

MISSISSIPPI BAND OF CHOCTAW INDIANS
101 Industrial Road
Choctaw, MS 39350

ORDINANCE No. 77-A

AN ORDINANCE TO RESCIND ORDINANCE NO. 16-UUUU AND AMENDING
ORDINANCE NO. 77

WHEREAS, Section 1, Subsection (c) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to establish procedures for the conduct of all tribal government and business operations, including the regulation of conflicts of interest and nepotism; and

WHEREAS, Section 1, Subsection (o) of Article VIII of the Revised Constitution and Bylaws of the Tribe empowers the Tribal Council to establish policies relating to tribal economic affairs and enterprises in accordance with the Constitution and Bylaws; and

WHEREAS, the Tribal Council, by Ordinance 16-OO, enacted rules and procedures governing the distribution of per capita payments from tribal gaming revenues which were codified as Chapter 4 in Title XV of the Choctaw Tribal Code; and

WHEREAS, the Tribal Council by Ordinance 77 determined it was in the best interest of the Tribe to remove Chapter 4 of Title XV of the Choctaw Tribal Code and to re-enact rules and procedures governing the distribution of per capita payments from tribal gaming revenues in a separate ordinance together with the BIA Approved Tribal Revenue Allocation Plan approved by Tribal Council Resolution CHO 126-96; and

WHEREAS, the rules governing per capita payments from gaming revenues and the Tribal Revenue Allocation Plan were removed from Title XV and established by Ordinance 77 on April 12, 2016; and

WHEREAS, the Tribal Council by Ordinance 16-UUUU enacted amendments to Chapter 4 of Title XV of the Choctaw Tribal Code which would clarify exceptions to the prohibition on garnishment of per capita distributions from gaming revenues; and

WHEREAS, Ordinance 16-UUUU is ineffective because it purports to amend provisions which no longer exist in Title XV of the Choctaw Tribal Code; and

WHEREAS, Ordinance 16-UUUU should be rescinded and the changes therein instead be codified at Section 2-1(2) of Ordinance 77; and

WHEREAS, these changes have no effect on per capita payments that are authorized through the budgeting process by the Tribal Council; and

WHEREAS, the Chairman of the Judicial Affairs and Law & Order Committee has reviewed this Ordinance and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

ENACTED, that Ordinance 16-UUUU is hereby rescinded; and be it further

ENACTED, that Section 2-1(2) of Ordinance 77 titled *Re-Enactment of BIA Approved Provisions Governing Per Capita Payments from Gaming Revenues and Tribal Revenue Allocation Plan* shall be amended as follows:

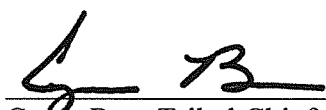
- (2) Non-tribal general creditors are prohibited in whole or in part from garnishing the per capita distribution checks of the Mississippi Band of Choctaw Indians members. The only exceptions to this prohibition on garnishing per capita distribution checks shall be as follows:
- 1) Any Order of Child Support issued by or through the Choctaw Tribal Court, including child support orders duly enrolled as foreign judgments for enforcement by the Choctaw Tribal Court;
 - 2) Any order of garnishment issued by the Choctaw Tribal Court on behalf of a tribal government division, department, program, office, court or agency;
 - 3) Any order of garnishment issued by the Choctaw Tribal Court on behalf of any Ordinance 56 Enterprise of the Mississippi Band of Choctaw Indians;
 - 4) Any written agreement between a member of the Tribe and a tribal government division, department, program, office, court or agency which allows for garnishment of per capita distributions to repay debt or debt due to damages;
 - 5) Any written agreement between a member of the tribe and an Ordinance 56 Enterprise of the Mississippi Band of Choctaw Indians to repay debt or debt due to damages; or
 - 6) Any order of any court of the United States having jurisdiction over cases under Chapter 13 of Title 11, or for any debt due for any state and federal tax required by federal law.

CERTIFICATION


I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Ordinance was duly Enacted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:



Cyrus Ben, Tribal Chief


Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-067(B)

A RESOLUTION TO APPROVE TRIBAL ENROLLMENTS

WHEREAS, in accordance with Title XXII of the Tribal Code, enacted through Tribal Ordinance No. 16-RRR on February 20, 2003, after applications for Tribal enrollment are recommended by the Tribal Enrollment Committee, "Each enrollment in the tribe shall be approved by resolution of the Tribal Council. Each such resolution may contain one or more enrollments"; and

WHEREAS, the Tribal enrollment applicants on the attached list have been recommended for approval by the Tribal Enrollment Committee; and

WHEREAS, with the adoption of this Resolution, there will be 11,109 enrolled Tribal members; now therefore be it

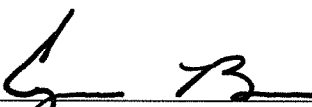
RESOLVED, that the Tribal Council does hereby enroll the attached list of 33 persons beginning with the name D. Amos and ending with P. York in the Mississippi Band of Choctaw Indians and does hereby direct that roll numbers be assigned.

CERTIFICATION

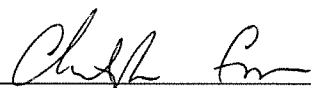
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-068(B)

A RESOLUTION TO APPROVE INCREASE IN BLOOD DEGREE AND/OR NAME
CHANGE FOR PREVIOUSLY ENROLLED TRIBAL MEMBERS

WHEREAS, in accordance with Title XXII of the Tribal Code, enacted through Tribal Ordinance No. 16-RRR, on February 20, 2003, a person may submit an application for change in blood quantum calculation based upon new or additional information about paternity or maternity; and

WHEREAS, the Tribal Enrollment Officer or Tribal Enrollment Committee may make changes in blood quantum and/or name change for any members based upon additional knowledge; and

WHEREAS, an increase in blood degree and/or name change for four (4) Tribal members has been recommended for approval by the Tribal Enrollment Committee, said changes being outlined on the Attachment beginning with **E. Bell** and ending with **J. Wesley**; now therefore be it

RESOLVED, that the Tribal Council does hereby approve the attached increase in blood degree and/or name change for four (4) Tribal members.

CERTIFICATION

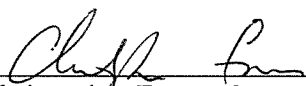
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-069(B)

A RESOLUTION TO APPROVE THE ABSOLUTE RELINQUISHMENT OF MEMBERSHIP
OF ONE TRIBAL MEMBER

WHEREAS, in accordance with Title XXII of the Tribal Code, enacted through Tribal Ordinance No. 16-RRR, enacted February 20, 2003, "Any member wishing to relinquish membership will be encouraged to do so on a conditional relinquishment form to be prepared by the Committee. In such case, the relinquishment will become effective upon the acceptance of that individual into membership of another tribe"; and

WHEREAS, minor K.T.T. (DOB: 9/12/2011) was issued a conditional relinquishment through Resolution CHO 20-022(B) adopted on January 14, 2020 and has now been accepted into membership with the Seminole Tribe of Florida on February 26, 2020; and

WHEREAS, an absolute relinquishment of said Tribal membership has been recommended for approval by the Tribal Enrollment Committee; now therefore be it

RESOLVED, that the Tribal Council does hereby relinquish the membership of minor K.T.T. (DOB: 9/12/2011) from the Mississippi Band of Choctaw Indians to be effective on the date of this Resolution.

CERTIFICATION

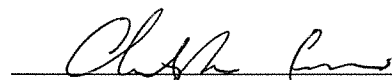
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-070

A RESOLUTION TO APPROVE REVISIONS TO CHOCTAW GAMING COMMISSION
REGULATIONS

WHEREAS, Section 15-1-27 of the Tribal Code empowers the Choctaw Gaming Commission to adopt, amend or repeal regulations consistent with Title XV as it may deem necessary or desirable, subject to review and approval by the Tribal Council; and

WHEREAS, the Choctaw Gaming Commission deems it necessary to amend certain provisions of Chapters 2, 6 and 9 of the Choctaw Gaming Commission Regulations; and

WHEREAS, the Choctaw Gaming Commission has approved the attached proposed revisions to Chapters 2, 6 and 9 of the Choctaw Gaming Commission Regulations and recommends their approval by the Tribal Council; and

WHEREAS, the Chairman of the Judicial Affairs and Law & Order Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council does hereby approve the attached revisions to Chapters 2, 6 and 9 of the Choctaw Gaming Commission Regulations; and be it further

RESOLVED, that Chapters 2, 6 and 9 of the Choctaw Gaming Commission Regulations in the form attached hereto shall become effective upon passage of this Resolution.

CERTIFICATION

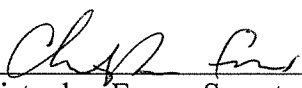
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-071

A RESOLUTION TO ADOPT THE MISSISSIPPI BAND OF CHOCTAW INDIANS'
HAZARD MITIGATION PLAN FOR 2020-2025

WHEREAS, Section 1, Subsection (a) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians ("MBCI" or the "Tribe") empowers the Tribal Council to negotiate with and to approve or disapprove contracts or agreements with Federal, State, or local governments, with private persons or with corporate bodies; and

WHEREAS, the Mississippi Band of Choctaw Indians recognizes the threat that natural hazards pose to Tribal citizens and Tribal property and assets; and

WHEREAS, the MBCI has successfully collaborated under MEMA guidance with the East Central Planning Development District to complete the 2020-2025 Tribal Hazard Mitigation Plan, having secured input at community meetings in all 8 Federally-recognized Choctaw communities; and

WHEREAS, the Choctaw Hazard Mitigation Plan focuses on prioritized pre-disaster mitigation activities to lessen the negative impacts of natural disasters, such as storm readiness, fire prevention, emergency generators, tornado sirens and emergency alert systems, retrofitting facilities to make them storm-resistant, and safe rooms, pending the availability of Federal funds; and

WHEREAS, the U.S. Department of Homeland Security and FEMA require Federally-recognized Indian Tribal Governments to maintain a current 5-year Hazard Mitigation Plan as a prerequisite for eligibility to receive USDHS, FEMA, and MEMA funding; and

WHEREAS, having a FEMA-approved Choctaw Hazard Mitigation Plan in place covering program years 2020-2025 ensures MBCI's continuing eligibility to receive Federal funds for Pre-Disaster Mitigation; Presidentially-declared Disasters; Hazard Mitigation Grant Program; Assistance to Firefighters, Homeland Security projects, and MEMA sub-grants; and

WHEREAS, the Public Works, Fire and Construction Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribe's Hazard Mitigation Plan is made with the following stipulations:

- 1) The Mississippi Band of Choctaw Indians ("MBCI") is a Federally-recognized Indian Tribe and pursuant to Federal law, will only comply with those regulations that are specifically applicable to Indian Tribes; and
- 2) The Mississippi Band of Choctaw Indians ("MBCI") adheres to a publicly-announced policy of Indian preference in all employment related actions including recruitment, employment, reduction-in-force, promotion, training and transfer to the maximum extent allowed by applicable law; and
- 3) The Mississippi Band of Choctaw Indians ("MBCI") is exempt from making certification regarding or from filing Standard Form-LLL regarding lobbying per 31 U.S.C. Sec. 1352,

2 U.S.C. Sec. 1602, 40 CFR 34.105(1) and 40 CFR 34.110, as to any such activity which may have been or may be undertaken by Tribal officials or Tribal employees or where such reporting is otherwise exempted under §1352(d). The MBCI has not engaged any outside lobbyist to engage in any activity regarding this grant which would require reporting under any of the referenced statutes; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to apply for and sign for available Pre-Disaster and Presidentially-declared Disaster grant programs through the U.S. Department of Homeland Security, FEMA, and MEMA; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to renew US Homeland Security; FEMA and MEMA grants and to apply for any new grants in subsequent applications subject to the availability of funds through the U.S. Department of Homeland Security; and be it further

RESOLVED, that the Mississippi Band of Choctaw Indians will submit the adopted Choctaw Hazard Mitigation Plan to MEMA and to FEMA officials for final review and formal approval.

CERTIFICATION

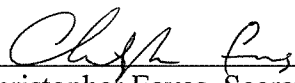
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-072

A RESOLUTION TO AUTHORIZE THE NATIONAL INDIAN EDUCATION
ASSOCIATION TO COLLECT DATA FROM THE MISSISSIPPI BAND OF CHOCTAW
INDIANS' CHOCTAW TRIBAL SCHOOLS

WHEREAS, Section 1, Subsection (a) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians ("MBCI" or the "Tribe") empowers the Tribal Council to negotiate with and approve or disapprove contract or agreements with Federal, State or local governments, with private persons or with corporate bodies; and

WHEREAS, the National Indian Education Association ("NIEA") plans to build capacity for improving and creating Native Language Immersion Programs in tribally-controlled schools within the south and east regions of the United States; and

WHEREAS, the overall goal is to develop tools and resources to create and sustain Native language programs and develop a "best practices" training and handbook to include information collected from Choctaw Tribal Schools, the Choctaw Language/Cultural Integration Program and the Choctaw Tribal Language Program; and

WHEREAS, NIEA will work in conjunction with Bellwether Education Partners and the Center for Applied Linguistics ("CAL") which includes five phases: (1) Research; (2) Assessment; (3) Documentation; (4) Training; and (5) Evaluation; and

WHEREAS, NIEA will cover all cost and there will be no cost to the Tribe to participate; and

WHEREAS, NIEA anticipates several measurable and positive outcomes that will result from this initiative including increased fluency in reading and writing skills, increased retention and engagement of students in school, higher achievement rates, increased awareness about Native language opportunities, and increased self-esteem and cultural pride related to Native identity; and

WHEREAS, the Education Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, results collected shall be submitted in writing to the Policy & Legislative Office and shall not be published or otherwise revealed without the permission of the Tribal Chief, Chairman of the Education Committee and Office of the Attorney General; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign any documents, forms or contracts directly related to the publication of this project without further Council action.

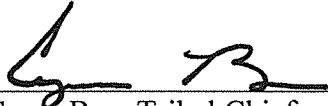
CERTIFICATION

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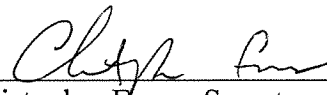
April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-073

A RESOLUTION TO APPROVE THE DEPARTMENT OF EARLY CHILDHOOD
EDUCATION PARENT HANDBOOK FOR THE 2020-2021 SCHOOL YEAR

WHEREAS, Section 1, Subsection (c) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to establish procedures for the conduct of all tribal government and business operations; and

WHEREAS, the Department of Early Childhood Education (“DOECE”) has a need to define policies and procedures specific to the operations of its early childhood centers; and

WHEREAS, DOECE has developed the attached parent handbook for parents whose children attend Tribal childcare, Head Start and Early Head Start programs; and

WHEREAS, DOECE annually reviews and updates all handbooks to ensure comprehensive and up-to-date policies for school staff, parents and students; and

WHEREAS, the Education Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

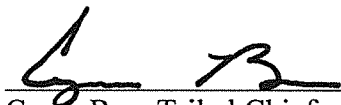
RESOLVED, that the Tribal Council does hereby approve the attached DOECE Parent Handbook, in substantially the same form as attached, for the 2020-2021 school year.

CERTIFICATION

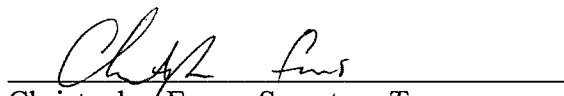
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:



Cyrus Ben, Tribal Chief


Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-074

A RESOLUTION TO APPROVE THE DEPARTMENT OF EARLY CHILDHOOD
EDUCATION STAFF HANDBOOK FOR THE 2020-2021 SCHOOL YEAR

WHEREAS, Section 1, Subsection (c) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to establish procedures for the conduct of all tribal government and business operations; and

WHEREAS, the Department of Early Childhood Education (“DOECE”) has a need to define policies and procedures specific to the operations of its early childhood centers; and

WHEREAS, DOECE has developed the attached Staff Handbook for early childhood center employees; and

WHEREAS, DOECE annually reviews and updates all handbooks to ensure comprehensive and up-to-date policies for school staff, parents and students; and

WHEREAS, the Education Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council does hereby approve the attached DOECE Staff Handbook, in substantially the same form as attached, for the 2020-2021 school year.

CERTIFICATION

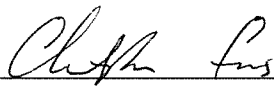
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-075

A RESOLUTION TO AUTHORIZE THE MISSISSIPPI BAND OF CHOCTAW INDIANS,
OFFICE OF ECONOMIC DEVELOPMENT, TO APPLY FOR A GRANT FROM EPIC
GAMES, INC. TO SUPPORT THE CONTINUED DEVELOPMENT OF A CHOCTAW
VIDEO GAME

WHEREAS, Section 1, Subsection (a) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to negotiate with and to approve or disapprove contracts or agreements with Federal, State, or local governments, with private persons or with corporate bodies; and

WHEREAS, Epic Games, Inc. (“Epic”) is a video game development company that is making grant funds available through the Epic MegaGrant Program (“MegaGrant”); and

WHEREAS, Epic is offering MegaGrants ranging from \$5,000-\$500,000 to support “creative, noteworthy, and innovative projects” including video game development; and

WHEREAS, the MBCI Office of Economic Development (“OED”) is coordinating the development of a Choctaw video game based on the traditional game of stickball in partnership with E-Line Media, the Cook Inlet Tribal Council, and Run Games; and

WHEREAS, OED is also working in partnership with the Choctaw Division of Schools and the Department of Chahta Immi to include youth and elders in an inclusive development process; and

WHEREAS, OED intends to apply for a MegaGrant to request additional funds to support the continued development of the Choctaw Stickball Video Game, tentatively titled *Kabotcha Toli/Little Brother of War*; and

WHEREAS, the Tribe can benefit greatly from additional and external financial resources to enhance the capacity and services of OED; and

WHEREAS, if awarded, this grant opportunity does not require cost sharing, repayment, or matching funds; and

WHEREAS, the Chairman of the Economic Development Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribe’s MegaGrant application is made with the following stipulations:

- 1) The Mississippi Band of Choctaw Indians (“MBCI”) is a Federally-recognized Indian Tribe and pursuant to Federal law, will only comply with those regulations that are specifically applicable to Indian Tribes; and
- 2) The Mississippi Band of Choctaw Indians (“MBCI”) adheres to publicly-announced policy of Indian preference in all employment related actions including recruitment, employment, reduction-in-force, promotion, training and transfer to the maximum extent allowed by applicable law; and

- 3) The Mississippi Band of Choctaw Indians (“MBCI”) is exempt from making certification regarding or from filing Standard Form-LLL regarding lobbying per 31 U.S.C. Sec. 1352, 2 U.S.C. Sec. 1602, 40 CFR 34.105(1) and 40 CFR 34.110, as to any such activity which may have been or may be undertaken by Tribal officials or Tribal employees or where such reporting is otherwise exempted under §1352(d). The MBCI has not engaged any outside lobbyist to engage in any activity regarding this grant which would require reporting under any of the referenced statutes; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to apply for up to \$500,000 from the Epic MegaGrant and renew subsequent applications upon the availability of project funds from the Epic Games, Inc. MegaGrant Program; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign additional documents, forms, or contracts directly related to the awarding of, continuance, amendment or extension of the MegaGrant from Epic Games, Inc., without further Council action.

CERTIFICATION

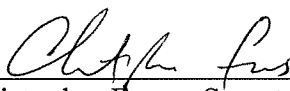
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-076

A RESOLUTION TO AUTHORIZE THE MISSISSIPPI BAND OF CHOCTAW INDIANS, OFFICE OF ECONOMIC DEVELOPMENT, TO SUBMIT AN FY 2020 NATIONAL TRIBAL BROADBAND GRANT (NTBG) APPLICATION TO THE U.S. DEPARTMENT OF THE INTERIOR-OFFICE OF INDIAN ENERGY AND ECONOMIC DEVELOPMENT (IEED), OFFICE OF ASSISTANT SECRETARY INDIAN AFFAIRS, BUREAU OF INDIAN AFFAIRS

WHEREAS, Section 1, Subsection (a) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to negotiate with and to approve or disapprove contracts or agreements with Federal, State, or local governments, with private persons or with corporate bodies; and

WHEREAS, the Office of Indian Energy and Economic Development (“IEED”) has made funds available through the National Tribal Broadband Grant (“NTBG”); and

WHEREAS, the MBCI Office of Economic Development aims to secure grant funding to construct, improve or acquire facilities and equipment needed to provide broadband service to eligible rural areas; and

WHEREAS, the grant funds will assist the MBCI Office of Economic Development to assess the potential for broadband services, estimate the cost of building a network, determine transmission medium(s) that will be employed, identify potential funding/financing for the network, and consider the risks associated with it; and

WHEREAS, the goal of the NTBG Grant Program is to provide grant funding to hire consultants to perform feasibility studies for deployment or expansion of high-speed internet (broadband) transmitted variously through digital subscriber line (DSL), cable modem, fiber, wireless, satellite, and BPL; and

WHEREAS, the Tribe can benefit greatly from additional and external resources to enhance the capacity and services of the MBCI Office of Economic Development as indicated in the NTBG grant application’s project narrative; and

WHEREAS, the Tribe is considering the enlistment of Baker Tilly Virchow Krause, LLP to assist them in performing these projects and feasibility studies assessing the potential for broadband services for the Tribe, subject to Tribal competitive bidding rules; and

WHEREAS, this Federal grant opportunity does require not cost sharing or a matching requirement and has an award floor of \$40,000 and award ceiling of \$50,000; and

WHEREAS, the Chairman of the Economic Development Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribe’s grant application is made with the following stipulations:

- 1) The Mississippi Band of Choctaw Indians (“MBCI”) is a Federally-recognized Indian Tribe and pursuant to Federal law, will only comply with those regulations that are specifically applicable to Indian Tribes; and
- 2) The Mississippi Band of Choctaw Indians (“MBCI”) adheres to publicly-announced policy of Indian preference in all employment related actions including recruitment, employment, reduction-in-force, promotion, training and transfer to the maximum extent allowed by applicable law; and
- 3) The Mississippi Band of Choctaw Indians (“MBCI”) is exempt from making certification regarding or from filing Standard Form-LLL regarding lobbying per 31 U.S.C. Sec. 1352, 2 U.S.C. Sec. 1602, 40 CFR 34.105(1) and 40 CFR 34.110, as to any such activity which may have been or may be undertaken by Tribal officials or Tribal employees or where such reporting is otherwise exempted under §1352(d). The MBCI has not engaged any outside lobbyist to engage in any activity regarding this grant which would require reporting under any of the referenced statutes; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to apply for the NTBG Grant and renew subsequent applications subject upon the availability of project funds from the Bureau of Indian Affairs; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign additional documents, forms, or contracts directly related to the awarding of, continuance, amendment or extension of the NTBG Grant, without further Council action.

CERTIFICATION

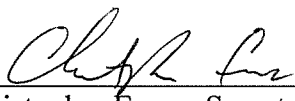
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-077

A RESOLUTION AUTHORIZING THE SUBMISSION OF THE FEDERAL
COMMUNICATIONS COMMISSION (FCC) 2.5 GHZ RURAL TRIBAL WINDOW BAND
APPLICATION

WHEREAS, Section 1, Subsection (a) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to negotiate with and to approve or disapprove contracts or agreements with Federal, State, or local governments, with private persons or with corporate bodies; and

WHEREAS, the Federal Communications Commission (“FCC”) made available the 2.5 GHz Band spectrum to assist with the deployment of broadband and other advanced communications on tribal lands; and

WHEREAS, the MBCI Office of Economic Development aims to secure grant funding to construct, improve or acquire facilities and equipment needed to provide broadband service to eligible rural areas; and

WHEREAS, the license will assist the MBCI Office of Economic Development with the authority to operate in areas and on those channels that are not licensed to another licensee; and

WHEREAS, the goal of the FCC 2.5 GHz Band is to make the existing spectrum currently used to provide broadband service by legacy educational licensees and commercial providers available to tribal lands; and

WHEREAS, the Tribe can benefit greatly from additional and external resources to enhance the capacity and services of the MBCI Office of Economic Development; and

WHEREAS, the Tribe is considering the enlistment of Baker Tilly Virchow Krause, LLP to assist them in performing these projects and feasibility studies assessing the potential for broadband services for the Tribe, subject to Tribal competitive bidding rules; and

WHEREAS, this Federal grant opportunity does not require cost sharing or matching requirement; and

WHEREAS, the Chairman of the Economic Development Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribe’s grant application is made with the following stipulations:

- 1) The Mississippi Band of Choctaw Indians (“MBCI”) is a Federally-recognized Indian Tribe and pursuant to Federal law, will only comply with those regulations that are specifically applicable to Indian Tribes; and
- 2) The Mississippi Band of Choctaw Indians (“MBCI”) adheres to publicly-announced policy of Indian preference in all employment related actions including recruitment, employment,

reduction-in-force, promotion, training and transfer to the maximum extent allowed by applicable law; and

- 3) The Mississippi Band of Choctaw Indians (“MBCI”) is exempt from making certification regarding or from filing Standard Form-LLL regarding lobbying per 31 U.S.C. Sec. 1352, 2 U.S.C. Sec. 1602, 40 CFR 34.105(1) and 40 CFR 34.110, as to any such activity which may have been or may be undertaken by Tribal officials or Tribal employees or where such reporting is otherwise exempted under §1352(d). The MBCI has not engaged any outside lobbyist to engage in any activity regarding this grant which would require reporting under any of the referenced statutes; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to apply for the FCC 2.5 GHz License and renew subsequent applications subject to the availability of grant funds; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign additional documents, forms, or contracts directly related to the awarding of, continuance, amendment or extension of the FCC 2.5 GHz License Application, without further Council action.

CERTIFICATION

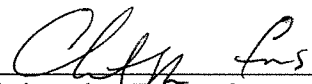
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-078(B)

A RESOLUTION FOR AUTHORIZATION OF TIMBER SALE IN TUCKER COMMUNITY
UNITS 2, 4 & 5

WHEREAS, Section 1, Subsection (b) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council “to approve or disapprove any sale, disposition, lease or encumbrance of tribal lands...”; and

WHEREAS, the Forestry Program has requested the Tribal Council approve an open market sale of timber for Tucker Community Units 2, 4 & 5, which includes 3,540 tons Pine logs, 24 tons Pine Chip-n-Saw, 297 tons Pine Pulpwood, 565 tons Hardwood Logs, and 650 tons of Hardwood Pulpwood; and

WHEREAS, the MBCI Forestry Program has computed an appraisal of the aforementioned Tucker Community timber for a value in the amount of \$126,228.00; and

WHEREAS, Section 2.4 of the MBCI Multi-Resource Management Plan (“MRMP”) includes 40 acre limits for clear cut final harvest, it is necessary to deviate from the 40 acre limit, as allowed in the MRMP, to address the backlog of unharvested trees in the Timber Harvest Schedule listed in Section 2.3 of MRMP, to gain better value from the mature tree stands and promote better regeneration, more efficient harvesting with the stands of similar characteristics in contiguous areas, allow for roads, building and residential improvements and reduce timber sale administrative processing for similar stands; and

WHEREAS, the Chairman of the Natural Resource Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council does hereby approve the timber sale for no less than the appraised value for the aforementioned Tucker Community timber in the amount of \$126,228.00; and be it further

RESOLVED, that the above described timber sale in the Tucker Community be sold in open market through general public advertised bids for no less than the appraised value; and be it further

RESOLVED, that any proceeds from the sale of said timber shall be deposited into the Tribal Trust Fund with ten percent (10%) of such proceeds deposited into the Bureau of Indian Affairs Forest Management Deduction Account; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to execute any documents necessary to effectuate the sale of this timber without further Tribal Council action.

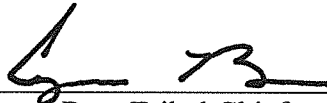
CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum

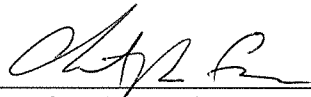
were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:




Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency

4-16-2020

Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-079(B)

A RESOLUTION APPOINTING TRIBAL CHIEF CYRUS BEN AS ATTORNEY IN FACT FOR THE MISSISSIPPI BAND OF CHOCTAW INDIANS TO CONDUCT NEGOTIATIONS AND TO SIGN DOCUMENTATION FOR CONSERVATION PROGRAMS ADMINISTERED BY THE U.S. DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICES (NRCS)

WHEREAS, Section 1, Subsection (c) of Article IX of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians, empowers the Tribal Chief to negotiate contracts or agreements with Federal, State, or local governments, private persons, or corporate bodies and to submit them to the Tribal Council for approval; and

WHEREAS, Section 1, Subsection (a) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to negotiate with and to approve or disapprove contracts or agreements with Federal, State, or local governments, with private persons, or with corporate bodies; and

WHEREAS, the Tribal Council desires to appoint Tribal Chief Cyrus Ben as Attorney in Fact for the Mississippi Band of Choctaw Indians to conduct any and all negotiations and sign any and all documentation associated with participation in all current programs administered by the U.S. Department of Agriculture (“USDA”), Natural Resources Conservation Service and to appoint MBCI Director of Natural Resources to seek USDA cost share assistance as needed; and

WHEREAS, the U.S. Department of Agriculture, Natural Resources Conservation Service (“NRCS”) has a Power of Attorney on file authorizing former Tribal Chief Phyliss J. Anderson to sign documents for all current programs and that Power of Attorney needs to be revoked; and

WHEREAS, NRCS has submitted a proposed new Power of Attorney, attached hereto as Attachment “A”, appointing Tribal Chief Cyrus Ben as the Attorney in Fact for all current programs; and

WHEREAS, the Chairman of the Natural Resource Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council does hereby authorize Tribal Chief Cyrus Ben to be appointed as Attorney in Fact for the Mississippi Band of Choctaw Indians and to conduct any and all negotiations and sign any and all documentation associated with participation in all current programs administered by the U.S. Department of Agriculture, Natural Resources Conservation Service; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribe’s Secretary-Treasurer to be authorized on behalf of the Mississippi Band of Choctaw Indians to execute as Grantor, the Power of Attorney, attached hereto as Attachment “A”, and that the Secretary-Treasurer shall notify NRCS that the Power of Attorney currently on file appointing former Tribal Chief Phyliss J. Anderson as Attorney in Fact for the Mississippi Band of Choctaw Indians is hereby revoked.

CERTIFICATION

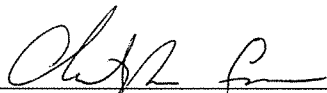
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:

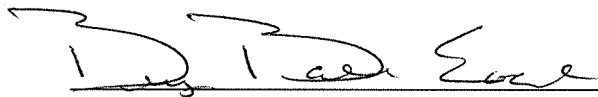


Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency

4-16-2020

Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-080(B)

A RESOLUTION TO APPROVE A SERVICE LINE AGREEMENT IN FAVOR OF C SPIRE
IN THE PEARL RIVER COMMUNITY

WHEREAS, Section 1, Subsection (b) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to approve or disapprove any sale, disposition, lease or encumbrance of tribal lands, interests in land, tribal funds, or other tribal assets; and

WHEREAS, Telepak Networks, Inc. d/b/a C Spire Fiber (“C Spire”) has proposed to provide telecommunication service to Choctaw Federal Credit Union (the “intended purpose”), which is located on land owned by the United States of America and held in trust for the benefit of the Tribe and is more particularly described as follows:

Commence at the NE Corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ Section 29, Township 11 North, Range 11 East, Neshoba County, Mississippi; thence North 131.28 feet; thence West 15.81 feet to the Point of Beginning of the herein described property; thence West 647.80 feet; thence South 1148.36 feet to the North Right of Way Line of Mississippi Highway No. 16; thence South 74 degrees 50 minutes 25 seconds East 389.82 feet in said North Right of way line; thence North 2 degrees 03 minutes 38 seconds West 252.10 feet; thence South 76 degrees 55 minutes 58 seconds East 272.23 feet; thence North 0 degrees 50 minutes 03 seconds East 1060.03 feet to the Point of Beginning, said described property being 16.58 acres more or less. Being a part of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of and a part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 29, Township 11 North, Range 11 East, Choctaw Meridian, Neshoba County, Mississippi;

And,

WHEREAS, the location of the service line required to serve the above-described land is more particularly shown and delineated on the plat/diagram marked “Exhibit A” of the attached Service Line Agreement; and

WHEREAS, there will be no payment to the Tribe because the service is being installed at the request and for the benefit of the Tribe; and

WHEREAS, the attached Service Line Agreement will be for a perpetual term so long as the service line is used for the intended purpose; and

WHEREAS, the Tribal Council has determined it is in the best interest of the Tribe to approve the attached Service Line Agreement in favor of C Spire; and

WHEREAS, the Chairman of the Natural Resource Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council does hereby approve the attached Service Line Agreement in favor of C Spire for a perpetual term so long as the service line is used for the intended purpose; and be it further

RESOLVED, that there will be no payment for the attached Service Line Agreement because the service is being installed at the request and for the benefit of the Tribe; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to sign any additional documents, forms, or contracts directly related to the continuance, amendment, or extension of the attached Services Line Agreement without further Council action.

CERTIFICATION


I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:




Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency

4-16-2020

Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-081(B)

A RESOLUTION TO APPROVE A RIGHT-OF-WAY IN FAVOR OF CENTRAL ELECTRIC
POWER ASSOCIATION IN THE BOGUE CHITTO COMMUNITY

WHEREAS, Section 1, Subsection (b) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to approve or disapprove any sale, disposition, lease or encumbrance of tribal lands, interests in land, tribal funds, or other tribal assets; and

WHEREAS, Central Electric Power Association has submitted the attached Right-of-Way Application for a power line servicing the stickball fields and bath house on Mississippi Highway 491 (the “intended purpose”) in the Bogue Chitto Community, over and across land which is owned by the United States of America in trust for the benefit of the Tribe and is more particularly described as follows:

A strip of land, for a power line, approximately 1895 feet in length and 40 feet in width existing 20 feet either side of the centerline of the power line and with said power line existing in the Southeast $\frac{1}{4}$ of Section 2, Township 11 North, Range 13 East, Neshoba County, Mississippi;

And

WHEREAS, the above-described right-of-way is limited to 1.74 acres in area, as shown and delineated on the plat/diagram marked “Exhibit A” of the attached Right-of-Way Application; and

WHEREAS, the Tribal Council has determined it is in the best interest of the Tribe for the Choctaw Agency Superintendent to grant the above-described right-of-way for a perpetual term so long as the above-described right-of-way is used for the intended purpose; and

WHEREAS, there will be no payment to the Tribe because the service is being installed at the request and for the benefit of the Tribe; and

WHEREAS, the Tribal Council has determined that the negotiated compensation of \$0.00 is satisfactory to the Tribe and it is therefore in the best interest of the Tribe to waive valuation pursuant to 25 CFR §169.110; and

WHEREAS, the Tribal Council has determined that it is in the best interest of the Tribe to waive the requirement for bond pursuant to 25 CFR §169.103 since the service is being installed at the request and for the benefit of the Tribe; and

WHEREAS, the Chairman of the Natural Resource Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council hereby consents to grant the above-described right-of-way by the Bureau of Indian Affairs to Central Electric Power Association for a power line servicing the stickball fields and bath house in the Bogue Chitto Community; and be it further

RESOLVED, that the Tribal Council hereby requests that the Choctaw Agency Superintendent grant the above-described right-of-way for a perpetual term so long as the above-described right-of-way is used for the intended purpose; and be it further

RESOLVED, that the Tribal Council hereby waives valuation and the requirement for bond regarding the above-described right-of-way; and be it further

RESOLVED, that the Tribal Council authorizes the Tribal Chief to sign any additional documents, forms, or contracts directly related to the continuance, amendment, or extension of the above-described right-of-way without further Council action.

CERTIFICATION


I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:




Cyrus Ben, Tribal Chief




Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency



Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-082(B)

A RESOLUTION TO APPROVE A RIGHT-OF-WAY IN FAVOR OF CENTRAL ELECTRIC POWER ASSOCIATION IN THE CONEHATTA COMMUNITY

WHEREAS, Section 1, Subsection (b) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to approve or disapprove any sale, disposition, lease or encumbrance of tribal lands, interests in land, tribal funds, or other tribal assets; and

WHEREAS, Central Electric Power Association has submitted the attached Right-of-Way Application for a power line servicing the new Choctaw Housing Authority development site on Mills Road (the “intended purpose”) in the Conehatta Community, over and across land which is owned by the United States of America in trust for the benefit of the Tribe and is more particularly described as follows:

A strip of land for a power line approximately 1445 feet in length and 40 feet in width existing 20 feet either side of the centerline of the power line, with said power line existing in the Southeast ¼ of Section 3, Township 7 North, Range 10 East, Newton County, Mississippi;

And

WHEREAS, the above-described right-of-way is limited to 1.33 acres in area, as shown and delineated on the plat/diagram marked “Exhibit A” on the attached Right-of-Way Application; and

WHEREAS, the Tribal Council has determined it is in the best interest of the Tribe for the Choctaw Agency Superintendent to grant the above-described right-of-way for a perpetual term so long as the above-described right-of-way is used for the intended purpose; and

WHEREAS, there will be no payment to the Tribe because the service is being installed at the request and for the benefit of the Tribe; and

WHEREAS, the Tribal Council has determined that the negotiated compensation of \$0.00 is satisfactory to the Tribe and it is therefore in the best interest of the Tribe to waive valuation pursuant to 25 CFR §169.110; and

WHEREAS, the Tribal Council has determined that it is in the best interest of the Tribe to waive the requirement for bond pursuant to 25 CFR §169.103 since the service is being installed at the request and for the benefit of the Tribe; and

WHEREAS, the Chairman of the Natural Resource Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council hereby consents to grant the above-described right-of-way by the Bureau of Indian Affairs to Central Electric Power Association for a power line servicing the new Choctaw Housing Authority development site on Mills Road in the Conehatta Community; and be it further

RESOLVED, that the Tribal Council hereby requests that the Choctaw Agency Superintendent grant the above-described right-of-way for a perpetual term so long as the above-described right-of-way is used for the intended purpose; and be it further

RESOLVED, that the Tribal Council hereby waives valuation and the requirement for bond regarding the above-described right-of-way; and be it further

RESOLVED, that the Tribal Council authorizes the Tribal Chief to sign any additional documents, forms, or contracts directly related to the continuance, amendment, or extension of the above-described right-of-way without further Council action.

CERTIFICATION


I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:



Cyrus Ben, Tribal Chief

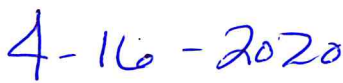


Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency



Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-083(B)

A RESOLUTION TO APPROVE A RIGHT-OF-WAY IN FAVOR OF CENTRAL ELECTRIC
POWER ASSOCIATION IN THE TUCKER COMMUNITY

WHEREAS, Section 1, Subsection (b) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to approve or disapprove any sale, disposition, lease or encumbrance of tribal lands, interests in land, tribal funds, or other tribal assets; and

WHEREAS, Central Electric Power Association has submitted the attached Right-of-Way Application for relocation of a power pole at the intersection of Ellis Sam Road and Mississippi Highway 19 (the “intended purpose”) in the Tucker Community, over and across land which is owned by the United States of America in trust for the benefit of the Tribe and is more particularly described as follows:

A strip of land, for a power line, approximately 220 feet in length and 40 feet in width existing 20 feet either side of the centerline of the power line and with said power line existing in the South ½ of the Southwest ¼ of Section 15, Township 10 North, Range 12 East, Neshoba County, Mississippi;

And

WHEREAS, the above-described right-of-way is limited to 0.20 acres in area, as shown and delineated on the plat/diagram marked “Exhibit A” on the attached Right-of-Way Application; and

WHEREAS, the Tribal Council has determined it is in the best interest of the Tribe for the Choctaw Agency Superintendent to grant the above-described right-of-way for a perpetual term so long as the above-described right-of-way is used for the intended purpose; and

WHEREAS, there will be no payment to the Tribe because the service is being installed at the request and for the benefit of the Tribe; and

WHEREAS, the Tribal Council has determined that the negotiated compensation of \$0.00 is satisfactory to the Tribe and it is therefore in the best interest of the Tribe to waive valuation pursuant to 25 CFR §169.110; and

WHEREAS, the Tribal Council has determined that it is in the best interest of the Tribe to waive the requirement for bond pursuant to 25 CFR §169.103 since the service is being installed at the request and for the benefit of the Tribe; and

WHEREAS, the Chairman of the Natural Resource Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council hereby consents to grant the above-described right-of-way by the Bureau of Indian Affairs to Central Electric Power Association for relocation of a power pole in the Tucker Community; and be it further

RESOLVED, that the Tribal Council hereby requests that the Choctaw Agency Superintendent grant the above-described right-of-way for a perpetual term so long as the above-described right-of-way is used for the intended purpose; and be it further

RESOLVED, that the Tribal Council hereby waives valuation and the requirement for bond regarding the above-described right-of-way; and be it further

RESOLVED, that the Tribal Council authorizes the Tribal Chief to sign any additional documents, forms, or contracts directly related to the continuance, amendment, or extension of the above-described right-of-way without further Council action.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:




Cyrus Ben, Tribal Chief




Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency



Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-084(B)

A RESOLUTION TO APPROVE TEMPORARY EASEMENTS IN FAVOR OF THE
MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR LAND HELD BY THE
MISSISSIPPI BAND OF CHOCTAW INDIANS IN FEE

WHEREAS, Section 1, Subsection (b) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to approve or disapprove any sale, disposition, lease or encumbrance of tribal lands, interests in land, tribal funds, or other tribal assets; and

WHEREAS, the Mississippi Department of Transportation (“MDOT”) requires temporary construction easements for a road improvement project on Mississippi Highway 19 in the Tucker Community, over and across land which is owned by the Tribe in fee; and

WHEREAS, the Tribe will be compensated fair market value for the lands described in the attached Temporary Easements; and

WHEREAS, the Tribal Council has determined that the attached Fair Market Value Offers are satisfactory to the Tribe; and

WHEREAS, the Tribal Council has determined it is in the best interest of the Tribe to grant the attached Temporary Easements; and

WHEREAS, the Chairman of the Natural Resource Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council hereby accepts the attached Fair Market Value Offers on behalf of the Tribe; and be it further

RESOLVED, that the Tribal Council hereby authorizes the Tribal Chief to execute the attached Temporary Easements on behalf of the Tribe; and be it further

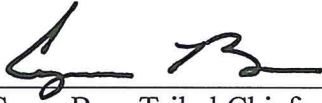
RESOLVED, that the Tribal Council authorizes the Tribal Chief to sign any additional documents, forms, or contracts directly related to the continuance, amendment, or extension of these Temporary Easements without further Council action.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency

4-16-2020

Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-085(B)

A RESOLUTION TO APPROVE A QUITCLAIM DEED IN FAVOR OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR AN EASEMENT HELD BY THE UNITED STATES OF AMERICA IN TRUST FOR THE MISSISSIPPI BAND OF CHOCTAW INDIANS

WHEREAS, Section 1, Subsection (b) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to approve or disapprove any sale, disposition, lease or encumbrance of tribal lands, interests in land, tribal funds, or other tribal assets; and

WHEREAS, the United States of America holds an easement in trust for the benefit of the Tribe which allows the Bureau of Indian Affairs (“BIA”) to maintain BIA Route 2460 (“Ball Field Road”) on land which is owned by the Holy Rosary Indian Mission in fee; and

WHEREAS, the Mississippi Department of Transportation (“MDOT”) requires a fee interest in a portion of the United States of America’s easement for a road improvement project on Mississippi Highway 19 in the Tucker Community; and

WHEREAS, the Tribe will be compensated fair market value for the portion of the easement described in the attached Quitclaim Deed; and

WHEREAS, the Tribal Council has determined that the attached Fair Market Value Offer is satisfactory to the Tribe and it is therefore in the best interest of the Tribe to waive valuation and the requirement for bond; and

WHEREAS, the Tribal Council has determined it is in the best interest of the Tribe for the United States of America to quitclaim all of its rights, title and interest to the portion of the easement described in the attached Quitclaim Deed; and

WHEREAS, the Chairman of the Natural Resource Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council hereby consents to a quitclaim of all of the United States of America’s rights, title, and interest to the portion of the easement described in the attached Quitclaim Deed; and be it further

RESOLVED, that the Tribal Council hereby waives valuation and the requirement for bond regarding the portion of the easement described in attached Quitclaim Deed; and be it further

RESOLVED, that the Tribal Council hereby authorizes the United States of America to execute the attached Quitclaim Deed on behalf of the Tribe; and be it further

RESOLVED, that the Tribal Council authorizes the Tribal Chief and the United States of America to sign any additional documents, forms, or contracts directly related to the continuance, amendment, or extension of the attached Quitclaim Deed without further Council action.

CERTIFICATION

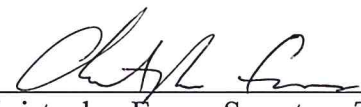
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:

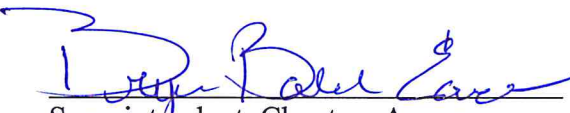


Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency

4-16-2020

Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-086(B)

A RESOLUTION TO APPROVE RIGHTS-OF-WAY AND TEMPORARY CONSTRUCTION
EASEMENTS IN FAVOR OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION
IN THE TUCKER COMMUNITY

WHEREAS, Section 1, Subsection (b) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to approve or disapprove any sale, disposition, lease or encumbrance of tribal lands, interests in land, tribal funds, or other tribal assets; and

WHEREAS, the Mississippi Department of Transportation (“MDOT”) requires rights-of-way and temporary construction easements for a road improvement project on Mississippi Highway 19 in the Tucker Community, over and across land which is owned by the United States of America in trust for the benefit of the Tribe and is more particularly described in the attached Permanent Easement and Temporary Easement; and

WHEREAS, MDOT is the lead agency responsible for preparing an Environmental Assessment to study the construction and operation of the proposed road improvement project pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. §§4321-43470); and

WHEREAS, the Tribal Council has determined it is in the best interest of the Tribe for the Bureau of Indian Affairs to grant rights-of-way for a perpetual term so long as the land described in the attached Permanent Easement is used as a public highway; and

WHEREAS, the Tribe will be compensated fair market value for land described in the attached Permanent Easement and Temporary Easement pursuant to 25 CFR §169.114; and

WHEREAS, the Tribal Council has determined that the attached Fair Market Value Offers are satisfactory to the Tribe and it is therefore in the best interest of the Tribe to waive valuation pursuant to 25 CFR §169.110; and

WHEREAS, the Tribal Council has determined that it is in the best interest of the Tribe to waive the requirement for bond pursuant to 25 CFR §169.103; and

WHEREAS, the Chairman of the Natural Resource Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council hereby consents to grant a Right-of-Way by the Bureau of Indian Affairs to MDOT for a road improvement project on Mississippi Highway 19 in the Tucker Community, over and across land which is owned by the United States of America in trust for the benefit of the Tribe and is more particularly described in the attached Permanent Easement; and be it further

RESOLVED, that the Tribal Council hereby requests that granting the Right-of-Way be for a perpetual term so long as the lands described in the attached Permanent Easement are used as a public highway; and be it further

RESOLVED, that the Tribal Council hereby waives valuation and the requirement for bond regarding the lands described on the attached Permanent Easement and Temporary Easement; and be it further

RESOLVED, that the Tribal Council hereby requests that the Bureau of Indian Affairs grant a temporary construction easement to MDOT for the land described in the attached Temporary Easement; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to sign any additional documents, forms, or contracts directly related to the continuance, amendment, or extension of these rights-of-way and temporary construction easement without further Council action.

CERTIFICATION


I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of April, 2020.

ATTEST:




Cyrus Ben, Tribal Chief




Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency



Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 20-087

A RESOLUTION APPROVING THE APPLICATION OF CHAHTA ENTERPRISE FOR A
LINE OF CREDIT FROM THE TRIBAL DEVELOPMENT LOAN FUND

WHEREAS, the Mississippi Band of Choctaw Indians d/b/a Chahta Enterprise (the "Enterprise") is a duly established Tribal enterprise operating under Ordinance 56; and

WHEREAS, the Enterprise has been affected by the emergency declared due to the COVID-19 pandemic; and

WHEREAS, the Enterprise Board of Directors has approved making a request to the Tribal Council for a line of credit from the Tribal Development Loan Fund ("TDLF") account in the amount of \$330,000 and has requested that the Tribal Council approve the request as required under Ordinance 56 §11(g)(2)(i); and

WHEREAS, the Chairman of the Economic Development Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council does hereby authorize a line of credit from the Tribal Development Loan Fund to Chahta Enterprise in an amount not to exceed \$330,000 to be repaid over a five (5) year period at an interest rate of 0%, with the ability of the borrower to be granted a five (5) year extension; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Finance Department to complete the necessary documents to make funds of up to \$330,000 from the TDLF available to Chahta Enterprise; and be it further

RESOLVED, that the Tribal Chief and the Secretary-Treasurer are hereby authorized to execute any documents, forms or contracts directly related to this authorized line of credit or the extension thereof without further Council action.

CERTIFICATION

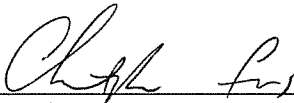
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 14th day of April, 2020; and that the foregoing Resolution was duly Adopted by a vote of 12 members in favor, 2 opposed and 1 abstaining.

Dated this 14th day of April, 2020.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer