

**BOARD OF DIRECTORS REGULAR MEETING  
KEWADIN SHORES CASINO EVENTS CENTER  
ST. IGNACE, MICHIGAN  
MINUTES  
SEPTEMBER 5, 2023**

This meeting was opened at 5:03 p.m. by Chairman Austin Lowes.

Present: Tyler LaPlaunt, Isaac McKechnie, Darcy Morrow, Michael McKerchie, Lana Causley-Smith, Betty Freiheit, Shawn Borowicz, Kimberly Hampton (Z), Bridgett Sorenson, Kimberly Lee, Robert McRorie, Austin Lowes

Absent: None

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

**Motion carries unanimously.**

**Without objection, will add the following item to the agenda:**

- 1. Added Recruitment and Retention of Bus Driver Positions under Resolutions.**

**No objections.**

**Moved by Director McKechnie, supported by Director LaPlaunt, to approve the minutes from 4/18/23, 5/2/23, 5/16/23, 8/15/23, and 8/29/23.**

**Motion carries unanimously.**

**Moved by Director McKechnie, supported by Director LaPlaunt, to approve Resolution 2023-274, Health Division – Stronger Systems, Stronger Communities Establishment FY 2023 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 2023 budget for Stronger Systems, Stronger Communities with Other Revenue monies of \$17,000.00. No effect on Tribal Support.

**Motion carries unanimously.**

**Moved by Director McKechnie, supported by Director Freiheit, to approve Resolution 2023-275, Health Division – Emergency Preparedness Establishment of FY 2023 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 2023 budget for Emergency Preparedness with State of Michigan Revenue monies of \$14,950.00. No effect on Tribal Support.

**Motion carries unanimously.**

**Moved by Director McKechnie, supported by Director LaPlaunt, to approve Resolution 2023-276, Buildings – Internal Repairs & Maintenance FY 2023 and FY 2024 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 Buildings – Internal Repairs and Maintenance for an increase in use of Buildings Fund Balance monies of \$141,426.46.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2024 budget modification to Buildings – Internal Repairs and Maintenance for an increase in use of Buildings Fund Balance monies of \$256,489.72.

**Roll Call Vote: Motion carries with Directors' Causley-Smith, Lee, Freiheit, LaPlaunt, Sorenson, McKechnie, Borowicz, McRorie, Hampton approving; Directors' McKerchie, Morrow opposing.**

**Moved by Director McKechnie, supported by Director Freiheit, to approve Resolution 2023-277, Indirect Executive Director 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 Indirect Executive Director to decrease expenses \$40,153.34. This budget modification reflects changes to the personnel sheet.

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 decrease Tribal Support \$40,153.34.

**Roll Call Vote: Motion carries with Directors' LaPlaunt, McKechnie, Freiheit, Borowicz, Hampton, Sorenson, Lee, McRorie approving; Directors' Morrow, McKerchie, Causley-Smith opposing.**

**Moved by Director McKechnie, supported by Director Freiheit, to approve Resolution 2023-278, Authorization to Negotiate – Sault Ste. Marie, I Property Disposition.**

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby authorizes the Executive Director of Enterprises Operations, or his designee, to negotiate the sale of real property, 460 West Spruce, as presented to the Board of Directors in the workshop.

BE IT FINALLY RESOLVED, upon successful negotiations, the Board of Directors authorizes the Tribal Chairman to sign any and all documentation to complete the transaction.

**Roll Call Vote: Motion carries with Directors' Lee, Freiheit, Borowicz, McRorie, Hampton, McKerchie, LaPlaunt, Sorenson, McKechnie approving; Director Causley-Smith opposing; Director Morrow abstaining.**

**Moved by Director McKechnie, supported by Director LaPlaunt, to approve Resolution 2023-279, Acceptance of the 2022 Governmental Audit.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians, as accepted by the Audit Committee on August 31, 2023, hereby accepts and approves the 2022 Governmental Audit as presented by their Auditors: Dennis, Gartland, & Niergarth.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians also approves the Chairman and CFO to execute any and all documents associated with the FY22 Audit including the Client Representation Letter.

**Roll Call Vote: Motion carries with Directors' McRorie, Sorenson, LaPlaunt, McKerchie, Causley-Smith, McKechnie, Borowicz, Lee, Hampton approving; Director Freiheit opposing; Director Morrow abstaining.**

**Moved by Director LaPlaunt, supported by Director McKechnie, to approve Resolution 2023-280, Approving Amendments to the Employee/Employer Health Insurance Premium Tier Structure.**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the amendments to the employee premium tier structure as set forth by the Sault Tribe Insurance Department, attached and incorporated herein, under the Tribe's Employee Benefit Plan effective January 1, 2024.

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

**Roll Call Vote: Motion carries unanimously.**

**Moved by Director Sorenson, supported by Director LaPlaunt, to approve Resolution 2023-281, Approving the Sponsorship Program under the Employee Benefit Plan.**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the addition of the sponsorship program as set forth by the Sault Tribe Insurance Department, under the Tribe's Employee Benefit Plan effective January 1, 2024.

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

**Roll Call Vote: Motion carries unanimously.**

**Moved by Director McKechnie, supported by Director Morrow, to approve Resolution 2023-282, Approving Amendments to Vision Benefits.**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the amendments to the employee vision benefit plan as set forth by the Sault Tribe Insurance Department, under the Tribe's Employee Benefit Plan effective January 1, 2024.

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

**Roll Call Vote: Motion carries unanimously.**

**Moved by Director Morrow, supported by Director Sorenson, to approve Resolution 2023-283, Approving Amendments to Hearing Aid Benefits.**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the amendments to the employee hearing aid coverage benefit as set forth by the Sault Tribe Insurance Department, under the Tribe's Employee Benefit Plan effective January 1, 2024.

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

**Roll Call Vote: Motion carries unanimously.**

**Moved by Director McKechnie, supported by Director Freiheit, to approve Resolution 2023-284, Rescinding Resolution No: 2022-359 and Terminating the Special Counsel Contract – Morisset, Schlosser, Jozwiak, & Somerville, P.C.**

NOW, THEREFORE BE IT RESOLVED, that the the Board of Directors hereby terminates the contract between the Sault Ste. Marie Tribe of Chippewa Indians and Morisset, Schlosser, Jozwiak, & Somerville, PC, effective immediately.

BE IT FURTHER RESOLVED, that the Tribe's Legal Department shall coordinate with Morisset, Schlosser, Jozwiak, & Somerville, PC on the transition and the transfer of any and all client files generated during the life of the attorney client relationship between the Sault Ste. Marie Tribe of Chippewa Indians and Morisset, Schlosser, Jozwiak, & Somerville, PC.

**Roll Call Vote: Motion carries with Directors' McRorie, Sorenson, LaPlaunt, McKerchie, McKechnie, Borowicz, Freiheit, Lee, Hampton approving; Directors' Causley-Smith, Morrow opposing.**

**Moved by Director McKechnie, supported by Director LaPlaunt, to approve Resolution 2023-285, Temporarily Disbanding the Election Committee and Establishing the Emergency Election Committee.**

NOW, THEREFORE, BE IT RESOLVED, that the current Election Committee as promulgated under Section 10.108 of the Tribal Code is hereby temporarily disbanded and replaced with the interim Emergency Election Committee as follows:

**Emergency Election Committee.**

(1) The Emergency Election Committee shall be composed of the Tribe's General Counsel, the Tribal Registrar, the Tribe's Enrollment Coordinator, and the Board Administrator. In the event that one or more of the above team members is unable to sit on the emergency election committee, the committee must, at minimum, consist of at least one representative from the following departments: Legal; Enrollment; and Admin. The Emergency Election Committee shall be comprised of enrolled Sault Tribe Members. No person shall be appointed who is currently holding tribal elective office. The Committee may assign or outsource specific tasks or duties as necessary to carry out election tasks or duties, consistent with the Constitution and this Chapter.

(2) It shall be the duty of the Emergency Election Committee to conduct the Referenda Election for Tribal Resolutions 2023-189 and 2023-190.

(3) Should any election complaint or contest arise, due to the above referenda election, while the Emergency Election Committee is in place, the committee, in collaboration with the Election Attorney, shall handle all allegations in accordance with Tribal Code 10.120.

(a) Should it be determined that any allegations rise to the level of prosecution for any crime under Tribal Code Chapter 71, the matter shall be immediately sent to the Tribal prosecutor's office for further review.

(4) The Authority of the Emergency Election Committee is limited to matters involving the current Referenda Elections for Tribal Resolutions 2023-189 and 2023-190 and.

BE IT FURTHER RESOLVED, that the Tribe's Senior Attorney shall be appointed in the role of Elections Attorney for the purposes of the Referenda Election for Tribal Resolutions 2023-189 and 2023-190.

BE IT FURTHER RESOLVED, that the Emergency Election Committee shall remain in place until the completion of the Referenda Election for Tribal Resolutions 2023-189 and 2023-190.

BE IT FURTHER RESOLVED, that this Resolution shall be effective immediately and shall expire upon the completion of the Referenda Election for Tribal Resolutions 2023-189 and 2023-190.

**Roll Call Vote: Motion carries with Directors' Causley-Smith, McKerchie, Lee, Freiheit, LaPlaunt, Sorenson, McKechnie, Borowicz, McRorie, Hampton approving; Director Morrow opposing.**

**Moved by Director McKechnie, supported by Director Freiheit, to approve Resolution 2023-286, Amending Chapter 16: Removal from Office.**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby amends Tribal Code Chapter 16: Removal from Office as follows:

**16.106 Procedure Upon Filing of Petition.**

- (1) The Secretary shall maintain the original petition at all times. The allegations contained in the petition shall be made public. Information identifying the signatories to the petition shall be made public.
  - a. The Secretary shall deliver within two business days by United States mail to the accused official and each member of the Board of Directors a copy of the petition.
- (2) As soon as practicable after the filing of the petition, the Secretary shall refer the petition to the Tribal Registrar, who shall make a determination of whether the petition contains the requisite number of signatures of eligible voters. The Registrar shall review the petition and Tribal voter registration records under standards and procedures utilized for the verification of signatures on nominating petitions for Tribal elections conducted under Tribal Code Ch. 10. The Registrar shall certify the determination to the Board of Directors at least five (5) days before the date of the meeting at which the Board of Directors will consider the petition.
  - a. Immediately upon certification by the Tribal Registrar of the signatures, the names and addresses of all those signing the Petition shall be released to the accused official.
- (3) The Board of Directors shall consider the petition within fifteen (15) days of its receipt of the petition at a regular meeting or a special meeting called for that purpose. The Board of Directors shall consider the petition in an open meeting.
- (4) The Board of Directors shall determine whether the petition, on its face, appears to meet the criteria of §16.105. The Board of Directors may, in its discretion, request the opinion of the Legal Department or outside counsel on the facial sufficiency of the petition. If the Board of Directors determines that the petition appears to be insufficient, it shall dismiss the petition.
- (5) If the Board of Directors determines after the presentation of evidence by the principal sponsor that the petition is supported by probable cause, the Board of Directors shall set the date, time, and place for the initial hearing and direct the Secretary to prepare and serve a notice of hearing upon the accused official stating the date, time and place of the initial hearing and attach the allegations of the petition as notice of the charges against the accused official.
- (6) The determination of the Board of Directors on the sufficiency of the petition shall not be subject to the referendum provisions of Tribal Code Ch. 12.
- (7) **The determination of the Board of Directors on the sufficiency of the petition shall only be heard and voted on once.**

**Roll Call Vote: Motion carries with Directors' Lee, Freiheit, Borowicz, McRorie, Hampton, McKerchie, LaPlaunt, McKechnie approving; Directors' Morrow, Causley-Smith, Sorenson opposing.**

**Moved by Director McRorie, supported by Director Borowicz, to approve a Resolution, Supporting Federal Recognition of the Mackinac Band.**

**Moved by Director Sorenson, supported by Director Morrow, to Table.**

**Roll Call Vote: Motion carries with Directors' Causley-Smith, McKerchie, Lee, Freiheit, Morrow, LaPlaunt, Sorenson, McKechnie, Borowicz approving; Directors' McRorie, Hampton opposing.**

**Moved by Director Sorenson, supported by Director McRorie, to approve Resolution 2023-287, Recruitment and Retention of Bus Driver Positions.**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorizes and approves that all Bus Driver positions, as identified and determined by the Tribe's Education Director, shall be budgeted at the maximum of the applicable minimum to maximum compensation range for that position(s); and

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes and approves the Tribe's Assistant Executive Director to execute any and all documents as may be necessary to ensure that existing Bus Driver positions are budgeted at the max-range to ensure internal equity for the position within the terms, conditions and intent of this Resolution; and

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes and approves the Tribe's Assistant Executive Director to execute any administrative modifications for signing and relocations within available funding sources; and

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the use of any and all applicable funds, including ARPA, to facilitate the recruitment and retention of positions.

**Roll Call Vote: Motion carries unanimously.**

**Moved by Director McKechnie, supported by Director Freiheit, to appoint Nancy Lowes to the Unit 1 Sault Elder Sub-Committee, for a 4-year term expiring September 2027.**

**Roll Call Vote: Motion carries with Directors' LaPlaunt, McKechnie, McKerchie, Causley-Smith, Freiheit, Borowicz, Hampton, Lee, McRorie approving; Director Sorenson opposing; Director Morrow abstaining.**

Adjourned at 7:12 p.m.

Date: 9/19/2023

Secretary:   
Kimberly Hampton

Others Present: Aaron Schlehuber, Jessica Dumback, Robert Schulte, Lona Stewart, Clarence Hudak, Ryan Mills, Ashlee Mielke, Doug Goudreau, Dan Doyle (Z), Jennifer Clerc (Z), Dr. Leo Chugunov (Z), Charlee Brissette (Z), Shondra Gervais (Z), Andrew Lane (Z)