

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

ORDINANCE NO. 65-E

AN ORDINANCE AUTHORIZING THE MERGER OF CHOCTAW IKHANA, INC. INTO
CHAHTA SERVICES, INC. AND DISSOLVING CHOCTAW IKHANA, INC. AND FOR
OTHER PURPOSES

WHEREAS, Section 1, Subsection (j) 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 create, or to provide by ordinance for the creation of organizations, including public and private corporations, for any lawful purpose, which may be non-profit or profit making, and to regulate activities of such organizations by ordinance; and

WHEREAS, pursuant to Ordinance No. 65, the Tribal Council authorized issuance of a Charter to Choctaw Ikhana Laboratory Services, Inc. [now known as Choctaw Ikhana, Inc. (Ordinance No. 65D)], a wholly tribally-owned, tribally-chartered corporation and has subsequently approved various amendments thereto pursuant to Ordinances No. 65A, 65B, 65C and 65D; and

WHEREAS, pursuant to Ordinance 67, on April 14, 2009, the Tribal Council granted a Charter of Incorporation to Choctaw Design & Construction, Inc. [now known as Chahta Services, Inc. (Ordinance No. 67B)], a wholly tribally-owned, tribally-operated chartered corporation for the purpose of continuing the operation of Choctaw Development Enterprise, an Ordinance 56 Enterprise of the Mississippi Band of Choctaw Indians; and

WHEREAS, the Tribal Council has received CHAHTA HOLDING GROUP, INC’S Resolution CHG 2021-003 (attached hereto) to authorize the merger of Choctaw Ikhana, Inc. into Chahta Services, Inc. and that the tangible and intangible assets of Choctaw Ikhana, Inc. be transferred to Chahta Services, Inc.; and

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

ENACTED, that the Tribal Council acting as sole shareholder of the Choctaw Ikhana, Inc. does hereby approve the merger and transfer of the tangible and intangible assets to Chahta Services, Inc. as set out herein; and be it further

ENACTED, that as a condition of the merger that Chahta Services, Inc. must assume the liabilities, if any, of Choctaw Ikhana, Inc.; and be it further

ENACTED, that upon transfer of the tangible and intangible assets of Choctaw Ikhana, Inc. to Chahta Services, Inc. and the assignment and assumption of liabilities of Choctaw Ikhana, Inc. by Chahta Services, Inc. that the Charter of Choctaw Ikhana, Inc. will be formally dissolved effective December 31, 2021 or upon the filing of a certification from the CHG, Inc. Board that all conditions of the merger have been completed, whichever event occurs first; and be it further

ENACTED, that this Ordinance shall become effective from and after the date of the final approval of this Ordinance 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, 17 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 24th day of June, 2021; and that the foregoing Ordinance was Enacted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 24th day of June, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

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

ORDINANCE NO. 67-C

AN ORDINANCE APPROVING THE MERGER OF CHOCTAW IKHANA, INC. INTO
CHAHTA SERVICES, INC. AND FOR OTHER PURPOSES

WHEREAS, Section 1, Subsection (j) 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 create, or to provide by ordinance for the creation of organizations, including public and private corporations, for any lawful purpose, which may be non-profit or profit making, and to regulate the activities of such organizations by ordinance; and

WHEREAS, pursuant to Ordinance No. 67, on April 14, 2009, the Tribal Council granted a Charter of Incorporation to Choctaw Design & Construction, Inc. [now known as Chahta Services, Inc. (Ordinance No. 67B)], a wholly tribally-owned, tribally-operated chartered corporation for the purpose of continuing the operation of Choctaw Development Enterprise, an Ordinance 56 Enterprise of the Mississippi Band of Choctaw Indians; and

WHEREAS, pursuant to Ordinance No. 65, the Tribal Council authorized issuance of a Charter to Choctaw Ikhana Laboratory Services, Inc. [now known as Choctaw Ikhana, Inc. (Ordinance No. 65D)], a wholly tribally-owned, tribally-chartered corporation and has subsequently approved various amendments thereto pursuant to Ordinances No. 65A, 65B, 65C and 65D; and

WHEREAS, the Tribal Council has received CHAHTA HOLDING GROUP, INC’S Resolution CHG 2021-003 (attached hereto) to authorize the merger of Choctaw Ikhana, Inc. into Chahta Services, Inc. and that the tangible and intangible assets of Choctaw Ikhana, Inc. be transferred to Chahta Services, Inc.; and

WHEREAS, the Tribal Council approved said merger in Ordinance No. 65E; and

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

ENACTED, that the Tribal Council acting as sole shareholders of the Choctaw Ikhana, Inc. and Chahta Services, Inc. does hereby approve the merger and transfer of the tangible and intangible assets to Chahta Services, Inc. as set out herein; and be it further

ENACTED, that as a condition of the merger that Chahta Services, Inc. must assume the liabilities, if any, of Choctaw Ikhana, Inc.; and be it further

ENACTED, that this Ordinance shall become effective from and after the date of the final approval of this Ordinance by the Tribal Council.

CERTIFICATION

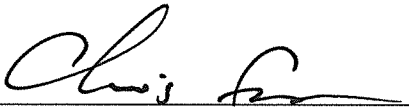
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 17 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 24th day of June, 2021; and that the foregoing Ordinance was duly Enacted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 24th day of June, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-092

A RESOLUTION TO WAIVE INTEREST AND LATE FEES IN RELATION TO CHOCTAW ENTREPRENEURIAL LOAN ACCOUNTS CURRENTLY IN DEFAULT AND TO CHARGE OFF CERTAIN ACCOUNTS BELONGING TO DECEASED BORROWERS

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 October 30, 1997, the Tribal Council adopted Resolution CHO 01-98, which approved a tribal revenue budget for Fiscal Year 1998, including an allocation of five hundred thousand dollars (\$500,000.00) for the development of a small business loan program; and

WHEREAS, on January 19, 2000, the Tribal Council adopted Resolution CHO 00-067, which established the Choctaw Entrepreneurial Loan Program by approving a policy manual and confirming appointments to a Loan Committee; and

WHEREAS, the Choctaw Entrepreneurial Loan Program is sustained through payments from borrowers and partnerships with two local banks which partially fund many new loans; and

WHEREAS, the Choctaw Entrepreneurial Loan Program is receiving the tribal distribution payments of nine (9) borrowers who have defaulted on their loans; and

WHEREAS, there are three (3) Choctaw Entrepreneurial Loan Program accounts currently in default which belong to borrowers who are now deceased, as evidenced by records on file with the Choctaw Entrepreneurial Loan Program; and

WHEREAS, tribal distribution payments do not significantly impact the balances of the living borrowers' accounts as interest and late fees continue to accrue; and

WHEREAS, waiver of interest and late fees in relation to the living borrowers' accounts will increase the likelihood that the principal on those loans will eventually be repaid; and

WHEREAS, a charge off of the deceased borrowers' accounts is needed for accounting purposes as those accounts are unlikely to ever be paid; and

WHEREAS, the cumulative amount of interest and late fees owed on the living borrowers' accounts is thirty-eight thousand nine hundred ninety-one dollars and fifty-nine cents (\$38,991.59); and

WHEREAS, the cumulative amount of principal, interest, and late fees owed on the deceased borrowers' accounts is three hundred eleven thousand eight hundred sixty-five dollars and eighteen cents (\$311,865.18); and

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

RESOLVED, that the Tribal Council does hereby authorize a waiver of interest and late fees in relation to Choctaw Entrepreneurial Loan Program accounts currently in default; and be it further

RESOLVED, that the Tribal Council does hereby authorize a charge off of Choctaw Entrepreneurial Loan Program accounts currently in default which belong to borrowers who are now deceased.

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 Special Call meeting duly called, noticed, convened and held this the 24th day of June, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 24th day of June, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-093

A RESOLUTION TO ACCEPT AMERICAN RESCUE PLAN ACT FUNDS AND TO
AUTHORIZE EXPENDITURE OF FEDERAL FUNDS ALLOCATED UNDER THE
AMERICAN RESCUE PLAN ACT TO AUTHORIZE DIRECT ASSISTANCE TO TRIBAL
MEMBERS AND FOR PLANNING PURPOSES

WHEREAS, Section 1, Subsection (h) 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 all allocations or disbursement of tribal funds (or funds under the control of the Tribe) not specifically appropriated or authorized in a budget approved by the Tribal Council; and

WHEREAS Section 9901 of the American Rescue Plan ("ARP") Act establishes the Coronavirus State and Local Fiscal Recovery Funds ("CSFRF/CLFRF") which are intended to provide support to state, local, and tribal governments in responding to the impact of coronavirus disease 2019 ("COVID-19") on their communities, residents, and businesses; and

WHEREAS, \$20 billion of the Coronavirus State and Local Fiscal Recovery Funds was allocated to federally-recognized tribal governments, with \$1 billion being divided equally among tribal governments, \$12.35 billion being divided among tribal governments based on self-certified enrollment numbers submitted to the Bureau of Indians Affairs ("BIA") in April 2021, and the remaining \$6.65 billion being divided among tribal governments based on 2019 employment data submitted to the U.S. Department of Treasury in connection with Coronavirus Relief Fund established under the Coronavirus Aid, Relief, and Economic Security ("CARES") Act; and

WHEREAS, the guidance issued by the Treasury Department on June 17, 2021, indicates that recipients of CSFRF/CLFRF funds can provide direct cash transfers or direct assistance to households to respond to the public health emergency and the negative economic impacts suffered due to the pandemic, with the amounts previously provided by the federal government in response to the COVID crisis being used as a guiding factor; and

WHEREAS enrolled members of the Mississippi Band of Choctaw Indians have suffered great economic harm due to the results of the pandemic, and the Tribal Chief and Tribal Council have determined that it is in the best interest of the Tribe that direct assistance be given to each member to address the negative impacts related to the pandemic, said direct assistance not to exceed a total of \$35 million dollars; and

WHEREAS there is a great need on MBCI tribal lands for additional housing, modern educational facilities and adequate infrastructure and utilities, including broadband services, water and sewer services, and site development for both residential and commercial development, and these needs should be studied and outlined in a comprehensive Strategic Plan; and

WHEREAS there exists a need to immediately spend funds to hire consultants and employees who can assist in the development of a comprehensive Strategic Plan which will allow MBCI's tribal government to expend its entire ARP funding allocation and to do so in a manner most beneficial to MBCI and tribal members; and

WHEREAS, the Budget & 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 Tribe does hereby accept all funds allocated to it under the American Rescue Plan Act; and be it further

RESOLVED, that the negative economic impact of the pandemic, including the increased costs of goods and services and reduction in income, has greatly impacted enrolled members of the Mississippi Band of Choctaw Indians, and direct assistance will be made on the following dates by direct deposit or U.S. mail to members who are enrolled as of the date of this resolution, meet the age requirements outlined below and who are alive as of the dates of assistance listed below:

FOR ENROLLED MEMBERS ON THE DATE OF THIS RESOLUTION:

1. \$1,000.00 on August 4, 2021;
2. \$1,000.00 on December 8, 2021; and
3. \$1,000.00 on March 9, 2022;

and be it further

RESOLVED, that the adult who is the recipient of tribal distribution funds for the minor shall be the recipient of the direct assistance funds authorized under this resolution, and the appeal process outlined in the Notice of Distribution of Funds applies to the direct assistance funds authorized in this resolution; and be it further

RESOLVED, that direct assistance in the amount of \$3,000.00 be provided to the heir(s) of the enrolled members whose death certificate includes COVID-19 as a cause of death, who complete the application process that will be available beginning October 1, 2021, and when one of the following occurs, with assistance from Choctaw Legal Defense:

1. Determination of beneficiary(ies) listed in a valid Will and an affidavit obtained from those beneficiary(ies);
2. Determination of intestate heir(s) according to tribal or state law, based on the deceased residency and an affidavit signed by all heir(s);
3. Determination of heirs by a court of law;

and be it further,

RESOLVED, that tribal members should use these funds to address needs resulting from the negative impact of the pandemic, including but not limited to utility bills, mortgage or rental payments, food, and cleaning and protective supplies; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to expend federal funds not to exceed \$53,015,330.31 that were allocated to the Tribe under the ARP Act for the purpose of hiring consultants and/or employees to assist in the development and implementation of a Strategic Plan which will allow MBCI's tribal government to expend the remaining ARP Act funding allocation in a manner most beneficial to MBCI and tribal members; and be it further

RESOLVED, that due to the immediate need to develop the Strategic Plan, the Tribal Chief may proceed with the hiring of the necessary individuals without strict adherence to the Administrative Personnel Policy and Procedures; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to expend funds not to exceed \$53,015,330.31 that were allocated to the Tribe under the ARP Act in support of the development of the Strategic Plan, which should be presented to the Tribal Council for approval no later than October 1, 2021.

CERTIFICATION

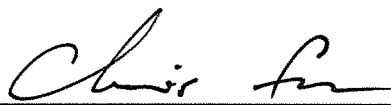
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 17 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 24th day of June, 2021; and that the foregoing Resolution was duly Adopted by a vote of 14 members in favor, 3 opposed and 0 abstaining.

Dated this 24th day of June, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-094

A RESOLUTION TO APPROVE THE 2021-2022 BUDGET FOR THE CHOCTAW TRIBAL SCHOOLS AND TO AMEND THE REVISED EDUCATION COMPENSATION PLAN

WHEREAS, the Mississippi Band of Choctaw Indians has operated the Choctaw Tribal School System since July 1, 1989; and

WHEREAS, the 2021-2022 Tribal Schools Fiscal Year begins July 1, 2021; and

WHEREAS, the following budgets and Resolution has been reviewed by the Education Committee and is recommended to be forwarded to the Tribal Council for approval;

ISEP	
Basic Instruction/Language	\$17,580,055
Dormitory	\$1,114,654
Special Education-ISEF	\$2,524,760
Talented and Gifted	\$704,330
Transportation	\$1,542,176
School Administration	\$6,278,198
Food Services	\$2,723,789
Summer Feeding	\$96,836
F.A.C.E.	\$313,239
O & M	\$4,727,220
Tribal Revenue	\$2,040,163
Program Income	\$179,796
Title I	\$6,482,806
Special Education	
IDEA	\$4,647,106
Infant/Toddler	\$112,171
Early Intervention	\$314,620
Johnson-O'Malley	\$33,972
Title VII	\$470,523
DOE (Language)	0
TOTAL	\$ 51,886,416

WHEREAS, the above budgets include a total of \$4,460,551 of Tribal Revenue: including \$2,040,163 to supplement various programs; \$648,809 for supplementation of the school facilities O&M budget; \$1,228,941 for supplementation of the food services program; and \$542,638 for supplementation of basic instruction; now therefore be it

RESOLVED, that the Tribal Council does hereby approve the attached FY 2021-2022 Tribal School Budgets in the aggregate amount of \$51,886,416 for the Choctaw Tribal School System; and be it further

RESOLVED, that the Tribal Chief is hereby authorized to amend the above budgets based on the availability of federal and general revenue funds and to move expenditures among approved line items. However, any increase in Tribal revenue funds must receive prior approval of the Tribal Council.

CERTIFICATION

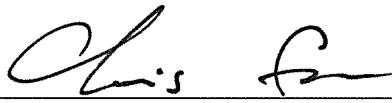
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 17 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 24th day of June, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 24th day of June, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-095

A RESOLUTION TO APPROVE THE REVISED EDUCATION PAY SCALE FOR
CERTIFIED DEPARTMENT OF SCHOOL EMPLOYEES EFFECTIVE JULY 1, 2021

WHEREAS, the Mississippi Band of Choctaw Indians has operated the Choctaw Tribal Schools since July 1, 1989; and

WHEREAS, the Tribal Council adopted and amended the Revised Education Compensation Plan and pay schedule designed to improve the quality of classroom instruction in the Choctaw Tribal School System through the adoption of Resolutions CHO 03-004, 07-065, 08-068, 09-077, 13-092, 15-099, 16-089, 18-062, 19-122; and

WHEREAS, the Revised Education Compensation Plan assures that all certified staff within the Choctaw Tribal School System are compensated in accordance with their certification level and years of experience and that only a limited number of administrators are given additional compensation in accordance with weighted factors approved by the Tribal Council; and

WHEREAS, the current list of administrative positions a weighted factor approved by the Tribal Council include:

Director of Schools	2.0
Assistant Director	1.8
High School Principal	1.7
Middle School Principal	1.5
Pearl River Elementary Principal	1.5
Elementary Principals	1.4
Assistant Principals (6)	1.3
Choctaw Virtual Learning Center Administrator	1.3
Choctaw Technical Education Center Administrator	1.3
Federal Programs/Title I Coordinator	1.3
Special Education Coordinator	1.3
Curriculum Coordinator	1.2
Home Family Services Coordinator	1.2
Data Management Coordinator	1.2

And

WHEREAS, the Education Pay Scale base rate of pay will increase 4% beginning the 2021-2022 school year; 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 Tribal Council does hereby approve the attached Revised Education Pay Scale to be effective July 1, 2021.

CERTIFICATION

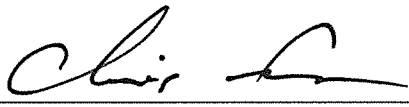
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 17 of whom, constituting a quorum were present at a Special-Call meeting duly called, noticed, convened and held this the 24th day of June, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstained.

Dated this 24th day of June, 2021.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer