

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN CASINOS CONVENTION CENTER
SAULT STE. MARIE, MICHIGAN
MINUTES
October 1, 2024**

This meeting was opened at 5:02 p.m. by Chairman Austin Lowes.

Present: Bridgett Sorenson (Z), Kimberle Gravelle, Tyler LaPlaunt, Isaac McKechnie, Kimberly Lee, Michael McKerchie, Shawn Borowicz, Kimberly Hampton (Z – logged in at 5:12 p.m.), Rob McRorie, Lana Causley-Smith (Z), Aaron Payment, Larry Barbeau, Austin Lowes
Absent: None

**Moved by Director McKechnie, supported by Director LaPlaunt, to approve the agenda as read.
Motion carries unanimously.**

**Moved by Director McKechnie, supported by Director McRorie, to approve the meeting minutes from Regular Meeting September 17, 2024.
Motion carries unanimously.**

Moved by Director Gravelle, supported by Director McKechnie, to approve Resolution 2024-291, Cultural – IMLS Anishinaabe Art Establishment of FY 2025 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 2025 budget for IMLS Anishinaabe Art with Federal Department of Education Library Services monies of \$41,806.13. No effect on Tribal Support.
Motion carries unanimously.

Moved by Director McKerchie, supported by Director McKechnie, to approve Resolution 2024-292, Education – TED Grant FY 2025 Budget Modification.
BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2025 budget modification to the TED Grant for an increase in BIA Revenue monies of \$328,720.56. No effect on Tribal Support.
Roll Call Vote: Motion carries unanimously.

Moved by Director McKechnie, supported by Director LaPlaunt, to approve Resolution 2024-293, Natural Resources Division – Ishkode Project Establishment of FY 2024 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 2024 budget for Ishkode Project with Federal Department of Agriculture USDA Revenue monies of \$68,750.00. No effect on Tribal Support.
Roll Call Vote: Motion carries unanimously.

Moved by Director McKechnie, supported by Director McRorie, to approve Resolution 2024-294, Natural Resources Division – PFAS Establishment of FY 2024 and 2025 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 2024 budget for PFAS with Federal EPA Revenue monies of \$5,625.00. 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 establishment of a FY 2025 budget for PFAS with Federal EPA Revenue monies of \$22,500.00. No effect on Tribal Support.
Motion carries unanimously.

Moved by Director McKechnie, supported by Director Gravelle, to approve Resolution 2024-295, Natural Resources Division – Water Establishment of FY 2025 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 2025 budget for Water with Federal EPA Revenue monies of \$96,693.01. No effect on Tribal Support.

Roll Call Vote: Motion carries unanimously; No response from Director Hampton.

Moved by Director McKechnie, supported by Director LaPlaunt, to approve Resolution 2024-296, Natural Resources Division – EPA GAP Establishment of FY 2025 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 2025 budget for EPA GAP with Federal EPA Revenue monies of \$126,125.00. No effect on Tribal Support.

Roll Call Vote: Motion carries unanimously.

Moved by Director McKechnie, supported by Director LaPlaunt, to approve Resolution 2024-297, Natural Resources Division – Brownfields Establishment of FY 2025 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 2025 budget for Brownfields with Federal EPA Revenue monies of \$117,258.00. No effect on Tribal Support.

Roll Call Vote: Motion carries unanimously.

Moved by Director LaPlaunt, supported by Director McKechnie, to approve Resolution 2024-298, Legal – Prosecutor FY 2024 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2024 budget modification to the Prosecutor budget for a decrease in Tribal Support of \$98,897.58. This modification reflects changes to the personnel sheet.

Roll Call Vote: Motion carries unanimously.

Moved by Director McKechnie, supported by Director Gravelle, to approve Resolution 2024-299, Governmental – Transportation Planning FY 2024 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2024 budget modification to Transportation Planning for a decrease in Federal BIA Revenue monies of \$99,326.93 and changes to the personnel page. No effect on Tribal Support.

Roll Call Vote: Motion carries unanimously.

Moved by Director McKechnie, supported by Director LaPlaunt, to approve Resolution 2024-300, Apply for the Nature Conservancy Whitefish Rehabilitation Grant.

NOW, THEREFORE, BE IT RESOLVED, the Sault Tribe Board of Directors authorizes the Division's application for the Nature Conservancy Whitefish Rehabilitation Grant funding.

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes and approves the Chairman of the Tribe, or their designee, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions, and intent of this resolution.

Motion carries unanimously.

Moved by Director McKechnie, supported by Director LaPlaunt, to approve Resolution 2024-301, Partial Waiver of Convictions for Mr. Brandon Nertoli.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, pursuant to Tribal Code Chapter 76, grants a partial waiver to Mr. Brandon Nertoli.

Motion carries unanimously.

Moved by Director McKechnie, supported by Director Borowicz, to approve Resolution 2024-302, Appointment of Christina DeMoore as a Appellate Judge (Attorney Position).

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors hereby appoints Christina DeMoore to serve as a regular seated Appellate Judge (attorney position) for the Sault Ste. Marie Tribe of Chippewa Indians Court of Appeals, for a four (4) year term beginning October 2, 2024 and authorizes the Chairman or his designee to contract with her for said position.

Motion carries unanimously.

Moved by Director LaPlaunt, supported by Director McKechnie, to approve Resolution 2024-303, Award Contract to Nomad Construction for Renovations at the Tribal Administration Building.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby approves the construction contract with Nomad Construction for the Tribal Administration Building lower-level Finance area remodel.

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

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes the Chief Financial Officer to allocate the necessary funding source and create any and all necessary internal budget documents related to the terms, conditions and intent of this resolution.

Roll Call Vote: Motion carries unanimously.

Moved by Director McKechnie, supported by Director Gravelle, to approve Resolution 2024-304, Acceptance – 2025 Indian Housing Plan.

NOW, THEREFORE BE IT RESOLVED, the Sault Tribe Board of Directors approves the 2025 Indian Housing Plan, Grant No. 55-IH-26-5480, as presented and does hereby request funding from the U. S. Department of Housing and Urban Development.

BE IT FURTHER RESOLVED, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors and Sault Tribe Housing Commission does agree to follow the HUD approved Indian Housing Plan in order to provide housing opportunities.

BE IT FURTHER RESOLVED, the Sault Tribe Housing Authority Director is authorized to submit the 2025 IHP in the HUD online GEMS System.

BE IT FINALLY RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorize the Tribal Chairman or his designee, to negotiate, execute and amend any and all documents resulting therefrom on the Tribe's behalf on a contract between the Sault Ste. Marie Tribe of Chippewa Indians and U.S. Department of Housing and Urban Development (HUD) Office of Native American Programs (ONAP).

Roll Call Vote: Motion carries unanimously; No response from Director Sorenson.

Moved by Director McKechnie, supported by Director McRorie, to approve Resolution 2024-305, Approve Housing Authority Retention Incentives.

NOW, THEREFORE, BE IT RESOLVED, the retention incentive will be \$1,000 per team member and is a net amount to be grossed up to include 401K benefits, payroll tax deductions and any other required payroll withholdings.

BE IT FURTHER RESOLVED, that the Sault Tribe Housing Commission approved the recommended retention incentives as presented today and requests concurrence from the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors.

BE IT FINALLY RESOLVED, the Sault Tribe Board of Directors approves the payment of retention incentives to those team members who are at or above market rate in their position.

Roll Call Vote: Motion carries with Directors' McKechnie, Lee, Borowicz, Gravelle, McKerchie, Hampton, LaPlaunt, Sorenson, McRorie, Barbeau, Payment approving; Director Causley-Smith abstaining.

Moved by Director McKechnie, supported by Director LaPlaunt, to approve Resolution 2024-306, Approving Amended Agreement with Huntington Bank for Reconnect 3 Grant Pledged Deposit Account.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Tribal Chairman or his designee to execute all amended documents needed to establish the Pledged Deposit Account with Huntington Bank.

BE IT FURTHER RESOLVED, the Board of Directors hereby incorporates this resolution into Resolution 2024-130.

Motion carries unanimously.

Moved by Director LaPlaunt, supported by Director McKechnie, to approve Resolution 2024-307, Approving Intellectual Property Use Manual.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians does hereby approves the Intellectual Property Use Manual.

Motion carries unanimously.

Moved by Director McKechnie, supported by Director LaPlaunt, to approve Resolution 2024-308, Waiver of Sovereign Immunity and Consent to Waiver of Tribal Court Jurisdiction Trans Union, LLC.

Without objection, the reading was waived.

No objection.

BE IT RESOLVED, by the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians, as follows:

Section 1 FINDINGS AND DETERMINATIONS:

The Board of Directors finds and determines that:

1.1 The Sault Ste. Marie Tribe of Chippewa Indians ("Tribe") is a federally recognized Indian Tribal Government organized under the provisions of the Indian Reorganization Act of 1934.

1.2 The Tribe wishes to enter into Master Agreement ("Agreement") with Trans Union, LLC ("Trans Union") as negotiated by Executive Director of the Gaming Commission; and

1.3 Trans Union will not consent to such Agreement without a waiver of sovereign immunity or Tribal Court jurisdiction; and

1.4 In order to induce Trans Union to enter into an Agreement, the Tribe is required to confirm that the Tribe and all other entities claiming by, through or under the Tribe will not claim sovereign immunity or exclusive Tribal Court jurisdiction with respect to any disputes or causes of action between the Tribe and Trans Union that might arise from, or relate to, in any respect, the Agreement, or object to the venue clauses found in the Agreement. All the foregoing are referred to herein as the "Waiver and Consent Obligations"; and

1.5 It is in the Tribe's interest to resolve as stated herein.

Section 2 WAIVER OF SOVEREIGN IMMUNITY; CONSENT TO JURISDICTION; GOVERNING LAW

2.1 The Tribe hereby waives its sovereign immunity from suit in favor of Trans Union only should an action be commenced under the Agreement referenced above.

This waiver:

i) Shall terminate upon performance by the Tribe of all of its obligations under the Agreement; and

ii) Is granted solely to Trans Union; and

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 Trans Union 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 Agreement; and

- iv) Shall be enforceable only in a court of competent jurisdiction, for the sole purpose of a binding arbitration agreement; and
- v) Shall be enforceable against the assets of the Tribe to the extent necessary to satisfy the Tribe's obligation in the Agreement; and
- vi) The Agreement, and other associated documents shall be construed in accordance with and governed by all applicable laws and regulations of governmental bodies with competent jurisdiction, as set forth in such documents.

Section 3. WAIVER OF TRIBAL COURT JURISDICTION

3.1 The Board of Directors waives the exclusive jurisdiction of the Tribal Court over any action arising under the Agreement. The Board authorized the Tribe to consent to the jurisdiction in the state and federal courts of Illinois, including any courts to which decisions may be appealed, with respect to any controversies arising from this resolution or any of the finance documents, note or Agreement.

Section 4. EFFECTIVE DATE

4.1 This waiver shall become effective upon the final execution of the Agreement executed by the Executive Director of the Gaming Commission or his designee. Failure or refusal of any individual to execute the Agreement shall render the waivers and consents granted in this resolution to become void immediately. Failure or refusal to execute the Agreement prior to the close of business on December 31, 2024, shall render the waivers and consents granted in this resolution to become void immediately.

Section 5. AUTHORIZATION

5.1 T The Executive Director of the Gaming Commission is authorized to execute any and all documents to effectuate the forgoing.

Motion carries unanimously.

Moved by Director McKechnie, supported by Director LaPlaunt, to approve a Resolution, Benefit Package for Key Employees, Executives, and Attorney Positions with the Tribal Organization.

Moved by Director Sorenson, supported by Director Causley-Smith, to amend to take out moving expenses.

Moved by Director Lee, supported by Director Causley-Smith, to amend the amendment to just take out miles and add in out of the State of Michigan.

Moved by Director McKechnie, supported by Director McRorie, to Table.

Roll Call Vote: Motion to Table carries with Directors' Borowicz, Sorenson, McKechnie, McKerchie, Hampton, McRorie, Payment, Lee, Barbeau, Causley-Smith, Gravelle supporting; Director LaPlaunt opposing.

Moved by Director Payment, supported by Director McRorie, to approve a Resolution, Separation of Powers Amendment Request for Secretarial Election.

Without objection, the reading was waived.

No objection.

Moved by Director Payment, supported by Director McKechnie, to defer this to various workshops throughout October and November.

Roll Call Vote: Motion to defer carries with Directors' Sorenson, Gravelle, LaPlaunt, McKechnie, Lee, McKerchie, Borowicz, Hampton, Causley-Smith, Payment, Barbeau supporting; Director McRorie opposing.

Moved by Director McKechnie, supported by Director LaPlaunt, to approve Resolution 2024-309, Authorization to Apply for Non-Partisan Native Gotv Mini Grant.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes Tribal Chairman Austin Lowes to collaborate with the Tribe's Legislative Director to draft an application for a Non-Partisan NCAI Mini Grant in the amount of up to \$30,000 at no cost to the Tribe.

BE IT FURTHER RESOLVED, that said content in any mailer therein will remain non-partisan and shall not endorse any individual candidate but to encourage Sault Tribe voters to get out to vote (GOTV) and provide a general statement of candidates who support our tribal issues.

Motion carries unanimously.

Moved by Director McKechnie, supported by Director Payment, to approve Resolution 2024-310, Allocation ARPA Funds for Marquette Community Center Renovations.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby allocated \$800,000 of unobligated ARPA funding for the renovations at the Marquette Community Center.

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes the CFO to make an internal budget modification utilizing ARPA funding to carry out the intent of this resolution.

Roll Call Vote: Motion carries unanimously.

Moved by Director McKerchie, supported by Director LaPlaunt, to approve the Commercial Captain License transfer from Christopher Paquin to Lukas Riordan.

Motion carries with Director Causley-Smith abstaining.

Moved by Director McKechnie, supported by Director LaPlaunt, to approve the medical monitoring permit.

Moved by Director Payment, supported by Director Causley-Smith, to amend to add in what Tribal Legal proposed.

Without objection, Legal's language will be added to the permit.

No objection.

Motion carries unanimously.

Moved by Director McKechnie, supported by Director McKerchie, to approve Chairman Boyd Snyder's resignation from the Election Commission.

Motion carries unanimously.

Moved by Director McKechnie, supported by Director McRorie, to approve Paula Finfrock's appointment to the Food Sovereignty Committee, term expiring February 2027.

Motion carries unanimously.

Moved by Director McKechnie, supported by Director McRorie, to approve Elden Whalen Jr.'s resignation from the Unit 2 Elder Committee – Newberry.

Motion carries unanimously.

Moved by Director McKechnie, supported by Director Sorenson, to approve Linda Marshall's resignation from the Unit 3 Elder Committee – St. Ignace.

Motion carries unanimously.

Moved by Director Sorenson, supported by Director Borowicz, to approve Theresa Weller's appointment to the Unit 3 Elder Committee – St. Ignace, term expiring March 2028.

Motion carries unanimously.

Moved by Director LaPlaunt, supported by Director Barbeau, to approve Sharon Martin-Barber's resignation from the Unit 4 Elder Committee – Manistique.

Motion carries unanimously.


Moved by Director LaPlaunt, supported by Director McKechnie, to accept the adoption of the following individuals: Michelle Vallier, Mikayla Gribbell, and Addisyn Gribbell, into the Sault Ste. Marie Tribe.

Motion carries unanimously.

Without objection, meeting adjourned.

No objection.

Adjourned at 7:17 p.m.

Date: 10/22/24 Secretary: 
Kimberly Hamilton

Others Present: Robert Schulte, Jessica Dumback, Christine McPherson, Ashlee Mielke, Lona Stewart, Aaron Schlehuber, Joseph Street, Michelle Moore, Gerard Sagassige, Josh Elliot, Robert Marchland, Robin Clark, Ryan Mills, Clarence Hudak (Z), Stephanie Sprecker, Robin Bouschor, Dennis McShane, James Benko, Jack Tuomikoski, Mike Pins, Stacey Synett, Veronica Beaumont, Andrew Lane, Emma Donmyer, Traci Swan