

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-065

A RESOLUTION TO PLACE BAKER & HOSTETLER LLP ON THE LIST OF ATTORNEYS  
AUTHORIZED TO PERFORM LEGAL SERVICES FOR THE MISSISSIPPI BAND OF  
CHOCTAW INDIANS AND TO APPROVE TERMS OF RETENTION

WHEREAS, Section 1, Subsection (e) 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 employ and pay legal counsel, subject to the approval of the Secretary of the Interior so long as such approval is required by Federal law; and

WHEREAS, on December 28, 2004, the Tribal Council adopted Resolution CHO 05-014, which approved a list of attorneys authorized to perform legal services for the Tribe; and

WHEREAS, the Tribal Council has modified the aforementioned list through adoption of Resolutions CHO 06-146, CHO 07-015, CHO 07-108, CHO 08-065, CHO 09-005, CHO 10-031, CHO 10-101, CHO 12-039, CHO 12-117, CHO 13-006, CHO 13-111, CHO 14-098, CHO 17-016, CHO 18-076, CHO 20-028, CHO 21-019, and CHO 21-020; and

WHEREAS, there exists a need for the Tribe to engage specialized legal counsel to advise the Tribe on issues relating to cybersecurity; and

WHEREAS, Baker & Hostetler LLP has a Digital Risk Advisory and Cybersecurity Practice Group with experience advising governmental organizations on issues relating to cybersecurity; and

WHEREAS, Baker & Hostetler LLP have not previously been authorized to perform legal services for the Tribe; and

WHEREAS, a Judicial Affairs and Law & Order Committee meeting has not been held, but fifteen members of the Tribal Council have been briefed on this issue at a meeting and it was recommended this matter be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council does hereby approve the addition of Baker & Hostetler LLP to the list of attorneys authorized to perform legal services for the Tribe; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief and Secretary-Treasurer to sign the Terms of Retention attached hereto as Exhibit "A" which specifically states that the execution of the document does not waive the sovereign immunity of the Tribe; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief and Secretary-Treasurer to sign any additional documents, forms, or contracts directly related to the continuance,

amendment, or extension of the Terms of Retention attached hereto as Exhibit "A" without further Council action.

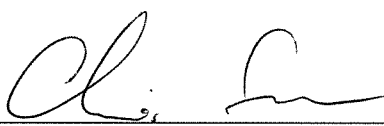
CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 11 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 4<sup>th</sup> day of March, 2021; and that the foregoing Resolution was duly Adopted by a vote of 10 members in favor, 0 opposed and 1 abstaining.

Dated this 4<sup>th</sup> day of March, 2021.

ATTEST:

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

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

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-066

A RESOLUTION TO AMEND THE ADMINISTRATIVE PERSONNEL POLICY &  
PROCEDURES – FTA DRUG AND ALCOHOL POLICY

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

WHEREAS, on June 1, 2012, the Tribal Council adopted Resolution CHO 12-083, which established a policy to ensure that employees who operate, manage, and repair vehicles acquired using Federal Transit Administration grant funds are in compliance with federal regulations regarding alcohol and controlled substances ("FTA Drug and Alcohol Policy"); and

WHEREAS, on April 9, 2013, the Tribal Council adopted Resolution CHO 13-067, which incorporated the FTA Drug and Alcohol Policy into the Tribe's Administrative Personnel Policy and Procedures; and

WHEREAS, amendment to the FTA Drug and Alcohol Policy is necessary for the Tribe to continue receiving Federal Transit Administration grant funds; and

WHEREAS, the Human Resources, Training & 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 approve the amended Administrative Personnel Policy & Procedures – FTA Drug and Alcohol Policy attached hereto as "Exhibit A"; and be it further

RESOLVED, that the amended Administrative Personnel Policy & Procedures – FTA Drug and Alcohol Policy attached hereto as "Exhibit A" shall take effect immediately; and be it further

RESOLVED, that the Tribal Chief is hereby authorized to amend the "System Contacts" listed in Section U of the Administrative Personnel Policy & Procedures Personnel Policy & Procedures – FTA Drug and Alcohol Policy attached hereto as "Exhibit A" without further Council action.

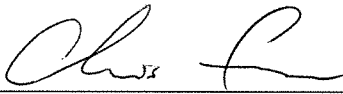
CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 10 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 4<sup>th</sup> day of March, 2021; and that the foregoing Resolution was duly Adopted by a vote of 10 members in favor, 0 opposed and 0 abstaining.

Dated this 4<sup>th</sup> day of March, 2021.

ATTEST:

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

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

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-067(B)

A RESOLUTION TO APPROVE A RESIDENTIAL LEASE FOR JASON GRISHAM AND  
KENDALL GRISHAM IN THE PEARL RIVER COMMUNITY

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

WHEREAS, the Tribal Council has the sole authority to approve leases of tribal lands for residential purposes pursuant to the Helping Expedite and Advance Responsible Tribal Home Ownership Act (“HEARTH Act”) of July 30, 2012, Pub. L. 112-151, 126 Stat. 1150, 25 U.S.C. § 415, as implemented by the Mississippi Band of Choctaw Indians HEARTH Act Leasing Regulations, approved by the Department of the Interior on March 5, 2019 with notice published in the Federal Register on April 10, 2019, Vol. 84, No. 69, pages 14390-14391; and

WHEREAS, Jason Grisham and Kendall Grisham have made application through the Tribe’s Real Estate Program for a residential lease to construct a permanent dwelling and driveway on the following described land:

Commencing at a concrete monument located on the Southwest corner of the SE 1/4 of the SW 1/4 of Section 21, Township 11 North, Range 10 East, Neshoba County, Mississippi; thence West 355.34'; thence North 903.95' to an iron pin located on the North right of way of Mississippi Highway 16; said point also being the POINT OF BEGINNING of herein described property; thence N79°01'58"W 208.71' along said north right of way line to an iron pin; thence N11°01'09"E 208.71' to an iron pin; thence S79°01'58"E 208.71' to an iron pin; thence S11°01'09"W 208.71' to the POINT OF BEGINNING; being 1.00 acres, more or less, and a part of the SW 1/4 of the SW ¼ of Section 21, Township 11 North, Range 10 East, Neshoba County, Mississippi; and

Commencing at a concrete monument located on the Southwest corner of the SE 1/4 of the SW 1/4 of Section 21, Township 11 North, Range 10 East, Neshoba County, Mississippi; thence West 355.34'; thence North 903.95' to an iron pin located on the North right of way line of Mississippi Highway 16; thence S79°01'58"E 176.61' along said north right of way line to the POINT OF BEGINNING of herein described Easement; thence N05°45'12"W 28.84'; thence N21°28'15"W 88.03'; thence N42°21'08"W 46.18'; thence N54°15'51"W 45.88'; thence N71°26'54"W 42.65'; thence N11°01'09"E 30.26'; thence S71°26'54"E 51.15'; thence S54°15'51"E 53.54'; thence S42°21'08"E 54.84'; thence S21°28'15"E 97.69'; thence S05°45'12"E 41.99' to the intersection with said north right of way line, thence N79°01'58"W 31.32' along said north right of way line to the POINT OF BEGINNING; being 0.19 acres, more or less, and a part of the SW 1/4 of the SW

1/4 of Section 21, Township 11 North, Range 10 East, Neshoba County, Mississippi; and

WHEREAS, the Tribal Council has determined that it is in the best interest of the Tribe to waive the requirement for bond in relation to the proposed lease for the above-referenced land pursuant Section 12(b) of the Tribe's HEARTH Act Leasing Regulations; and

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

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief and Secretary-Treasurer to execute a residential lease for the above-referenced land with Jason Grisham and Kendall Grisham for a term of twenty-five (25) years with options to renew for no more than two (2) additional terms of twenty-five (25) years each subject to the Tribe's HEARTH Act Leasing Regulations; and be it further

RESOLVED, that the Tribal Council does hereby approve the form of the proposed lease for the above-referenced land attached hereto as Exhibit "A" pursuant to Section 18 of the Tribe's HEARTH Act Regulations; and be it further

RESOLVED, that the Tribal Council hereby waives the requirement for bond in relation to the proposed lease for the above-referenced land pursuant to Section 12(b) of the Tribe's HEARTH Act Leasing Regulations; and be it further

RESOLVED, that the Tribal Council hereby authorizes the Tribal Chief and the Secretary-Treasurer to sign any additional documents, forms, or contracts directly related the continuance, amendment, or extension of the proposed lease for the above-referenced land without further Council action


#### CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 10 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 4<sup>th</sup> day of March, 2021; and that the foregoing Resolution was duly Adopted by a vote of 10 members in favor, 0 opposed and 0 abstaining.

Dated this 4<sup>th</sup> day of March, 2021.

ATTEST:

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

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

RECOMMENDED:



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

3/5/2021

\_\_\_\_\_  
Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-068(B)

A RESOLUTION TO APPROVE A RESIDENTIAL LEASE FOR RONNIE REED, SR. AND  
KATIE REED IN THE PEARL RIVER COMMUNITY

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

WHEREAS, the Tribal Council has the sole authority to approve leases of tribal lands for residential purposes pursuant to the Helping Expedite and Advance Responsible Tribal Home Ownership Act (“HEARTH Act”) of July 30, 2012, Pub. L. 112-151, 126 Stat. 1150, 25 U.S.C. §415, as implemented by the Mississippi Band of Choctaw Indians HEARTH Act Leasing Regulations, approved by the Department of the Interior on March 5, 2019 with notice published in the Federal Register on April 10, 2019, Vol. 84, No. 69, pages 14390-14391; and

WHEREAS, Ronnie Reed, Sr. and Katie Reed have submitted an application through the Tribe’s Real Estate Program for a residential lease to install a manufactured home on the following described land:

Commencing at the NE corner of Section 9, Township 11 North, Range 10 East, Neshoba County, MS. Thence run South for 82.12 feet; thence run West for 1,367.17 feet to the point of beginning; thence run S 03 degrees 54’24”W a distance of 200.00 feet; thence N 86 degrees 05’36”W a distance of 200.00 feet; thence run N 03 degrees 54’24”E a distance of 200.00 feet; thence run S 86 degrees 05’36”E a distance of 200.00 feet to the point of beginning of the described parcel, said parcel containing 0.92 acres, more or less, and being situated in the NW ¼ of the NE ¼, of Section 9, Township 11 North, Range 10 East, Neshoba County, MS; and

WHEREAS, the Tribal Council has determined that it is in the best interest of the Tribe to waive the requirement for bond in relation to the proposed lease for the above-referenced land pursuant Section 12(b) of the Tribe’s HEARTH Act Leasing Regulations; and

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

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief and Secretary-Treasurer to execute a residential lease for the above-referenced land with Ronnie Reed, Sr. and Katie Reed for a term of one (1) year with options to renew for no more than two (2) additional terms of one (1) year each subject to the Tribe’s HEARTH Act Leasing Regulations; and be it further



RESOLVED, that the Tribal Council does hereby approve the form of the proposed lease for the above-referenced land attached hereto as Exhibit "A" pursuant to Section 18 of the Tribe's HEARTH Act Regulations; and be it further

RESOLVED, that the Tribal Council hereby waives the requirement for bond in relation to the proposed lease for the above-referenced land pursuant to Section 12(b) of the Tribe's HEARTH Act Leasing Regulations; and be it further

RESOLVED, that the Tribal Council hereby authorizes the Tribal Chief and the Secretary-Treasurer to sign any additional documents, forms, or contracts directly related the continuance, amendment, or extension of the proposed lease for the above-referenced land without further Council action


### CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 10 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 4<sup>th</sup> day of March, 2021; and that the foregoing Resolution was duly Adopted by a vote of 10 members in favor, 0 opposed and 0 abstaining.


Dated this 4<sup>th</sup> day of March, 2021.

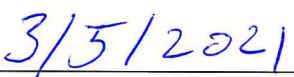
ATTEST:

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

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

RECOMMENDED:

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

  
\_\_\_\_\_  
Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 21-069(B)

A RESOLUTION TO DESIGNATE TRIBAL LANDS FOR ROADWAY LIGHTING ALONG  
CHOCTAW ROAD IN THE BOGUE HOMA COMMUNITY

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

WHEREAS, 25 CFR Part 162 provides that the Tribal Council has the authority to dedicate tribal lands to a public use without the need for Bureau of Indian Affairs approval; and

WHEREAS, there exists a need for roadway lighting along Choctaw Road in the Bogue Homa Community; and

WHEREAS, the tribal lands which have been identified to serve as the sites of roadway lighting along Choctaw Road in the Bogue Homa Community are more particularly described as follows:

Six (6) twenty-five (25) feet wide parcels of land, running parallel and immediately adjacent to the west and east edges of pavement of Choctaw Road where said road transects Tribal property. The width of said strips shall be measured perpendicular to the edge of Choctaw Road at the location being considered. Said parcels lie within the Northwest ¼ of the Northeast ¼ of Section 8, Township 9 North, and Range 10 West, and the Southeast ¼ of the Southeast ¼ of Section 5, Township 9 North, Range 10 West, and the Northwest ¼ of the Southwest ¼ of Section 4, Township 9 North, Range 10 West, containing 2.80 acres, more or less, all said land being in Jones County, Mississippi and shown on the attached Exhibit A; and

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

RESOLVED, that the Tribal Council does hereby designate the above-described tribal lands to serve as the sites of roadway lighting along Choctaw Road in the Bogue Homa Community; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to sign any additional documents, forms, or contracts directly related to the installation and maintenance of roadway lighting on the above-described tribal lands 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, 10 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 4<sup>th</sup> day of

March, 2021; and that the foregoing Resolution was duly Adopted by a vote of 10 members in favor, 0 opposed and 0 abstaining.

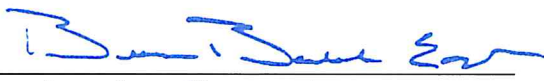
Dated this 4<sup>th</sup> day of March, 2021.

ATTEST:

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

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

RECOMMENDED:

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

3/5/2021  
\_\_\_\_\_  
Date