

MEMORANDUM

TO: Board of Directors
FROM: Joanne Carr, Board Secretary
DATE: September 1, 2022
RE: Workshop Agenda for September 6, 2022

AGENDA **Closed**

10:00 a.m.
Gaming Commission Meeting
Budgets
Sault Tribe Inc.
Recovery Hospital

3:00 pm - Agenda Review
4:00 pm – Matters Raised by the Membership

5:00 pm – Regular Meeting

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN CASINOS CONVENTION CENTER
SAULT, MICHIGAN
September 6, 2022
5:00 P.M.**

- I. CALL TO ORDER
- II. INVOCATION: Prayer, Smudging, Presentation of Grandfathers
- III. ROLL CALL
- IV. PRESENTATION:
- V. MINUTES: 04-26-2022
 05-03-2022
 06-14-2022
 06-20-2022
 06-27-2022
 07-05-2022
 07-12-2022
 07-19-2022
 07-26-2022
 08-09-2022
- VI. RESOLUTIONS: Manistique Medical Nursing
 Tribal Emergency Assistance Program
 Auth an SSBCI Program Application
 Trust Land Lease – Captain
 Amended General Counsel Strategic Plan
 Unlawful Interference with ST Governmental Operations
 Am.Res. 2021-167- Recovery Hospital
 Am. Ch. 71: Criminal Code Section 102
 Investigating Accusations Against Elected Officials
- vii. NEW BUSINESS: Committee Appointments
- VIII. ADJOURN TO EXECUTIVE SESSION:
- IX. RECONVENE AND REAFFIRM
- X. ADJOURN

BOARD OF DIRECTORS REGULAR MEETING

September 6, 2022
Sponsor's List

RESOLUTIONS:

Manistique Medical Nursing – Marlene Glaesmann/Leo Chugunov
Tribal Emergency Assistance Program- Juanita Bye
Auth an SSBCI Program Application – Larry Jacques
Trust Land Lease – Captain – Joel Schultz/Brenda Jeffries
Amended General Counsel Strategic Plan – Jeremy Patterson
Unlawful Interference with ST Governmental Operations – Director McRorie
Am.Res. 2021-167- Recovery Hospital – Director LaPlaunt
Am. Ch. 71: Criminal Code Section 102- Chairman Hoffman
Investigating Accusations Against Elected Officials – Chairman Hoffman

NEW BUSINESS:

Committee Appointments - Various Committees

RESOLUTION NO: _____

**MANISTIQUE MEDICAL NURSING
FY 2022 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2022 budget modification to Manistique Medical Nursing to 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 _____ 2022; 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.

DJ Hoffman
Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Vincent-Hampton
Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**ACFS DIVISION – TRIBAL EMERGENCY ASSISTANCE PROGRAM
FY 2022 BUDGET MODIFICATION**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2022 budget modification to Tribal Emergency Assistance Program for an increase Tribal Support monies of \$42,842.05. This budget modification reflects actual expenditures and reallocation of expenses.

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 _____ 2022; 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.

DJ Hoffman
Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Vincent-Hampton
Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

AUTHORIZING THE SUBMISSION OF AN SSBCI PROGRAM APPLICATION

WHEREAS, pursuant to Resolution No. 2021-181, the Tribal Board of Directors authorized the submission of any and all documentation needed to initially participate in the State Small Business Credit Initiative (“SSBCI Capital Program”), including a Notice of Intent to the U.S. Department of Treasury by the December 11, 2021 deadline; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians filed the Notice of Intent and is now seeking to submit a completed SSBCI Capital Program application following the U.S. Department of the Treasury’s extension of the deadline for Tribal governments to initiate and submit their applications to September 1, 2022.

WHEREAS, pursuant to Resolution No. 2022-202, the Tribal Board of Directors authorized the negotiation of services with Development Capital Networks, LLC to assist in the preparation of an SSBCI Capital Program Application and further authorized the development of an SSBCI Capital Application and related materials and documents to be brought forward to the Board of Directors for review and consideration.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby authorizes and approves the Memorandum of Understanding – SSBCI Program Management between the Tribe and Development Capital Networks, LLC.

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes and approves the submission of an SSBCI Capital Program Application, and all related materials and documents required for the SSBCI Capital Program Application, on behalf of the Tribe.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Tribal Vice-Chairman, or designee, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions, and intent of this Resolution.

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 _____ 2022; 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.

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Kimberly Vincent-Hampton
Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**TRUST LAND LEASE – CAPTAIN, Louis J. and Jodie E.
2300 SHAWANO DRIVE – SAULT STE. MARIE, MICHIGAN**

RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized its Tribal Chairman, and Treasurer to execute a lease to the land located at 2300 Shawano Drive, Sault Ste. Marie, MI to Louis J. Captain and Jodie E. Captain, and land being described as:

A parcel of land located in the Fractional Northwest 1/4, Section 16, Township 47 North, Range 1 East, City of Sault Ste. Marie, Chippewa County, Michigan more particularly described as commencing at the Northwest corner of said Section 16; thence S02°07'34"W along the West line of said Fractional Northwest 1/4 a distance of 425.00 feet; thence S87°52'26"E a distance of 33.00 feet to a point on the Easterly right of way line of Shunk Road, said point is also on the Southerly right of way line of Shawano Drive; thence continuing S87°52'26"E along said Southerly right of way line a distance of 100.00 feet; thence Easterly 276.54 feet along said Southerly right of way line and also along a curve to the right, said curve has a delta angle of 20°34'39", a radius of 770.00 feet and is subtended by a chord that bears S77°35'06"E a distance of 275.06 feet; thence Southeasterly along said Southerly (and Westerly) right of way line and also along a curve to the right, a distance of 281.28 feet. said curve has a delta angle of 70°04'17", a radius of 230.00 feet and is subtended by a chord that bears S32°15'40"E a distance of 264.08 feet; thence S02°46'26"W along said Westerly right of way line a distance of 100.00 feet; thence Southerly a distance of 308.08 feet along said Westerly right of way line and also along a curve to the right, said curve has a delta angle of 19°48'21", a radius of 891.23 feet and is subtended by a chord that bears S12°40'33"W a distance of 306.55 feet, said point is the POINT OF BEGINNING:

Thence continuing Southerly along a curve to the right and also along said Westerly right of way line a distance of 94.29 feet, said curve has a delta angle of 06°03'43", a radius of 891.23 feet and is subtended by a chord that bears S25°36'34"W a distance of 94.25 feet; Thence N61°21'34"W a distance of 125.68 feet; Thence N09°33'44"E a distance of 82.98 feet; Thence S67°25'16"E a distance of 148.65 feet to the POINT OF BEGINNING. Containing 0.28 acres more or less. Subject to all easements, conditions, reservations, exceptions and restrictions contained in prior conveyances of record.

BE IT FURTHER RESOLVED, the lease is in furtherance of a Housing program operated in the promotion of the public purpose 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.

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 _____ 2022; 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.

DJ Hoffman
Chairman
Sault Ste. Marie Tribe of
Chippewa Indians

Kimberly Vincent-Hampton
Secretary
Sault Ste. Marie Tribe of
Chippewa Indians

RESOLUTION NO: _____

**APPROVING AND ADOPTING AMENDED
GENERAL COUNSEL STRATEGIC PLAN**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors maintains the power to employ legal counsel pursuant to Article VII, Section 1(a) of the Tribe's Constitution; and

WHEREAS, the Tribe's Board of Directors has approved an existing General Counsel Strategic Plan that provides for how the Tribe's Legal Department shall be assigned to conduct legal work; and

WHEREAS, the Board of Directors desires to amend the General Counsel Strategic Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves and adopts the amended General Counsel Strategic Plan.

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 _____ 2022; 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.

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Kimberly Vincent-Hampton
Secretary
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RESOLUTION NO: _____

**UNLAWFUL INTERFERENCE WITH SAULT TRIBE
GOVERNMENTAL OPERATIONS**

WHEREAS, pursuant to Resolution No: 2022-204, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors directed an investigation of DJ Hoffman related to allegations of past misconduct; and

WHEREAS, the Tribe's Board of Directors, pursuant to Tribal Resolution approved on August 30, 2022, has further directed the solicitation of special investigator services regarding the investigation authorizes under Resolution No: 2022-204; and

WHEREAS, several Board Members have received letters from DJ Hoffman's privately retained attorney, demanding that they immediately cease and desist an alleged campaign to defame DJ Hoffman; and

WHEREAS, the issues addressed in the cease and desist letters were authorized and approved by the Tribal Board of Directors by and through a duly enacted Tribal Resolutions issued pursuant to the Board of Director's authority under the Tribal Constitution, as the governing body of the Sault Ste. Marie Tribe of Chippewa Indians.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors actions in this matter were conducted in the Board of Directors official capacity and in its role as the governing body of the Tribe, for the interests of the Sault Tribe.

BE IT FURTHER RESOLVED, that the Board of Directors hereby finds and determines that the cease and desist letters issued by DJ Hoffman's privately retained attorney constitute unlawful interference with the governmental operations of the Tribe and with the duly authorized investigation into these matters, pursuant to Res. 2022-204, which is both necessary and in the best interests of the Tribe.

BE IT FURTHER RESOLVED, that the Board of Directors hereby directs the Tribe's Legal Department to prepare a letter in response to the cease and desist letters from DJ Hoffman's privately retained attorney, to inform him that this type of unlawful interference and conduct will not be tolerated by the Tribe and any such further actions that interfere with the duly authorized governmental operations of the Tribe shall be subject to legal action taken against DJ Hoffman's privately retained attorney.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Tribal Vice-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.

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 _____ 2022; 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.

DJ Hoffman
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Kimberly Vincent-Hampton
Secretary
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RESOLUTION NO: _____

**AMENDING RESOLUTION NO. 2021-167
COVID AMERICAN RESCUE ACT FUNDS-
RECOVERY CAMPUS PROJECT**

WHEREAS, the Sault Tribe Board of Directors has appropriated twenty five million dollars (\$25,000,000.00) of approved ARPA funds to accomplish building a new Recovery Campus.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors authorizes the amendment to Resolution 2021-167 from the approved \$25,000,000 reducing the amount to \$17,200,000. The reduction will total \$7,800,000.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Tribal Chairperson, 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 and authorizes all internal administrative budget modifications from the authorized budgeted funding.

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 _____ 2022; 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.

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Secretary
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RESOLUTION NO: _____

AMENDING CH. 71: CRIMINAL CODE SECTION 102

NOW, THEREFORE BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians amends Ch. 71: Criminal Code Section 102: Grounds for Appointment.

Pursuant to the power delegated by the Sault Ste. Marie Tribe of Chippewa Indians Constitution, to the Board of Directors to appoint legal counsel, the Board of Directors delegates authority to the Tribal Prosecutor to appoint a Special Prosecutor in any matter arising under this Code, or any other provision of tribal code, where the Tribal Prosecutor determines that there is a conflict of interest for the Tribal Prosecutor and the Assistant Tribal Prosecutor.

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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 _____ 2022; 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.

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Kimberly Vincent-Hampton
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RESOLUTION NO: _____

INVESTIGATING ACCUSATIONS AGAINST ELECTED OFFICIALS

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

WHEREAS, there have be complaints of harassment, intimidation election interference, and improper influence of an elected official committed by towards Sault Tribe members and Sault Tribe employees; and

WHEREAS, several Members of the Board cornered Election Committee volunteer(s) at their respective work office(s) to question them regarding the Election with no provocation or authorization; and

WHEREAS, an Employee complaint has been filed internally, as well as received by Sault Tribe Law Enforcement on this issue.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors mandates and directs an investigation be undertaken regarding accusations of harassment, intimidation, interference in the Election process, Abuse of office, and Improper Influence of a Tribal official regarding these matters and further authorizes disclosure of any records otherwise classified as confidential for the purpose of investigating these allegations.

BE IT FURTHER RESOLVED, the Executive Director of the Tribe, with assistance from the Tribe’s General Counsel, shall hire an external firm to investigate these allegations, with authorization to modify the existing budget to pay for these 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 _____ 2022; 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.

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