported by Director Gravelle, to approve Res. 2019-64, Partial Waiver of Convictions for Mr. Gary Nolan.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, pursuant to Tribal Code Chapter 76 grants a partial waiver to Mr. Gary Nolan for the convictions of: Felony – Criminal Sexual Conduct – Third Degree (Multiple Variables) 7/6/2015.

Motion carried with Directors Massaway, McLeod opposing.

Moved by Director Hoffman, supported by Director Causley, to table the resolution regarding the Partial Waiver for Ms. Cheryl Harmon for a six month period.

Motion carried with Directors McKelvie, Chase, Morrow opposing; Director McLeod abstaining.

Moved by Director Causley, supported by Director Hollowell, to approve Res. 2019-65, Opening Up Access to MH-1.

NOW, THEREFORE, BE IT RESOLVED, that the following resolutions are hereby rescinded:

2007-75: Amending Tribal Code Chapter 20 "Co-Captains"; 2010-137: Amending Tribal Code Chapter 20: Great Lakes and St. Mary's River Treaty Fishing Regulations "Co-Captains; 2014-111: Restrictions on Issuance of Co-Captains Licenses and License Transfers for Fishing in Management Unit MH-1, Lake Huron; 2017-127: Amending Chapter 20: Great Lakes and St. Mary's River Treaty Fishing Regulations Co-Captains Regulations Military, Medical, Education & Emergency; 2017-197: Amending Resolution No: 2014-111, Restrictions on Issuance of Co-Captains Licenses and License Transfers for Fishing in Management Unit MH-1, Lake Huron.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director McLeod, to approve Res. 2019-66, Smart FY 2019 Support for Adam Walsh Act Implementation Grant Program Application.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes its Law Enforcement Department to apply to the SMART Office for the SMART FY 2019 Adam Walsh Act Implementation Grant Program.

BE IT FURTHER RESOLVED, that Aaron Payment, Tribal Chairperson, or his designee is hereby authorized to submit said proposal to the Department of Justice, to negotiate, execute, and amend any documents resulting there from on the Tribe's behalf.

Roll Call Vote: Motion carried unanimously.

Moved by Director Sorenson, supported by Director McLeod, to approve Res. 2019-67, FY 2019 Institute of Museum and Library Services Basic Library Grant.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the application for funding of the FY 2019 Basic Library Grant for the purpose of funding the salary and wages of our current Library Aide and to promote cultural education through library services on Anishinaabe culture to our members and community.

BE IT FURTHER RESOLVED, that the Tribal Chairperson, or his designee is authorized to execute or amend all documents relating to the grant application and award.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Hollowell, to approve Res. 2019-68, Authorization to Apply for a Grant from the Economic Development Agency (EDA).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby authorizes the Sault Tribe EDC Executive Director, to apply to the Economic Development Agency Public Works Program for a grant of up to \$2,500,000.00, for the purpose of constructing an industrial warehouse flex space at Odenaang on Seymour Road.

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes the Tribal Chairperson, or his designee, to sign, negotiate, amend, execute and accept any agreement and grant funding of up to \$2,500,000.00, if awarded from the EDA, for the construction of the Industrial Warehouse Flex Space.

Roll Call Vote: Motion carried unanimously.

Moved by Director Hoffman, supported by Director Hollowell, to approve Res. 2019-69, Commitment to Match the Economic Development Agency Grant (EDA).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby authorizes the Sault Tribe EDC Executive Director to match up to \$200,000 to be obtained, if needed, from Eagle Lending in order to satisfy any negotiated match needed for a grant from the Economic Development Agency Public Works Program for a grant of up to \$2,500,000.00 for the purpose of constructing an Industrial Warehouse Flex space at Odenaang on Seymour Road.

Roll Call Vote: Motion carried unanimously.

Moved by Director Hoffman, supported by Director Hollowell, to approve Res. 2019-70, Authorization to Apply for a Grant from the Michigan Economic Development Corporation (MEDC).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby authorizes the Sault Tribe EDC Executive Director to apply to the Michigan Economic Development Corporation for a grant of up to \$300,000 for the purpose of constructing an industrial warehouse condo space at Odenaang on Seymour Road.

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes the Tribal Chairperson, or his designee, to sign, negotiate, amend, execute and accept any agreement and grant funding of up to \$ 300,000.00, if awarded from the MEDC, for the construction of the Industrial Warehouse Flex Space.

Roll Call Vote: Motion carried unanimously.

Moved by Director McLeod, supported by Director Causley, to approve Res. 2019-71, Trust Land Lease – Cancellation – Fortin Lot 517 and 518 Kincheloe, Michigan.

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairperson and Treasurer, to execute this lease cancellation, and land being described as: Township of Kinross, County of Chippewa, State of Michigan Sec. 29, T 45 N, R 1 W (.25 acres), Lots 517 and 518, Cedar Grove Estates III.

BE IT FURTHER RESOLVED, that the Tribal staff is directed to prepare the appropriate lease cancellation documents.

BE IT FURTHER RESOLVED, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby requests the Bureau of Indian Affairs to cancel Lease No. 469-23-00037-06 - DD-0069(05) pursuant to applicable law and regulations.

Roll Call Vote: Motion carried unanimously.

Moved by Director McLeod, supported by Director Causley, to approve Res. 2019-72, Trust Land Lease – Lot(s) 517 Fortin, D. Kinross, Michigan.

RESOVLED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairperson and Treasurer, to execute a lease to the land located at Kinross, Michigan to, Denise R. Fortin, a single woman, land being described as follows: Township of Kinross, County of Chippewa, State of Michigan Sec. 29, T 45 N, R 1 W (.13 acres), Lot 517, Cedar Grove Estates III.

BE IT FURTHER RESOLVED, the lease is in furtherance of a Housing program operated in the promotion of the public purposes and the negotiated rental amount has been determined to be in the best interest of the Tribe and its people, and valuation in accordance with 25 CFR 162.320 is hereby waived.

Roll Call Vote: Motion carried unanimously.

Moved by Director McLeod, supported by Director Causley, to approve Res. 2019-73, Trust Land Lease –Lot(s) 518 Cook Kinross, Michigan.

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairperson and Treasurer, to execute a lease to the land located at Kinross, Michigan to, Rebecca L. Cook, a married woman, land being described as follows: Township of Kinross, County of Chippewa, State of Michigan Sec. 29, T 45 N, R 1 W (.12 acres), Lot 518, Cedar Grove Estates III.

RESOLVED, the lease is in furtherance of a Housing program operated in the promotion of the public purposes and the negotiated rental amount has been determined to be in the best interest of the Tribe and its people, and valuation in accordance with 25 CFR 162.320 is hereby waived.

Roll Call Vote: Motion carried unanimously.

Moved by Director Hoffman, supported by Director McLeod, to approve Res. 2019-74, Purchase of Property, Chippewa County.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes its Chairperson Aaron A. Payment and its Treasurer, Keith Massaway, or their respective designees, to negotiate and execute any documents necessary to effectuate the purchase of parcel of land described as:

SEC 18 T47N R1 E COMM AT S 1/4 COR so SEC; TH S 88 DEG 52MIN 59 SEC W ALG 5 LI SO SEC ft CIL THREEMI RD 562.39 FT TO POS; TH CONT 588 DEG 52 MIN 59 SEC W ALG SO SEC LI & CIL 994.59 FT; TH N 00 DEG 21 MIN 54 SEC E 804.52 FT; TH N 88 DEG 52 MIN 59 SEC E 230.94 FT; TH S00 DEG 02 MIN 14 SEC E 476.58 FT; TH N 88 OEG 57 MIN 37 SEC E 758 FT; TH S00 DEG 02 MIN 14 SEC E: 327 FT TO POB. (PARCEL 5) From Facility Funds identified by the Tribe's Chief Financial Officer, for this purpose.

Motion carried with Director McKelvie opposing.

Moved by Director Causley, supported by Director McLeod, to approve Res. 2019-75, Approving Special Counsel Contract Morisset, Schlosser, Jozwiak, & Somerville.

RESOLVED, that the Board of Directors approves and authorizes the Chairperson to sign the contract between the Sault Ste. Marie Tribe of Chippewa Indians and Morisset, Schlosser, Jozwiak & Somerville, ending December 31, 2019, for the purpose of providing legal services to the Tribe related to treaty fishing rights as set forth therein.

Roll Call Vote: Motion carried unanimously.

Moved by Director Causley, supported by Director Sorenson, to approve Res. 2019-76, Approving Special Counsel Contract Bruce R. Greene & Associates, LLC.

RESOLVED, that the Board of Directors hereby approves and authorizes the Chairperson to sign the contract between the Sault Ste. Marie Tribe of Chippewa Indians and Bruce R. Greene & Associates, LLC., ending December 31, 2019, for the purpose of providing legal services to the Tribe.

Motion carried with Director Hollowell opposing.

Moved by Director Sorenson, supported by Director McLeod, to approve Res. 2019-77, Approving Special Counsel Contract Alexis Lambros.

RESOLVED, that the Board of Directors hereby approves and authorizes the Chairperson to sign the special counsel contract for legal services between the Sault Ste. Marie Tribe of Chippewa Indians and attorney Alexis Lambros, ending December 31, 2019.

Motion carried with Directors Morrow, Chase, Hollowell opposing.

Moved by Director Sorenson, supported by Director Causley, to approve Res. 2019-78, Approving Contract Butzel Long, P.C.

RESOLVED, that the Board of Directors hereby approves the contract between the Sault Ste. Marie Tribe of Chippewa Indians and Butzel Long, P.C., ending December 31, 2019, for the purpose of providing legal services in relation to general civil litigation and related matters.

Motion carried with Directors Hoffman, Gravelle opposing.

Moved by Director Sorenson, supported by Director Massaway, to approve Res. 2019-79, Approving Contract Frost Brown Todd, LLC.

RESOLVED, that the Board of Directors hereby approves and authorizes the Chairperson to sign the contract between the Sault Ste. Marie Tribe of Chippewa Indians and Frost Brown and Todd, LLC, ending December 31, 2019, for the purpose of providing legal services to the Tribe.

Motion carried with Directors Hoffman, Matson opposing.

Moved by Director Matson, supported by Director Morrow, to approve Res. 2019-80, Authorization to Purchase White Pine Lodge, Christmas, Michigan.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Tribe's Economic Development Director to enter into an agreement to purchase White Pine Lodge and surrounding properties in Christmas, Michigan at the negotiated price not to exceed \$3,000,000.00 (three million dollars) subject to satisfactory completion of all necessary and appropriate due diligence including environmental review. BE IT FURTHER RESOLVED, that the Chairperson or his designee is hereby authorized to negotiate and enter into a suitable loan, not to exceed \$3,000,000.00 (three million dollars) to finance the purchase of the White Pine Lodge and surrounding properties and, further, that the loan shall be repaid from the revenues generated by the Lodge enterprise.

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

Moved by Director Sorenson, supported by Director Hoffman, to approve Res. 2019-81, Community Housing Network Malcolm School Project Authorization to Invest Eagle Lending Funds.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby authorizes the Economic Development Director to invest up to \$50,000 in the Community Housing Network's proposed Malcolm School Housing Project using funds from Eagle Lending. BE IT FURTHER RESOLVED, that the Tribal Chairperson or his designee is authorized to execute all documents and agreements necessary to effectuate this investment.

Roll Call Vote: Motion carried unanimously.

Moved by Director Chase, supported by Director Massaway, to accept the recommendation of the Special Needs Enrollment Committee and relinquish Cheyenne Sky Bowen from the Tribe.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Causley, to suspend the rules and add the resolution titled Amending Key Employee Resolution 2005-199 Director of Language and Culture.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Causley, to approve Res. 2019-82, Amending Key Employee Resolution 2005-199 Director of Language and Culture.

NOW, THEREFORE, BE IT RESOLVED, that that the list of "Key Team Members" contained in Resolution 2005-199, as amended, is further amended to add the position of Director of Language and Culture to the list of "Key Team Members" for the Executive Branch of the Tribe.

Motion carried unanimously.

Minutes 3-19-2019

Moved by Director Gravelle, supported by Director Sorenson, to reappoint Leslie Ruditis to the Health Board, for a four year term, expiring March 2023.

Motion carried unanimously.

Moved by Director Morrow, supported by Director Chase, to appoint Larry Barbeaux, to the Conservation Committee, for a four year term, expiring March 2023.

Roll Call Vote: Motion carried with Directors Hollowell, McLeod, Hoffman, Morrow, Causley, Chase, Matson, Sorenson approving; Directors Gravelle, McKelvie, McKerchie, Massaway opposing.

Meeting adjourned: 5:55 p.m.

Date: 4-16-19

Secretary: Bridgett Sorenson

Others present: Jessica Dumback, John Wernet, Robert Schulte, Mary Jenerou, Brenda Jeffreys, Kristyn Libby, Jason Smith, Rick Smith, Joanne Carr.