

MEMORANDUM

TO: Board of Directors
FROM: Joanne Carr, Board Secretary
DATE: June 6, 2019
RE: Workshop Agenda for June 11, 2019

AGENDA

9:00 a.m. – Board Only Discussion

10: 30 a.m. – Gaming Authority

Lunch

1:15 p.m. – Insurance

2:15 p.m. – Strategic Plan

3:00 p.m. – Review of the Agenda

4:00 p.m. – Matters Raised by the Membership

5 p.m. – Regular Meeting of the Board of Directors

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN SHORES CASINO
ST. IGNACE, MICHIGAN
JUNE 11, 2019
5:00 P.M.**

- I. CALL TO ORDER
- II. INVOCATION: Prayer, Smudging, Presentation of Grandfathers
- III. ROLL CALL
- IV. PRESENTATION:
- V. MINUTES: 5-07-2019
5-14-2019
5-21-2019
- VI. RESOLUTIONS: 2019 Bud Mod COPS TRGP
2020 Est. Bud Healthy Start
Partial Waiver (2)
Reaffirm Corp Charter/Appt Initial Corp Board
NIGA 2019
FY 2019 IHBG Competitive Grants
Am. Ch. 21: Former Shotgun Zone
Am. Ch. 90: Housing Authority Ordinance
- VII. NEW BUSINESS: Committee Request
July 2, 2019 Meeting
Key Employee
Board Acknowledgement
Board Concerns
- VIII. ADJOURN TO EXECUTIVE SESSION:
- IX. RECONVENE AND REAFFIRM
- X. ADJOURN

**BOARD OF DIRECTORS REGULAR MEETING
JUNE 11, 2019**

RESOLUTIONS:

2019 Bud Mod COPS TRGP – Bob Marchand
2020 Est. Bud Healthy Start- Leo Chuginov
Partial Waiver (2) – Kayla Pelter
Reaffirm Corp Charter/Appt Initial Corp Board – Joel Schultz
NIGA 2019
FY 2019 IHBG Competitive Grants – Joni Talentino
Am. Ch. 21: Former Shotgun Zone – Conservation Committee/Wade Jensen
Am. Ch. 90: Housing Authority Ordinance – Various Board Members

NEW BUSINESS:

Committee Request- Various Committees
July 2, 2019 Meeting
Key Employee – Various Board Members
Board Acknowledgement – Director Hoffman
Board Concerns – Director Causley

RESOLUTION NO: _____

**COPS TRGP 2015
2019 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2019 budget modification to COPS TRGP 2015 to increase Federal Department of Justice monies by \$130,000.00. No effect on Tribal Support.

C E R T I F I C A T I O N

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 _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2019; that the foregoing resolution was duly adopted 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.

Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

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

RESOLUTION NO: _____

**HEALTHY START
ESTABLISHMENT OF 2020 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 2020 budget for Healthy Start with Other Revenue – Inter Tribal Council monies of \$68,000.00. No effect on Tribal Support.

C E R T I F I C A T I O N

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 _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2019; that the foregoing resolution was duly adopted 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.

Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

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

RESOLUTION NO: _____

**PARTIAL WAIVER OF CONVICTIONS FOR
MS. SHELBY MCDONALD**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians 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 has enacted Tribal Code Chapter 76: Partial Waiver of Conviction for Gaming License Purpose that allows for a partial waiver of conviction be issued to tribal members who have been convicted of a crime and would be denied a license for employment in a gaming operation pursuant to Chapter 42; and

WHEREAS, Ms. Shelby McDonald, a tribal member who was convicted of:

1. Misdemeanor – Disturbing the Peace- 2/19-2019

WHEREAS, Ms. Shelby McDonald, would be denied a license for employment as a key employee or primary management official because of the criminal conviction; and

WHEREAS, the Board of Directors has determined that Ms. Shelby McDonald is not likely to engage in any offensive or criminal course of conduct and the public good does not require that she be denied a license as a key employee or primary management official.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, pursuant to Tribal Code Chapter 76 grants a partial waiver to Ms. Shelby McDonald for the convictions of:

1. Misdemeanor – Disturbing the Peace- 2/19-2019

C E R T I F I C A T I O N

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 _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2019; that the foregoing resolution was duly adopted 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.

Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

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

RESOLUTION NO: _____

**PARTIAL WAIVER OF CONVICTIONS FOR
MS. LACEY AILING**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians 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 has enacted Tribal Code Chapter 76: Partial Waiver of Conviction for Gaming License Purpose that allows for a partial waiver of conviction be issued to tribal members who have been convicted of a crime and would be denied a license for employment in a gaming operation pursuant to Chapter 42; and

WHEREAS, Ms. Lacey Ailing, a tribal member who was convicted of:

1. Felony – Controlled Substance – Delivery/Manufacture Marijuana
8/16/2018

WHEREAS, Ms. Lacey Ailing, would be denied a license for employment as a key employee or primary management official because of the criminal conviction; and

WHEREAS, the Board of Directors has determined that Ms. Lacey Ailing is not likely to engage in any offensive or criminal course of conduct and the public good does not require that she be denied a license as a key employee or primary management official.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, pursuant to Tribal Code Chapter 76 grants a partial waiver to Ms. Lacey Ailing for the convictions of:

1. Felony – Controlled Substance – Delivery/Manufacture Marijuana
8/16/2018

C E R T I F I C A T I O N

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 _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2019; that the foregoing resolution was duly adopted 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.

Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

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

RESOLUTION NO: _____

**REAFFIRMATION OF SAULT TRIBE CORPORATE CHARTER AND
APPOINTING INITIAL CORPORATE BOARD OF DIRECTORS**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors seeks to ensure the Tribes ability to pursue Economic Diversification including 8(a) and Government contracting opportunities; and

WHEREAS, Article VI, Section 1(m) of the Constitution and Bylaws of the Sault Ste. Marie Tribe of Chippewa Indians authorizes the Board of Directors “[t]o manage any and all economic affairs and enterprises of the tribe and to engage in any business not contrary to Federal law that will further the economic development of the tribe or its members”; and

WHEREAS, Article VI, Section 1(n) of the Constitution and Bylaws of the Sault Ste. Marie Tribe of Chippewa Indians further authorizes the Board of Directors “[t]o establish and delegate to subordinate boards, organizations, cooperative associations, tribal officers, committees, delegates or other tribal groups, any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated power or to cancel any delegation”; and

WHEREAS, the Indian Reorganization Act of 1934, as amended, authorizes the Secretary of the Interior to issue a charter of incorporation upon the petition by any Tribe; and

WHEREAS, by motion on 6-8-2010 the Board of Directors directed communication to the Secretary of the Interior verifying approval of the Corporate Charter in its current form; and

WHEREAS, by Resolution 2009-181 the Board of Directors petitioned the Secretary of the Interior to issue a federal corporate charter to the Sault Ste. Marie Tribe of Chippewa Indians, to be known as the Sault Tribe Incorporated, and having all the powers, privileges and immunities enumerated by its charter and by applicable law; and

WHEREAS, by letter dated July 1, 2010, Diane K. Rosen, then Regional Director of the Bureau of Indian Affairs formally approved the Sault Tribe Corporate Charter “to become effective upon ratification by the Sault Ste. Marie Board of Directors”; and

WHEREAS, pursuant to Article VI of the Sault Tribe Corporate Charter the business and affairs of the Corporation are to be managed by a Corporate Board of Directors comprised of five members appointed by the Tribal Board of Directors, meeting the qualifications specified in the Charter, and may also include two members of the tribal Board of Directors who serve at the pleasure of the Tribal Board of Directors as non-voting, ex-officio observers spokespersons, on the Corporate Board; and

WHEREAS, the Board of Directors has concluded that it is in the best interests of the Tribe to ratify and implement the Sault Tribe Corporate Charter and to appoint its initial Corporate Board of Directors.

Res. No: _____

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NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby reaffirms the ratification of the Sault Tribe Corporate Charter as approved by Regional Director Diane Rosen on July 1, 2010 and directs that the Tribe's Economic Development Executive Director immediately notify the BIA Regional Director of this ratification by providing a copy of this resolution.

BE IT FURTHER RESOLVED, pursuant to Article VI, section 6.4 of the Sault Tribe Corporate Charter, the following five individuals are hereby appointed as the initial Corporate Board of Directors to serve terms as specified below:

Director No. 1: for a term expiring June 30, 2020, Earl Bower.

Director No. 2: for a term expiring June 30, 2020, Mitch Irwin.

Director No. 3: for a term expiring June 30, 2022, Wendy James.

Director No. 4: for a term expiring June 30, 2022, Ted Moore.

Director No. 5: for a term expiring June 30, 2021, Linda Grow.

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 _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2019; that the foregoing resolution was duly adopted 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.

Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

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

RESOLUTION NO: _____

NATIONAL INDIAN GAMING ASSOCIATION 2019

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

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors is the governing body of the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, the health, safety, welfare and education of the Indian people of the Sault Ste. Marie Tribe is the responsibility of the Board of Directors; and

WHEREAS, the National Indian Gaming Association (NIGA) is a voluntary association composed of member Tribes and associate members representing federally recognized Tribal governments, gaming Tribes, Rancherias, Pueblos, Bands, and Businesses engaged in gaming enterprises in Indian Country; and

WHEREAS, the primary objectives and purpose of NIGA are:

1. to promote, protect, and preserve the general welfare and interest of Indian gaming Tribes through the development of sound policies and practices with respect to the conduct of gaming activities in Indian Country; and
2. to assist in the dissemination of information to the Indian gaming community, federal government and general public on issues related to the conduct of gaming in Indian Country; and
3. to preserve and protect the integrity of gaming in Indian Country; and
4. to maintain, protect and advocate Indian Tribal sovereignty.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized the payment of dues for 2019 NIGA membership of \$15,000, which will be paid out of Kewadin Casinos.

BE IT FURTHER RESOLVED, that the Board of Directors hereby appoints the following as the Tribe's representatives to NIGA:

Delegate: Aaron A. Payment, Chairperson
Alternate: DJ Hoffman, Director, Vice Chair
Alternate: Bridgett Sorenson, Director, Secretary
Alternate: Keith Massaway, Director, Treasurer
Alternate: Dennis McKelvie, Director Alternate: Michael McKerchie, Director
Alternate: Jennifer McLeod, Director Alternate: Kimberle Gravelle, Director
Alternate: Lana Causley-Smith, Director Alternate: Catherine Hollowell, Director
Alternate: Denise Chase, Director Alternate: Darcy Morrow, Director
Alternate: Charles Matson, Director
Alternate: Kenneth J. Ermatinger, Gaming Commission Director

C E R T I F I C A T I O N

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 _____ members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2019; that the foregoing resolution was duly adopted 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.

Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

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

RESOLUTION NO: _____

**U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
FY 2019 INDIAN HOUSING BLOCK GRANT PROGRAM-
COMPETITIVE GRANTS (IHBG-C)**

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

WHEREAS, the Sault Tribe Housing Authority (TDHE), is organized by Tribal Ordinance Chapter 90; and

WHEREAS, the Department of Housing and Urban Development (HUD) has solicited a funding opportunity (FR-6300-N-48) for the Indian Housing Block Grant Program – Competitive Grants (IHBG-C); and

WHEREAS, the purpose of the Indian Housing Block Grant Program – Competitive Grants (IHBG-C), is the development of viable Indian and Alaska Native communities, including the creation of decent housing, suitable living environments, and economic opportunities primarily for persons with low and moderate incomes; and

WHEREAS, the Housing Authority is seeking approval to apply for up to \$5,000,000 of IHBG-C funds on behalf of the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, the competitive funding will provide up to an additional 30 rental units for low to moderate income tribal families in accordance with the established Odenaang Development Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Tribe of Chippewa Indians Board of Directors hereby authorizes and directs the Sault Tribe Housing Authority Director or its duly authorized representative, to develop an application that will request \$5,000,000 for the FY 2019 Indian Housing Block Grant Program – Competitive Grants (IHBG-C), for new construction of rental units at the Odenaang Housing Site; under the 2013 Odenaang Development Plan and the Sault Tribe will not be submitting a separate application.

BE IT FURTHER RESOLVED, that the Sault Tribe of Chippewa Indians Board of Directors hereby authorizes and directs the Chairperson of the Tribe to accept the FY 2019 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.

C E R T I F I C A T I O N

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Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

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

RESOLUTION NO: _____

**AMENDING TRIBAL CODE CHAPTER 21: HUNTING AND INLAND FISHING
MODIFYING FORMER SHOTGUN ZONE**

WHEREAS, the 2007 Inland Consent Decree required that the tribe abide by the state of Michigan's shotgun zone in the Lower Peninsula; and

WHEREAS, the shotgun zone has been modified by the state of Michigan to allow for the use of certain rifle cartridges; and

WHEREAS, the Conservation Committee desires to modify its current definition of the former shotgun zone to account for the allowance of certain rifle cartridges.

NOW, THEREFORE, BE IT RESOLVED, that the Conservation Committee requests the Board of Directors to amend Tribal Code Chapter 21: Hunting and Inland Fishing Section 21.524 Shotgun Zone as follows:

21.524 ~~Shotgun Zone.~~ Limited Firearm Deer Zone

All deer hunters in the ~~shotgun zone~~ Limited Firearm Deer Zone from November 15 to November 30, and all deer hunters in the ~~shotgun zone~~ Limited Firearm Deer Zone during other deer seasons shall abide by the following restrictions or use a bow or cross bow:

- (1) A shotgun may have a smooth or rifled barrel and may be of any gauge.
- (2) A muzzle loading rifle or black powder handgun must be loaded with black powder or a commercially manufactured black powder substitute.
- (3) A conventional (smokeless powder) handgun must be .35 caliber or larger and loaded with straight-walled cartridges and may be single or multiple shot but cannot exceed a maximum capacity of nine rounds in the barrel and magazine combined.
- (4) .22 caliber or smaller rim fire firearms may be used to kill raccoon while hunting raccoons with dogs between the hours of 7 p.m. and 6 a.m.
- (5) A rifle in the Limited Firearm Deer Zone that is .35 caliber or larger with straight-walled cartridges with a minimum case length of 1.16 inches and a maximum case length of 1.80 inches.
- (6) They may also use a .35 caliber or larger air rifle or pistol charged only from an external high-compression power source.

CERTIFICATION

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Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

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

RESOLUTION NO: _____

**AMENDING TRIBAL CODE CHAPTER 90:
HOUSING AUTHORITY ORDINANCE**

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

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby amends Tribal Code Chapter 90: Housing Authority Ordinance by amending Section 90.302 Membership on the Commission, at subsection (1), as follows:

"(1) The Commission shall consist of sitting Board of Directors members who wish to serve on the Commission. ~~The Commission members shall be appointed, and may be reappointed, by the Board.~~ A certificate of the Secretary of the Board ~~as to the appointment or reappointment of an commissioner~~ shall be conclusive evidence of the due and proper status of a member of the Board of Directors as a Commission member."

BE IT FURTHER RESOLVED, that the Board of Directors hereby amends Tribal Code Chapter 90 Housing Authority Ordinance by deleting Section 90.303 Membership Terms in its entirety and replacing it with the following:

"The term of office shall be the period of time a sitting member of the Board of Directors wishes to serve on the Commission."

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Aaron A. Payment, Chairperson
Sault Ste. Marie Tribe of
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Bridgett Sorenson, Secretary
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