

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN SHORES CASINO
ST. IGNACE, MICHIGAN
MINUTES
OCTOBER 24, 2017**

The meeting was opened at 6:01 p.m. by Chairperson Payment.

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

Absent:

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

Motion carried unanimously.

Moved by Director Chase, supported by Director McLeod, to approve Res. 2017-204, ACFS Binogii and Tribal Foster Care FY 2017 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2017 budget modifications to Binogii and Tribal Foster Care for a decrease in State of Michigan monies of \$237,033 and an increase in Other Revenue monies of \$839.93. No effect on Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director Hollowell, supported by Director McLeod, to approve Res. 2017-205, ACFS – General Assistance FY 2017 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2017 budget modification to General Assistance for an increase in Federal BIA monies of \$13,382.32. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Gravelle, to table the resolution regarding Self-Insurance.

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

Moved by Director Sorenson, supported by Director Chase, to approve Res. 2017-206, FY 2018 Budget Document 002 (Without Health Division)

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2018 Budget Document 002 totaling \$6,492,355 of which \$924,936 comes from Tribal Support.

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

Moved by Director Chase, supported by Director Gravelle, to approve Res. 2017-207, FY 2018 Budget Document 004 Enterprises.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the Fiscal Year 2018 Budget Document 004 Enterprises for revenue of \$9,897,772 and expenses of \$9,810,813.

Roll Call Vote: Motion carried unanimously.

Moved by Director Sorenson, supported by Director Hollowell, to approve Res. 2017-208, Fiscal Year 2018 Enterprises Capital Purchases Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves a total of \$628,294 as the Enterprises Fiscal Year 2018 Capital Purchases Budget.

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

Moved by Director Chase, supported by Director Morrow, to approve Res. 2017-209, Approving Lease Marquette Tribal Community Health Center.

BE IT HEREBY RESOLVED, that the Chairperson of the Tribe is authorized and directed to execute the lease for the property located at 1229 W. Washington Street, Marquette, Michigan.

Motion carried with Director Hoffman abstaining.

Moved by Director Morrow, supported by Director Hollowell, to approve Res. 2017-210, Amending Key Employee Resolution 2005-199 Natural Resources Department.

NOW, THEREFORE, BE IT RESOLVED, that that the list of "Key Team Members" contained in Resolution 2005-199, as amended, is further amended to remove the following positions from the list of "Key Team Members" for the Regulatory Branch of the Tribe: NATURAL RESOURCES DIVISION DIRECTOR PROGRAM DIRECTOR OF THE INTERTRIBAL FISHERIES AND ASSESSMENT PROGRAM.

BE IT FURTHER RESOLVED, that the list of "Key Team Members" contained in Resolution 2005-199, as amended, is further amended to ADD the following positions to the list of "Key Team Members" for the Regulatory Branch of the Tribe: LEAD FISHERIES BIOLOGIST-LEAD WILDLIFE BIOLOGIST.

Motion carried unanimously.

Moved by Director Hollowell, supported by Director Morrow, to approve Res. 2017-211, Amending Tribal Code Section 45.606 Workers Compensation Attorney Fees.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby amends the Tribal Code, subsections 45.606(2) and (3), as set forth below, no change to subsection (1):

45.606 Attorney's Fees and Costs.

(2) In connection with either a protest or an appeal of permanent disability, any attorney engaged in the representation of a worker or beneficiary shall not charge for services any fee in excess of a reasonable fee, which in the case of a protest or an appeal lodged by the worker or beneficiary shall not be more than 25 percent of the increase in the award secured by the attorney's services, and in no case shall exceed a total of \$20,000.

(3) In all cases except those involving permanent disability, when a worker or a beneficiary prevails in an appeal by the supervisor or when the worker or beneficiary is the appellant and additional relief is granted, then the Fund shall pay the worker or beneficiary for reasonable attorney's fees as determined by the Committee or the Tribal Court, and in no case shall exceed \$20,000.

Motion carried unanimously.

Moved by Director Morrow, supported by Director Hoffman, to table the Mandatory Trust resolution.

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

Without Objection, will move the Mandatory Trust resolution to the end of the agenda. No objections.

Moved by Director Sorenson, supported by Director McKelvie, to approve Res. 2017-212, US v MI Negotiations.

NOW, THEREFORE, BE IT RESOLVED, that the General Counsel is hereby directed to retain Marc Slonim for the purpose of representing the Tribe in the upcoming US v MI 2020 negotiations, with Mason Morisset of Morisset, Schlosser, Jozwiak, & Somerville as lead counsel, with Attorney Marc Slonim assisting.

BE IT FURTHER RESOLVED, that the General Counsel is authorized to negotiate and execute a retainer agreement to effectuate the forgoing on terms he deems to be in the Tribe's best interest.

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

Moved by Director Gravelle, supported by Director Morrow, to table the resolution regarding the Wage Grids.

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

Moved by Director Causley, supported by Director Hollowell, to appoint Frances Hank, to the Health Board, for a four year term, expiring October 2021.

Motion carried unanimously.

Moved by Director Causley, supported by Director Massaway, to approve Res. 2017-213, Authorization to Initiate Litigation Challenging the Denial of Mandatory Trust Applications.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby authorizes and directs that the Tribe, through its Chairperson and General Counsel, take whatever action is necessary and appropriate to challenge and overturn the denial of its June 10, 2014 mandatory trust requests including but not limited to initiating litigation in the appropriate federal court seeking an order requiring the Secretary of the Interior to take the affected parcels of land into mandatory trust status as provided by MILCSA § 108 and seeking such other relief as may be just and proper.

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

Moved by Director Sorenson, supported by Director Massaway, to hire the Lead Biologist that the Interview Committee recommended.

Motion carried unanimously.

Board Concerns:

Director Gravelle – Renters at Big Bear.
Director Hoffman – Appellate Court timing for rulings.

Meeting adjourned: 7:13 p.m.

Date: 11-21-17 Secretary: Bridgett Sorenson

Others present: John Wernet, Christine McPherson, Jessica Dumback, Joel Schultz, Joel Lumsden, Doug Goudreau, Susan Soltys, Russ McKerchie, Joanne Carr.