

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

October 3, 2023

5:00 P.M.

- I. CALL TO ORDER
- II. ROLL CALL
- III. INVOCATION: Prayer, Smudging
- IV. MEMBERSHIP PARTICIPATION
- V. PRESENTATION:
- VI. MINUTES: 9/19/2023, 9/26/23SPMTG
- VII. RESOLUTIONS: Internal Auditor and Indirect Costs FY 2023 Budget Modifications
Tribal Gaming Commission FY 2023 Budget Modification
Governmental – Federal Transit ARPA Establishment of FY 2024 Budget
Employment – WIOA Work Experience FY 2024 Budget Modification
ACFS Division – USDA FY 2024 Budget Modification
Health Division – DeTour Clinic
Health Division – St. Ignace Medical/Nursing
Big Bear – Building Operations FY 2023 Budget Modification
Governmental – Sault Tribe Thrive Establishment of FY 2024 Budget
National Congress of American Indians 2023 Annual Convention Delegates and 2024 Dues
Trust Land Status - 1110 & 1120 N. Boundary Rd, St. Ignace, MI Mackinac County, MI
Trust Land Status - Boundary Rd, Parcel 2, St. Ignace, MI, Mackinac County, MI
Trust Land Status – Everett and Eveland’s Subdivision Parcels A & B, Chippewa County, MI
Trust Land Status – Evergreen Shores St. Ignace Township, Mackinac County, MI
Trust Land Status – Sugar Island 10 Acres, Chippewa County, MI
Acceptance of Grant USDA: RUS Grant MI 1705-A65
Approve Broadband Project RUS 217 Contract
Waiver of Sovereign Immunity and Consent to Waiver of Tribal Court Jurisdiction – Service Contract for Magellan Advisors, LLC
Honoring Non-Binding Referendum Results on Resolution No: 2023-189 Reinstating Positive Majority Requirements for Past Actions

Honoring Non-Binding Referendum Results on Resolution No:
2023-190 Cancelling Special Advisory Election
Selling Hessel Ridge Golf Course

- VIII. NEW BUSINESS Committee Appointment
 Conservation Committee Request
 Board Concerns
- IX. ADJOURN TO EXECUTIVE SESSION
- X. RECONVENE AND REAFFIRM
- XI. ADJOURN

RESOLUTION NO: _____

**INTERNAL AUDITOR AND INDIRECT COSTS
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 Internal Auditor for a decrease in Tribal Support of \$146.57 and an increase in Indirect of \$4,812.23. This budget modification reflects the extra pay period in January, a correction to fringe benefits, and an adjustment to the indirect percentage allowed.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of the Chippewa Indians hereby approves the FY 2023 budget modification to Indirect Costs to increase Tribal Support \$4,812.23 and increase the transfer to Internal Auditor \$4,812.23.

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 GAMING COMMISSION
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 Tribal Gaming Commission for a decrease in Tribal Support of \$27,115.78. This budget modification reflects changes to the personnel sheet and savings within the budget.

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: _____

**GOVERNMENTAL – FEDERAL TRANSIT ARPA
ESTABLISHMENT 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 Federal Transit ARPA with Department of Transportation monies of \$300,000.00. 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: _____

**EMPLOYMENT – WIOA WORK EXPERIENCE
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 WIOA Work Experience for an increase in Department of Labor Revenue monies of \$17,140.61. No effect on Tribal Support.

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: _____

**ACFS DIVISION – USDA
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 USDA for an increase in Federal USDA monies of \$9,959.00 and increase in Tribal Support monies of \$3,724.58.

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 – DETOUR CLINIC

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the personnel change to the Detour Clinic.

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: _____

HEALTH DIVISION – ST IGNACE MEDICAL/NURSING

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the personnel changes to the St. Ignace Medical/Nursing.

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: _____

**BIG BEAR – BUILDING OPERATIONS
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 Big Bear Building Operations for a decrease in Tribal Support of \$1,292.27. This budget modification reflects changes to the personnel sheet.

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: _____

**GOVERNMENTAL – SAULT TRIBE THRIVE
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 FY 2024 budget for Sault Tribe Thrive with Federal Department of Commerce monies of \$96,490.83. No effect on Tribal Support.

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: _____

**NATIONAL CONGRESS OF AMERICAN INDIANS
2023 ANNUAL CONVENTION DELEGATES AND 2024 DUES**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians wishes to renew our membership in good standing of the National Congress of American Indians (NCAI); and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians meets all requirements for Tribal membership, pursuant to Article II, Section 2A of the Constitution and Bylaws of the Tribal Membership in NCAI; and

WHEREAS, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians authorizes the necessary action to place the Tribe in membership of the NCAI; and

WHEREAS, the Board of Directors authorizes the expenditure of funds in the amount of \$6,500 to pay the Tribe's 2023 annual dues; and

WHEREAS, based on the Tribal citizenry of 49,624 individual persons, the Tribal shall have 180 votes in accordance with Article II, Section 6C of the NCAI Constitution and Bylaws.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Article III, Section 2 of the NCAI Constitution the Sault Ste. Marie Tribe of Chippewa Indians designates the following individuals as Delegates and Alternate Delegate and instructs them to become Individual Members in good standing in the NCAI in order to fulfill their responsibilities:

Delegate: Austin Lowes, Chairman
Alternate: Tyler LaPlaunt, Director, Vice-Chair
Alternate: Kimberly Hampton, Director, Secretary
Alternate: Isaac McKechnie, Director, Treasurer
Alternate: Robert McRorie, Director
Alternate: Betty Freiheit, Director
Alternate: Michael McKerchie, Director
Alternate: Kimberly Lee, Director
Alternate: Lana Causley-Smith, Director
Alternate: Shawn Borowicz, Director
Alternate: Bridgett Sorenson, Director
Alternate: Darcy Morrow, Director
Alternate: Michael McCoy, Legislative Director
Alternate: Michael Pins, Gaming Commission Director

Resolution No: _____
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BE IT FUTHER RESOLVED, that the Delegates and Alternate Delegates are allowed to hold an officer position within the NCAI.

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: _____

**TRUST LAND STATUS - 1110 & 1120 N. BOUNDARY RD. ST. IGNACE, MI -
MACKINAC COUNTY, MI**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe, organized under the provisions of Section 16 of the Indian Reorganization Act of 1934, 25 U.S.C. Section 5110; and

WHEREAS, the Tribe lacks an adequate land base within its reservation to provide for economic development or self-determination; and

WHEREAS, the Secretary of Interior has the authority under the provision of 25 U.S.C. Section 5108 to accept title to lands in trust for the Tribe; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors has the authority, under Article VII, Section 1 (k) of the Tribal Constitution to manage, lease, sell acquire, or otherwise deal with the tribal land; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors wishes to authorize its Chairman and Treasurer, to obtain conveyance of lands to the Secretary of Interior on the Tribe's behalf, to execute any documents, and to take any other action on the Tribe's behalf, necessary to accomplish such conveyance.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby requests that the Secretary of the Interior accept title to the following described parcel of land in trust for the benefit of Sault Ste. Marie Tribe of Chippewa Indians:

SEE ATTACHED DESCRIPTION

BE IT FURTHER RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby requests that the Secretary of the Interior declare said lands to be part of the Reservation of the "Sault Ste. Marie Tribe of Chippewa Indians" under 25 U.S.C. Section 5110.

BE IT FURTHER RESOLVED, that the Board of Directors authorizes its Chairman and Treasurer to execute any documents and take any further action on behalf of the Tribe as may be necessary to complete such conveyance.

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: _____

**TRUST LAND STATUS - BOUNDARY RD. PARCEL 2 - ST. IGNACE, MI
MACKINAC COUNTY, MI**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe, organized under the provisions of Section 16 of the Indian Reorganization Act of 1934, 25 U.S.C. Section 5110; and

WHEREAS, the Tribe lacks an adequate land base within its reservation to provide for economic development or self-determination; and

WHEREAS, the Secretary of Interior has the authority under the provision of 25 U.S.C. Section 5108 to accept title to lands in trust for the Tribe; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors has the authority, under Article VII, Section 1 (k) of the Tribal Constitution to manage, lease, sell acquire, or otherwise deal with the tribal land; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors wishes to authorize its Chairman and Treasurer, to obtain conveyance of lands to the Secretary of Interior on the Tribe's behalf, to execute any documents, and to take any other action on the Tribe's behalf, necessary to accomplish such conveyance.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby requests that the Secretary of the Interior accept title to the following described parcel of land in trust for the benefit of Sault Ste. Marie Tribe of Chippewa Indians:

SEE ATTACHED DESCRIPTION

BE IT FURTHER RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby requests that the Secretary of the Interior declare said lands to be part of the Reservation of the "Sault Ste. Marie Tribe of Chippewa Indians" under 25 U.S.C. Section 5110.

BE IT FINALLY RESOLVED, that the Board of Directors authorizes its Chairman and Treasurer to execute any documents and take any further action on behalf of the Tribe as may be necessary to complete such conveyance.

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: _____

**TRUST LAND STATUS - EVERETT AND EVELAND'S SUBDIVISION -
PARCELS A AND B - CHIPPEWA COUNTY, MI**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe, organized under the provisions of Section 16 of the Indian Reorganization Act of 1934, 25 U.S.C. Section 5110; and

WHEREAS, the Tribe lacks an adequate land base within its reservation to provide for economic development or self-determination; and

WHEREAS, the Secretary of Interior has the authority under the provision of 25 U.S.C. Section 5108 to accept title to lands in trust for the Tribe; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors has the authority, under Article VII, Section 1 (k) of the Tribal Constitution to manage, lease, sell acquire, or otherwise deal with the tribal land; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors wishes to authorize its Chairman and Treasurer, to obtain conveyance of lands to the Secretary of Interior on the Tribe's behalf, to execute any documents, and to take any other action on the Tribe's behalf, necessary to accomplish such conveyance.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby requests that the Secretary of the Interior accept title to the following described parcel of land in trust for the benefit of Sault Ste. Marie Tribe of Chippewa Indians:

Land situated in the City of Sault Ste. Marie, County of Chippewa, Michigan

Parcel A:

Lots 29, Block A, Everett and Eveland's Subdivision, according to the plat recorded in Liber 1 of Plats, page 31, Chippewa County Records, Section 8, Town 47 North, Range 1 East, Michigan Meridian.

Parcel B:

Lots 1 and 2, Block A, Everett and Eveland's Subdivision, according to the plat recorded in Liber 1 of Plats, page 31, Chippewa County Records, Section 8, Town 47 North, Range 1 East, Michigan Meridian.

BE IT FURTHER RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby requests that the Secretary of the Interior declare

Resolution No: _____
Page 2

said lands to be part of the Reservation of the “Sault Ste. Marie Tribe of Chippewa Indians” under 25 U.S.C. Section 5110.

BE IT FINALLY RESOLVED, that the Board of Directors authorizes its Chairman and Treasurer to execute any documents and take any further action on behalf of the Tribe as may be necessary to complete such conveyance.

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: _____

**TRUST LAND STATUS - EVERGREEN SHORES - ST. IGNACE TOWNSHIP -
MACKINAC COUNTY, MI**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe, organized under the provisions of Section 16 of the Indian Reorganization Act of 1934, 25 U.S.C. Section 5110; and

WHEREAS, the Tribe lacks an adequate land base within its reservation to provide for economic development or self-determination; and

WHEREAS, the Secretary of Interior has the authority under the provision of 25 U.S.C. Section 5108 to accept title to lands in trust for the Tribe; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors has the authority, under Article VII, Section 1 (k) of the Tribal Constitution to manage, lease, sell acquire, or otherwise deal with the tribal land; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors wishes to authorize its Chairman and Treasurer, to obtain conveyance of lands to the Secretary of Interior on the Tribe's behalf, to execute any documents, and to take any other action on the Tribe's behalf, necessary to accomplish such conveyance.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby requests that the Secretary of the Interior accept title to the following described parcel of land in trust for the benefit of Sault Ste. Marie Tribe of Chippewa Indians:

SEE ATTACHED DESCRIPTION

BE IT FURTHER RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby requests that the Secretary of the Interior declare said lands to be part of the Reservation of the "Sault Ste. Marie Tribe of Chippewa Indians" under 25 U.S.C. Section 5110.

BE IT FINALLY RESOLVED, that the Board of Directors authorizes its Chairman and Treasurer to execute any documents and take any further action on behalf of the Tribe as may be necessary to complete such conveyance.

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: _____

**TRUST LAND STATUS - SUGAR ISLAND 10 ACRES - CHIPPEWA
COUNTY, MI**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe, organized under the provisions of Section 16 of the Indian Reorganization Act of 1934, 25 U.S.C. Section 5110; and

WHEREAS, the Tribe lacks an adequate land base within its reservation to provide for economic development or self-determination; and

WHEREAS, the Secretary of Interior has the authority under the provision of 25 U.S.C. Section 5108 to accept title to lands in trust for the Tribe; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors has the authority, under Article VII, Section 1 (k) of the Tribal Constitution to manage, lease, sell acquire, or otherwise deal with the tribal land; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors wishes to authorize its Chairman and Treasurer, to obtain conveyance of lands to the Secretary of Interior on the Tribe's behalf, to execute any documents, and to take any other action on the Tribe's behalf, necessary to accomplish such conveyance.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby requests that the Secretary of the Interior accept title to the following described parcel of land in trust for the benefit of Sault Ste. Marie Tribe of Chippewa Indians:

Land situated in the Township of Sugar Island, County of Chippewa, Michigan

The North 1/2 of the South 1/2 of the Southwest 1/4 of the Southeast 1/4 of Section 8, Township 46 North, Range 2 East. EXCEPT any portion lying within the South 10 acres of the Southwest 1/4 of the Southeast 1/4, Michigan Meridian.

BE IT FURTHER RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby requests that the Secretary of the Interior declare said lands to be part of the Reservation of the "Sault Ste. Marie Tribe of Chippewa Indians" under 25 U.S.C. Section 5110.

BE IT FINALLY RESOLVED, that the Board of Directors authorizes its Chairman and Treasurer to execute any documents and take any further action on behalf of the Tribe as may be necessary to complete such conveyance.

Resolution No: _____
Page 2

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: _____

**ACCEPTANCE OF GRANT USDA: RUS GRANT
MI 1705-A65**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, as amended; and

WHEREAS, the United States Department of Agriculture, Rural Utility Service has awarded the Sault Ste. Marie Tribe of Chippewa Indians with the ReConnect Program grant in the amount of \$24,944,355 to construct a broadband infrastructure project to serve rural areas; and

WHEREAS, RUS is willing to extend financial assistance, in the form of a grant to the tribe, pursuant to the Consolidated Appropriations Act, the Funding Opportunity Announcement, and Title VI of the Rural Electrification Act of 1936 and all applicable federal regulations, on the terms and conditions listed in the grant and security agreement; and

WHEREAS, The Tribe is willing to secure the grant and its other obligations to RUS on the terms stated in the grant and security agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby accept the Reconnect Program Grant Award from the USDA: Rural Utilities Service.

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

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: _____

APPROVE BROADBAND PROJECT RUS 217 CONTRACT

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves of the Broadband Project RUS 217 and all supporting documentation.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes the Tribal Chairman, or his designee, to sign the RUS 217 contract and all supporting documentation, with review of the Legal Department.

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: _____

**WAIVER OF SOVEREIGN IMMUNITY AND CONSENT TO
WAIVER OF TRIBAL COURT JURISDICTION
SERVICE CONTRACT FOR MAGELLAN ADVISORS, LLC**

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; and

1.2 The Tribe wishes to enter into a Professional Services Agreement ("Agreement") with Magellan Advisors, LLC ("Service Provider") as negotiated by Planning and Development for work on the broadband project; and

1.3 Service Provider will not consent to such agreement without a waiver of sovereign immunity or Tribal Court jurisdiction; and

1.4 In order to induce Service Provider 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 Service Provider 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 Service Provider 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 Service Provider; 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 Service Provider 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, including courts in the State of Michigan, the Tribal Court and federal courts in Michigan (including the United States Bankruptcy Court or any arbitrator or arbitration panel; and
- v) Shall be enforceable against the assets of the Tribe to the extent necessary to satisfy the Tribe's obligation un the Agreement; and
- vi) The Agreement, and other associated finance 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 waiver the exclusive jurisdiction of the Tribal Court over any action arising under the Agreement. The Board authorized the Tribe to consent to the jurisdiction of any courts with competent jurisdiction, 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 Health Director or Executive Director pursuant to their signing authority. 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 1, 2023, shall ender the waivers and consents granted in this resolution to become void 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: _____

**HONORING NON-BINDING REFERENDUM RESULTS ON
RESOLUTION NO: 2023-189
REINSTATING POSITIVE MAJORITY REQUIREMENT FOR PAST
ACTIONS**

WHEREAS Tribal Code Chapter 14: Rules of Parliamentary Procedure had previously required a positive majority of seven votes to overturn a past action of the Board of Directors; and

WHEREAS on May 31, 2023 the Board of Directors adopted Resolution No: 2023-189 which removed the positive majority requirement resulting in the need for only a simple majority to overturn a past action of the Board of Directors; and

WHEREAS on September 11, 2023 Resolution No: 2023-189 was subjected to a popular referendum; and

WHEREAS the referendum failed because it did not garner the minimum threshold of votes needed to constitute a binding referendum result; and

WHEREAS the non-binding referendum results were 2,349 in favor of repealing Resolution No: 2023-189 and 1,421 in favor of leaving Resolution No: 2023-189 in place; and

WHEREAS the requirement of a super majority being required to overturn a past action of a governing body is common requirement of parliamentary rules; and

WHEREAS while the minimum threshold for a binding referendum was not achieved the will of those who did vote in the referendum supported overturning Resolution No: 2023-189 and the Board of Directors desires to honor that will.

NOW THEREFORE BE IT RESOLVED that the Board of Directors hereby amends Tribal Code Chapter 14: Rules of Parliamentary Procedure at 14.118 Recall Motions (3)(a) follows:

The motions to rescind or amend something previously adopted allow the Board of Directors to change a previous action of the Board. These motions can be made if written notice of intent to make the motion which details the complete substance of the proposed motion to rescind or amend something previously adopted, including a copy of any proposed resolution, is provided to all Board members at least five (5) days in advance of the meeting. These motions require a second. Except as may be otherwise required in the Tribal Constitution and By-Laws, a **Simple Positive** Majority vote is required for passage. The motions are debatable, but not amendable, and a negative vote on these

Resolution No: _____
Page 2

motions can be reconsidered, but an affirmative vote cannot be reconsidered.

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: _____

**HONORING NON-BINDING REFERENDUM RESULTS ON RESOLUTION
NO: 2023-190 - CANCELLING SPECIAL ADVISORY ELECTION**

WHEREAS on May 31, 2023 the Board of Directors adopted Resolution No: 2023-190 which set aside the 2023 special advisory election to fill a still vacant Unit 1 seat on the Board of Directors; and

WHEREAS on September 11, 2023 Resolution No: 2023-190 was subjected to a popular referendum; and

WHEREAS the referendum failed because it did not garner the minimum threshold of votes needed to constitute a binding referendum result; and

WHEREAS the non-binding referendum results were 2,053 in favor of repealing Resolution No: 2023-190 and 1,716 in favor of leaving Resolution No: 2023-190 in place; and

WHEREAS the winning candidate of the 2023 special advisor election was not accused of any wrong doing in the conduct of the election; and

WHEREAS while the minimum threshold for a binding referendum was not achieved the will of those who did vote in the referendum supported overturning Resolution No: 2023-190 and the Board of Directors desires to honor that will.

NOW THEREFORE BE IT RESOLVED that the Board of Directors hereby rescinds Resolution No: 2023-190 and directs that the winning candidate from the 2023 special advisory election be installed at the next regular meeting of the Board of Directors.

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: _____

SELLING HESSEL RIDGE GOLF COURSE

WHEREAS the Sault Ste. Marie Tribe of Chippewa Indians purchased the Hessel Ridge Golf Course located in Hessel, MI in order to expand the tribe's economic holdings; and

WHEREAS the tribe purchased the golf course for \$750,000 and purchased new golf carts for the amount of \$250,000; and

WHEREAS through July of 2023 the golf course has experienced an operational loss of \$379,929 and negative cash flow of \$288,045; and

WHEREAS the total expense has been \$1,288,045 with no return on investment to date; and

WHEREAS the tribe no longer desires to operate the golf course due to the fact that it is detrimental to the profitability of Sault Tribe's business portfolio.

NOW THEREFORE BE IT RESOLVED that the Board of Directors authorizes its Executive Director of Enterprise Operations to take all necessary steps to sell the Hessel Ridge Golf Course and all accompanying assets.

BE IT FINALLY RESOLVED that the Chairperson is authorized sign any and all documents necessary to effectuate the above.

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

October 3, 2023

Sponsor's List

RESOLUTIONS:

Internal Auditor and Indirect Costs FY 2023 Budget Modifications – Tammy LaCoursiere
Tribal Gaming Commission FY 2023 Budget Modification – Michael Pins
Governmental – Federal Transit ARPA Establishment of FY 2024 Budget – Wendy Hoffman
Employment – WIOA Work Experience FY 2024 Budget Modification – Brenda Cadreau
ACFS Division – USDA FY 2024 Budget Modification – Sheryl McKerchie
Health Division – DeTour Clinic – Dr. Leo Chugunov/Jenni O’Dell
Health Division – St. Ignace Medical/Nursing – Dr. Leo Chugunov/Carrie Horton
Big Bear – Building Operations FY 2024 Budget Modification – Tammy Graham
Governmental – Sault Tribe Thrive Establishment of FY 2024 Budget – Dan Doyle
National Congress of American Indians 2023 Annual Convention Delegates and 2024 Dues –
Michael McCoy
Trust Land Status – 1110 & 1120 N. Boundary Rd, St. Ignace, MI, Mackinac County, MI –
Candace Blocher
Trust Land Status – Boundary Rd, Parcel 2, St. Ignace, MI, Mackinac County, MI – Candace
Blocher
Trust Land Status – Everett and Eveland’s Subdivision Parcels A & B, Chippewa County, MI –
Candace Blocher
Trust Land Status – Evergreen Shores St. Ignace Township, Mackinac County, MI – Candace
Blocher
Trust Land Status – Sugar Island 10 Acres, Chippewa County, MI – Candace Blocher
Acceptance of Grant USDA: RUS Grant MI 1705-A65 – Robert Schulte, Josh Elliot, Larry
Jacques, Dan Doyle
Approve Broadband Project RUS 217 Contract – Robert Schulte, Josh Elliot, Larry Jacques, Dan
Doyle
Waiver of Sovereign Immunity and Consent to Waiver of Tribal Court Jurisdiction – Service
Contract for Magellan Advisors, LLC – Robert Schulte, Josh Elliot, Larry Jacques, Dan Doyle
Honoring Non-Binding Referendum Results on Resolution No: 2023-189 Reinstating Positive
Majority Requirements for Past Actions – Directors’ Causley-Smith, Sorenson, Borowicz
Honoring Non-Binding Referendum Results on Resolution No: 2023-190 Cancelling Special
Advisory Election – Directors’ Causley-Smith, Sorenson, Borowicz
Selling Hessel Ridge Golf Course – Director LaPlaunt

NEW BUSINESS:

Committee Appointment
Conservation Committee Request
Board Concerns

MEMORANDUM

TO: Board of Directors
FROM: Lona Stewart, Board Administrator
DATE: September 28, 2023
RE: Workshop Agenda for October 3, 2023

AGENDA **Closed Session**

10:00
Kewadin Gaming Authority Meeting

10:15
ARPA/Building Projects

10:30
Health Report

11:00
Executive Reports - Governmental

12:00 – 1:00
Lunch

1:00
Chapter 12/16 Review

2:00
Use of Board Materials

2:30
Elections Discussion

3:30
Agenda Review

5:00
Board of Directors Meeting