

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN CASINO AND CONVENTION CENTER
SAULT STE. MARIE, MICHIGAN
November 5, 2024
5:00 P.M.**

- I. CALL TO ORDER
- II. ROLL CALL
- III. INVOCATION: Prayer, Smudging
- IV. MEMBERSHIP PARTICIPATION
- V. PRESENTATION:
- VI. MINUTES: 10/22/24 Regular Meeting
- VII. RESOLUTIONS: Coastal Marsh Restoration Establish FY25 Budget
GLRI Wolf Establish FY25 Budget
GLRI Lake Whitefish Rearing Establish FY25 Budget
GLRI Lake Whitefish Experimental Rearing Establish FY25 Budget
Aquatic Invasive Species Establish FY25 Budget
Natural Resources Administration FY24 Budget Mod
State Small Business Credit Initiative Establish FY24 Budget
Expanding Regional EVSE Access with Tribal Nations Project
Sault Tribe Comprehensive Classification/Compensation Study
Adopting 2024 EDC Compensation Study/Recomm.
Adopting 2024 Kewadin Compensation Study/Recomm.
Benefit Package – Key, Executive, & Attorney Positions
Approve Interagency Agreement Housing for Utility Authority
ARPA Funding
USDHUD FY24 Continuum of Care Builds Grant Application
Amending By-Laws – Housing Authority Commission
Waiver of Immunity – AmRent
Nepotism, Conflict of Interest, and Ethics Violation
Establishing Constitutional Convention Committee
- VIII. NEW BUSINESS Committee Appointments/Resignation
Key Employee
Board Concerns
- IX. ADJOURN TO EXECUTIVE SESSION
- X. RECONVENE AND REAFFIRM
- XI. ADJOURN

RESOLUTION NO: _____

**NATURAL RESOURCES DIVISION –
GLRI COASTAL MARSH RESTORATION
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 Aquatic Invasive Species with Federal BIA Revenue monies of \$85,000.00. 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 _____ 2024; 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vote of _____ members for, _____ members against, _____ members abstaining, and that said resolution has not been rescinded or amended in any way.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: _____

**NATURAL RESOURCES DIVISION – GLRI WOLF
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 GLRI Wolf with Federal BIA Revenue monies of \$350,922.90. 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 _____ 2024; 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: _____

**NATURAL RESOURCES DIVISION –
GLRI LAKE WHITEFISH REARING
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 GLRI Lake Whitefish Rearing with Federal BIA Revenue monies of \$8,123.25. 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 _____ 2024; 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: _____

**NATURAL RESOURCES DIVISION –
GLRI LAKE WHITEFISH EXPERIMENTAL REARING
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 GLRI Lake Whitefish Experimental Rearing with Federal BIA Revenue monies of \$14,664.35. 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 _____ 2024; 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: _____

**NATURAL RESOURCES DIVISION –
AQUATIC INVASIVE SPECIES
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 Aquatic Invasive Species with Federal US Fish and Wildlife Revenue monies of \$98,737.95. 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 _____ 2024; 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: _____

**NATURAL RESOURCES DIVISION – ADMINISTRATION
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 Natural Resource Division Administration budget for a decrease in Tribal Support of \$23,043.01.

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 _____ 2024; 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: _____

**ENTERPRISES – STATE SMALL BUSINESS CREDIT INITIATIVE
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 State Small Business Credit Initiative.

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 _____ 2024; 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: _____

**TRANSPORTATION DEPARTMENT
EXPANDING REGIONAL EVSE ACCESS WITH TRIBAL NATIONS
PROJECT**

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

WHEREAS: The Expanding Regional EVSE Access with Tribal Nations based on Community Priorities project (Control Number 2611-1595) under U.S. Department of Energy Clean Cities Funding Opportunity Announcement DE-FOA-0002611 (AOI 9), commonly known as Electric Nation 2.0, is a Native-led, public-private partnership to address electric vehicle (EV) barriers for Tribal citizens in the Great Lakes region and support local leaders engaging with Tribal citizens and businesses to determine community priorities for aligning EV investments and benefits with local needs; and

WHEREAS: The project will build equitable access to clean, affordable transportation by identifying the most beneficial potential EV charger sites, developing and finalizing charging deployment plans for each Tribe, installing equipment at priority locations, and evaluating whether the infrastructure provided anticipated benefits; and

WHEREAS: Through the project, Sault Ste. Marie Tribe of Chippewa Indians will receive one level 2 electric vehicle charging station. We will work with Electric Nation 2.0 project partners to determine a location and site host, who will be responsible for ongoing operation of the charging station, as well as electricity costs associated with the charger and any routine and/or unexpected maintenance that falls outside of the maintenance agreement paid for by the project.

NOW, THEREFORE, BE IT RESOLVED, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby approves a public-private partnership with Electric Nation 2.0 project partners to explore the potential for EV charging infrastructure to support Tribal priorities, support engagement and outreach as desired by Tribal government participants, and site and install a Level 2 EV Charger if a site is identified, appropriate, desirable, and aligned with Tribal goals.

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 documents resulting therefrom on the Tribe's behalf on a public-private partnership agreement between the Sault Ste. Marie Tribe of Chippewa Indians and Electric Nation 2.0.

Resolution No: _____
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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 _____ 2024; 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: _____

**SAULT TRIBE COMPREHENSIVE CLASSIFICATION AND
COMPENSATION STUDY PROJECT #24-028**

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 Sault Ste. Marie Tribe of Chippewa Indians Board of Directors has determined that it is the best interest of the Tribe to undertake a comprehensive classification and compensation study (CCC) of all of the Tribe's governmental positions in order to maximize recruitment of suitable employment applicants and to increase retention of experienced and capable employees working at the Sault Tribe; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors had approved this study to be completed and has accepted the completed study done by Blue Stone Strategy Group to increase retention of experienced and capable team members working within the governmental structure as attached.

NOW, THEREFORE BE IT RESOLVED, the Board of Directors hereby obligates up to \$10 million of the remaining funds authorized by Resolution 2021-167 for the implementation of the Comprehensive Classification and Compensation Study Project #24-028 which includes the separate studies for EDC and Casino.

BE IT FURTHER RESOLVED, that the Board of Directors adopts and enacts the CCC Study wage ranges as attached for all positions except: those positions covered under the Prevailing Wage Ordinance.

BE IT FURTHER RESOLVED, that the Tribe's Human Resource Department shall have authority to make any necessary changes necessary as approved by the CCC Study that do not affect further compensation, such changes including but not limited to job titles, tiers, job classifications, etc.

BE IT FURTHER RESOLVED, notwithstanding this Resolution, and in accordance with Resolution 2016-263, the Tribe shall continue to be in voluntary compliance with the Department of Labor's FLSA Final Rule, effective July 1, 2024, including the future automatic updates to the salary threshold that are to occur every three years under that Final Rule.

BE IT FURTHER RESOLVED, Executive Management/Administration shall have authority to implement and effectuate any changes necessary to the CCC Study wage ranges, from time to time, to remain in voluntary compliance with the FLSA Final Rule.

BE IT FURTHER RESOLVED, Resolution 2023-046: Rescission of Resolution 2017-16; no COLA adjustment in wage grids for Governmental, Enterprise and Casino will remain in effect and will not affect these new approved grids.

Resolution No: _____

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BE IT FURTHER RESOLVED, that there shall be no annual COLA for FY 2025 pursuant to resolution 2016-280 as the CCC recognizes that wages are now within market range of the positions and adding to the base will over inflate the wages.

BE IT FURTHER RESOLVED, Resolution 2018-125 Team Member Longevity Recognition Plan will continue to remain in effect.

BE IT FURTHER RESOLVED, that the terms of this Resolution hereby control, supersede, and rescind any past resolution or policy that is contrary to or conflicts with the action of the Board of Directors set forth in this Resolution.

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes and approves Executive Management/Administration to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions, intent, and administration of this Resolution, including but not limited to the ability and authority to implement any budgetary changes administratively without the need for formal Board of Directors budget modifications.

BE IT FINALLY RESOLVED, the Board of Directors hereby authorizes the Chairman or his designee to execute any and all documents for the services of this CCC and authorizes the Executive Director and CFO to create the necessary budget documents that appropriate the funds, utilizing of ARPA funds necessary to complete the project.

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 _____ 2024; 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: _____

**ADOPTING THE EDC 2024 COMPENSATION STUDY AND
RECOMMENDATIONS PROJECT #24-028**

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 Sault Ste. Marie Tribe of Chippewa Indians Board of Directors has determined that it is in the best interest of the Tribe to undertake a comprehensive classification and compensation study of all of the Tribe's EDC/Enterprise positions in order to maximize recruitment of suitable employment applicants and to increase retention of experienced and capable team members; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors had approved this study to be completed and has accepted the completed study done by Soaring Bird Solutions to increase recruitment and retention of team members working within the EDC/Enterprise structure as attached.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors hereby obligates up to \$10 million of the remaining funds authorized by Resolution 2021-167 for the implementation of the Comprehensive Classification and Compensation Study Project #24-028.

BE IT FURTHER RESOLVED, that the Board of Directors adopts and enacts Soaring Bird Solutions Compensation and Classification Study wage ranges as attached for all positions effective as the date defined in the RIS.

BE IT FURTHER RESOLVED, that the Tribe's Government and EDC Human Resource Department shall have authority to make any necessary changes as approved by the Soaring Bird Solutions Compensation and Classification Study described in the RIS.

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes the Executive Director of Enterprise Operations to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions, intent, and administration of this Resolution, including but not limited to administrative budget modifications.

BE IT FINALLY RESOLVED, the Board of Directors hereby authorizes the Director of Enterprise Operations and CFO to create the necessary budget documents that appropriate ARPA the funds necessary to complete the project.

Resolution: _____
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 _____ 2024; 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: _____

**ADOPTING THE 2024 KEWADIN COMPENSATION STUDY AND
RECOMMENDATIONS**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors has determined that it is the best interest of the Tribe to undertake a comprehensive classification and compensation study of all of the Kewadin Casino positions in order to maximize recruitment of suitable employment applicants and to increase retention of experienced and capable employees working at the Kewadin Casinos: and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors had approved this study to be completed and has accepted the completed study done by Soaring Bird Solutions, LLC to increase retention of experienced and capable team members working within the Kewadin structure as attached; and

WHEREAS, Kewadin Casinos are committed to providing equitable wages that accurately reflect the roles and responsibilities of each position, while remaining competitive with other employers in the area.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves and adopts the attached classification and compensation through the following Board directives:

- Approval of the updated Kewadin job descriptions and job titles.
- Approval of recommended compensation structure, grid, and implementation plan.
- The new compensation structure will be retroactive effective October 1, 2024.

BE IT FURTHER RESOLVED, that the terms of this Resolution hereby control, supersede, and rescind any past resolution or policy that is contrary to or conflicts with the action of the BOD set forth in this Resolution.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves Kewadin CEO to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions, intent, and administration of this Resolution, including but not limited to the ability and authority to implement any budgetary changes administratively without the need for formal Board of Directors budget modifications.

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

Resolution No: _____
Page 2

meeting thereof duly called, noticed, convened, and held on the _____ day of _____ 2024; 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: _____

BENEFIT PACKAGE FOR, KEY EMPLOYEES, EXECUTIVES, AND ATTORNEY’S POSITIONS WITHIN THE TRIBAL ORGANIZATION

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 Sault Tribe is one of the largest tribes and recognizes the need for a specific set of benefits to be offered upon hire for Key Employees, Executives, and Attorneys.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby authorizes the attached benefit and eligibility sheet for stated positions.

BE IT FURTHER RESOLVED, that the Executive Director is authorized to update this sheet to remain competitive with recruitment and retention as necessary.

BE IT FURTHER RESOLVED, that the Tribe’s Governmental Budgets, benefits and payroll should be administratively amended to reflect said changes.

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 _____ 2024; 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: _____

APPROVING INTERAGENCY AGREEMENT WITH SAULT TRIBE HOUSING AUTHORITY FOR UTILITY AUTHORITY ARPA FUNDING

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

WHEREAS, the Tribe developed an Interagency Agreement program to satisfy the obligation definition for ARPA funding; and

WHEREAS, Sault Tribe Housing Authority is requesting an Interagency Agreement for Utility Authority ARPA funded capitol improvement projects; and

WHEREAS, Resolution 2024-179 designated \$1,800,000 of ARPA funding for ARPA Utility Authority projects.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby approves an Interagency Agreement with Sault Tribe Housing Authority for \$1,759,215.57 utilizing the ARPA funding from Resolution 2024-179.

BE IT FURTHER RESOLVED, the Board of Directors hereby authorizes the Chairman or his designee to execute any and all documents for the Interagency Agreement.

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 _____ 2024; 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: _____

**U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FY
2024 CONTINUUM OF CARE (COC) BUILDS GRANT APPLICATION**

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 Department of Housing and Urban Development (HUD) has solicited a funding opportunity (FR-6800-N-25A) for the Continuum of Care (COC) Builds; and

WHEREAS, the purpose of the Continuum of Care (COC) Builds grant is to address and reduce person experiencing homelessness by adding new units of permanent supportive housing (PSH) through new construction, acquisition, or rehabilitation through a one-time COC Builds award under the COC Program; and

WHEREAS, the competitive funding will provide funding to construct a permanent supportive housing (PSH) complex, a community space, secure single entrance with completion of parking lot and utility infrastructure; and

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians seeks to apply for an award of up to \$9,500,000 of Continuum of Care (COC) Builds funds.

NOW, THEREFORE, BE IT RESOLVED, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby authorizes and directs the Sault Tribe Housing Authority Director or its duly authorized representative, to develop and submit an on-line application requesting up to \$9,500,000 for the FY 2024 Continuum of Care (COC) Builds (FR-6800-N-25A.)

BE IT FURTHER RESOLVED, that the Sault Tribe of Chippewa Indians Board of Directors hereby authorizes and approves the Tribal Chairman or their designee, to accept the FY 2024 Continuum of Care (COC) Builds grant if it is awarded and execute such documents and agreements as may be necessary to further this purpose.

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 _____, 2024; 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: _____

AMENDING BY-LAWS OF THE SAULT STE. MARIE TRIBE OF CHIPPEWA INDIANS HOUSING AUTHORITY COMMISSION

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

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians Housing Authority (STHA), is organized pursuant to the authority of the Sault Ste. Marie Tribe of Chippewa Indians; and

WHEREAS, the Sault Tribe Housing Authority (STHA), is organized by Tribal Ordinance, Chapter 90 and formally designated by the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors as the Tribally Designated Housing Entity by Resolution No 98-66; and

WHEREAS, the STHA finds it necessary to amend the By-Laws to be in compliance with Tribal Board resolution 2024-225 to open these committees up to allow for membership participation regardless of where the member resides; and

WHEREAS, Article II – Officers, Section 1 will be amended to “Commissioners are appointed by the Tribal Board of Directors for a 4-year term. Commissioners represent each of the geographic areas (units) of the Tribes service area including the at-large tribal population, preference given to members from the vacant unit. However, if the vacancy lasts for a period of six months or more, the Commission will open the vacancy to members residing in any unit and at-large geographic area to represent the vacant unit.”

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby approves the amendment to the By-Laws as presented.

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 _____ 2024; 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
AMRENT**

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 AmRent (“AmRent”) as negotiated by EDC for DeMawating Development and Sawyer Village; and

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

1.4 In order to induce AmRent 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 AmRent 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 AmRent only should an action be commenced under the Agreement referenced above.

This waiver:

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

Is granted solely to AmRent; and

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 AmRent 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

Shall be enforceable only in a court of competent jurisdiction, for the sole purpose of a of enforcement of the terms of the Agreement and does not extend to nor allow any award of punitive, exemplary, or other damages; and

Shall be enforceable against the assets of the Tribe to the extent necessary to satisfy the Tribe's obligation in the Agreement; and

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 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 in the state and federal courts of Ohio, 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 Chairman 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 April 1, 2025, shall render the waivers and consents granted in this resolution to become void immediately.

Section 5. AUTHORIZATION

5.1 The Chairman or his designee is authorized to execute any and all documents to effectuate the forgoing.

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 _____ 2024; 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: _____

NEPOTISM, CONFLICT OF INTEREST, AND ETHICS VIOLATION

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is the largest Tribe east of the Mississippi at over 55,000 enrolled Tribal citizens; and

WHEREAS, Members of the Tribal Board have repeatedly called for discontinuing the practice of micromanagement in Tribal Government, Enterprise, and Casino operations and employment matters; and

WHEREAS, there currently exists a system of employment due process leading up to a grievance board for disciplinary write ups and appeals process for terminations; and

WHEREAS, existing Sault Tribe Employment HR policies make clear that direct involvement with a family members employment (mother, father, uncle, aunt, sister, brother) is a violation of the Tribe's Anti-Nepotism policy and is prohibited; and

WHEREAS, it is unethical and untenable to have a set of policies for all other employment team members, but to have a superior and special right to appeal or grieve disciplinary write-ups directly for immediate family members of the Tribal Board. If all other employment team members are unable to appeal directly to the Board on employment matters, neither should it be acceptable for a Board Member's immediate family be entitled to appeal or grieve directly to the Board. This kind of special privilege based on nepotism is unethical.

NOW, THEREFORE, BE IT RESOLVED, from heretofore, Board members are prohibited from participating in or voting on any matter dealing with their immediate family member.

BE IT FURTHER RESOLVED, Board Members are prohibited from sitting on any appeals related to their immediate family and must recuse themselves and not be present or privy to discussions or any processes related to their immediate family.

BE IN FINALLY RESOLVED, that any such violations of this resolution shall constitute an offense of unethical behavior by the Board which according to the 1993 Sault Tribe Ethics Code is a Removable Offense.

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

Resolution No: _____
Page 2

_____ 2024; 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: _____

ESTBLISHING CONSTITUTIONAL CONVENTION COMMITTEE

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

WHEREAS, the Tribe's IRA Constitution is based on a model constitution drafted by the Bureau of Indian Affairs ("BIA") in the 1930's; and

WHEREAS, the Tribe's IRA Constitution places unnecessary limits on the rights of the People and the powers of the Tribe, and allows the BIA to intrude on the internal affairs of the Tribe; and

WHEREAS, the Tribe has experienced difficulties operating under the 1975 Constitution given the Tribe's expansion of membership, businesses, and governmental operations since 1975; and

WHEREAS, the Board of Directors has identified the need to strengthen and improve the Constitution for all the Members of the Tribe; and

WHEREAS, Article VII of the Constitution Section 1 assigns specific authority to the Board of Directors, including the authority to “To establish and delegate to subordinate boards, organizations, cooperative associations, tribal officers, committees, delegates or other tribal groups, any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated power or to cancel any delegation.” ; and

WHEREAS, the Tribe has previously established a Constitutional Convention Committee in 2005 and 2012; and

WHEREAS, the Tribe would like Constitutional Convention Committee work on revising the draft Constitution prepared by the 2012 Constitutional Convention Committee; and

WHEREAS, the Tribe would like the Constitutional Convention Committee to perform input sessions with membership on Constitutional reform.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby establishes a Constitutional Convention Committee consisting of the Elder’s Committee to prepare revisions to the 2012 draft Constitution.

Resolution No: _____

Page 2

BE IT FURTHER RESOLVED, the Board of Directors hereby authorizes the Constitutional Convention Committee to perform membership input sessions on Constitutional reform in a manner they deem fit.

BE IF FURTHER RESOLVED, upon completion of the proposed Constitution based off of the 2012 draft Constitution the Constitutional Convention Committee will send their recommendations to the Board of Directors for review.

BE IT FURTHER RESOLVED, upon receiving the proposed Constitution from the Constitutional Convention Committee the Board of Directors shall vote within 180 days to initiate a Secretarial Election.

BE IT FINALLY RESOLVED, that the terms of this Resolution hereby control, supersede, and rescind any past Resolutions or Motions of the Board of Directors for Constitutional reform.

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 _____ 2024; 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

November 5, 2024

Sponsor's List

RESOLUTIONS:

Natural Resources Division – GLRI Coastal March Restoration Establishment of FY 2025

Budget – Brad Silet/Robin Clark

Natural Resources Division – GLRI Wolf Establishment of FY 2025 Budget – Brad Silet/Robin Clark

Natural Resources Division – GLRI Lake Whitefish Rearing Establishment of FY 2025 Budget – Jack Tuomikoski/Robin Clark

Natural Resources Division – GLRI Lake Whitefish Experimental Rearing Establishment of FY 2025 Budget – Jack Tuomikoski/Robin Clark

Natural Resources Division – Aquatic Invasive Species Establishment of FY 2025 Budget – Jack Tuomikoski/Robin Clark

Natural Resources Division – Administration FY 2024 Budget Modification – Robin Clark

Enterprises – State Small Business Credit Initiative Establishment of FY 2024 Budget – Dan Doyle

Transportation Department – Expanding Regional EVSE Access with Tribal Nations Project – Wendy Hoffman

Sault Tribe Comprehensive Classification and Compensation Study Project #24-028 – Christine McPherson

Adopting the EDC 2024 Compensation Study and Recommendations Project #24-028 – Dan Doyle

Adopting the 2024 Kewadin Compensation Study and Recommendations – Allen Kerridge Benefit Package for Key Employees, Executives, and Attorney's Positions within the Tribal Organization – Christine McPherson

Approving Interagency Agreement with Sault Tribe Housing Authority for Utility Authority ARPA Funding – Joni Talentino

U.S. Department of Housing and Urban Development (HUD) FY 2024 Continuum of Care (COC) Builds Grant Application – Joni Talentino

Amending By-Laws of the Sault Ste. Marie Tribe of Chippewa Indians Housing Authority Commission – Joni Talentino

Waiver of Sovereign Immunity and Consent to Waiver of Tribal Court Jurisdiction AmRent – Helen Wilkins/Josh Elliot

Nepotism, Conflict of Interest, and Ethics Violation – Director Payment

Establishing Constitutional Convention Committee – Director McKechnie

NEW BUSINESS:

Committee Appointments/Resignation – Unit 2 Naubinway Elder Appointment, Unit 4 Escanaba Elder and Elder Advisory Committee Resignation, Food Sovereignty Appointment, Special Needs/Enrollment Appointment, Election Commission Appointment

Key Employee – Chairman Lowes

Board Concerns

MEMORANDUM

TO: Board of Directors
FROM: Lona Stewart, Board Administrator
DATE: October 31, 2024
RE: Workshop Agenda for November 5, 2024

AGENDA **Closed Session**

10:00

Health Report

10:30

Executive Reports - Governmental

12:00 – 1:00

Lunch Break

1:00

Grants Department Proposed Resolution

2:00

Transportation Improvement Plan

3:00

Agenda Review

5:00

Board of Directors Regular Meeting