BOARD OF DIRECTORS REGULAR MEETING KEWADIN CASINO AND CONVENTION CENTER SAULT STE. MARIE, MICHIGAN

September 3, 2024 5:00 P.M.

- I. CALL TO ORDER
- II. ROLL CALL
- III. INVOCATION: Prayer, Smudging
- IV. MEMBERSHIP PARTICIPATION
- V. PRESENTATION:
- VI. MINUTES: 8/20/24 Regular Meeting, 8/27/24 Special Meeting
- VII. RESOLUTIONS: ACFS USDA Emergency Supplies FY25 Budget

ACFS Emergency Assistance FY24 Budget Mod

Indirect Costs FY24 Budget Mod

FY 2025 Continuing Funding – Health Division

Comments on GLRI Action Plan IV

Auth. to Enter into Contract – JKL School Storage Building Ishpeming Lofts Project – Auth. To Invest Eagle Lending

Acceptance of Altria Settlement Offer Investing in the Rx Kids' Initiative

Approval of JKL Fiduciary Committee Bylaws

Affirming JKLFC Recommendations – ARPA Projects Obligation ARPA Funding for Tribally Controlled School

VIII. NEW BUSINESS: Conservation Committee Request

Board of Directors 2024 Calendar

Board Concerns

- IX. ADJOURN TO EXECUTIVE SESSION
- X. RECONVENE AND REAFFIRM
- XI. ADJOURN

ACFS – USDA FOOD DISTRIBUTION PROGRAM – ALLEVIATE EMERGENCY SUPPLY CHAIN DISRUPTION ESTABLISHMENT OF FY 2025 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 2025 budget for USDA FDPIR Emergency Supply Chain Disruption with Federal USDA monies of \$140,800.00. No effect on Tribal Support.

Chippewa Indians, hereby certify the members, of whom members meeting thereof duly called, notice	and Secretary of the Sault Ste. Marie Tribe of that the Board of Directors is composed of 13 ers constituting a quorum were present at a ed, convened, and held on the day of pregoing resolution was duly adopted at said
meeting by an affirmative vote of	members for, members against, at said resolution has not been rescinded or
amended in any way.	
Austin Lowes, Chairman	Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of	Sault Ste. Marie Tribe of
Chippewa Indians	Chippewa Indians

RESOLUTION NO:	
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ACFS – EMERGENCY ASSISTANCE FY 2024 BUDGET MODIFICATION

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2024 budget modification to Emergency Assistance for an increase in Tribal Support of \$37,018.19.

Chippewa Indians, hereby certify the members, of whom member meeting thereof duly called, noticed	and Secretary of the Sault Ste. Marie Tribe of at the Board of Directors is composed of 13 s constituting a quorum were present at a l, convened, and held on the day of the degoing resolution was duly adopted at said
meeting by an affirmative vote of _	members for, members against t said resolution has not been rescinded on
amended in any way.	
Austin Lowes, Chairman	Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of	Sault Ste. Marie Tribe of
Chippewa Indians	Chippewa Indians

RESOLUTION NO:		
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INTERNAL SERVICES – INDIRECT COSTS FY 2024 BUDGET MODIFICATION

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2024 budget modification to Indirect Costs for an increase in Tribal Support of \$1,269,284.00.

We, the undersigned, as Chairman a	and Secretary of the Sault Ste. Marie Tribe of
Chippewa Indians, hereby certify th	at the Board of Directors is composed of 13
members, of whom membe	rs constituting a quorum were present at a
meeting thereof duly called, notice	d, convened, and held on the day or
2024; that the for	regoing resolution was duly adopted at said
meeting by an affirmative vote of	members for, members against
members abstaining, and that	at said resolution has not been rescinded on
amended in any way.	
Austin Lowes, Chairman	Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of	Sault Ste. Marie Tribe of
Chippewa Indians	Chippewa Indians

RESOLUTION NO:	

CONTINUING FUNDING AUTHORITY – HEALTH DIVISION FOR FY 2025 SCHEDULE B BUDGETS OCTOBER THROUGH SEPTEMBER

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians ("Tribe") is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, 25 U.S.C. 467 et seq; and

WHEREAS, the Board of Directors and tribal staff have not completed the process of reviewing budgets for their respective budget year 2025; and

WHEREAS, the attached cost center list, with fiscal year of October to September, for budget year 2025 is still under review and will not be completed until after the fiscal year start date of October; and

WHEREAS, the Board of Directors wants to ensure that services are not left unfunded for a period between expiration of the fiscal year 2024 budgets and approval of the fiscal year 2025 budgets.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors approves continuing funding for the attached cost center list for fiscal year 2025, at their 2024 spending levels, for a period not to exceed December 3, 2024:

We, the undersigned, as Chairman and Sec	retary of the Sault Ste. Marie Tribe of
Chippewa Indians, hereby certify that the l	Board of Directors is composed of 13
members, of whom members cons	tituting a quorum were present at a
meeting thereof duly called, noticed, conv	rened, and held on the day of
2024; that the foregoing	resolution was duly adopted at said
meeting by an affirmative vote of r	nembers for, members against,
members abstaining, and that said	resolution has not been rescinded or
amended in any way.	
Austin Lowes, Chairman	Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of	Sault Ste. Marie Tribe of
Chippewa Indians	Chippewa Indians

COMMENTS ON GREAT LAKES RESTORATION INITIATIVE ACTION PLAN IV

WHEREAS, the Sault Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, as amended; and

WHEREAS, the mission of the Sault Ste. Marie Tribe of Chippewa Indians is to provide for the perpetuation of our way of life and the welfare and prosperity of our people, to preserve our right to self-government, and protect our property and resources as ordained by the establishment of our constitution and bylaws; and

WHEREAS, the Sault Tribe seeks to ensure our ability and authority to steward the lands, waters, and other relatives of the 1836 Treaty Ceded Territory for the long-term benefit of our members and broader ecological communities; and

WHEREAS, the Sault Tribe Natural Resources Division relies on Great Lakes Restoration Initiative funding to pursue Sault Tribe stewardship of 1836 Treaty Ceded Territory lands, waters, and non-human relatives; and

WHEREAS, the Great Lakes Restoration Initiative Action Plan is being revised and the proposed updates will affect Sault Tribe stewardship in future years; and

WHEREAS, the Fisheries, Wildlife, Environmental, and Division staff contributed to a comment letter, which acknowledges beneficial changes in Action Plan IV and the great work that the Tribe has pursued in addressing Action Plan focus areas, objectives, and performance measures.

NOW, THEREFORE, BE IT RESOLVED, the Sault Tribe Board of Directors approves the submission of the Sault Tribe comments on the proposed Great Lakes Restoration Initiative Action Plan IV.

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes and approves the Chairman of the Tribe, or their designee, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions, and intent of this resolution.

We, the undersigned, as Chairman 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 members constituting a quorum were present at a
meeting thereof duly called, noticed, convened, and held on the day of
2024; that the foregoing resolution was duly adopted at said
meeting by an affirmative vote of members for, members against,

Resolution No:Page 2	
members abstaining, and the amended in any way.	hat said resolution has not been rescinded or
Austin Lowes, Chairman	Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of Chippewa Indians	Sault Ste. Marie Tribe of Chippewa Indians

RESOLUTION NO:	

AUTHORIZATION TO ENTER INTO A CONTRACT FOR THE CONSTRUCTION OF A STORAGE BUILDING AT JKL SCHOOL

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians ("Tribe") is a federally recognized Indian Tribe organized pursuant to the provisions of the Indian Reorganization Act of 1934; and

WHEREAS, an elected Board of Directors make up the governing body of the Tribe; and

WHEREAS, the Tribe owns property located at 1301 Marquette Ave., Sault Ste Marie, Michigan, which it has leased to the Joseph K. Lumsden Bahweting Public School Academy ("JKL School"); and

WHEREAS, the JKL School is in need of a storage building and bids were publicly solicited for this project and it has been determined that McGahey Construction Co. is the lowest, responsive and most qualified bidder; and

WHEREAS, it is the recommendation of the JKL Fiduciary Committee (the Committee appointed by the Tribe's governing body "to enter into agreements between the Tribe and JKL School, and to administer ISEP Funding and all other funding sources") that the Tribe enter into a Contract with McGahey Construction Co. to construct the Storage Building at the JKL School; and

WHEREAS, the funding for the completion of the Storage Building Project is made up entirely of Bureau of Indian Affair's American Rescue Plan Act Funds (ARPA) which were received on April 28, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Tribe or his designee is hereby authorized to enter into and execute a contract with McGahey Construction Co. for the completion of the Storage Building Project at the JKL School, in accordance with the funding authorized for this purpose.

CERTIFICATION

Chippewa Indians, hereby certify	and Secretary of the Sault Ste. Marie Tribe of that the Board of Directors is composed of 13 constituting a quorum were present at a meeting ed, and held on the day of
2024; that the foregoing resolution v	was duly adopted at said meeting by an affirmative
vote of members for, m	embers against, members abstaining, and that
said resolution has not been rescinded	d or amended in any way.
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Austin Lowes, Chairman	Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of	Sault Ste. Marie Tribe of
Chippewa Indians	Chippewa Indians

RESOLUTION NO:	
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COMMUNITY HOUSING NETWORK ISHPEMING LOFTS PROJECT AUTHORIZATION TO INVEST EAGLE LENDING FUNDS

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Executive Director of Enterprise Operations, to invest up to \$50,000 in the Community Housing Network's purposed Ishpeming Lofts Project, using funds from Eagle Lending.

BE IT FURTHER RESOLVED, the Board of Directors hereby authorizes the Tribal Chairman or his designee to execute all documents and agreements necessary to effectuate this investment.

Chippewa Indians, hereby certify that members, of whom members meeting thereof duly called, noticed, 2024; that the fore	d Secretary of the Sault Ste. Marie Tribe of the Board of Directors is composed of 13 constituting a quorum were present at a convened, and held on the day of going resolution was duly adopted at said
members abstaining, and that	members for, members against, said resolution has not been rescinded or
amended in any way.	
Austin Lowes, Chairman	Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of	Sault Ste. Marie Tribe of
Chippewa Indians	Chippewa Indians

ACCEPTANCE OF ALTRIA SETTLEMENT OFFER

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians ("Tribe") is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, as amended: and

WHEREAS, the Tribe was involved in litigation against Juul Labs Inc. ("JLI"), Marketing, Sales Practices, and Products Liability Litigation that has brought claims against Altria Group, Inc., Philip Morris USA, Inc., Altria Client Services LLC, Altria Enterprises LLC, and/or Altria Group Distribution Company (collectively "Altria"); and

WHEREAS, Resolution 2023-84 reached a settlement on the Juul litigation; and

WHEREAS, Altria is involved in a sub suit to the Juul litigation; and

WHEREAS, Altria has made a Settlement Offer to the Tribe in exchange for a release of all claims against Altria.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby accepts the Settlement Offer from Altria.

BE IT FURTHER RESOLVED, the Board of Directors hereby authorizes the Tribal Chairman or his designee to execute all documents necessary to accept the Altria Settlement Offer.

BE IT FINALLY RESOLVED, the Board of Directors hereby incorporates this Acceptance of the Altria Settlement Offer into Resolution 2023-84 that settled the Juul litigation.

CERTIFICATION

We, the undersigned, as Chairman and Secretary	retary of the Sault Ste. Marie Tribe of
Chippewa Indians, hereby certify that the l	Board of Directors is composed of 13
members, of whom members constitut	ing a quorum were present at a meeting
thereof duly called, noticed, convened, and he	ld on the day of
2024; that the foregoing resolution was duly a	dopted at said meeting by an affirmative
vote of members for, members	against, members abstaining, and
that said resolution has not been rescinded or amended in any way.	
Austin Lowes, Chairman	Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of	Sault Ste. Marie Tribe of
Chippewa Indians	Chippewa Indians

INVESTING IN THE RX KIDS' INITIATIVE

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians ("Tribe") is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, as amended; and

WHEREAS, the Sault Tribe of Chippewa Indians supports the public-partnership Rx Kids initiative that is for all moms and babies (regardless of income) for the perinatal program (cash prescription at \$1,500 for moms and \$500 per month for the first 3 months after a child is born) or for all moms and babies for the full program (until twelve months of age) if program funding allows; and

WHEREAS, Rx Kids is currently operating in Flint; and

WHEREAS, Rx Kids is interesting in expanding to Chippewa County; and

WHEREAS, the Rx Kids payments will not be counted against the eligibility for income-based services that families receive; and

WHEREAS, it has been determined that our 3rd party revenues can be utilized for this initiative.

NOW, THEREFORE, BE IT RESOLVED, the Sault Tribe Board of Directors hereby approves allocating up to \$100,000 per year for up to 2 years to contribute to the RX Kids initiative in Chippewa County.

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes the Chairman, 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.

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes the CFO to complete any internal budget modifications utilizing 3rd party revenue or other funding raised to carry out the intent of this resolution.

We, the undersigned, as Chairman and Secretary	y of the Sault Ste. Marie Tribe of Chippewa
Indians, hereby certify that the Board of Directors	is composed of 13 members, of whom
members constituting a quorum were present	
convened, and held on the day of	2024; that the foregoing resolution
was duly adopted at said meeting by an affirmative	
against, members abstaining, and that said	resolution has not been rescinded or amended
in any way.	
Austin Lowes, Chairman	Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of	Sault Ste. Marie Tribe of
Chippewa Indians	Chippewa Indians

APPROVAL OF JKL FIDUCIARY COMMITTEE BYLAWS

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians ("Tribe") is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, as amended; and

WHEREAS, the JKL Fiduciary Committee was established on May 1, 2005, subsequently reauthorized and approved in Resolution 2006-30 to be composed of Board Members of the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, at the JKL Fiduciary Committee meeting held on August 27, 2024 the committee approved the JKL Fiduciary Committee Bylaws.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approve the JKL Fiduciary Committee Bylaws.

Chippewa Indians, hereby certify that members, of whom members meeting thereof duly called, noticed.	d Secretary of the Sault Ste. Marie Tribe of the Board of Directors is composed of 13 constituting a quorum were present at a convened, and held on the day of egoing resolution was duly adopted at said
	members for, members against, said resolution has not been rescinded or
amended in any way.	
Austin Lowes, Chairman	Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of	Sault Ste. Marie Tribe of
Chippewa Indians	Chippewa Indians

RESOLUTION NO:	
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AFFRIMING JKL FIDUCIARY COMMITTEE RECOMMENDATION FOR ARPA FUNDED PROJECTS

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians ("Tribe") is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, as amended; and

WHEREAS, the JKL Fiduciary Committee was established on May 1, 2005 subsequently reauthorized and approved in Resolution 2006-30 to be composed of Board Members of the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, at the JKL Fiduciary Committee meeting on August 27, 2024 the committee met with school staff and approved projects utilizing remaining ARPA funding.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby affirms the projects approved by the JKL Fiduciary Committee to utilize remaining ARPA Funding in the following manner:

Storage Garage
Bus Garage/Drainage Repairs
Cafeteria/Kitchen Expansion
Bathroom Project
Covered Walkway
Campus Building Repairs

BE IT FURTHER RESOLVED, that the Board of Directors hereby affirms the JKL Fiduciary Committee's recommendation that any remaining ARPA Funds be used on projects brought forward by the school and Tribal staff.

We, the undersigned, as Chairman and	l Secretary of the Sault Ste. Marie Tribe of
Chippewa Indians, hereby certify that	the Board of Directors is composed of 13
members, of whom members cor	stituting a quorum were present at a meeting
thereof duly called, noticed, convened, a	nd held on the day of
2024; that the foregoing resolution was of	luly adopted at said meeting by an affirmative
vote of members for, mem	ibers against, members abstaining, and
that said resolution has not been rescinded or amended in any way.	
	
Austin Lowes, Chairman	Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of	Sault Ste. Marie Tribe of
Chippewa Indians	Chippewa Indians

RESOLUTION NO:	
RESOLUTION NO.	

OBLIGATION OF AMERICAN RESCUE PLAN ACT FUNDING FOR TRIBALLY CONTROLLED SCHOOLS TO SCHOOL UPDATES AND EXPANSION

WHEREAS, the JKL Bahweting Anishnabe Grant School was established in 1993 under the P.L. 100-297, Tribal Controlled Schools Act of 1998; and

WHEREAS, the Joseph K. Lumsden Bahweting Anishinabe P.S.A is contracted by the Tribe and its Grant School to perform educational services for the Sault Tribe of Chippewa Indians; and

WHEREAS, the tribe owns property located at <u>1301 Marquette Ave.</u>, <u>Sault Ste</u>. Marie, MI, which it has leased to its contractor the Joseph K. Lumsden Bahweting Public School Academy; and

WHEREAS, the Tribe has solicited input regarding the space and facility needs from the PSA and determined that expansion and updating the current facility are in the best interest of all of the stakeholders in the school including Tribal Children, Community Children, Tribal and Community members, and Staff.

NOW, THEREFORE, BE IT RESOLVED, that All remaining American Rescue Plan Act Funding for Tribally Controlled schools allocated the Sault Tribe of Chippewa Indians SHALL BE OBLIGATED to the expansion and updating of the existing educational facilities in the following manner:

Additional Classrooms, Additional Academic Services Office Space, Additional Special Education Space, Additional Restrooms (Staff & Students), Cafeteria Expansion, Kitchen Expansion and Upgrade, Additional Commons Workspace, Front Office Reconfiguration, Upgrades to the existing educational facility.

BE IT FURTHER RESOLVED, that the Executive Director, or their designee, is directed and authorized to immediately administratively amend all budgets, as well as all Federal Documents/Plans required to obligate the funds for these purposes.

BE IT FINALLY RESOLVED, that the Executive Director, or their designee is directed and authorized to develop an RFP based upon the criteria and funding identified within this resolution, with the input of the stakeholders identified within this resolution to be posted no later than November 1, 2024.

We, the undersigned	, as Chairman and Secretary of the Sault Ste. Marie Tribe of
Chippewa Indians, h	ereby certify that the Board of Directors is composed of 13
members, of whom	members constituting a quorum were present at a

Resolution No:	
Page 2	
meeting thereof duly called noti	ced, convened, and held on the day
•	foregoing resolution was duly adopted at
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	f members for, members aga
members abstaining, and	that said resolution has not been rescinded
amended in any way.	
	Kimberly Hampton Secretary
Austin Lowes, Chairman	Kimberly Hampton, Secretary
	Kimberly Hampton, Secretary Sault Ste. Marie Tribe of

BOARD OF DIRECTORS REGULAR MEETING

September 3, 2024 Sponsor's List

RESOLUTIONS:

ACFS – USDA Food Distribution Program – Alleviate Emergency Supply Chain Disruption Establishment of FY 2025 Budget – Sheryl McKerchie

ACFS – Emergency Assistance FY 2024 Budget Modification – Megan Miller

Internal Services - Indirect Costs FY 2024 Budget Modification - Robert Schulte

Continuing Funding Authority – Health Division for FY 2025 Schedule B Budgets October through September – Jennifer Clerc

Comments on Great Lakes Restoration Initiative Action Plan IV – Robin Clark

Authorization to Enter into a Contract for the Construction of a Storage Building at JKL School – John Thorne/Stephanie Sprecker

Community Housing Network Ishpeming Lofts Project Authorization to Invest Eagle Lending Funds – Dan Doyle

Acceptance of Altria Settlement Offer – Josh Elliot

Investing in the Rx Kids' Initiative – Director McKechnie, Payment, Gravelle, McRorie

Approval of JKL Fiduciary Committee Bylaws – Director McKechnie

Affirming JKL Fiduciary Committee Recommendations for ARPA Funded Projects – Director McKechnie

Obligation of American Rescue Plan Act Funding for Tribally Controlled Schools to School Updates and Expansion – Director Gravelle

NEW BUSINESS:

Conservation Committee Request – Clarence Hudak/Ryan Mills Board of Directors 2024 Calendar – Board of Directors Board Concerns

MEMORANDUM

TO: Board of Directors

FROM: Lona Stewart, Board Administrator

DATE: August 29, 2024

RE: Workshop Agenda for September 3, 2024

AGENDA

Closed Session

10:00 Kewadin Casino Gaming Authority Meeting

> 10:30 Health Report

> > 11:00

Executive Reports - Governmental

12:00 – 1:00 Lunch Break

1:00

Baker Tilly ARPA Revenue Replacement (CLOSED)

1:30

Court of Appeals (CLOSED)

1:45

Recovery Project Update (CLOSED)

2:00

Mobile Medical Unit Usage Telemedicine Expansion Outside 7 County Service Area

3:00

CARES Act Funding – Unit 2

3:30

Agenda Review

5:00

Board of Directors Regular Meeting