

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-094

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 (OST) Office of Trust Funds Management; 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

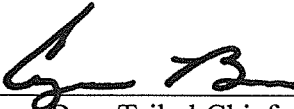
RESOLVED, that no trust funds may be withdrawn for use by the Tribe without the specific authorization of the Tribal Council.

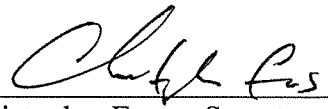
CERTIFICATION

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, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 9<sup>th</sup> day of July, 2019; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 9<sup>th</sup> day of July, 2019.

ATTEST:

  
\_\_\_\_\_  
Cyrus Ben, Tribal Chief

  
\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-095

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 Constitution 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 council representatives following each regular election; now therefore be it

RESOLVED, that this Resolution confirms that the Tribal Chief is **Cyrus Ben** and the Tribal 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 9, 2019; 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.

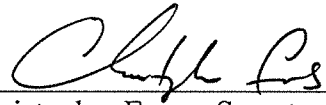
CERTIFICATION

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Dated this 9<sup>th</sup> day of July, 2019.

ATTEST:

  
Cyrus Ben, Tribal Chief

  
Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-096(B)

A RESOLUTION TO APPROVE TRIBAL ENROLLMENTS

WHEREAS, in accordance with Title XXII of the Tribal Code, enacted through Tribal Ordinance No. 16-RRR, enacted 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 11,051 enrolled Tribal members; now therefore be it

RESOLVED, that the Tribal Council does hereby enroll the attached list of 44 persons beginning with the name of [REDACTED] and ending with [REDACTED] 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, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 9<sup>th</sup> day of July, 2019; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 9<sup>th</sup> day of July, 2019.

ATTEST:

  
\_\_\_\_\_  
Cyrus Ben, Tribal Chief

  
\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-097(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, enacted 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 eleven (11) Tribal members has been recommended for approval by the Tribal Enrollment Committee; now therefore be it

RESOLVED, that the Tribal Council does hereby approve the attached increase in blood degree and/or name change for eleven (11) 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, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 9<sup>th</sup> day of July, 2019; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 9<sup>th</sup> day of July, 2019.

ATTEST:

  
\_\_\_\_\_  
Cyrus Ben, Tribal Chief

  
\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-098(B)

A RESOLUTION TO APPROVE BLOOD DECREASE FOR PREVIOUSLY ENROLLED  
TRIBAL MEMBERS

WHEREAS, in accordance with Title XXII of the Tribal Code, enacted through Tribal Ordinance No. 16-RRR, enacted 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 for any member based upon additional knowledge; and

WHEREAS, a decrease in blood degree for two (2) tribal members has been recommended for approval by the Tribal Enrollment Committee; now therefore be it

RESOLVED, that the Tribal Council does hereby approve the attached decrease in blood degree for tribal member [REDACTED] (DOB: [REDACTED]) and [REDACTED] (DOB: [REDACTED]).


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 9<sup>th</sup> day of July, 2019; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 9<sup>th</sup> day of July, 2019.

ATTEST:

  
\_\_\_\_\_  
Cyrus Ben, Tribal Chief

  
\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-099

A RESOLUTION TO APPROVE A PRO-TEM JUSTICE IN THE EVENT CHIEF JUSTICE BRISCOE RECUSES HIMSELF IN THE CASE: *BERDIE STEVE* vs. *TRIBAL ELECTION COMMITTEE*, (“TEC”) SC 2019-04, CURRENTLY BEFORE THE MISSISSIPPI BAND OF CHOTAW INDIANS SUPREME COURT

WHEREAS, Section 1, Subsection (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 “enforce ordinances governing the conduct of tribal members; providing for the maintenance of law, order, and the administration of justice . . . establishing a tribal court; and defining the powers and duties of that court...”; and

WHEREAS, in *Steve vs. TEC*, a Motion to Recuse or Disqualification was filed by Petitioner requesting that Chief Justice Kevin Briscoe be recused or disqualified from hearing this case because he is a blood relative (Uncle) to Michael Briscoe; and

WHEREAS, Michael Briscoe is not a party to the case but an interested person to the outcome of the case; and

WHEREAS, Section 1-3-2 of the Choctaw Tribal Code (“CTC”) states in part that the Choctaw Supreme Court shall be comprised of one Chief Justice and two Associate Justices sitting as a three-justice panel to hear and decide appeals and that the Tribal Council may appoint a pro-tem Justice to serve in place of an unavailable or disqualified Justice; and

WHEREAS, Section 1-3-4 of the CTC states in part that the Chief Justice qualifications shall be the same as 1-3-3(1) of the CTC and have at least three (3) years of judicial experience; and

WHEREAS, it is in the best interest of the MBCI that the pro-tem justice have the same qualifications as the pro-tem position; now therefore be it

RESOLVED, that the Tribal Council does hereby appoint **Peggy Gibson** pro-tem justice in the event that Chief Justice Kevin Briscoe recuses himself in the case *Steve vs. TEC* and **Peggy Gibson** is to continue service as pro-tem in that case until its final judgment.

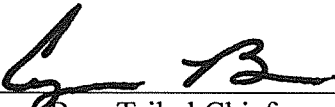
CERTIFICATION

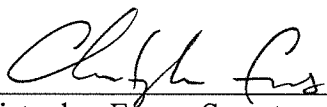
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Dated this 9<sup>th</sup> day of July, 2019.



ATTEST:

  
\_\_\_\_\_  
Cyrus Ben, Tribal Chief

  
\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-100

A RESOLUTION TO APPOINT A CHAIRPERSON TO THE TRIBAL ENROLLMENT  
COMMITTEE

WHEREAS, tribal Ordinance 16-NN provides for the establishment of an Enrollment Committee which “shall be composed of five persons nominated by the Chief and confirmed by the Tribal Council, who shall serve four-year terms commencing in January 1996;” and

WHEREAS, current members of the Tribal Enrollment Committee were last appointed by Resolution CHO 18-055; and

WHEREAS, Cyrus Ben was appointed Chairperson of the Tribal Enrollment Committee on April 10, 2018 by Resolution CHO 18-055 and has recently been elected Tribal Chief of the Mississippi Band of Choctaw Indians which necessitates his resignation as Chairperson of the Tribal Enrollment Committee; and

WHEREAS, there is a need for an appointment to fill the vacancy of Chairperson of the Tribal Enrollment Committee; and

WHEREAS, Chief Cyrus Ben has nominated **Gilbert Thompson** to serve as Chairperson of the Tribal Enrollment Committee and requests that the Tribal Council approve said nomination; now therefore be it

RESOLVED, that the Tribal Council does hereby confirm the appointment of **Gilbert Thompson** to the position of Chairperson of the Tribal Enrollment Committee with a term to expire in January 2023 or until a successor has been duly nominated and confirmed by the Tribal Council for a subsequent term.

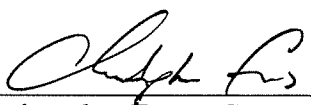
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Dated this 9<sup>th</sup> day of July, 2019.

ATTEST:

  
\_\_\_\_\_  
Cyrus Ben, Tribal Chief

  
\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-101

A RESOLUTION TO APPROVE AMENDMENTS TO THE ADMINISTRATIVE  
PERSONNEL POLICY & PROCEDURES

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

WHEREAS, there is currently in effect the Administrative Personnel Policy and Procedures of the Mississippi Band of Choctaw Indians, as amended, applicable to all MBCI Government Services Division employees, including managers and supervisors (the “Personnel Policy”); and

WHEREAS, by Tribal Resolution CHO 19-001 (enacted October 9, 2018), the Tribal Council approved amendments to the MBCI Code of Laws, including the provisions for the Tribe to exercise “special domestic violence criminal jurisdiction” as recognized under the Violence Against Women Act (25 U.S.C. § 1304); and

WHEREAS, in any case where MBCI is exercising “special domestic violence criminal jurisdiction” against a non-Indian defendant in Tribal Court, the defendant has a right to a trial by an impartial jury that is drawn from sources that reflect a fair cross section of the community and that do not systematically exclude any distinctive group in the community, including non-Indians; and

WHEREAS, the amendments to the Tribal Code approved by Tribal Resolution CHO 19-001 also authorize and direct the Office of Human Resources for the MBCI Tribal Government and any MBCI Tribal enterprise or entity to provide a list of all employees with their full name, address, and telephone number to the MBCI Court Administrator and for a new list to be compiled and submitted each year in October; and

WHEREAS, in order to be in compliance with the amendments to the Tribal Code, certain amendments are being proposed to the Personnel Policy requiring: (a) as a condition of employment, all employees, whether Indian or non-Indian, must comply if subpoenaed or summoned by the MBCI Tribal Court to appear in cases as part of the jury pool where MBCI is exercising “special domestic violence criminal jurisdiction” involving a non-Indian defendant, and; (b) for the Office of Human Resources to provide a list of all employees, whether Indian or non-Indian, to the MBCI Court Administrator starting on July 15, 2019, and then with an updated list to be provided on an annual basis by October 1 of each year; and

WHEREAS, other amendments to the Personnel Policy are being proposed to provide clarifying language for existing provisions, including providing specific deadlines for processing a grievance under Section XVIII of the Personnel Policy; and

WHEREAS, the Committee on Human Resources and Development met on July 3, 2019, to consider the attached proposed amendments to the Personnel Policy and approved the amendments to be forwarded to the Tribal Council; and

WHEREAS, the Tribal Council has considered the attached proposed amendments to the Personnel Policy and has determined said amendments to be in accordance with the Constitution and Bylaws, and in the best interest of the Mississippi Band of Choctaw Indians; now therefore be it

RESOLVED, that the Tribal Council does hereby approve and enact the attached amended Administrative Personnel Policy & Procedure of the Mississippi Band of Choctaw Indians to become effective immediately.

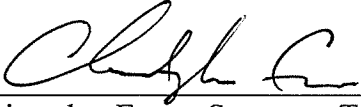
CERTIFICATION

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 16<sup>th</sup> day of July, 2019; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed, and 0 abstaining.

Dated this 16<sup>th</sup> day of July, 2019.

ATTEST:

  
\_\_\_\_\_  
Cyrus Ben, Tribal Chief

  
\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-102

A RESOLUTION TO APPROVE THE DEPARTMENT OF EARLY CHILDHOOD  
EDUCATION PARENT HANDBOOK FOR THE 2019-2020 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, the DOECE has developed the attached parent handbook for parents whose children attend tribal child care, 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 Chairman of the Education Committee has reviewed the attached Parent Handbook and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

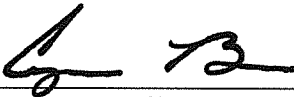
RESOLVED, that the Tribal Council does hereby approve the attached Parent Handbook, in substantially the same form as attached, for the 2019-2020 school year.


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, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 16<sup>th</sup> day of July, 2019; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 16<sup>th</sup> day of July, 2019.

ATTEST:

  
\_\_\_\_\_  
Cyrus Ben, Tribal Chief

  
\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-103

A RESOLUTION TO APPROVE THE DEPARTMENT OF EARLY CHILDHOOD  
EDUCATION STAFF HANDBOOK FOR THE 2019-2020 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 Chairman of Education Committee has reviewed the attached Staff Handbook and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

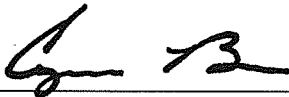
RESOLVED, that the Tribal Council does hereby approve the attached Staff Handbook, in substantially the same form as attached, for the 2019-2020 school year.

CERTIFICATION

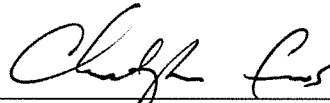
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Dated this 16<sup>th</sup> day of July, 2019.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-104

A RESOLUTION TO APPROVE THE ARCHIVING OF STUDENT CUMULATIVE  
RECORDS FOR THE CHOCTAW TRIBAL SCHOOLS

WHEREAS, the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) has operated the Choctaw Tribal Schools since July 1, 1989; and

WHEREAS, student cumulative folders and inserts (hereinafter “records”) are physically housed in the Registrar’s Office on the campus of Choctaw Central High School; and

WHEREAS, these records include those for elementary and high school students who attended any Choctaw Tribal school since the establishment of Choctaw Central High School in 1963; and

WHEREAS, the Department of Schools is converting these records to digital files which will be securely stored within the Registrar’s Office of the Choctaw Tribal Schools; and

WHEREAS, 25 CFR §43.8, the Family Educational Rights and Privacy Act of 1974, and Public Law 94-142 govern the maintenance and control of student records and provide guidance on the handling, securing of, and disposal of student records; and

WHEREAS, once these records are converted to digital files, it will no longer be necessary to store the physical records within the Registrar’s Office; and

WHEREAS, permanent records are records that warrant preservation by the Federal Government beyond the time they are needed for administrative, fiscal, or legal purposes because of their historical or archival value; and

WHEREAS, these records are of historical and archival value because they provide evidence of the determination of the Mississippi Band of Choctaw Indians to provide a comprehensive, quality education for members of the Tribe; and

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

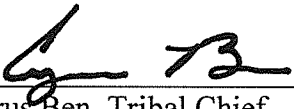
RESOLVED, that the Tribal Council does hereby approve the archiving of all cumulative folders and inserts of former, present and future Choctaw Tribal Schools students at the Federal Records Center in accordance with guidance from the Bureau of Indian Education and the Bureau of Indian Affairs.

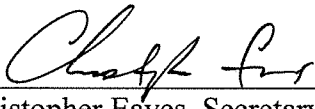
CERTIFICATION

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Dated this 16<sup>th</sup> day of July, 2019.

ATTEST:

  
\_\_\_\_\_  
Cyrus Ben, Tribal Chief

  
\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer



MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-105

A RESOLUTION TO APPROVE AN AGREEMENT OF COOPERATION BETWEEN THE  
MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES, OFFICE OF  
VOCATIONAL REHABILITATION AND 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 approve or disapprove contracts or agreements with Federal, State, or local governments, with private persons or with corporate bodies; and

WHEREAS, the MBCI Choctaw Tribal Schools desire to enter into an Agreement of Cooperation with the Mississippi Department of Rehabilitation, Office of Vocational Rehabilitation ("MDRS/OVR") to receive Pre-Employment Transition Services ("Pre-ETS") from MDRS/OVR for students with disabilities to better facilitate the student transition from secondary education to post-secondary education and/or employment; and

WHEREAS, the MBCI Choctaw Tribal Schools would become a partner district with MDRS/OVR and would receive Pre-ETS student services through counselor(s) provided by MDRS/OVR; and

WHEREAS, MBCI Choctaw Tribal Schools would receive Pre-ETS services at no additional cost to the Tribe; and

WHEREAS, the Committee on Education has reviewed the attached Agreement of Cooperation 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 enter into an Agreement of Cooperation, in substantially the same form as attached, between the Mississippi Department of Rehabilitation Services, Office of Vocational Rehabilitation and the Mississippi Band of Choctaw Indians' Choctaw Tribal Schools; and be it further

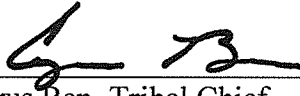
RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign additional documents, forms or contracts directly related to the continuance, amendment, extension or termination of this Agreement of Cooperation without further Council action.

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 16<sup>th</sup> day of July, 2019; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

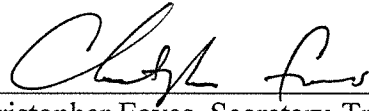
Dated this 16<sup>th</sup> day of July, 2019.

ATTEST:



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Cyrus Ben, Tribal Chief



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Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-106

A RESOLUTION TO APPLY FOR FY 2019 HAZARD MITIGATION GRANT PROGRAM (HMGP) FUNDING FROM THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY

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 operates its Choctaw Department of Fire and Rescue and its Emergency Management Office under the auspices of Tribal Ordinance No. 50-A, An Ordinance Setting Forth Policies for the Choctaw Department of Homeland Security and Emergency Management, adopted by the Choctaw Tribal Council on July 25, 2008; and

WHEREAS, the Mississippi Band of Choctaw Indians has for many years received Federal funding from the Mississippi Emergency Management Agency (MEMA) and the Federal Emergency Management Agency (FEMA); and

WHEREAS, MEMA’s Hazard Mitigation Grant Program provides resources to assist states, tribal governments, territories and local communities in their efforts to implement a sustained pre-disaster natural hazard mitigation program, as authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended (42 U.S. C. 5133); and

WHEREAS, the Mississippi Band of Choctaw Indians’ Reservation-wide Hazard Mitigation renewal Plan has been completed by MBCI and is currently under review by MEMA and FEMA for final approval for the 5-Year period of 2019 – 2024, thereby making MBCI eligible to apply for FY 2019 HMGP funding to further complete the goals as authorized in the Tribe’s Hazard Mitigation Plan; and

WHEREAS, MBCI plans to conduct a Reservation-wide hazard mitigation project to replace 10 emergency generators in Tribal critical facilities in all eight Choctaw communities in rural east central Mississippi; and

WHEREAS, MEMA will provide up to a maximum of 75% Federal funding to support eligible activity costs, and MBCI will be required by MEMA to provide its non-Federal Tribal share of at least 25% of eligible activity costs; and

WHEREAS, total overall cost of project is \$512,275, with 75% MEMA award covering \$384,206; and MBCI’s required 25% non-Federal cost share being \$128,069; and

WHEREAS, the Public Works, Fire and Construction Committee has reviewed the grant application to receive MEMA FY 2019 Hazard Mitigation Grant Program funding, and

recommends the Tribe's application be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribe's grant application for the Emergency Management Office 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 an FY 2019 Hazard Mitigation Grant Program grant award from the Mississippi Emergency Management Agency and to negotiate, sign and receive a grant award; and be it further

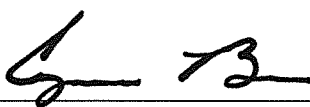
RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign additional documents, forms or contracts directly related to the continuance, amendment or extension of this grant award without further Council action.

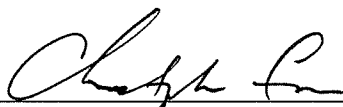
#### CERTIFICATION

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 16<sup>th</sup> day of July, 2019; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 16<sup>th</sup> day of July, 2019.

ATTEST:

  
\_\_\_\_\_  
Cyrus Ben, Tribal Chief

  
\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-107(B)

A RESOLUTION TO APPROVE THE TIMBER USE POLICY STATEMENT FOR CUTTING  
AND REMOVAL OF FOREST PRODUCTS FROM LANDS OF THE MISSISSIPPI BAND  
OF CHOCTAW INDIANS

WHEREAS, Section 1, Subsection (i) 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 rules, consistent with applicable Federal statutes and the regulations of the Secretary of the Interior, for the management of tribal lands, including, but not limited to, the making and revocation of assignments, and the disposition of timber, oil and mineral resources; and

WHEREAS, the Forestry Program of the Mississippi Band of Choctaw Indians is required by Federal statute to adopt a Timber Use Policy Statement regarding the harvest of timber products on Tribal lands; and

WHEREAS, the current Timber Use Policy Statement was approved on July 11, 2017 by Resolution CHO 17-067(B) with an expiration date of September 30, 2019; and

WHEREAS, the Committee on Natural Resources has reviewed the attached Timber Use Policy Statement 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 Timber Use Policy Statement for Cutting and Removal of Forest Products from Lands of the Mississippi Band of Choctaw Indians; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to sign any additional documents as necessary to execute this Timber Use Policy Statement.

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 16<sup>th</sup> day of July, 2019; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

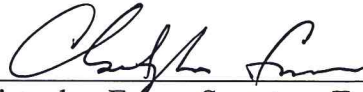
Dated this 16<sup>th</sup> day of July, 2019.

ATTEST:

RES CHO 19-107(B)

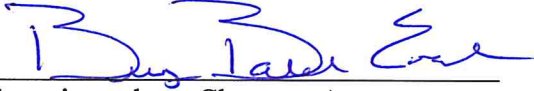


Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency

7-22-2019

Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-108(B)

A RESOLUTION FOR AUTHORIZATION OF TIMBER SALE IN CONEHATTA  
COMMUNITY UNIT 7

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 in Conehatta Community Unit 7, which includes 4,590 tons Pine logs, 7 tons Pine Chip-n-Saw, 81 tons Pine Pulpwood, 285 tons Hardwood Logs, and 124 tons of Hardwood Pulpwood; and

WHEREAS, the MBCI Forestry Program has computed an appraisal of the aforementioned Conehatta Community timber for a value in the amount of \$128,148.00; 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 Committee on Natural Resources has reviewed the attached Timber Sale in Conehatta Unit 7 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 of the aforementioned Conehatta Community timber in the amount of \$128,148.00; and be it further

RESOLVED, the above described timber sale in the Conehatta 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 documentation necessary to effectuate the sale of timber 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 16<sup>th</sup> day of July, 2019; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 16<sup>th</sup> day of July, 2019.


ATTEST:

  
\_\_\_\_\_  
Cyrus Ben, Tribal Chief

  
\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer

RECOMMENDED:

  
\_\_\_\_\_  
Superintendent, Choctaw Agency

  
\_\_\_\_\_  
Date



MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-109(B)

A RESOLUTION TO GRANT RIGHT-OF-WAY EASEMENT TO CENTRAL ELECTRIC  
POWER ASSOCIATION IN THE CONEHATTA COMMUNITY

WHEREAS, Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to pass and enforce certain rules providing for the management of tribal lands, subject to the approval of the Secretary of Interior; and

WHEREAS, the *Code of Federal Regulations*, Title 25, Part 169, sets forth provisions governing rights-of-way over Indian lands; and

WHEREAS, Central Electric Power Association (“CEPA”) has made formal application to the Tribe for a Right-of-Way Easement being over Tribal trust land to provide central electric service to (4) four New Choctaw Housing Authority Units on Mills Road in the Conehatta Community, which may further be described as follows, to wit:

Situated in the SE ¼, of Section 3, T. 7 North, R. 10E, Conehatta Community, Newton County, Mississippi; and

WHEREAS, CEPA will pay the landowner promptly for any damages incident to construction and maintenance of said right-of-way; and

WHEREAS, the Committee on Natural Resources 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 grant right-of-way over the above-described trust land to CEPA (site description attached), subject to the provisions of 25 CFR 169, with concurrence of the Bureau of Indian Affairs (“BIA”), Choctaw Agency, for the use of any previously-granted BIA road rights-of-way; and be it further

RESOLVED, that in granting this right-of-way, the Mississippi Band of Choctaw Indians specifically retains all civil jurisdiction over land that will be burdened by the right-of-way.

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 16<sup>th</sup> day of July, 2019; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 16<sup>th</sup> day of July, 2019.

ATTEST:



\_\_\_\_\_  
Cyrus Ben, Tribal Chief

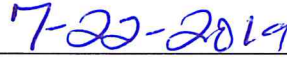


\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



\_\_\_\_\_  
Superintendent, Choctaw Agency



\_\_\_\_\_  
Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-110(B)

A RESOLUTION TO GRANT RIGHT-OF-WAY EASEMENT TO CENTRAL ELECTRIC  
POWER ASSOCIATION IN THE CONEHATTA COMMUNITY

WHEREAS, Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) empowers the Tribal Council to pass and enforce certain rules providing for the management of tribal lands, subject to the approval of the Secretary of Interior; and

WHEREAS, the *Code of Federal Regulations*, Title 25, Part 169, sets forth provisions governing rights-of-way over Indian lands; and

WHEREAS, Central Electric Power Association (“CEPA”) has made formal application to the Tribe for a Right-of-Way Easement being over Tribal trust land to provide electrical service to (6) six new Choctaw Housing Authority units on Hoye Pace Extension, in the Conehatta Community, which may further be described as follows, to wit:

Situated in the SW ¼ & NW ¼, of Section 20, T. 7 North, R. 10E, Conehatta Community, Newton County, Mississippi; and

WHEREAS, CEPA will pay the landowner promptly for any damages incident to construction and maintenance of said right-of-way; and

WHEREAS, the Committee on Natural Resources 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 grant right-of-way over the above-described trust land to CEPA (site description attached), subject to the provisions of 25 CFR 169, with concurrence of the Bureau of Indian Affairs (“BIA”), Choctaw Agency, for the use of any previously-granted BIA road rights-of way; and be it further

RESOLVED, that in granting this right-of-way, the Mississippi Band of Choctaw Indians specifically retains all civil jurisdiction over land that will be burdened by the right-of-way.

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 16<sup>th</sup> day of July, 2019; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 16<sup>th</sup> day of July, 2019.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency

7-22-2014

Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-111

A RESOLUTION AUTHORIZING DR. FREDRICK HICKMON TO CONDUCT  
EDUCATIONAL RESEARCH RELATED TO 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 to approve or disapprove contracts or agreements with Federal, State, or local governments, with private persons or with corporate bodies; and

WHEREAS, Dr. Fredrick Hickmon is employed with the Choctaw Tribal Schools and is requesting to conduct publishable educational research regarding the Choctaw Tribal Schools; and

WHEREAS, Dr. Hickmon’s educational research is independent and is not affiliated or been reviewed by an Institutional Review Board (“IRB”); and

WHEREAS, there is limited educational research about MBCI and educational issues regarding the Native American population; and

WHEREAS, educational research is key in understanding the complexity of student achievement and how high levels of success can be attained; and

WHEREAS, Dr. Hickmon will work in conjunction with Tribal Members who are interested in co-authoring articles along with making joint presentations at academic conferences; and

WHEREAS, there is no cost to the Tribe for the educational research conducted by Dr. Hickmon; and

WHEREAS, the Chairman of the Education Committee has reviewed the research proposal and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council authorizes Dr. Fredrick Hickmon to conduct educational research and presentations regarding Choctaw Tribal Schools research with the following assurances: (1) written consent must be obtained by all participants (see Exhibit “A”); (2) research data collected is securely locked when not in use; and (3) all data obtained for the purpose of research project shall be destroyed after six (6) years of initiation of the research project unless an extension is requested and further authorized by the Tribal Council; and be it further

RESOLVED, that the Tribal Council authorizes the Tribal Chief or his designee, to sign any additional documents, forms or contracts directly related to the continuance, amendment or extension of the research without further Council action; and be it further

RESOLVED, that all research project results shall be submitted in writing and presented to the Tribal Council and shall not be published, presented or otherwise revealed without the permission of the Tribal Chief, the Education Committee and the Office of the Attorney General; and be it further

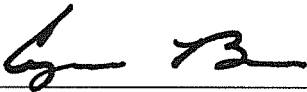
RESOLVED, all intellectual property resulting directly from research projects belongs to the Tribe and all original copies of research projects is to be submitted to the Office of the Attorney General.

CERTIFICATION

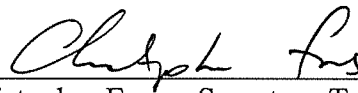
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 16<sup>th</sup> day of July, 2019; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 16<sup>th</sup> day of July, 2019.

ATTEST:



\_\_\_\_\_  
Cyrus Ben, Tribal Chief



\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-112

A RESOLUTION TO AUTHORIZE THE MISSISSIPPI BAND OF CHOCTAW INDIANS, CHOCTAW VOCATIONAL REHABILITATION SERVICES, TO APPLY FOR AN AMERICAN INDIAN VOCATIONAL REHABILITATION SERVICES GRANT FROM THE DEPARTMENT OF EDUCATION, REHABILITATION SERVICES ADMINISTRATION

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 U.S. Department of Education, Rehabilitation Services Administration has announced on June 13, 2019, the availability of grants for up to five years’ duration to American Indian tribal governments who submit applications by July 29, 2019, and score competitively in the grant competition for the provision of Vocational Rehabilitation Services to American Indians with disabilities who reside on or near federal reservations according to the Rehabilitation Act of 1973, as amended and resulting regulations; and

WHEREAS, the CFDA number for the grant opportunity is 84.250; and

WHEREAS, a major segment of the working-age population of the Choctaw Tribe experience physical or mental impairments that limit their participation in competitive employment without support services; and

WHEREAS, MBCI has established and has operated a Vocational Rehabilitation Services Program since 1987, with good success resulting in 2 “Best Practices” Awards on the National Level; and has chosen to supplement this program financially in order to meet the need for Rehabilitation Services of the disabled population beyond the required local match; and

WHEREAS, this Federal grant opportunity requires a 10% cost sharing or non-Federal, Tribal matching that has already been historically provided through supplemental Tribal funding; and

WHEREAS, the Tribe now has in place a full-service Vocational Rehabilitation Program that provides a broad range of Rehabilitation Services to include evaluation, training, and placement services; a cooperative agreement with the Mississippi Department of Rehabilitation Services as a partner, along with highly specific disability services to assist Tribal members with disabilities to prepare for and maintain employment in both Tribal businesses as well as off-reservation employment sites; and

WHEREAS, program practices have been put in place based on federal law, regulation, ethical considerations, and established common practices in the field; and these practices have been written in the form of an Orientation Guide for Clients and a Staff Resource Guide for Staff for day-to-day operation of the program with ongoing amendments as needed within the approved scope of this program to include law, regulation and directives from the Federal funding agency; and

WHEREAS, the Tribe continues to support its disabled members to enter, or reenter the workforce in order to promote the economic development of MBCI, as well as to diminish the dependency of Tribal members with disability on social welfare programs; and

WHEREAS, the continuation of the Vocational Rehabilitation Services Program for the coming 5 years will provide much needed Vocational Rehabilitation Services to Tribal members who live on or near the MBCI reservation; and

WHEREAS, Tribal members with disabilities are not proportionately served in the existing Mississippi Department of Rehabilitation Services as operated by the State of Mississippi; and

WHEREAS, MBCI is eligible to apply for a 5-year Federal grant award for continued Vocational Rehabilitation Services with a requested and justified amount of \$828,284 in year one with justified increases in subsequent grant years; and

WHEREAS, the Chairman of 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 Tribe's grant application for the 2019-2024 Vocational Rehabilitation Services 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 Indians 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 Vocational Rehabilitation Services Grant and renew subsequent applications upon the availability of project funds from the Department of Education, Rehabilitation Services Administration; 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 Vocational Rehabilitation Services Grant, without further Council action.

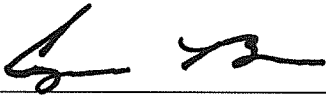


CERTIFICATION

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, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 16<sup>th</sup> day of July, 2019; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 16<sup>th</sup> day of July, 2019.

ATTEST:



\_\_\_\_\_  
Cyrus Ben, Tribal Chief



\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-113

A RESOLUTION AUTHORIZING THE MISSISSIPPI BAND OF CHOCTAW INDIANS  
TO APPLY FOR A SECTION 533 HOUSING PRESERVATION GRANT  
FROM THE U.S. DEPARTMENT OF AGRICULTURE

WHEREAS, many houses on the Choctaw Indian Reservation need repair and renovation; and

WHEREAS, the U.S. Department of Agriculture ("USDA") has made funds available through the Section 533 Housing Preservation Grant program; and

WHEREAS, the Mississippi Band of Choctaw Indians desires to apply for and use these funds for replacement of HVAC systems in houses managed under the Choctaw Housing Authority ("CHA") program which were built between 1970-2017; and

WHEREAS, the total cost of the project is \$100,000, but under this grant CHA will pay a match of one-half in the amount of \$50,000, to be sourced through the annual NAHSDA allocation; and

WHEREAS, once USDA funds are made available the Mississippi Band of Choctaw Indians will seek contractor(s) through a bid process in compliance with tribal policies and USDA policies; and

WHEREAS, the CHA Board of Commissioners and the Housing 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 application for grant funds under the Section 533 Housing Preservation Grant program; 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 grant funds through the Section 533 Housing Preservation Grant from the U.S. Department of Agriculture; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to renew the grant and to apply for any new grants in subsequent applications subject to the availability of funds through the Section 533 Housing Preservation Grant from the U.S. Department of Agriculture; and be it further

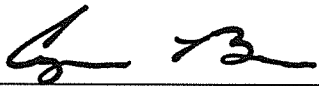
RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign additional documents, forms, or contracts directly related to the awarding of, continuance, amendment or extension of the grant without further Council action.

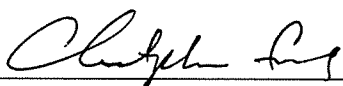
#### CERTIFICATION

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, 16 of whom, constituting a quorum, were present at a Regular Call meeting duly called, noticed, convened and held this the 16<sup>th</sup> day of July, 2019; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed, and 0 abstaining.

Dated this 16<sup>th</sup> day of July, 2019.

ATTEST:

  
\_\_\_\_\_  
Cyrus Ben, Tribal Chief

  
\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-114

A RESOLUTION AUTHORIZING THE CHOCTAW HOUSING AUTHORITY TO APPLY  
FOR AN INDIAN HOUSING BLOCK GRANT FROM THE U.S. DEPARTMENT OF  
HOUSING AND URBAN DEVELOPMENT

WHEREAS, Choctaw Housing Authority ("CHA") was created by Tribal Ordinance I-A and is designated to received U.S. Department of Housing and Urban Development ("HUD") funding pursuant to Resolution CHO 00-072; and

WHEREAS, there is a shortage of affordable housing on the Choctaw Indian Reservation; and

WHEREAS, the U.S. Department of Housing and Urban Development has made funds available to Tribes for the purpose of improving housing, infrastructure and tribal economies through a competitive Indian Housing Block Grant ("IHBG") program; and

WHEREAS, CHA desires to apply for a grant in the amount of \$5,000,000.00 to use these funds under the IHBG program along with a Tribal match of \$1,960,000.00 for a total project of \$6,960,000.00 to construct new houses on the Choctaw Indian Reservation; and

WHEREAS, the CHA Board of Commissioners and the Housing Committee have 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 support CHA's application for HUD funding and authorize the Choctaw Housing Authority to apply for and receive grant funds under the 2019 IHBG competitive program; and be it further

RESOLVED, that the Tribal Government of Mississippi Band of Choctaw Indians will not apply for IHBG funds as its own entity; and be it further

RESOLVED, that any design and construction of infrastructure completed pursuant to the awarding of the IHBG program funds shall be in accordance with "Standard Specifications for Design and Construction for Roads, Sanitary Sewage and Waste Water Distribution Systems" as adopted and implemented by the Tribal Council in CHO 06-078 and any other industry standard specifications as applicable; and be it further

RESOLVED, that the Mississippi Band of Choctaw Indians shall contribute an in-kind match of \$1,960,000 which will be used for roads and utilities on the Solomon Road IHBG development; 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 grant funds through the U.S. Department of Housing and Urban Development; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to renew the IHBG grant and to apply for any new grants in subsequent applications subject to the availability of funds through the IHBG program from the U.S. Department of Housing and Urban Development; and be it further

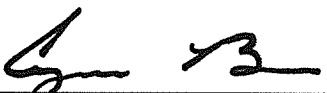
RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign additional documents, forms, or contracts directly related to the awarding of, continuance, amendment or extension of the IHBG grant without further Council action.

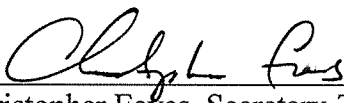
CERTIFICATION

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Dated this the 16<sup>th</sup> day of July, 2019.

ATTEST:

  
\_\_\_\_\_  
Cyrus Ben, Tribal Chief

  
\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-115

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 2019 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  
Sharon Johnson  
Richard Isaac  
Nigel Gibson  
Kendall Wallace  
Ronnie Henry Sr.  
Deborah Martin  
Tarina Anderson  
Loriann Ahshapanek  
Roderick Bell  
Hilda Nickey  
Michael Briscoe  
Barry McMillan  
Wilma McMillan  
Timothy Thomas Sr.

And be it further

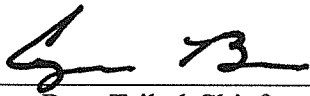
RESOLVED, that the Tribal Council does hereby appoint Tribal Council members to the above committees as attached.

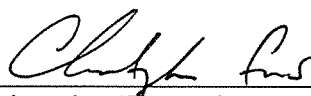
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Dated this 16<sup>th</sup> day of July, 2019.

ATTEST:

  
\_\_\_\_\_  
Cyrus Ben, Tribal Chief

  
\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-116

A RESOLUTION TO APPOINT A MEMBER TO THE TRIBAL ENROLLMENT  
COMMITTEE

WHEREAS, tribal Ordinance 16-NN provides for the establishment of an Enrollment Committee which “shall be composed of five persons nominated by the Chief and confirmed by the Tribal Council, who shall serve four-year terms commencing in January 1996”; and

WHEREAS, Gilbert Thompson has been appointed as Chairperson of the Tribal Enrollment Committee by Resolution CHO 19-100; and

WHEREAS, there is a need for an appointment to fill the vacancy of Gilbert Thompson position as a member of the Tribal Enrollment Committee; and

WHEREAS, Chief Cyrus Ben has nominated **Celestine Steve** to serve as a member of the Tribal Enrollment Committee and requests that the Tribal Council approve said nomination; now therefore be it

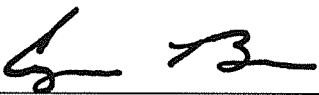
RESOLVED, that the Tribal Council does hereby confirm the appointment of **Celestine Steve** as a member of the Tribal Enrollment Committee with a term to expire in January 2021 or until a successor has been duly nominated and confirmed by the Tribal Council for a subsequent term.

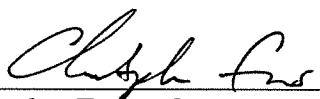
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Dated this 16<sup>th</sup> day of July, 2019.

ATTEST:

  
\_\_\_\_\_  
Cyrus Ben, Tribal Chief

  
\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer



MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-117

A RESOLUTION TO APPROVE A COMMERCIAL LAND ASSIGNMENT BETWEEN THE MISSISSIPPI BAND OF CHOCTAW INDIANS D/B/A CHOCTAW SHOPPING CENTER ENTERPRISE AND TELECOM SERVICE BUREAU (TSB) DISTRIBUTION SERVICES, LLC.

WHEREAS, Section 1, Subsection (i) 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 make or revoke assignments of tribal lands; and

WHEREAS, Ordinance No. 16-RRRR authorizes and sets forth the process for approval of commercial land assignments in existing tribal facilities; and

WHEREAS, after enactment of Ordinance No. 16-RRRR, Congress enacted the HEARTH Act, 25 U.S.C. 415, which authorizes tribes to execute tribally-approved leases of Indian lands without BIA approval pursuant to tribally-enacted leasing regulations after BIA approval of those regulations; and

WHEREAS, the Tribe has adopted proposed HEARTH Act leasing regulations which have been approved by the Bureau of Indian Affairs (“BIA”), and *which will be published in the Federal Register to finalize approval*; and

WHEREAS, a proposed form of Commercial Land Assignment (“CLA”) as authorized by Ordinance No. 16-RRRR is attached hereto and there is an entity that wish to lease a tribal facility operated by the Choctaw Shopping Center Enterprise and there is a need to execute a CLA with that entity so they may occupy the facility; and

WHEREAS, the CLA may convert to a Lease Agreement per the following term found in the CLA at Section 33, once the Tribe’s HEARTH Act leasing regulations are implemented into a new lease template:

*The Tribe and Assignee agree to substitute a tribally-approved lease in place of this Commercial Land Assignment once the Tribe has obtained HEARTH Act leasing authority. Such lease shall otherwise conform to the terms and conditions set up in this Assignment, but may include further options for one or more extended terms; and*

WHEREAS, the Choctaw Shopping Center Enterprise Board of Directors has reviewed the proposed tenant and recommends that the Tribal Council authorize a Commercial Land Assignment for TSB Distribution Services, LLC; now therefore be it

RESOLVED, that the Tribal Council does hereby authorize a Commercial Land Assignment for the following tenant with the Choctaw Shopping Center Enterprise: TSB Distribution Services, LLC; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief and Secretary-Treasurer to execute a Commercial Land Assignment as provided herein and any other further

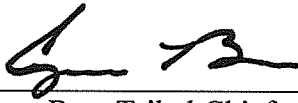
necessary documents to effectuate said Assignment, including a future Lease upon approval of a new lease template following approval of the Tribe's HEARTH Act regulations.

CERTIFICATION

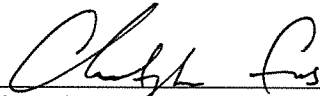
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Dated this 16<sup>th</sup> day of July, 2019.

ATTEST:



\_\_\_\_\_  
Cyrus Ben, Tribal Chief



\_\_\_\_\_  
Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 19-118

A RESOLUTION TO EXTEND THE EFFECTIVE DATE OF THE CHOCTAW TRIBAL CODE AMENDMENT'S APPROVED IN RESOLUTION CHO 19-001, "A RESOLUTION TO APPROVE AMENDMENTS TO THE MISSISSIPPI BAND OF CHOCTAW INDIANS TRIBAL CODE TO IMPLEMENT PROVISIONS OF THE VIOLENCE AGAINST WOMEN ACT AND THE TRIBAL LAW AND ORDER ACT"

WHEREAS, the Tribal Council of the Mississippi Band of Choctaw Indians ("MBCI" or "Tribe") is authorized under Section 1(m) of Article VIII of the Revised Constitution and Bylaws "to establish and enforce ordinances governing the conduct of tribal members; providing for the maintenance of law, order, and the administration of justice; . . . establishing a tribal court; and defining the powers and duties of that court . . ."; and

WHEREAS, on October 9, 2018, the Tribal Council passed Resolution CHO 19-001 which amended Titles I, II, III, IV, and XXIII of the MBCI Tribal Code to comply with the federal statutory requirements so that the Tribe could lawfully exercise special domestic violence criminal jurisdiction over non-Indians under the Violence Against Women Act ("VAWA") and to be able to provide for enhanced sentencing in Tribal Court under the Tribal Law and Order Act ("TLOA"), including the amendments to the entire Tribal Code designating Class "A" crimes as felonies and Class "B" and "C" crimes as misdemeanors to be applied consistently throughout the Tribal Code; and

WHEREAS, pursuant to Resolution CHO 19-001, the amendments shall become effective on August 1, 2019; and

WHEREAS, the Tribal Council has recommended certain assurances prior to implementation of the VAWA and TLOA provisions; and

WHEREAS, additional time is needed to meet those certain assurances; now therefore be it

RESOLVED, that the Tribal Council does hereby extend the effective date for the amendments to the Choctaw Tribal Code as approved in Resolution CHO 19-001 to February 1, 2020.

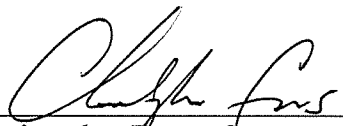
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Dated this 16<sup>th</sup> day of July, 2019.

ATTEST:

  
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Cyrus Ben, Tribal Chief

  
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Christopher Eaves, Secretary-Treasurer