

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN CASINO AND CONVENTION CENTER
SAULT STE. MARIE, MICHIGAN
MINUTES
September 1, 2020**

The meeting was opened at 5:05 p.m. by Chairperson Payment.

Present: Kim Gravelle, Austin Lowes, DJ Hoffman, Michael McKerchie, Betty Freiheit, Lana Causley, Catherine Hollowell, Bridgett Sorenson, Keith Massaway, Denise Chase, Darcy Morrow, Charles Matson, and Aaron Payment.
Absent:

Moved by Director Morrow, supported by Director Chase, to approve the agenda, excluding the Board Pension Plan resolution.

Roll Call Vote: Motion carried with Directors Sorenson, Morrow, Gravelle, Matson, Chase, Hoffman, Massaway approving; Directors Freiheit, Causley, Lowes, McKerchie, Hollowell opposing.

Moved by Director Causley, supported by Director Gravelle, to approve the Minutes of 7-28/29-2020, with corrections, and 8-4-2020; and 8-11-2020 as written.

Motion carried unanimously.

Moved by Director Morrow, supported by Director Causley, to approve Res. 2020-200, Sawyer Village Maintenance FY 2020 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2020 budget modification to Sawyer Village – Maintenance to change the personnel sheet and reduce expenses \$6,596.74. No effect on Tribal Support.

Roll Call Vote: Motion carried with Directors Gravelle, Sorenson, Matson, McKerchie, Causley, Hoffman, Massaway, Hollowell approving; Directors Freiheit, Morrow, Chase, Lowes opposing.

Moved by Director Causley, supported by Director Chase, to approve Res. 2020-201, DeMawating Development FY 2020 Enterprise Capital Expenses Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the modification to the FY 2020 Enterprise Capital Budget to increase the expenses for DeMawating Development \$190,000.00, from fund balance, and establish a new cost center with in the company.

Roll Call Vote: Motion carried unanimously.

Moved by Director Causley, supported by Director Massaway, to approve Res. 2020-202, EDC Sub Recipient Grant Establishment of FY 2020 and FY 2021 Budgets.

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 EDC Sub Recipient Grant with State of Michigan monies \$57,000.00.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2021 budget for EDC Sub Recipient Grant with State of Michigan monies \$28,000.00.

Roll Call Vote: Motion carried unanimously.

Moved by Director Hoffman, supported by Director Causley, to approve Res. 2020-203, Transfer of Land and Buildings to EDC for Economic Purposes.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby transfers the property, possession, control, and management authority over the buildings and parcels know as Parcel ID #'s: 051-047-013-00; 051-047-014-00; 051-047-007-00.

To the EDC for Economic activities for the betterment of the Sault Tribe of Chippewa Indians.

Motion carried unanimously.

Moved by Director Hollowell, supported by Director Causley, to approve Res. 2020-204, Approving Application to the Federal Communications Commission for 2.5 GHZ Spectrum License.

NOW, THEREFORE, BE IT RESOLVED, that Tribe should and does hereby approve the submission of an application for 2.5 GHz radio spectrum to the Federal Communications Commission.

Motion carried unanimously.

Moved by Director Gravelle, supported by Director Causley, to approve Res. 2020-205, Federal Cares – Interest Establishment of FY 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 Interest with Other Revenue monies of \$21,541.67. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Hollowell, supported by Director Chase, to approve Res. 2020-206, BIA Cares Funds Establishment of FY 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 BIA Cares Funds with Federal BIA Revenue monies of \$2,407,613.00. No effect on Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director Hollowell, supported by Director Causley, to approve Res. 2020-207, Federal Cares-Governmental and Sub Recipient FY 2020 Budget Modifications.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2020 budget modification to Governmental Cares budget for a decrease in Federal Cares monies of \$261,455.57. No effect on Tribal Support

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2020 budget modification to Sub-recipient for an increase in Federal Cares monies of \$261,455.57. No effect on Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director Gravelle, supported by Director Causley, to approve Res. 2020-208, Tribal Practices for Wellness in Indian Country FY 2021 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2021 budget modification to Tribal Practices for Wellness in Indian Country to increase expenses and increase Federal CDC monies \$53,729.99. No effect on Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director Gravelle, supported by Director Freiheit, to approve Res. 2020-209, Health Soo Pharmacy FY 2020 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2020 budget modification to Health Soo Pharmacy to change the personnel sheet and reallocate expenses. No effect on Tribal Support.

Motion carried with Director Hoffman opposing.

Moved by Director Massaway, supported by Director Causley, to approve Res. 2020-210, Health St. Ignace Pharmacy FY 2020 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2020 budget modification to Health St. Ignace Pharmacy to change the personnel sheet. No effect on Tribal Support.

Roll Call Vote: Motion carried with Directors Gravelle, Sorenson, Matson, McKerchie, Causley, Massaway, Freiheit, Morrow, Hollowell, Chase, Lowes approving; Director Hoffman opposing.

Moved by Director Chase, supported by Director Morrow, to approve Res. 2020-211, Health Manistique Pharmacy FY 2020 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2020 budget modification to Health Manistique Pharmacy to change the personnel sheet and reallocate expenses. No effect on Tribal Support.

Motion carried with Director Hoffman opposing.

Moved by Director Gravelle, supported by Director Morrow, to approve Res. 2020-212, FY 2021 and FY 2022 Budget Document 002 (Excluding Health Division).

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2021 Budget Document 002 totaling \$10,585,833 of which \$1,795,060 comes from Tribal Support.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2022 Budget Document 002 totaling \$7,797,229 of which \$945,507 comes from Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director Gravelle, supported by Director Massaway, to approve Res. 2020-213, Ethernet Network Data Transport Services Project #20-001 Contract Award.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby authorizes the selection and contracting with Peninsula Fiber Network (PFN) to provide data transport services, as outlined in the Request for Proposal (RFP) for the Ethernet Network Data Transport Services Project # 20-001 dated 02/05/20, and authorizes the Chairperson to sign and execute all documentation to facilitate this agreement.

Roll Call Vote: Motion carried with Directors Massaway, Chase, Hollowell, Freiheit, Gravelle, Lowes, Matson, Sorenson, Causley, Morrow, McKerchie approving; Director Hoffman opposing.

Moved by Director Massaway, supported by Director Causley, to approve Res. 2020-214, Board of Directors Head Start Advisory Committee.

NOW, THEREFORE, BE IT RESOLVED, it is the intent of the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians that the Membership of the Head Start Advisory Committee will consist of four members, at least two of whom shall be sitting members of the Board of Directors, who will be appointed by the Board of Directors and when needed, appointed and/or reappointed by the Board of Directors.

BE IT FURTHER RESOLVED, Kimberle Gravelle, Bridgett Sorenson, and Michael McKerchie will be appointed to the Head Start Advisory Committee, until their term as a Member of the Board of Director expires.

BE IT STILL FURTHER RESOLVED, that Keith Massaway and DJ Hoffman will be appointed as alternate members of the Head Start Advisory Committee, until their term as a Member of the Board of Directors expires.

Motion carried unanimously.

Moved by Director Causley, supported by Director Gravelle, to approve Res. 2020-215, National Indian Gaming Association 2020.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians hereby authorized the payment of dues for 2020 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: Betty Freiheit, Director Alternate: Michael McKerchie, Director
Alternate: Austin Lowes, 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

Motion carried unanimously.

Moved by Director Hollowell, supported by Director Causley, to approve Res. 2020-216, Allowing for Improved Processing of Executed and Approved Tribal Expenditures in Response to Covid-19.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Board of Directors grants to the Tribal Executive Director, Kewadin Casino CEO, and Tribal EDC Executive Director the authority to waive the signature authority policy, budget modification policy, salary and hiring policies, procurement and purchasing policies and other Tribal policies

and procedures relating to the disbursement of tribal funds as they determine necessary but only to the extent needed to streamline and expedite the disbursement of CARES Act relief funding that are executed and approved expenditures pursuant to a tribal program and as authorized by US Treasury guidelines and applicable federal law.

BE IT FURTHER RESOLVED, that the Chairperson's signature authority is hereby extended to amounts over \$50,000 for CARES Act funding disbursements without further approval from the Board of Directors for disbursements that have been previously authorized and appropriated by the Board of Directors.

BE IT FURTHER RESOLVED, that in the event the Tribal Executive Director, Kewadin Casino CEO, or Tribal EDC Executive Director is using the authority provided by this Resolution to:

Issue funding in excess of \$50,000 for their own department

Waive policies for their own department

Waive procedures for their own department

The approval of the Chairperson is required in addition to the approval of the Tribal Executive Team Member and the Chairperson reserves the right to review all such actions.

BE IT FINALLY RESOLVED, that this extended authority designated to the Chairperson, Tribal Executive Director, Kewadin Casinos CEO, and Tribal EDC Executive Director shall expire on March 31, 2021.

Roll Call Vote: Motion carried with Director Hollowell, Freiheit, Morrow, Gravelle, Lowes, Causley, Chase, McKerchie, Matson, Sorenson, Massaway approving; Director Hoffman opposing.

Moved by Director Causley, supported by Director Hollowell, to approve Res. 2020-217, Approving Covid-19 Sault Ste. Marie Tribally Owned Small Business Recovery Program.

NOW, THEREFORE, BE IT RESOLVED, that the Tribe should and does hereby approve the attached COVID-19 Sault Ste. Marie Tribally Owned Small Business Recovery Program.

BE IT FURTHER RESOLVED, that the Program shall be administered by the COVID-19 Taskforce Grants Subcommittee as set forth in the attached polices.

BE IT FURTHER RESOLVED, that the Tribal Board of Directors grants to the Tribal Chairperson, Tribal Executive Director, Kewadin Casino CEO, and Tribal EDC Executive Director the authority to waive the signature authority policy, budget modification policy, salary and hiring policies, procurement and purchasing policies and other Tribal policies and procedures relating to the disbursement of tribal funds as they determine necessary but only to the extent needed to streamline and expedite the disbursement of CARES Act relief funding that are executed and approved expenditures pursuant to a tribal program and as authorized by US Treasury guidelines and applicable federal law.

Motion carried with Director Hoffman opposing.

Moved by Director Freiheit, supported by Director Morrow, to approve Res. 2020-218, Authorizing the Filing of an Amicus Brief in Treaty Fishing Case.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors does hereby authorize and direct the drafting and filing of an amicus brief on behalf of the Sault Ste. Marie Tribe of Chippewa Indians in the matter of *People of the State of Michigan v. Walter Joseph Caswell*, COA No. 353537 in the State of Michigan Court of Appeals, by and through the Sault Ste. Marie Tribe's Treaty Fishing Legal Team, Mason Morisset and Lauren King.

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes and approves the Chairperson, or in his absence the Vice-Chairperson, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions and intent of this Resolution.

Motion carried unanimously.

Minutes 9-1-2020

Moved by Director Causley, supported by Director Massaway, to accept the recommendation of the Special Needs Enrollment Committee and relinquish Calyn S. Waite and Rueben M. LaVictor from the Tribe.

Motion carried unanimously.

Moved by Director Chase, supported by Director Massaway, to accept the recommendation of the Special Needs Enrollment Committee and disenroll James Farero, Katherine Tassier (Farero), Dominic Brown, Jaywin LeBlanc, and Livia Arlt, from the Tribe.

Motion carried unanimously.

Meeting adjourned: 6:04 p.m.

Board Concerns:

Director Morrow: Closed – Fishing issue; Closed – emails.

Director Gravelle: Law Enforcement positions.

Director Freiheit: Tribal Member issue.

Director Lowes: House Fire; Vacant Housing.

Director Hoffman: Limit travel; Emergency Order – Policies.

Director Causley: Transportation Flyer; List of resources for COVID.

Director Hollowell: Eligibility for non-tribal spouses.

Director Chase: COVID Internal Policies; Testing of Employees

Date: 12-1-2020

Secretary: Bridgett Sorenson

Others present: Christine McPherson, Robert Schulte, Kristyn Libby, Linda Grossett, Joanne Carr.