

**BOARD OF DIRECTORS REGULAR MEETING
KEWADIN CASINO AND CONVENTION CENTER
SAULT STE. MARIE, MICHIGAN
MINUTES
October 20, 2020**

The meeting was opened at 5:01 p.m. by Chairperson Payment.

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

Absent:

Moved by Director Morrow, supported by Director Chase, to approve the agenda without the Board Pension Plan resolution.

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

Moved by Director Hoffman, supported by Director Massaway, to approve the Minutes of 6-9-2020; 6-16-2020; 6-23-2020; 6-30-2020; 7-6/7-7-2020; and 7-14-2020, with technical corrections.

Motion carried unanimously.

Moved by Director Morrow, supported by Director Massaway, to approve Res. 2020-257, Law Enforcement Coronavirus Emergency Supplemental Funding Acceptance of Grant and Establishment of 2021 Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes acceptance of the Coronavirus Emergency Supplemental Funding Grant; and authorizes Aaron Payment, Tribal Chairperson or his designee, to sign, negotiate, execute, and amend any documents resulting therefrom on the Tribe's behalf; and

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the establishment of a FY 2021 budget for Coronavirus Emergency Supplemental Funding with Department of Justice monies of \$136,167.00. No effect on Tribal Support.

Roll Call Vote: Motion carried unanimously.

Moved by Director Morrow, supported by Director Hoffman, to approve Res. 2020-258, Resolution to Address Contract Support Cost Settlement Funds to Kewadin Casinos.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby confirms the terms of repayment for previous funds issued from the Tribe's Contract Support Cost Settlement Fund that were made available to the Kewadin Casinos under Resolution 2020-90, entitled Resolution to Support Sault Tribe Programs, Services and Employees During State of Emergency", pursuant to the attached loan term sheet.

BE IF FINALLY RESOLVED, that the Board of Directors reserves the right to amend the terms of this Resolution on an ongoing and as needed basis as additional guidance, funds, and needs arise.

Roll Call Vote: Motion carried unanimously.

Moved by Director Hoffman, supported by Director Gravelle, to approve Res. 2020-259, Resolution to Address the Tax Liabilities of Kewadin Casinos.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby fully rescinds the terms of Resolution 2020-103, entitled "Kewadin Casinos Tribal Tax Payment COVID-19," including but not limited to the reduction of tax payments made therein, and directs the Tribal Chairperson, or their designee, to execute all necessary documentation to properly record the rescission of tax payment reductions.

BE IF FINALLY RESOLVED, that the Board of Directors reserves the right to amend the terms of this Resolution on an ongoing and as needed basis as additional guidance, funds, and needs arise.

Roll Call Vote: Motion carried unanimously.

Moved by Director Chase, supported by Director Massaway, to approve Res. 2020-260, Deployment of Residual Cares Act Tribal Relief Funds.

NOW, THEREFORE, BE IT RESOLVED, that the Tribe should and does hereby grant the Tribe's COVID-19 Executive Taskforce discretionary authority to reallocate CARES Act Relief Funds within and amongst the Tribe's CARES Act Relief Funds company, including but not limited to: (1) within and amongst Tribal Division budgets and cost centers, including to directly cover eligible tribal government employee payroll and benefit expenses, (2) from the Tribal CARES Act Relief Fund company into the Tribe's COVID-19 Small Business Recovery Program, and (3) from the general Tribal CARES Act Relief Fund company to Sub recipients.

BE IT FURTHER RESOLVED, that the Tribe's COVID-19 Executive Taskforce shall only exercise the discretionary authority conferred by this resolution to reallocate budgeted CARES Act Relief Funds as necessary to alleviate COVID related costs and burdens which directly impact the financial resources of the Tribe, Tribal Divisions, and Tribal Enterprises and any reallocation of funds shall be carried out in full compliance with the requirements set forth in the CARES Act and U.S. Department of Treasury Guidance.

BE IF FINALLY RESOLVED, that the Board of Directors reserves the right to amend the terms of this Resolution on an ongoing and as needed basis.

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

Moved by Director Hoffman, supported by Director Gravelle, to approve Res. 2020-261, State of Emergency Health Requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Tribe of Chippewa Indians Health Director, working in collaboration with the Covid Task Force, is empowered to enact and administer Health Regulations pertaining to ALL Tribal Lands and Facilities during the Declared State of Emergency.

BE IT FINALLY RESOLVED that ALL individuals shall be required to follow the regulations enacted to ensure the safety and security of the Tribe.

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

Moved by Director Massaway, supported by Director Hoffman, to approve Res. 2020-262, Rescinding Resolution 2020-251: Bureau of Indian Affairs Right of Way.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians does hereby rescinds Resolution 2020-251: Bureau of Indian Affairs Right Of Way.

Motion carried unanimously.

Moved by Director Massaway, supported by Director Hoffman, to approve Res. 2020-263, Bureau of Indian Affairs Right of Way.

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Tribal Council hereby maintains its existing jurisdiction over the land, activities, and persons within the right-of-way and this grant does not diminish to any extent: (a) the tribe's power to tax the land, any improvements on the land, or any person or activity within, the right-of-way; (b) the Tribe's authority to enforce tribal law of general or particular application on the land subject to and within the right-of-way, as if there were no grant of right-of-way; (c) the Tribe's inherent sovereign power to exercise civil jurisdiction over non-members on Indian land; or (d) the character of the land subject to the right-of-way as Indian Country under U.S.C. 1151.

BE IT FURTHER RESOLVED, that United States, Bureau of Indian Affairs shall be the owner of any permanent improvements constructed during the term of the Grant and said permanent improvements, appurtenances, fixtures, and equipment placed within the right-of-way shall be removed or an option for landowner to take possession of the title to the permanent improvements or as otherwise negotiated.

BE IT FURTHER RESOLVED, this grant of right-of-way may not be amended.

BE IT FURTHER RESOLVED, this easement may not be assigned without applicable consent and BIA approval and within 30 days.

BE IT FURTHER RESOLVED, this easement may be mortgaged without applicable consent and BIA approval and within 30 days.

BE IT FURTHER RESOLVED, this grant will be effective on the date it is approved. The grantee's obligations are triggered on September 30, 2020 (if applicable).

BE IT FURTHER RESOLVED, any disputes regarding violations, abandonments, or non-use may be addressed in accordance with 25 CFR 169.403.

BE IT FURTHER RESOLVED, the conditions for this grant shall extend to and be binding upon and shall inure to the benefit of the successors of the GRANTEE.

BE IT FURTHER RESOLVED, due diligence requirements: that is required to complete construction of the permanent improvements within or by general schedule of construction.

BE IT FURTHER RESOLVED, that the proposed use is in conformance with applicable tribal law, if applicable.

BE IT FURTHER RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby authorizes permission to survey and grants a perpetual right-of-way of the United States Bureau of Indian Affairs for road improvements/construction on the above parcels of land. See Attachment "A". A more clearly defines description will be prepared upon completion of the survey. Due to the overall benefits to the Tribe and its members derived from the road improvements, compensation/bonding/insurance requirements for any damages from the survey and for the granting the right-of-way is hereby waived. Then Superintendent of the Great Lakes Agency is hereby requested to prepare and recommend approval of the right-of-way documents.

BE IT FURTHER RESOLVED, that the Chairperson and Treasurer, or their duly delegated representatives, are hereby authorized to execute any documentation required concerning the project, for and on behalf of the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors.

BE IT FINALLY RESOLVED, should the United States Bureau of Indian Affairs decide to abandon the right-of-way, the right-of-way will automatically revert back to the Sault Ste. Marie Tribe of Chippewa Indians; and that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby approved and grant a right-of-way; and authorizes its Chairperson and Treasurer to execute any documentation required concerning this grant of right-of-way, for and on behalf of the Sault Ste. Marie Tribe of Chippewa Indians.

Motion carried unanimously.

Moved by Director Hoffman, supported by Director Massaway, to accept the recommendation of the Interview Committee and hire their candidate for the Education Director.

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

Meeting adjourned: 6:11 p.m.

Board Concerns:

Director Morrow: Response to tribal member on presenting to Board.

Director Freiheit: Res. Board Pension.

Director Causley: Report on the health of the membership; Detour/Drummond Island Clinic update; Elder Holiday Christmas party update.

Director Gravelle: Drug testing for new hires; process for drug testing.

Director Hoffman: Tribal Member on G.A./Covid funding.

Date: 11-17-2020

Secretary: Bridgett Sorenson

Others present: Christine McPherson, Robert Schulte, JR Loera, Jennifer Clerc, Tasha Caldwell, Linda Grossett, Joanne Carr.