

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

ORDINANCE NO. 81-A

AN ORDINANCE DELAYING IMPLEMENTATION OF THE NEWLY ENACTED
“CODE OF CONDUCT FOR ELECTED OFFICIALS”

WHEREAS, Section 1(m) 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 and enforce ordinances governing the conduct of tribal members; providing for the maintenance of law, order and the administration of justice; regulating wholesale, retail, commercial, or industrial activities on tribal lands; establishing a tribal court; and defining the powers and duties of that court; subject to the approval of the Secretary of the Interior where such approval is required by Federal law; and

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

WHEREAS, Elected Officials are elected to represent and act on behalf of the Tribal membership and the Mississippi Band of Choctaw Indians with integrity and in a professional and dignified manner; and

WHEREAS, all Elected Officials should adhere to the highest ethical standards and conduct themselves in a manner that enhances public trust; and

WHEREAS, all Elected Officials must avoid conduct that violates the public trust or that creates an appearance of impropriety; and

WHEREAS, on April 13, 2021, the Tribal Council established a new Title XXXVI in the Mississippi Band of Choctaw Indians’ Tribal Code which included Chapter One titled “Code of Conduct for Elected Officials”; and

WHEREAS, the Code of Conduct for Elected Officials was adopted by Ordinance No. 81 with an effective date of July 13, 2021, with certain other provisions outlined in the Ordinance becoming effective 90 days after July 13, 2021; and

WHEREAS, the Tribal Council has reviewed the matter and believes that the effective date of Ordinance No. 81 should be delayed until the Tribal Council’s Committee System Procedures can be revised to be consistent with the provisions of the Code of Conduct for Elected Officials outlined in Ordinance No. 81; now therefore be it

ENACTED, that the effective date of the Code of Conduct for Elected Officials enacted on April 13, 2021, under Ordinance No. 81 shall be delayed and the provision of said Ordinance shall not become effective on July 13, 2021; and be it further

ENACTED, that the provisions of Ordinance No. 81 that were to become effective on July 13, 2021, are delayed, and implementation of the provisions of Ordinance No. 81 will not become effective until August 31, 2021.

CERTIFICATION

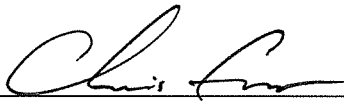
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Ordinance is duly Enacted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-096(B)

A RESOLUTION TO APPROVE AN INCREASE IN BLOOD DEGREE FOR A
PREVIOUSLY ENROLLED TRIBAL MEMBER

WHEREAS, Section 2 of Article III of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to pass ordinances, subject to the approval of the Secretary of the Interior, governing future membership, loss of membership, and the adoption of new members; provided that no person of less than one-half degree of Choctaw blood shall be admitted to membership in the Mississippi Band of Choctaw Indians; and

WHEREAS, on December 19, 1995, the Tribal Council enacted Ordinance No. 16-NN, which established procedures for tribal enrollment as Title XXII of the Choctaw Tribal Code (“Tribal Enrollment Code”); and

WHEREAS, the Tribal Council has amended the Tribal Enrollment Code through enactment of Ordinance Nos. 16-RRR and 16-JJJJ; and

WHEREAS, Section 22-2-8 of the Tribal Enrollment Code provides that MBCI tribal members may apply to increase their blood degree based on new or additional information about paternity or maternity; and

WHEREAS, the Tribal Enrollment Committee is recommending that the Tribal Council approve an increase in blood degree for one (1) MBCI tribal member as specified in the document attached hereto as Exhibit “A”; now therefore be it

RESOLVED, that the Tribal Council does hereby approve an increase in blood degree for one (1) MBCI tribal member as specified in the document attached hereto as Exhibit “A”.

CERTIFICATION

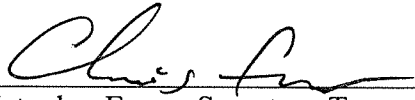
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-097(B)

A RESOLUTION TO ENROLL TRIBAL MEMBERS

WHEREAS, Section 2 of Article III of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to pass ordinances, subject to the approval of the Secretary of the Interior, governing future membership, loss of membership, and the adoption of new members; provided that no person of less than one-half degree of Choctaw blood shall be admitted to membership in the Mississippi Band of Choctaw Indians; and

WHEREAS, on December 19, 1995, the Tribal Council enacted Ordinance No. 16-NN, which established procedures for tribal enrollment as Title XXII of the Choctaw Tribal Code (“Tribal Enrollment Code”); and

WHEREAS, the Tribal Council has amended the Tribal Enrollment Code through enactment of Ordinance Nos. 16-RRR and 16-JJJJ; and

WHEREAS, Sections 22-2-10 and 22-2-14 of the Tribal Enrollment Code provide that new MBCI tribal members are to be enrolled by Tribal Council resolution upon a recommendation by the Tribal Enrollment Committee that those new members meet the membership criteria set forth in Article III of the Revised Constitution and Bylaws of the Tribe; and

WHEREAS, the Tribal Enrollment Committee is recommending that the Tribal Council enroll forty-one (41) new MBCI tribal members as specified in the document attached hereto as Exhibit “A”; and

WHEREAS, with the adoption of this resolution, there will be 11,032 enrolled members of MBCI; now therefore be it

RESOLVED, that the Tribal Council does hereby enroll the forty-one (41) persons specified in the document attached hereto as Exhibit “A”, beginning with the name R. Barojas and ending with K. Wishark; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Enrollment Officer to assign roll numbers to all forty-one (41) persons specified in the document attached hereto as Exhibit “A”.


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, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of

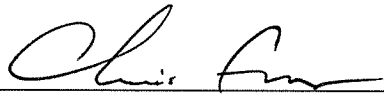
July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-098

A RESOLUTION CONFIRMING THE TRIBAL CHIEF AND SECRETARY-TREASURER
AND THE AUTHORITIES GRANTED TO EACH, REGARDING CASH AND
INVESTMENT ACCOUNTS

WHEREAS, financial institutions that have been approved as depositories of the Mississippi Band of Choctaw Indians require that the Tribe provide a Resolution stating that the Tribal Chief and the Secretary-Treasurer have the authority to not only sign signature cards but have the authority to execute any necessary documents to properly manage a bank or investment account; and

WHEREAS, the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians empowers the Tribal Chief to properly receive, deposit, disburse and account for all funds and the Secretary-Treasurer shall sign and approve all disbursements of Tribal funds; and

WHEREAS, the Secretary-Treasurer is elected by the Tribal Council following each regular election; now therefore be it

RESOLVED, that this Resolution confirms that the Tribal Chief is **Cyrus Ben** and the Secretary-Treasurer is **Christopher Eaves** and that by the power granted to them by the Tribal Constitution both, signing together, are authorized on behalf of the Mississippi Band of Choctaw Indians, to open/establish one or more accounts at any approved depository of the Tribe beginning July 13, 2021; and be it further

RESOLVED, that the Tribal Chief and Secretary-Treasurer have been empowered with the fullest authority to act on behalf of the Tribe when executing necessary documents relating to the management of Tribal investment account(s) at financial institutions; authority is also given to the Tribal Chief and Secretary-Treasurer to jointly instruct brokers/dealers to purchase, sell, possess, transfer, dispose and exchange any securities, in accordance with previously approved Tribal Council Resolutions, as they deem necessary; and be it further

RESOLVED, that in the event of a change in the office of powers of persons hereby empowered, a Resolution, in the same manner, shall be adopted by the Tribal Council to reflect the changes.

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, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-099

A RESOLUTION TO AUTHORIZE THE TRIBAL CHIEF AND SECRETARY-TREASURER TO INSTRUCT THE U.S. DEPARTMENT OF THE INTERIOR, OFFICE OF SPECIAL TRUSTEE (OST), TO DISBURSE FUNDS AND TO PROVIDE INVESTMENT INSTRUCTIONS TO THE TRIBE

WHEREAS, the Mississippi Band of Choctaw Indians operates in accordance with the Constitution and Bylaws, adopted by the Tribe, ratified and recognized by the Secretary of the Interior; and

WHEREAS, the Mississippi Band of Choctaw Indians desires that the federal government carry out fiduciary obligations in a prudent manner in order that the Tribe's business affairs be held confidential by the Office of Trust Funds Management ("OST"); and

WHEREAS, the Mississippi Band of Choctaw Indians has the need to receive timely and accurate responses to requests for financial information and/or draw downs from the Tribe's trust accounts maintained by OST; now therefore be it

RESOLVED, that the Tribal officials authorized to initiate financial transactions, obtain information or give investment instructions are as follows: the Tribal Chief, the Secretary-Treasurer and the Chief Financial Officer of the Tribe as listed on Exhibit "A" attached hereto; and be it further

RESOLVED, that the Tribal Council of the Mississippi Band of Choctaw Indians requests, through this Resolution, that the OST recognize any two (2) of the above referenced Tribal officials as authorized to act for the Tribe and that any requests submitted by them be deemed as valid; and be it further

RESOLVED, that the Tribal Council authorizes the Tribal Chief to provide specific written authorization for designated members of the Tribe's Office of Finance and Accounting to initiate financial transactions, obtain information or give investment instructions; and be it further

RESOLVED, that no trust funds may be withdrawn for use by the Tribe without the specific authorization of the Tribal Council.

CERTIFICATION

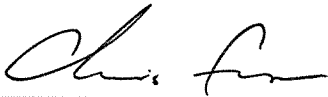
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-100

A RESOLUTION TO APPROVE APPOINTMENTS TO THE TRIBAL COUNCIL
COMMITTEES AND THEIR CHAIRS

WHEREAS, the Tribal Council by Resolution has adopted Committee System Procedures with identified standing committees; and

WHEREAS, the Tribal Council has determined a need to modify the list of standing committees due to the need to provide oversight in other areas; and

WHEREAS, the recent election in June 2021 now requires adjustments to the Tribal Council Committees and the appointment of members and Chairs to the committees; and

WHEREAS, the Budget & Finance Committee shall be chaired by the Secretary-Treasurer with the membership consisting of the remaining sixteen (16) Tribal Council members; and

WHEREAS, the Education Committee, the Housing Committee, and the Health Committee shall consist of eight (8) members, one member from each of the eight (8) Choctaw Communities; and

WHEREAS, the other eleven (11) Committees shall consist of seven (7) members; now therefore be it

RESOLVED, that the Tribal Council does hereby approve the following Tribal Council Committees with the total number of members per Committee and Committee Chairpersons:

Committee

Budget & Finance (17 Members)
Children and Youth (7 Members)
Community and Family Services & Veteran Affairs (7 Members)
Congressional & Governmental Affairs (7 Members)
Culture (7 Members)
Economic Development (7 Members)
Education (8 Members)
Health (8 Members)
Housing (8 Members)
Human Resources, Training & Development (7 Members)
Judicial Affairs and Law & Order (7 Members)
Lobbyist, Public Relations & Politics (7 Members)
Natural Resources (7 Members)
Public Works, Fire & Construction (7 Members)
Recreation (7 Members)

Chairperson

Christopher Eaves
Kent Wesley
Richard Isaac
Michael Briscoe
Hilda Nickey
Kendall Wallace
Deborah Martin
Demando Mingo
Loriann Ahshapanek
Angela Hundley
Richard Sockey
Sharon Johnson
Gregory Shoemake
Wilma McMillan
Timothy Thomas, Sr.

And be it further

RESOLVED, that the Tribal Council does hereby appoint Tribal Council members to the above committees as attached.

CERTIFICATION

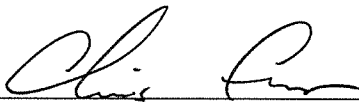
I, the undersigned as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-101

A RESOLUTION TO APPROVE AN AFFILIATION AGREEMENT FOR CLINICAL EXPERIENCE BETWEEN DELTA STATE UNIVERSITY AND THE MISSISSIPPI BAND OF CHOCTAW INDIANS

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, Delta State University's ("DSU") Division of Family and Consumer Sciences, Coordinated Program in Dietetics, and MBCI desires to enter into Memorandum of Agreement ("MOU") for DSU dietetic interns to gain experience and education through the Department of Family and Community Services' ("DFCS") Food Distribution Program, Choctaw Tribal Schools' ("CTS") Nutrition Department, and Department of Early Childhood Education Nutrition ("DOECE") Program; and

WHEREAS, there will be no costs associated with this affiliation agreement; and

WHEREAS, this internship program will be beneficial to the programs aforementioned; and

WHEREAS, the Chairman of the Community & Family Services and Veterans Affairs 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 the Tribal Chief or his designee, to execute the attached Memorandum of Agreement, in substantially the same form, to establish an affiliation with DSU to provide dietetic interns for MBCI; 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 continuance, amendment, extension or termination of this MOU without further Council action.

CERTIFICATION

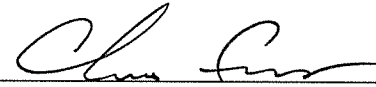
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-102(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, MBCI tribal member Gary Williamson has requested that Central Electric Power Association install a power line servicing his portable shed in the Conehatta Community, over and across land which is held by the United States of America in trust for the benefit of the Tribe and is more particularly described in the Right of Way Application attached hereto as Exhibit “A”; and; and

WHEREAS, the Tribal Council has determined it is in the best interest of the Tribe for the Bureau of Indian Affairs to grant a right-of-way of perpetual duration in favor of Central Electric Power Association over and across the above-described land; and

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

WHEREAS, the Tribal Council has determined that the negotiated compensation of zero dollars (\$0.00) is satisfactory to the Tribe and it is therefore in the best interest of the Tribe to waive valuation pursuant to 25 C.F.R. § 169.110(a); 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 C.F.R. § 169.103 since the service is being installed at the request and for the benefit of a MBCI tribal member; and

WHEREAS, the Chairman of the Natural Resources 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 authorizes and consents to a Grant of Right-of-Way by the Bureau of Indian Affairs in favor of Central Electric Power Association, over and across land which is held by the United States of America in trust for the benefit of the Tribe and is more particularly described in the Right-of-Way Application attached hereto as Exhibit “A”; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Bureau of Indian Affairs to grant the right-of-way over and across the above-described land for a perpetual duration; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Bureau of Indian Affairs to waive valuation and the requirement for bond in relation to the right-of-way over and across the above-described land; 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 establishment of electric service to MBCI tribal member Gary Williamson's portable shed in the Conehatta Community and the continuance, amendment, or extension of the right-of-way over and across the above-described land without further Council action.

CERTIFICATION

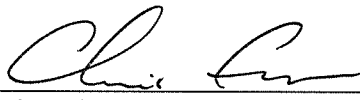
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:

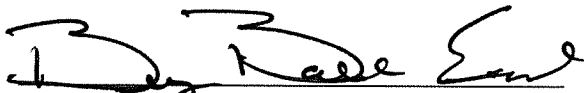


Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency

7/16/2021

Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-103(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, MBCI tribal member Marguerita McMillan has requested that Central Electric Power Association install a power line servicing her portable shed in the Tucker Community, over and across land which is held by the United States of America in trust for the Tribe and is more particularly described in the Right of Way Application attached hereto as Exhibit “A”; and

WHEREAS, the Tribal Council has determined it is in the best interest of the Tribe for the Bureau of Indian Affairs to grant a right-of-way of perpetual duration in favor of Central Electric Power Association over and across the above-described land; and

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

WHEREAS, the Tribal Council has determined that the negotiated compensation of zero dollars (\$0.00) is satisfactory to the Tribe and it is therefore in the best interest of the Tribe to waive valuation pursuant to 25 C.F.R. § 169.110(a); 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 C.F.R. § 169.103 since the service is being installed at the request and for the benefit of a MBCI tribal member; and

WHEREAS, the Chairman of the Natural Resources 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 authorizes and consents to a Grant of Right-of-Way by the Bureau of Indian Affairs in favor of Central Electric Power Association, over and across land which is held by the United States of America in trust for the Tribe and is more particularly described in the Right-of-Way Application attached hereto as Exhibit “A”; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Bureau of Indian Affairs to grant the right-of-way over and across the above-described land for a perpetual duration; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Bureau of Indian Affairs to waive valuation and the requirement for bond in relation to the right-of-way over and across the above-described land; 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 establishment of electric service to MBCI tribal member Marguerita McMillan's portable shed in the Tucker Community and the continuance, amendment, or extension of the right-of-way over and across the above-described land 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, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:

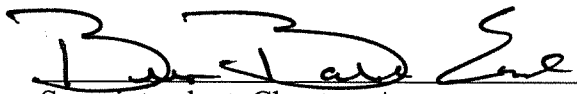


Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency

7-16-2021

Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-104(B)

A RESOLUTION TO APPROVE A RIGHT-OF-WAY IN FAVOR OF CENTRAL ELECTRIC POWER ASSOCIATION 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, MBCI Tribal member Page Mingo has requested that Central Electric Power Association install a security light on her lease site in the Pearl River Community by crossing land which is held by the United States of America in trust for the Tribe and is more particularly described in the Right of Way Application attached hereto as Exhibit “A”; and

WHEREAS, the Tribal Council has determined it is in the best interest of the Tribe for the Bureau of Indian Affairs to grant a right-of-way of perpetual duration in favor of Central Electric Power Association over and across the above-described land; and

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

WHEREAS, the Tribal Council has determined that the negotiated compensation of zero dollars (\$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(a); 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 a MBCI Tribal member; and

WHEREAS, the Chairman of the Natural Resources 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 authorizes and consents to grant a Right-of-Way by the Bureau of Indian Affairs in favor of Central Electric Power Association, over and across land which is held by the United States of America in trust for the Tribe and is more particularly described in the Right-of-Way Application attached hereto as Exhibit “A”; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Bureau of Indian Affairs to grant the right-of-way over and across the above-described land for a perpetual duration; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Bureau of Indian Affairs to waive valuation and the requirement for bond in relation to the right-of-way over and across the above-described land; 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 installation of a security light on MBCI Tribal

member Page Mingo's lease site in the Pearl River Community and the continuance, amendment, or extension of the right-of-way over and across the above-referenced land without further Council action.

CERTIFICATION

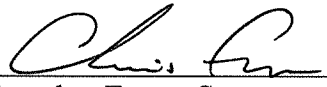
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency

7-16-2021

Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-105(B)

A RESOLUTION TO DESIGNATE A SITE IN THE CRYSTAL RIDGE COMMUNITY FOR DEVELOPMENT, MAINTENANCE AND ADMINISTRATION OF A SINGLE-FAMILY HOUSING UNIT BY CHOCTAW HOUSING AUTHORITY

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, on June 11, 1965, the Tribal Council adopted Ordinance No. 1, which established a charter for Choctaw Housing Authority; and

WHEREAS, the Tribal Council has amended Choctaw Housing Authority’s charter through enactment of Ordinance No. 1-A and 16-DDD and through adoption of Resolutions CHO 25-77 and CHO 187-93; and

WHEREAS, on January 29, 2000, the Tribal Council adopted Resolution 00-072, which designated Choctaw Housing Authority as the Tribe’s Tribally-Designated Housing Entity; and

WHEREAS, the Tribal Council has the authority to dedicate tribal lands for public use without the need for Bureau of Indian Affairs approval since such dedications are not considered leases for the purposes of federal laws and regulations which govern leases of tribal lands; and

WHEREAS, development, maintenance, and administration of housing units by Choctaw Housing Authority is a public use for which tribal lands can be dedicated; and

WHEREAS, Choctaw Housing Authority has identified a site for a single-family housing unit in the Crystal Ridge Community on Tribal lands which are more particularly shown and described on the survey plat attached hereto as Exhibit “A”; and

WHEREAS, the Chairman of the Natural Resources 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 designate the tribal lands shown and described on the survey plat attached hereto as Exhibit “A” for development, maintenance, and administration of a single-family housing unit by Choctaw Housing Authority; 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 development, maintenance, and administration of a single-family housing unit on the above-referenced Tribal lands by Choctaw Housing Authority 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, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:

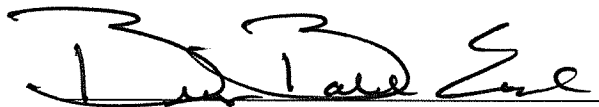


Cyrus Ben, Tribal Chief

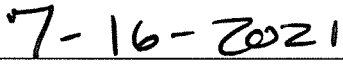


Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency



Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-106(B)

A RESOLUTION TO DESIGNATE A SITE IN THE TUCKER COMMUNITY FOR DEVELOPMENT, MAINTENANCE AND ADMINISTRATION OF A SINGLE-FAMILY HOUSING UNIT BY CHOCTAW HOUSING AUTHORITY

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, on June 11, 1965, the Tribal Council adopted Ordinance No. 1, which established a charter for Choctaw Housing Authority; and

WHEREAS, the Tribal Council has amended Choctaw Housing Authority’s charter through enactment of Ordinance Nos. 1-A and 16-DDD and through adoption of Resolutions CHO 25-77 and CHO 187-93; and

WHEREAS, on January 29, 2000, the Tribal Council adopted Resolution 00-072, which designated Choctaw Housing Authority as the Tribe’s Tribally-Designated Housing Entity; and

WHEREAS, the Tribal Council has the authority to dedicate tribal lands to a public use without the need for Bureau of Indian Affairs approval since such dedications are not considered leases for the purposes of federal laws and regulations which govern leases of tribal lands; and

WHEREAS, development, maintenance, and administration of housing units by Choctaw Housing Authority is a public use for which tribal lands can be dedicated; and

WHEREAS, Choctaw Housing Authority has identified a site for a single-family housing unit in the Tucker Community on tribal lands which are more particularly shown and described on the survey plat attached hereto as Exhibit “A”; and

WHEREAS, the Chairman of the Natural Resources 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 designate the tribal lands shown and described on the survey plat attached hereto as Exhibit “A” for development, maintenance, and administration of a single-family housing unit by Choctaw Housing Authority; 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 development, maintenance, and administration of a single-family housing unit on the above-referenced tribal lands by Choctaw Housing Authority without further Council action.

CERTIFICATION

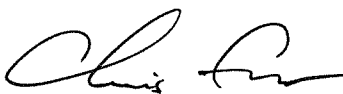
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:

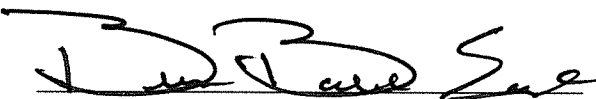


Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency

7-16-2021

Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-107

A RESOLUTION TO APPROVE A FOREST CARBON AGREEMENT WITH THE INDIAN
LAND TENURE FOUNDATION

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, on May 28, 1987, the Tribal Council adopted Resolution CHO 102-86, which authorized a self-determination contract with the Bureau of Indian Affairs to fund operation of MBCI's Forestry Program; and

WHEREAS, on October 10, 1989, the Tribal Council adopted Resolution CHO 134-89, which approved a Multi-Resource Management Plan, including a plan for the management of timber resources by MBCI's Forestry Program; and

WHEREAS, the Tribal Council comprehensively revised the aforementioned Multi-Resource Management Plan through adoption of Resolution CHO 13-046(B); and

WHEREAS, timber resources which are managed by MBCI's Forestry Program in accordance with the aforementioned Multi-Resource Management Plan can be used to generate additional revenue by forming the basis of carbon credit offsets; and

WHEREAS, under the Forest Carbon Agreement ("Agreement") attached hereto as Exhibit "A", the Indian Land Tenure Foundation would collaborate with MBCI's Forestry Program to develop and sell carbon credit offsets generated by registering approximately twenty-seven thousand (27,000) acres of MBCI tribal lands as an Improved Forest Management project; and

WHEREAS, the MBCI tribal lands which are identified to generate carbon credit offsets will be formally set aside by the Tribal Council in a future resolution; and

WHEREAS, the Chairman of the Natural Resources 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 Agreement in all respects; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to sign the Forest Carbon Agreement attached hereto as Exhibit "A"; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to sign additional documents, forms, or contracts directly related to the continuance, amendment, extension, or

termination of the Forest Carbon Agreement attached hereto as Exhibit "A" 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, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-108

A RESOLUTION TO APPROVE A COMMERCIAL LEASE BETWEEN THE MISSISSIPPI BAND OF CHOCTAW INDIANS D/B/A CHOCTAW SHOPPING CENTER ENTERPRISE AND TULANE UNIVERSITY-WEAVING HEALTHY FAMILIES PROGRAM

WHEREAS, Tribal Ordinance 56 is the law governing Tribal Enterprises that are established under the Business Enterprise Division of the Tribal Government Executive Branch of the Mississippi Band of Choctaw Indians (“MBCI” or “Tribe”); and

WHEREAS, Choctaw Shopping Center Enterprise (“CSCE” or “Enterprise”) is a duly established Ordinance 56 Enterprise under the Business Enterprise Division of the Tribal Government Executive Branch, having been an on-going business concern when Ordinance 56 was adopted on November 20, 1997; and

WHEREAS, the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians, Article VIII, Sec. 1(i) empowers the Tribal Council to make and revoke assignments of tribal lands under Ordinance No. 16-RRRR which authorizes and sets forth the process for approval of commercial leases in existing tribal facilities; and

WHEREAS, there is a need to execute the proposed Commercial Lease with Tulane University-Weaving Healthy Families Program (“Lessee”) as authorized by Ordinance No. 16-RRRR, which is attached hereto as Exhibit “A,” that will authorize the lessee to operate its Weaving Healthy Families program in a facility located in the Choctaw Techparc in the Pearl River Community; and

WHEREAS, the Board of the Choctaw Shopping Center Enterprise 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 of the Mississippi Band of Choctaw Indians does hereby authorize the execution of the Commercial Lease with Tulane University-Weaving Healthy Families Program and authorizes the Chairman of the Board and the Secretary-Treasurer to execute the Commercial Lease in substantially the same form as is attached hereto.

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, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-109

A RESOLUTION TO AUTHORIZE AN EXTENSION OF THE MATURITY DATE OF THE AMENDED AND RESTATED CREDIT AGREEMENT DATED AS OF SEPTEMBER 1, 2016 (“2016 CREDIT AGREEMENT”) BY AND AMONG THE MISSISSIPPI BAND OF CHOCTAW INDIANS D/B/A CHOCTAW RESORT DEVELOPMENT ENTERPRISE (“BORROWER” OR “ENTERPRISE”), THE MISSISSIPPI BAND OF CHOCTAW INDIANS (“TRIBE”), THE FINANCIAL INSTITUTIONS PARTY THERETO FROM TIME TO TIME (“LENDERS”) AND TRUSTMARK NATIONAL BANK, AS ADMINISTRATIVE AGENT (“ADMINISTRATIVE AGENT”)

WHEREAS, the Mississippi Band of Choctaw Indians d/b/a Choctaw Resort Development Enterprise (“Enterprise”), the Mississippi Band of Choctaw Indians (“Tribe”), the lenders referred to therein, and Trustmark National Bank (“Trustmark Bank”), as Administrative Agent entered into the 2016 Credit Agreement as authorized under Resolution CRDE 16-008 (July 6, 2016) and Resolution CHO 16-070 (July 12, 2016); and

WHEREAS, pursuant to Resolution CRDE 21-003 (October 28, 2020) and Resolution CHO 21-017 (November 24, 2020) the Enterprise Board and the Tribal Council approved a First Amendment to the 2016 Credit Agreement which amended certain covenants and waived certain requirements to take into account the required closure of the Enterprise’s gaming and related business due to the Covid -19 Pandemic to allow the Enterprise to resume making distributions to the Tribe upon achievement of the amended covenants under the First Amendment; and

WHEREAS, the 2016 Credit Agreement matures on September 1, 2021; and

WHEREAS, the Enterprise Board has approved the engagement of KeyBank National Association to be the lead arranger for the refinancing of the debt under the 2016 Credit Agreement; and

WHEREAS, it is anticipated that due to National Indian Gaming Commission (“NIGC”) required review of the new credit facility documents and issuance of a declination letter that the new credit facility documents are not management agreements requiring NIGC approval (“NIGC Declination Letter”), that the new credit facility cannot be closed by the September 1, 2021 maturity date of the 2016 Credit Agreement; and

WHEREAS, the Enterprise Board and management have determined it to be in the best interest of the Enterprise and Tribe and recommends to the Tribal Council approval of the extension of the maturity date to November 30, 2021 of the 2016 Credit Agreement and authorization for the Enterprise Chairman of the Board and Tribal Chief to negotiate the documentation necessary for the extension of the maturity date of the 2016 Credit Agreement to November 30, 2021 and to authorize the execution thereof by the appropriate representatives of the Tribe and the Enterprise; and

WHEREAS, the Budget and Finance 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 has concluded that it is in the best interest of the Tribe, the Tribe's members and the Enterprise and approves the extension of the maturity date under the 2016 Credit Agreement to November 30, 2021; and be it further

RESOLVED, that the Tribal Chief and Enterprise Chairman of the Board are authorized to negotiate on behalf of the Tribe and the Enterprise the documentation necessary for the extension of the maturity date of the 2016 Credit Agreement to November 30, 2021 on such terms as they deem appropriate including the payment of a fee for the extension (the "Amendment Documents"), the execution of the Amendment Documents by the Tribal Chief and Enterprise Chairman of the Board being conclusive evidence of the approval thereof; and be it further

RESOLVED, that the Tribal Chief and the Secretary/Treasurer of the Tribe in the name and on behalf of the Tribe (the "Tribe Authorized Representatives") and the Tribal Chief, as Chairman of the Board of the Enterprise and Secretary/Treasurer of the Enterprise (collectively, the "Enterprise Authorized Representatives" and collectively, with the Tribe Authorized Representatives the "Authorized Representatives"), are authorized and directed hereby and by the Mississippi Band of Choctaw Indians' Ordinance No. 56, Section 11, to execute the Amendment Document as finally approved by the Tribal Chief, Enterprise Chairman of the Board, the Lenders, and legal counsel to accomplish the extension of the maturity date of the 2016 Credit Agreement to November 30, 2021, and perform such further acts and deeds as may be necessary or appropriate to consummate and effectuate the Amendment Documents; and be it further


RESOLVED, that the Chairman of the Board of the Enterprise is authorized to appoint such other officers or representatives of the Enterprise as deemed appropriate to take the actions necessary or desirable in carrying out the transactions contemplated in the Amendment Documents and the intent and purposes described therein.

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, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-110

A RESOLUTION TO AUTHORIZE AN APPLICATION FOR AN EMERGENCY GRANT
FOR NATIVE AMERICAN LANGUAGE PRESERVATION AND MAINTENANCE

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, Section 11004 of the American Rescue Plan ("ARP") Act appropriates \$20 million to the U.S. Department of Health and Human Services for the purpose of awarding Emergency Grants for Native American Language Preservation and Maintenance which are intended to ensure the survival and continuing vitality of Native American languages during and after the federal public health emergency declared in response to the COVID-19 pandemic; and

WHEREAS, there exists a need for additional funding to support MBCI's Choctaw Language Program in its effort to promote Choctaw language literacy through the development of text-based language learning resources; and

WHEREAS, this proposed funding opportunity does not require a contribution of matching funds; and

WHEREAS, the Chairman of the Culture 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 the Tribal Chief or his designee to apply for an Emergency Grant for Native American Language Preservation and Maintenance, provided that the 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 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 is exempt from making certification regarding or from filing Standard Form-LLL regarding lobbying per 31 U.S.C. § 1352, 2 U.S.C. § 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 sign additional documents, forms, or contracts directly related to the awarding of, continuance, amendment, or extension of the proposed Emergency Grant for Native American Language Preservation and Maintenance without further Council action.

CERTIFICATION

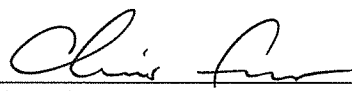
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-111

A RESOLUTION DESIGNATING AN APPLICANT AGENT FOR THE PURPOSE OF RECEIVING FEDERAL EMERGENCY FUNDING MADE AVAILABLE UNDER MAJOR DECLARATION FEMA-4598-DR-MS

WHEREAS, Section 1, Subsection (q) 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 do such acts of a governmental and public nature as are not prohibited by applicable laws or by the Revised Constitution and Bylaws of the Tribe; and

WHEREAS, on July 25, 2008, the Tribal Council enacted Ordinance No. 50-A, which established the Choctaw Department of Homeland Security and Emergency Management; and

WHEREAS, on May 4, 2021, the President approved Major Declaration FEMA-4598-DR-MS, which makes federal emergency funding available for the repair and replacement of facilities damaged by the severe winter storms which impacted the State of Mississippi from February 11, 2021 until February 19, 2021; and

WHEREAS, a Tribal Council resolution designating an applicant agent is required for MBCI to receive federal emergency funding made available under a federal disaster declaration; and

WHEREAS, the Chairman of the Public Works, Fire & 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 Tribal Council does hereby designate Chris Simpson, Deputy Coordinator of the Choctaw Homeland Security and Emergency Management Agency, as MBCI’s Applicant Agent for the purpose of receiving federal emergency funding made available under Major Declaration FEMA-4598-DR-MS; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief and Chris Simpson as MBCI’s Applicant Agent to sign any documents, forms, or contracts necessary for MBCI to receive federal emergency funding made available under Major Declaration FEMA-4598-DR-MS without further Council action.

CERTIFICATION

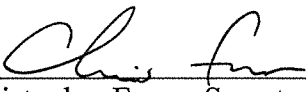
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-112

A RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH
MAXXSOUTH, TO AUTHORIZE APPLICATIONS FOR GRANTS TO FUND
BROADBAND EXPANSION, AND TO AUTHORIZE A PETITION FOR DESIGNATION AS
AN ELIGIBLE TELECOMMUNICATIONS CARRIER

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, on January 21, 2021, the Tribal Council adopted Resolution CHO 21-062, which approved a ten (10) year franchise agreement with BCI Mississippi Broadband, LLC d/b/a MaxxSouth Broadband ("MaxxSouth") to construct, operate, and maintain cable service in MBCI's Bogue Chitto, Pearl River, Red Water, and Tucker communities; and

WHEREAS, Section 905 of the Consolidated Appropriations Act, 2021 appropriates \$1 billion to the U.S. Department of Commerce for the purpose of administering a Tribal Broadband Connectivity Grant program to fund expansion of broadband service by tribal governments; and

WHEREAS, MaxxSouth has existing facilities capable of providing high-speed broadband service to approximately 67% of households in MBCI's Bogue Chitto, Conehatta, Pearl River, Red Water, Standing Pine, and Tucker communities; and

WHEREAS, the Tribe may be eligible for grant funding which could be applied to the cost of expanding MaxxSouth's facilities to provide the remaining 33% of households in the above referenced communities with high-speed broadband service; and

WHEREAS, MaxxSouth is not authorized to provide subsidized high-speed broadband service to low-income households under the "Lifeline" program administered by the Federal Communications Commission ("FCC") because it is not a designated Eligible Telecommunications Carrier ("ETC"); and

WHEREAS, the Tribe may be eligible for designation as an ETC authorized to sell subsidized high-speed broadband service to low-income households under FCC's "Lifeline" program; and

WHEREAS, the Memorandum of Understanding attached hereto as Exhibit "A" establishes the scope of a future deal which would allow the Tribe as a designated ETC to sell MaxxSouth's high-speed broadband service to low-income households that qualify under FCC's "Lifeline" program; and

WHEREAS, the deal proposed by the Memorandum of Understanding attached hereto as Exhibit "A" would also give the Tribe partial ownership of newly built MaxxSouth facilities and partial

access to existing MaxxSouth facilities for the purpose of expanding MBCI's tribal government networks; and

WHEREAS, the Chairman of the Public Works, Fire & 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 Tribal Council does hereby authorize the Tribal Chief to sign the Memorandum of Understanding with MaxxSouth attached hereto as Exhibit "A"; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to apply for grant funding which can be applied to the cost of expanding high-speed broadband service on MBCI tribal lands; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to petition FCC for designation as a ETC authorized to sell high-speed broadband service to low-income households that qualify under FCC's "Lifeline" program; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to sign additional documents, forms, or contracts directly related to the awarding of, continuance, amendment or extension of both the proposed grant funding and the proposed ETC designation 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, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-113(B)

A RESOLUTION TO DESIGNATE A CEMETERY SITE IN HENNING, TENNESSEE

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, there exists a need for a cemetery on tribal lands in Henning, Tennessee; and

WHEREAS, the site which has been identified to serve as a cemetery for the Henning Community is located on tribal lands which are more particularly described as follows:

BEGINNING at a point and said point being 233.39 feet North and 442.83 feet East of a point in the North ROW of Highway 87 being 30 feet North of the centerline of said road at the intersection of a creek; From the **POINT OF BEGINNING**; Thence N 24° 39’ 51” E 91.19 feet to a point; Thence N 01° 21’ 09” W 405.94 feet to a point; Thence Northerly 131.35 feet along a curve to the right having a radius of 816.05 feet, a chord bearing of N 04° 03’ 06” E, and a chord length of 131.20 feet to a point; Thence N 08° 15’ 42” E 25.02 feet to a point; Thence Northeasterly 126.27 feet along a curve to the right having a radius of 205.00 feet, a chord bearing of N 25° 45’ 46” E, and a chord length of 124.28 feet to a point; Thence N 47° 15’ 56” E 107.40 feet to a point; Thence East 208.46 feet to a point; Thence North 210.00 feet to a point; Thence West 260.00 feet to a point; Thence South 203.16 feet to a point; Thence S 47° 15’ 56” W 75.47 feet to a point; Thence Southwesterly 152.26 feet along a curve to the left having a radius of 245.00 feet, a chord bearing of S 25° 56’ 01” W, and a chord length of 149.82 feet to a point; Thence S 08° 15’ 42” W 24.98 feet to a point; Thence Southerly 138.06 feet along a curve to the left having a radius of 854.25 feet, a chord bearing of S 04° 01’ 21” W, and a chord length of 137.91 feet to a point; Thence S 01° 21’ 09” E 487.90 feet to the **POINT OF BEGINNING**, of the herein described tract of land containing 2.018 acres, more or less.

And,

WHEREAS, the Chairman of the Public Works, Fire & 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 Tribal Council hereby designates the above-described tribal lands to serve as a cemetery for the Henning Community; 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 creation of a cemetery for the Henning Community on the above-described tribal lands.

CERTIFICATION

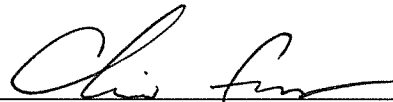
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:




Cyrus Ben, Tribal Chief

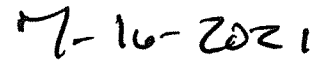


Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency



Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-114

A RESOLUTION TO AMEND THE REVISED ADMINISTRATIVE PERSONNEL POLICY
& PROCEDURES TO RECOGNIZE THE JUNETEENTH NATIONAL INDEPENDENCE
DAY ACT

WHEREAS, the *Administrative Personnel Policy & Procedures* of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) were originally adopted by the Tribal Council through Resolution CHO 72-81 on February 25, 1981, and have been amended numerous times since; and

WHEREAS, the *Administrative Personnel Policy & Procedures* define the observance of holidays listed in Section XII. A.; and

WHEREAS, on Thursday, June, 17, 2021, the “JUNETEENTH NATIONAL INDEPENDENCE DAY ACT”, U.S. Senate Bill 475, was signed into law, which designated Juneteenth National Independence Day (June 19) as a legal public federal holiday; and

WHEREAS, in light of the enactment of this new federal public holiday, the Tribe has determined to formalize its recognition of this holiday with the closure of non-essential tribal government offices and programs beginning in 2022; and

WHEREAS, the *Administrative Personnel Policy & Procedures* should be amended to recognize Juneteenth National Independence Day; and

WHEREAS, it is recommended that an amendment to Section XII. A. be adopted to include observance of Juneteenth National Independence Day; and

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

RESOLVED the Tribal Council does hereby amend the *Administrative Personnel Policy & Procedures* at Section XII. A. “Holidays” by adding “Juneteenth National Independence Day (June 19)” as a holiday to be observed by non-essential tribal government offices and programs of the Tribe beginning in 2022.

CERTIFICATION

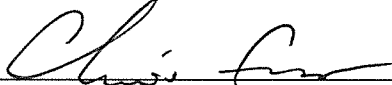
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 13th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 13th day of July, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-100

A RESOLUTION TO APPROVE APPOINTMENTS TO THE TRIBAL COUNCIL
COMMITTEES AND THEIR CHAIRS

WHEREAS, the Tribal Council by Resolution has adopted Committee System Procedures with identified standing committees; and

WHEREAS, the Tribal Council has determined a need to modify the list of standing committees due to the need to provide oversight in other areas; and

WHEREAS, the recent election in June 2021 now requires adjustments to the Tribal Council Committees and the appointment of members and Chairs to the committees; and

WHEREAS, the Budget & Finance Committee shall be chaired by the Secretary-Treasurer with the membership consisting of the remaining sixteen (16) Tribal Council members; and

WHEREAS, the Education Committee, the Housing Committee, and the Health Committee shall consist of eight (8) members, one member from each of the eight (8) Choctaw Communities; now therefore be it

RESOLVED, that the Tribal Council does hereby approve the following Tribal Council Committees with the total number of members per Committee and Committee Chairpersons:

Committee

Budget & Finance (17 Members)
Children and Youth (7 Members)
Community and Family Services & Veteran Affairs (7 Members)
Congressional & Governmental Affairs (9 Members)
Culture (7 Members)
Economic Development (8 Members)
Education (8 Members)
Health (8 Members)
Housing (8 Members)
Human Resources, Training & Development (7 Members)
Judicial Affairs and Law & Order (7 Members)
Lobbyist, Public Relations & Politics (7 Members)
Natural Resources (7 Members)
Public Works, Fire & Construction (8 Members)
Recreation (8 Members)

Chairperson

Christopher Eaves
Kent Wesley
Richard Isaac
Michael Briscoe
Hilda Nickey
Kendall Wallace
Deborah Martin
Demando Mingo
Loriann Ahshapanek
Angela Hundley
Richard Sockey
Sharon Johnson
Gregory Shoemake
Wilma McMillan
Timothy Thomas, Sr.

And be it further

RESOLVED, that the Tribal Council does hereby appoint Tribal Council members to the above committees as attached.

CERTIFICATION

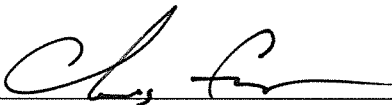
I, the undersigned as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 27th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 27th day of July, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-115

A RESOLUTION CONFIRMING THE APPOINTMENTS OF THE BOARD OF DIRECTORS OF CHOCTAW AMERICAN INSURANCE, INC.

WHEREAS, the Mississippi Band of Choctaw Indians is a federally recognized Indian tribe organized pursuant to the Indian Reorganization Act of 1934 (25 U.S.C. §476); and

WHEREAS, the Assistant Secretary of Indian Affairs, David W. Anderson, approved the charter of the Choctaw American Insurance, Inc. on September 28, 2004; and

WHEREAS, the original Board of Directors for the Corporation was duly appointed by Resolution CHO 05-006 on November 15, 2004 and have not been renewed since that time; and

WHEREAS, the Tribal Council would like to diversify its revenue generating ability by creating new opportunities and utilizing the Section 17 Corporation as a vessel of this diversification; and

WHEREAS, Chief Cyrus Ben and Secretary-Treasurer Christopher Eaves proposed the following Board of Directors to carry on the business of Choctaw American Insurance, Inc.:

<u>Name</u>	<u>Initial Term</u>	<u>Term Expires</u>
Chief Cyrus Ben	Duration of Term as Chief	End of Chief Term
Christopher Eaves	Duration of Term of Secretary-Treasurer	End of Secretary-Treasurer Term
Roddy Nickey	July 27, 2021 for Four (4) Years	July 27, 2025
Sandy Balderas	July 27, 2021 for Four (4) Years	July 27, 2025
Nikki Comby	July 27, 2021 for Two (2) Years	July 27, 2023

And,

WHEREAS, the proposed Board of Directors meet all the qualifications as outlined in Article XI (F) of the Federal Charter of Choctaw American Insurance, Inc.; 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 above and foregoing appointments for the Board of Directors of Choctaw American Insurance, Inc. are hereby approved upon passage of this Resolution and shall serve until their term expires or until a successor has been duly nominated and confirmed by the Tribal Council.

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 27th day of July, 2021; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 27th day of July, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer