

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

March 07, 2023

5:00 P.M.

- I. CALL TO ORDER
- II. ROLL CALL
- III. INVOCATION: Prayer, Smudging, Presentation of Grandfathers
- IV. MEMBERSHIP PARTICIPATION
- V. PRESENTATION:
- VI. MINUTES: 02/07/2023
- VII. RESOLUTIONS: Child Care Development Fund (CCDF)
FY 2023 TVSSA Program
2023 OVW Tribal Government
ACFS - Transitional Housing
Elders - St. Ignace Meal Program
Employment - WIOA Works Experience
Employment - WIOA on the Job Training
Employment - WIOA Administration
Health Division - Medical Nursing and 3rd Party Revenue
Health Division - St. Ignace Optical and 3rd Party Revenue
Health Division - Administration
Health Division - Hepatitis C Elimination Program
Health Division - St. Ignace Dental
Transportation - EUPTA Transit Agreement
Transportation - Manistique Transit Agreement
Extension of Letter of Credit
Establishing Authority to Direct Election Committee
Directing Election Committee to Conduct New Special Election
Emergency Power to Direct Election Committee
Juul Settlement – Investment in Land Claims Fund
- VIII. NEW BUSINESS Committee Appointments
Preliminary Investigative Report on DJ Hoffman
Board Concerns
- IX. ADJOURN TO EXECUTIVE SESSION
- X. RECONVENE AND REAFFIRM
- XI. ADJOURN

MEMORANDUM

TO: Board of Directors
FROM: Elaine Clement, Executive Assistant to Chairman
DATE: March 2, 2023
RE: Workshop Agenda for March 07, 2023

AGENDA **Closed Session**

9:00
ARPA/Building Projects

9:30
Litigation

10:00
Health Report
Hep C Funding

11:00
Executive Reports

Working Lunch

1:00
Tribal Court

2:00
Divorce / Child Custody

3:00
IDIQ Agreement

3:30
Fire Suppression Project

4:00
Agenda Review

5:00
Membership Participation

RESOLUTION NO: _____

**CHILD CARE DEVELOPMENT FUND
(CCDF)**

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 desires to increase the availability, affordability, and quality of child care services available to tribal members;

WHEREAS, the Board of Director of the Sault Ste. Marie Tribe of Chippewa Indians is requesting from the United States Department of Health and Human Services Administration of Children and Families Child Care Bureau, FY2023-25 Child Care and Development Funds; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians designates Anishnaabek Community and Family Services as the tribal lead agency to receive and administer the FY 2023 Child Care Development Fund through the period of FY2025.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes application to the United States Department of Health and Human Services Administration for Children and Families Child Care Bureau for continued funding of the Child Care Development Fund.

BE IT FURTHER 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, negotiate, and execute documents on behalf of the Tribe, to obtain a CCDF grant award for the purpose of providing quality child care services

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

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

FY 2023 TRIBAL VICTIM SERVICES SET-ASIDE (TVSSA) PROGRAM

WHEREAS, the U.S. Department of Justice, Office of Justice Programs (OJP), Office for Victims of Crime (OVC) has funding to support Indian tribes with improving public safety and enhancing services for victims of crime; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe eligible to apply for the FY 2023 Tribal Victim Services Set-Aside (TVSSA) Program; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians desires to sustain and enhance the provision of direct victim services and associated assistance to tribal victims of crime domiciled both on and off of trust land; and

WHEREAS, the Sault Ste. Marie Tribe Chippewa Indians desires to provide the services necessary to meet the identified needs of its Tribal communities through accessing funding intended for Tribal governments.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes application for the FY 2023 Tribal Victim Services Set-Aside (TVSSA) Program.

BE IT FURTHER RESOLVED, that Austin Lowes, Tribal Chairman, or designee, is hereby authorized to submit said proposal to the Department of Justice, to negotiate, execute and amend any documents on the Tribe's behalf.

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

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 the meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2023; that the forgoing resolution was duly adopted at said meeting by affirmative vote of _____ members for, _____ members against, _____ members abstaining, and that said resolution has not been rescinded or amended in any way.

Austin Lowes, Chairperson
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**OVW FISCAL YEAR 2023
GRANTS TO INDIAN TRIBAL GOVERNMENTS PROGRAM**

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 United States Department of Justice, Office On Violence Against Women provides funding authorized to assist Tribal governments to respond to domestic violence, dating violence, sexual assault, sex trafficking, and stalking in their communities; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is eligible to apply for an OVW Fiscal Year 2023 Grants to Indian Tribal Governments Program; and

WHEREAS, the Sault Ste. Marie Tribe Chippewa Indians desires to continue the provision of services necessary to meet the needs of survivors through accessing funding intended for Tribal governments.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes an application for funding from the OVW Fiscal Year 2023 Grants to Indian Tribal Governments Program.

BE IT FURTHER RESOLVED, that Austin Lowes, Tribal Chairman, is hereby authorized to submit said proposal to the Department of Justice, Office on Violence Against Women, to negotiate, execute, and amend any documents resulting therefrom on the Tribe's behalf.

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

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**ACFS – TRANSITIONAL HOUSING
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 Transitional Housing for an increase in Tribal Support monies of \$2,269.71. This budget modification will change the personnel sheet and reallocate expenses.

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

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**ELDER DIVISION – ST. IGNACE MEAL PROGRAM
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 Elder Division - St. Ignace Meal Program to make changes to the personnel sheet and to increase Tribal Support \$15,180.63.

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

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**EMPLOYMENT – WIOA WORK EXPERIENCE
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 WIOA Work Experience for a decrease in Department of Labor Revenue monies of \$17,519.74. No effect on Tribal Support.

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

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**EMPLOYMENT – WIOA ON THE JOB TRAINING
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 WIOA On the Job Training for a decrease in Department of Labor Revenue monies of \$7,690.46. No effect on Tribal Support.

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

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**EMPLOYMENT – WIOA 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 to WIOA Administration for an increase in Department of Labor Revenue monies of \$5,490.47. No effect on Tribal Support.

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

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**HEALTH DIVISION – SAULT STE. MARIE MEDICAL/NURSING
AND THIRD-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 Sault Ste. Marie Medical/Nursing for an increase in Third Party Revenue monies \$276,484.26. No effect on Tribal Support.

BE IT FURTHER RESOLOVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to Third Party Revenue increasing the transfer out of \$276,484.26. No effect on Tribal Support.

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

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**HEALTH DIVISION – ST. IGNACE OPTICAL
AND THIRD-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 St. Ignace Optical for a decrease in Third Party Revenue monies \$5,104.59. No effect on Tribal Support.

BE IT FURTHER RESOLOVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to Third Party Revenue decreasing the transfer out of \$5,104.59. No effect on Tribal Support.

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

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**HEALTH DIVISION – 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 to Health Center Administration for a change to the personnel sheet and a reallocation of expenses. No effect on Tribal Support.

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

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**HEALTH DIVISION – HEPATITIS C ELIMINATION PROGRAM
ESTABLISHMENT OF FY 2023 BUDGET
AND THIRD PARTY REVENUE FY 2023 BUDGET MODIFICATION**

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 Hepatitis C Elimination Program with IHS Revenue monies of \$100,000.00 and Third-Party Revenue monies of \$8,300.00. No effect on Tribal Support.

BE IT FURTHER RESOLOVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to Third Party Revenue increasing the transfer out of \$8,300.00. No effect on Tribal Support.

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

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**HEALTH DIVISION – ST. IGNACE DENTAL
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 St. Ignace Dental for changes to the personnel sheet and a reallocation of expenses. No effect on Tribal Support.

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

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

TRIBAL TRANSPORTATION

**REGIONAL TRIBAL TRANSIT
EASTERN UPPER PENNINSULA TRANSIT AUTHORITY
TRANSIT AGREEMENT**

WHEREAS, the Board of Directors has identified transit and mobility options important to the general health and welfare of the Members, residents and Tribal Business Patrons; and the Transportation Department has FTA Tribal Transit Program (TTP) funds for Sault to Kincheloe transit route; and

WHEREAS, the Eastern Upper Peninsula Transit Authority (EUIPTA) is completely responsible for providing transit services to the public in Chippewa, Mackinac and Luce Counties; and EUPTA is not financially able to provide additional service or routes for the community without the assistance of the Tribe; and

WHEREAS, the Tribe is desirous to contract with EUPTA to provide additional service for Sault to Kincheloe transit route; which the agency would not otherwise be financially able to support; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Agreement between EUPTA and Sault Ste. Marie Tribe of Chippewa Indians, and authorizes expenditures up to \$42,670.37 from the Transit Operations Fund, cost center 29301.

BE IT FURTHER RESOLVED, that the Chairman or his designee, is authorized and directed on behalf of the Sault Ste. Marie Tribe of Chippewa Indians to sign the Agreement attached to this resolution as Exhibit A.

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

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

TRIBAL TRANSPORTATION

**REGIONAL TRIBAL TRANSIT
MANISTIQUE TRANSIT AGREEMENT**

WHEREAS, the Board of Directors has identified transit and mobility options important to the general health and welfare of the Members, residents and Tribal Business Patrons; and the Transportation Department has FTA Tribal Transit Program (TTP) funds for Manistique to Escanaba transit route; and

WHEREAS, the Schoolcraft County Transit Authority and Delta Area Transit Agency are completely responsible for providing transit services to the public; and Schoolcraft and DATA are not financially able to provide additional service and routes for the community without the assistance of the Tribe; and

WHEREAS, the Tribe is desirous to contract with Schoolcraft County Transit Authority and Delta Area Transit Agency to provide additional service for Manistique to Escanaba transit route; which the agencies would not otherwise be financially able to support; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Agreement between Schoolcraft County Transit Authority and Delta Area Transit Agency and Sault Ste. Marie Tribe of Chippewa Indians, and authorizes expenditures up to \$67,808, from the Transit Operations Fund, cost center 29301.

BE IT FURTHER RESOLVED, that the Chairman or his designee, is authorized and directed on behalf of the Sault Ste. Marie Tribe of Chippewa Indians to sign the Agreement attached to this resolution as Exhibit A.

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

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**AMENDING LETTER OF CREDIT WITH PNC BANK -SAULT TRIBE
SELF-FUNDED UNEMPLOYMENT PROGRAM INCLUDING A
LIMITED WAIVER OF SOVEREIGN IMMUNITY AND
TRIBAL COURT JURISDICTION**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians (“Tribe”) currently has a “Letter of Credit” in the amount of \$2,250,988.11 with PNC Bank, N.A. (“PNC Bank”) to satisfy the security requirement of the Michigan Employment Security Act for the Sault Tribe Self-Fund Unemployment Program; and

WHEREAS, the Tribe wishes to amend this Letter of Credit to increase the letter of credit as needed yearly up to the dollar value of \$3,000,000.00 and to authorize further extensions of this Letter of Credit, without additional action of this Board, for a subsequent two-year term.

WHEREAS, PNC Bank will not consent to such amendment without a limited waiver of sovereign immunity or waiver of Tribal Court jurisdiction; and

WHEREAS, in order to induce PNC Bank to enter into the amended Letter of Credit, the Tribe shall confirm that the Tribe and all other entities, claiming by, through or under the Tribe, will not claim tribal immunity or exclusive Tribal Court jurisdiction with respect to any disputes or causes of action between the Tribe and PNC Bank that might arise from, or relate to, in any respect, the Letter of Credit, the Amendment to Reimbursement and Security Agreement, the Pledge Agreement, or the Notification and Control Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes and approves an amendment to the Letter of Credit with PNC Bank not to exceed \$3,000,000.00 for a subsequent two-year term.

BE IT FURTHER RESOLVED, that the Board of Directors hereby waives the Tribe’s sovereign immunity from suit in favor of PNC Bank only should an action be commenced under the PNC Bank contract referenced above, and this waiver:

- i. Shall terminate upon performance by the Tribe of all its obligations under the amended Letter of Credit, the Amendment to Reimbursement and Security Agreement, the Pledge Agreement, or the Notification and Control Agreement, or any subsequent extensions of the Letter of Credit, the Amendment to Reimbursement and Security Agreement, the Pledge Agreement, or the Notification and Control Agreement;
- ii. Is granted solely to PNC Bank;

- iii. Shall extend to inter alia, any judicial or non-judicial action, including, but not limited to, any lawsuit, arbitration, and judicial or non-judicial action to resolve disputes between the Tribe and Bank and the assertion of any claim in a court of competent jurisdiction or with any arbitrator or arbitration panel to enforce the obligations under the Letter of Credit, the Amendment to Reimbursement and Security Agreement, the Pledge Agreement, or the Notification and Control Agreement;
- iv. Shall be enforceable only in a court of competent jurisdiction, including courts of the State of Michigan, the Tribal Court, and federal courts in Michigan (including the United States Bankruptcy Court) or any arbitration or arbitration panel.

BE IT FURTHER RESOLVED, that the Board of Directors hereby waives the exclusive jurisdiction of the Tribal Court over any action arising under the Letter of Credit, the Amendment to Reimbursement and Security Agreement, the Pledge Agreement, or the Notification and Control Agreement.

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes further extensions of the Letter of Credit, without additional action of the Board of Directors, for a subsequent two year term.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Chairperson, Treasurer, and Chief Financial Officer of the Tribe, and each of their designees, to each act to execute the necessary documents to effectuate this transaction and subsequent extensions of the expiration date and dollar value to be secured, as needed, including, but not limited to the Letter of Credit, the Amendment to Reimbursement and Security Agreement, the Pledge Agreement, and the Notification and Control Agreement.

CERTIFICATION

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**ESTABLISHING AUTHORITY TO DIRECT ELECTION COMMITTEE
AMENDING TRIBAL CODE CHAPTER 10: ELECTION ORDINANCE**

NOW THEREFORE BE IT RESOLVED that Tribal Code Chapter 10: Election Ordinance is amended by adding the following new language:

10.126 Reservation of Authority.

The Board of Directors reserves onto itself the ability to direct the Election Committee by resolution.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

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

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**DIRECTING THE ELECTION COMMITTEE TO CONDUCT A NEW
SPECIAL ELECTION FOR THE
CURRENT VACANT UNIT 1 DIRECTOR'S SEAT**

WHEREAS the Election Committee was charged with conducting a special election to fill the vacant Unit 1 Director's seat; and

WHEREAS the January 6, 2023 Notice of Elections stated ballots were to be mailed on February 24th, 2023; and

WHEREAS the ballots were erroneously mailed ten days early; and

WHEREAS the error may result in candidates being unable to efficiently communicate their platforms to voters via mailers or otherwise as is customary; and

WHEREAS the Board of Directors finds the continuation of the ongoing special election disenfranchises both voters and candidates.

NOWTHEREFORE BE IT RESOLVED that the Board of Directors finds the erroneous early mailing of the ballots to result have irreparably spoiled the ongoing special election.

BE IT FURTHER RESOLVED that pursuant to Tribal Code Chapter 10: Election Ordinance at Section 10.126 the Election Committee is directed to declare the ongoing special election to fill the vacant Unit 1 Director's seat as void.

BE IT FURTHER RESOLVED that pursuant to Tribal Code Chapter 10: Election Ordinance at Section 10.126 the Board of Directors directs the Election Committee to conduct a new special election to fill the vacant Unit 1 Director's seat.

BE IT FINALLY RESOLVED that the Board of Directors directs the Election Committee to take any and all measures it deems appropriate to ensure that potential confusion amongst voters is addressed to the fullest extent possible.

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

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

RESCINDING RESOLUTION NO: _____

EMERGENCY POWER TO DIRECT ELECTION COMMITTEE

NOW THEREFORE BE IT RESOLVED that Resolution No: _____ [the first one] _____ is rescinded effective immediately.

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

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

JUUL SETTLEMENT – INVESTMENT IN LAND CLAIMS FUND

WHEREAS the Sault Ste. Marie Tribe of Chippewa Indians has agreed to settle a lawsuit against Juul Labs for the intentional marketing of their addictive vape products to tribal youth; and

WHEREAS the settlement funds are anticipated to yield between two and three million dollars; and

WHEREAS the Board of Directors desires to invest the settlement funds in a wise manner.

NOW THEREFORE BE IT RESOLVED that the Board of Directors orders that, upon receipt, the settlement funds shall be added to the principle of the Land Claims Fund.

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

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 _____ 2023; 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.

Austin Lowes, Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Hampton, Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

BOARD OF DIRECTORS REGULAR MEETING

March 7, 2023

Sponsor's List

RESOLUTIONS:

Child Care Development Fund (CCDF) – Juanita Bye
FY 2023 TVSSA Program – Jami Moran
2023 OVW Tribal Government – Jami Moran
ACFS - Transitional Housing – Juanita Bye
Elders - St. Ignace Meal Program – Holly Kibble
Employment - WIOA Works Experience – Brenda Cadreau
Employment - WIOA on the Job Training – Brenda Cadreau
Employment - WIOA Administration – Brenda Cadreau
Heath Division - Medical Nursing and 3rd Party Revenue – Carrie Horton/Leo Chugunov
Health Division - St. Ignace Optical and 3rd Party Revenue – Cheryl LaPlaunt/Leo Chugunov
Health Division – Administration – Jackie McLean/Leo Chugunov
Health Division - Hepatitis C Elimination Program – Carrie Horton/Leo Chugunov
Health Division - St. Ignace Dental – Cheryl LaPlaunt/Leo Chugunov
Transportation - EUPTA Transit Agreement – Wendy Hoffman
Transportation - Manistique Transit Agreement – Wendy Hoffman
Extension of Letter of Credit – Robert Schulte
Establishing Authority to Direct Election Committee – Tyler LaPlaunt
Directing Election Committee to Conduct New Special Election – Tyler LaPlaunt
Emergency Power to Direct Election Committee – Tyler LaPlaunt
Juul Settlement - Investment in Land Claims Fund – Isaac McKechnie

NEW BUSINESS:

Committee Appointments
Preliminary Investigative Report on DJ Hoffman – Tyler LaPlaunt
Board Concerns