

**BOARD OF DIRECTORS REGULAR MEETING
QUALITY INN
ESCANABA, MICHIGAN
MINUTES
July 17, 2018**

The meeting was opened at 5:03 p.m. by Chairperson Payment.

Present: Kim Gravelle, DJ Hoffman, Michael McKerchie, Lana Causley, Bridgett Sorenson, Keith Massaway, Darcy Morrow, Charles Matson, and Aaron Payment.

Absent: Dennis McKelvie, Jennifer McLeod, Catherine Hollowell, Denise Chase.

Moved by Director Massaway, supported by Director Morrow, to excuse Directors McKelvie, McLeod, Hollowell, and Chase, from the meeting.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Gravelle, to approve the agenda as read.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director Causley, to appoint Dianne Compo to the Unit One Elder Advisory Committee, as Alternate Member, serving until her term has expired on the Unit One Elderly Subcommittee, April 2022.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Gravelle, to appoint Barbara Willis, to the Unit One Elderly Subcommittee, Alternate Member, four year term, expiring July 2022.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director Massaway, to appoint Jerry Garries to the Unit Three Elderly Subcommittee, Regular Member, to fill unexpired term, expiring April 2019.

Motion carried unanimously.

Moved by Director Sorenson, supported by Director Massaway, to appoint Sally Valentine to the Unit Three Elderly Subcommittee, Regular Member, four year term, expiring July 2022.

Motion carried unanimously.

Moved by Director Morrow, supported by Director Matson, to appoint Andrew Schwartz, to the Conservation Committee for a four year term, expiring July 2022.

Motion carried with Directors Sorenson, Massaway opposing; Causley abstaining.

Moved by Director Morrow, supported by Director Causley, to approve Res. 2018-153, Employee Recognition Establishment of FY 2018 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 2018 budget for Employee Recognition with Tribal Support monies of \$62,250.00.

Roll Call Vote: Motion carried unanimously.

Moved by Director Sorenson, supported by Director Causley, to table the resolution regarding Higher Education.

Roll Call Vote: Motion carried with Directors Sorenson, McKerchie, Causley, Massaway approving; Directors Hoffman, Matson, Gravelle, Morrow opposing; Chairperson Payment approving breaking the tie vote.

Moved by Director Gravelle, supported by Director Massaway, to approve Res. 2018-154, Tribal Opioid Treatment and Recovery Initiative Grant Establishment of FY 2018 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 2018 budget for the Tribal Opioid Treatment and Recovery Initiative Grant (TOTR) with Other Revenue Inter-Tribal Council of Michigan monies of \$100,000.00. No effect on Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director Causley, supported by Director Morrow, to approve Res. 2018-155, Health Center Manistique Clinic 2018 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2018 budget modification to Health Center Manistique Clinic for changes in the personnel sheet and reallocation of expenses. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Causley, supported by Director Morrow, to approve Res. 2018-156, Health Center Munising Clinic 2018 Budget Modification.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2018 budget modification to Health Center Munising Clinic for changes in the personnel sheet and reallocation of expenses. No effect on Tribal Support.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Morrow, to approve Res. 2018-157, Acceptance of the 2017 Sault Ste. Marie Tribe of Chippewa Indians Governmental Audit.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians, hereby accepts and approves the 2017 Governmental Audit of the Sault Ste. Marie Tribe of Chippewa Indians, as prepared by Dennis, Gartland & Niergarth.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Sorenson, to approve Res. 2018-158, Approving Contract Irrevocable Standby Letter of Credit No.1 Sault Tribe Construction.

BE IT RESOLVED, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians, that the Chief Financial Officer of the Tribe or his designee is authorized and directed to execute and deliver the Irrevocable Standby Letter of Credit, in the amount of \$130,000, as may be modified by change order in the future, to guarantee and act as assurances for the performance of a construction project by Sault Tribe Construction for the Sault Tribe Housing Authority.

Roll Call Vote: Motion carried unanimously.

Moved by Director Massaway, supported by Director Morrow, to approve Res. 2018-159, Approving Contract Irrevocable Standby Letter of Credit No.2 Grand Marais.

BE IT RESOLVED, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians, that the Chief Financial Officer of the Tribe or his designee, is authorized and directed to execute and deliver the Irrevocable Standby Letter of Credit, in the amount of \$10,000, as may be modified by change order in the future, to guarantee and act as financial assurance for the Agreement to Use and Occupy Unpatented Great Lakes Bottomlands for Private Purposes (Grand Marais) with the State of Michigan Department of Environmental Quality.

BE IT FURTHER RESOLVED, that the Tribe does not rescind any/all Bottomlands or Riparian Rights.

Motion carried with Directors Morrow, Hoffman opposing.

Moved by Director Causley, supported by Director Massaway, to approve Res. 2018-160, Approving Contract Irrevocable Standby Letter of Credit No.3 Epoufette Harbor.

BE IT RESOLVED, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians, that the Chief Financial Officer of the Tribe or his designee is authorized and directed to execute and deliver the Irrevocable Standby Letter of Credit, in the amount of \$10,000, as may be modified by change order in the future, to guarantee and act as financial assurance for the Agreement to Use and Occupy Unpatented Great Lakes Bottomlands for Private Purposes (Epoufette Harbor) with the State of Michigan Department of Environmental Quality.

BE IT FURTHER RESOLVED, that the Tribe does not rescind any/all Bottomlands or Riparian Rights.

Motion carried with Directors Hoffman, Morrow opposing.

Moved by Director Sorenson, supported by Director Hoffman, to approve Res. 2018-161, Approving Lease Amendment for the Escanaba Tribal Community Health Center.

BE IT RESOLVED, that the Chairperson is authorized and directed to execute a lease between the Tribe and U.P. Property Management LLC, formally known as Penstar, Inc., for the property located at 1401 North 26th Street, Escanaba, Michigan, with the lease expiring July 31, 2019.

Motion carried unanimously.

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Moved by Director Causley, supported by Director Massaway, to table the MOU until the Chapter 83 is amended.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Massaway, to approve Res. 2018-162, Amending Tribal Code Chapter 83: Evictions or Foreclosures.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby amends the Tribal Code, Sections 83.212 through 83.215 to read as hereafter listed:

83.212 Leasehold Mortgage.

"Leasehold Mortgage" means the mortgage of a lease of property given to secure a loan made under the auspices of any federal agency or other lender or mortgage investor homebuyer program (including a federal government sponsored agency such as Fannie Mae or Freddie Mac) except for purchase arrangements under the Mutual Help Home Ownership program administered by the Housing Authority.

83.213 Leasehold Mortgage Foreclosure Proceeding.

"Leasehold Mortgage Foreclosure Proceeding" means a proceeding in the Tribal Court:

(1) to foreclose the interest of the borrower(s)/mortgagor(s), and each person or entity claiming through the borrower(s)/mortgagor(s), in a lease for which a mortgage has been given under the home purchase program of any federal agency (including a federal government sponsored agency such as Fannie Mae or Freddie Mac) ; and

(2) to assign such lease to the applicable federal agency or the agency's assignee (including a federal government sponsored agency such as Fannie Mae or Freddie Mac).

83.214 Lender Designated Assignee.

"Lender Designated Assignee" means any Lender may assign or transfer its interest in a lease and/or leasehold mortgage to a designated assignee. Any time prior to such assignment, transfer or assumption, the lender must seek written approval from the Tribe of a proposed designated assignee.

U.S. government and federal agencies (including a federal government sponsored agency such as Fannie Mae or Freddie Mac) guaranteeing or insuring leasehold mortgages during foreclosure actions do not need approval from the Tribe to act as a lender designated assignee.

83.215 Lender/Mortgagee.

"Lender/Mortgagee" means any private lending institution established to primarily loan funds and not to invest in or purchase properties, the Tribe, the Housing Authority or a U.S. governmental agency (including a federal government sponsored agency such as Fannie Mae or Freddie Mac) which loans money, guarantees or insures loans to a Borrower for construction, acquisition, or rehabilitation of a home. It is also any lender designated assignee(s) or successor(s) of such lender/mortgagee as preapproved or approved by the Tribe.

Motion carried unanimously.

Moved by Director Causley, supported by Director Massaway, to approve Res. 2018-163, Authority and Approval for Chairperson to Execute Memorandum of Understanding ("MOU") with Fannie Mae and Other Lending Institutions.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby amends Resolution 2003-107, and authorizes and directs the Tribe, through its Chairperson, to enter into documents establishing new MOU Agreements, with Fannie Mae and other lending institutions on such conditions and terms as the Chairperson, or his designee, deems necessary or desirable.

BE IT FURTHER RESOLVED, that the Chairperson, or his designee, is authorized and directed to execute and deliver such other agreements., certificates, documents, or instruments, as may be required or take any and all such action which may be necessary to execute the foregoing.

Motion carried unanimously.

Moved by Director Causley, supported by Director Sorenson, to approve Res. 2018-164, Audit Committee: Appointment of Committee Members – Appointment of Chairperson.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors hereby appoints the following sitting members of the Board of Directors to serve as members of the Audit Committee, with each such appointment being effective through the remainder of each such designated Director's current term of office: Director DJ Hoffman and Director Dennis McKelvie.

BE IT FURTHER RESOLVED, the Board of Directors designates Keith Massaway to serve as the Chairperson of the Audit Committee through the end of his current term as Treasurer of the Tribal Board of Directors.

Motion carried unanimously.

Moved by Director Causley, supported by Director Gravelle, to approve Res. 2018-165, OVC FY 2018 Tribal Victim Services Set-Aside Program.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes application for the OVC FY 2018 Tribal Victim Services Set-Aside Program.

BE IT FURTHER RESOLVED, that Aaron Payment, Tribal Chairperson, or designee, is hereby authorized to submit said proposal to the Department of Justice, to negotiate, execute and amend any documents on the Tribe's behalf.

Roll Call Vote: Motion carried unanimously.

Moved by Director Sorenson, supported by Director Causley, to approve Res. 2018-166, Authorization to Change to Signature Authority – Bank Accounts.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorize the signatures of the following attached Bank Accounts. Said accounts will require the signatures of two of the signatories. Also, that Julie Hagan, Sr. Accountant is permitted to make inquiries to the banks for transactions that require additional information to properly record the activity.

BE IT FURTHER RESOLVED, this resolution hereby rescinds all previously approved resolutions regarding signature authority on Bank Accounts.

BE IT FURTHER RESOLVED, that of the two signatories the signers must be any two board members or one board member and one staff member.

Motion carried unanimously.

Moved by Director Massaway, supported by Director McKerchie, to approve Res. 2018-167, Authorization to Change Signature Authority-Trust Accounts.

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorize the signatures of the following attached Trust Accounts. Said accounts will require the signatures of two of the signatories.

BE IT FURTHER RESOLVED, this resolution hereby rescinds all previously approved resolutions regarding signature authority on Trust Accounts.

BE IT FURTHER RESOLVED, that of the two signatories the signers must be any two board members or one board member and one staff member.

Motion carried unanimously.

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Moved by Director Hoffman, supported by Director Morrow, to approve Res. 2018-168, Appointing Workers Compensation Committee Members.

NOW, THEREFORE, BE IT RESOLVED, that Jennifer Mitchell and William Connolly are hereby removed from their positions on the Committee, as they no longer are employed by the Tribe.

BE IT FURTHER RESOLVED, that Robert Schulte is hereby appointed to serve on the Committee, as a member thereof, until such time as this board determines otherwise.

BE IT FURTHER RESOLVED, that Regina Rolstone is hereby appointed to serve on the Committee, as a member thereof, until such time as this Board determines otherwise.

Motion carried unanimously.

Moved by Director Morrow, supported by Director Massaway, to accept the recommendation of the Special Needs Enrollment Committee and relinquish the following: Zetta Propst; Isaiah Gill; from the Tribe.

Motion carried unanimously.

Moved by Director Causley, supported by Director Hoffman, to table the Housing Recommendation.

Motion carried with Directors Massaway, Causley, Sorenson opposing.

Without Objection will go into closed session. No objections.

Open Session.

Meeting adjourned: 7:06 p.m.

Date: 9-4-18

Secretary: Bridgett Sorenson

Others present: Christine McPherson, John Wernet, Robert Schulte, Leo Chugunov, Rick Smith, Joel Schultz, Mary Jenerou, Russ McKerchie, Joanne Carr.