

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 18-104

A RESOLUTION TO APPROVE FISCAL YEAR 2019 BUDGETS FOR TRIBAL
ADMINISTRATION, PROGRAMS, AGENCIES AND OPERATIONS

WHEREAS, revenues are accruing to the tribal government from tribal government and economic activities; and

WHEREAS, the prudent management of tribal programs, activities, and resources requires that significant federal and tribal resources be budgeted for the adequate support of tribal administrative offices, departments and programs and independent agencies; and

WHEREAS, the general revenue and health department budgets have been prepared by the Tribal Chief and reviewed in a series of meetings involving the Tribal Council, the tribal administration, divisions, departments and programs; now therefore be it

RESOLVED, that the Tribal Council does hereby approve the following budgets for fiscal year 2019:

General Revenue Operating Budget	\$ 96,704,071
Tribal Projects, Equipment and Facilities	\$ 12,882,241
Choctaw Health Department Budget	\$ 64,207,426

And be it further

RESOLVED, that the Tribal Council does hereby authorize use of funds from the following sources:

Indirect Cost Collections	\$ 21,793,032
Gaming Revenue	\$ 65,000,000
General Fund Non-Gaming Revenue	\$ 4,600,000
Prior Year Funds	\$ 8,825,000
Choctaw Gaming Commission Fees & Charges	\$ 3,191,228
Other Program Income	\$ 6,177,052
Indian Health Service	\$ 47,626,944
Medicaid & Medicare Collections	\$ 9,000,000
General Health Fund	\$ 5,000,000
USET	\$ 1,256,112
WIC	\$ 1,154,370
Other Grants & Contracts	\$ 170,000

And be it further

RESOLVED, that revenues collected in accordance with the Choctaw Tax Code and Gaming Ordinances that are in excess of those needed to fund FY 2019 expenditures for the Choctaw Tax Commission and the Choctaw Gaming Commission will be transferred to the Tribal General Fund; and be it further

RESOLVED, that the Tribal Chief is hereby authorized to move expenditures among approved activities; however, any increase in the overall budget amount for the General Revenue Budget must receive the 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, 15 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 14th day of September, 2018; and that the foregoing Resolution was duly Adopted by a vote of 14 members in favor, 0 opposed and 1 abstaining.

Dated this 14th day of September, 2018.

ATTEST:



Phylliss J. Anderson, Tribal Chief



Richard T. Isaac, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 18-105

A RESOLUTION TO AMEND THE TRIBAL ENTERPRISE AND GOVERNMENT SERVICE FRINGE BENEFIT PACKAGE FOR ELIGIBLE EMPLOYEES TO PROVIDE FOR \$100,000 OF TERM LIFE INSURANCE AT NO COST TO THE EMPLOYEE

WHEREAS, Tribal Ordinance 56, Section 11(g)(4) authorizes enterprises “to adopt and maintain employee welfare, benefit, and other incentive programs for personnel employed by the Tribe at the enterprise, except that for any employee benefit plans or policies which the Tribal Council may from time to time require to be made uniformly applicable to all tribal employees”; and

WHEREAS, as part of the tribal government’s comprehensive health insurance package for employees of the tribal government and its Ordinance 56 enterprises, the Tribe provides \$75,000 of term life insurance as approved by resolution CHO 15-087; and

WHEREAS, the Tribe also provides an additional \$10,000 of term life insurance approved by resolution CHO 05-061; and

WHEREAS, the Tribe wishes to amend the employee fringe benefit package for full time employees to provide for a single policy of \$100,000 of term life insurance without regard to annual salary levels at no cost to the employees; and

WHEREAS, the Budget and Finance Committee has reviewed this Resolution and recommends it be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council does hereby approve an amendment to the uniform Tribal Government Services and Ordinance 56 Enterprise fringe benefit package for full time employees to provide for \$100,000 of term life insurance; and be it further

RESOLVED, that the Tribal Council does hereby rescind resolutions CHO 15-087 and CHO 05-061; and be it further


RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or her designee to sign all necessary documents, forms or contracts directly to obtain said life insurance coverage.

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, 14 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 14th day of September, 2018; and that the foregoing Resolution was duly Adopted by a vote of 14 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of September, 2018.

ATTEST:



Phylliss J. Anderson, Tribal Chief



Richard T. Isaac, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 18-106

A RESOLUTION TO AUTHORIZE A DISTRIBUTION OF TRIBAL FUNDS

WHEREAS, the Mississippi Band of Choctaw Indians has pioneered in the development of revenue-producing industrial and commercial enterprises, which produce revenues for the tribal government; and

WHEREAS, the members of the Mississippi Band of Choctaw Indians should derive some benefit from the general production of revenues insofar as it is feasible; and

WHEREAS, the amended Tribal-State Compact of IGRA Class III gaming between the Mississippi Band of Choctaw Indians and the State of Mississippi Section 7.6 (2) states: "Per capita payments may be made to individual tribal members in an amount not to exceed one thousand and no/100 (\$1000.00) per year by the authority of, and in accordance with, an ordinance and regulations duly adopted by the Tribal Council and with a Revenue Allocation Plan approved by the Bureau of Indian Affairs, U.S. Department of Interior, if required or equivalent thereof."; and

WHEREAS, on July 15, 1996, the Bureau of Indian Affairs approved the Tribal-State Compact amendment regarding distribution and the Tribal Council in Ordinance 77 approved provisions regarding the per capita payments from gaming proceeds; now therefore be it

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to promulgate procedures and to conduct the distribution of \$600 per tribal member on December 4, 2018, in accord with the attached Notice of Funds Distribution; and be it further

RESOLVED, that the Tribal Council does hereby authorize an amount not to exceed \$1,110,000 (\$100 per member) be funded from the Mississippi Band of Choctaw Indians' non-gaming general fund revenue; and be it further

RESOLVED, that the Tribal Council does hereby appropriate an amount not to exceed \$5,922,194 (\$500 per member) from tribal gaming distributions to the Tribe to carry out this distribution and authorize the Tribal Chief and Secretary-Treasurer to take all necessary action to effectuate said distribution.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 14th day of September, 2018; and that the foregoing Resolution was duly Adopted by a vote of 15 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of September, 2018.

ATTEST:



Phyllis J. Anderson, Tribal Chief



Richard T. Isaac, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 18-107

A RESOLUTION TO APPROVE THE FY 2019 HEAD START CONTINUATION
APPLICATION REQUEST

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 and local governments, with private persons, or with corporate bodies; and

WHEREAS, the Tribal Council and the Department of Early Childhood Education Policy Council are the duly authorized policy making bodies for all Early Head Start and Head Start programs; and

WHEREAS, the Administration for Children and Families, Department of Health and Human Services, has announced continuation of financial assistance programs that provide child and family development services for low income children and their families; and

WHEREAS, the main goals of the Department of Early Childhood is: (1) to provide early, continuous, intensive and comprehensive child development services; (2) provide family support services on a year-round basis to low income families with children zero to five years of age; and (3) enhance children’s physical, social, emotional and intellectual development; and

WHEREAS, the Early Childhood Education Policy Council has determined there is a significant number of children and families eligible for this assistance; and

WHEREAS, the Committee on Education has reviewed the grant application and is recommended to be forward to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribe’s grant application for the Department of Early Childhood is made with the following stipulations:

1. The Mississippi Band of Choctaw Indians (“MBCI”) is a Federally-recognized Indian tribe and pursuant to Federal law, will only comply with those regulations that are specifically applicable to Indian tribes; and
2. The Mississippi Band of Choctaw Indians (“MBCI”) adheres to a publicly-announced policy of Indian preference in all employment related actions including recruitment, employment, reduction-in-force, promotion, training and transfer to the maximum extent allowed by applicable law; and
3. The Mississippi Band of Choctaw Indians (“MBCI”) is exempt from making certification regarding or from filing Standard Form-LLL regarding lobbying per 31 U.S.C. Sec. 1352, 2 U.S.C. Sec. 1602. 40 CFR 34.105(1) and 40 CFR 34.110, as to any such activity which

may have been or may be undertaken by Tribal officials or Tribal employees or where such reporting is otherwise exempted under §1352(d). The MBCI has not engaged any outside lobbyist to engage in any activity regarding this grant which would require reporting under any of the referenced statutes; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or her designee, to apply for FY 2019 funding with the Administration for Children and Families, Department of Health and Human Services and renew subsequent applications subject upon the availability of funds from the Administration for Children and Families, Department of Health and Human Services; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or her designee, to sign additional documents, forms, or contracts directly related to the awarding of, continuance, amendment or extension of the Administration for Children and Families, Department of Health and Human Services, without further Council action.

CERTIFICATION

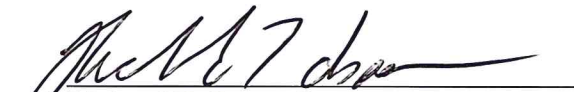
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 14 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 14th day of September, 2018; and that the foregoing Resolution was duly Adopted by a vote of 14 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of September, 2018.

ATTEST:



Phyliss J. Anderson, Tribal Chief



Richard T. Isaac, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 18-108

A RESOLUTION TO APPROVE THE CHOCTAW VIRTUAL LEARNING CENTER'S
HANDBOOK FOR THE 2018-2019 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 Tribal Government of the MBCI has operated the Choctaw Tribal Schools since July 1, 1989; and

WHEREAS, in January 2017, the MBCI Division of Education in collaboration with Choctaw Central High School commenced operation of blended virtual instructional services to prevent at-risk students from dropping out of high school and to enable them to complete their high school diplomas on time; and

WHEREAS, the Department of Schools staff annually reviews and updates all handbooks for the Choctaw Tribal School system to ensure comprehensive and up to date policies for the school staff, parents and students; and

WHEREAS, the MBCI Division of Education staff have developed the attached Choctaw Virtual Learning Center's School Handbook for the 2018-2019 school year; and

WHEREAS, the Committee on Education has reviewed the attached handbook and recommends it to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council does hereby approve the Choctaw Virtual Learning Center's Student Handbook for the 2018-2019 school year in substantially the same form as attached.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 14 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 14th day of September, 2018; and that the foregoing Resolution was duly Adopted by a vote of 14 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of September, 2018.

ATTEST:



Phylliss J. Anderson, Tribal Chief



Richard T. Isaac, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 18-109

A RESOLUTION TO ACQUIRE 1.412 ACRES OF LAND

WHEREAS, the Mississippi Band of Choctaw Indians is the beneficial owner of land located in Neshoba County, Mississippi, in the Pearl River Choctaw Indian Community, which is held in trust by the United States of America; and

WHEREAS, an additional 1.412 acres of land located on the north side of Highway 16 and east side of Industrial Road adjacent to Tribal land held in trust by the US of America for the benefit of the Mississippi Band of Choctaw Indians, and owned by Cadence Bank LLC (hereinafter referred to as "Cadence Property"), is available for sale; and

WHEREAS, additional land is needed for future development and to facilitate tribal self-determination, in the existing tribal community of Pearl River; and

WHEREAS, the Tribal Council is empowered, under Article VIII, section 1(a) of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians, 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 Cadence Property is described as tax parcel # 0540-29-018.000 pin # 5304 in the Neshoba County public records and may be further described as follows, to wit:

Point of beginning being where the East line of the SE ¼ of the SW ¼ intersects the North right of way line of Highway No. 16; then run North 76 degrees 00 minutes West 260 feet along said Highway right of way line; thence run North 251.31 feet; thence run South 76 degrees 00 minutes East 260 feet; thence South along quarter section line 251.31 feet to point of beginning, being 1.5 acres, more or less, being in the SE ¼ of SW ¼, Section 29, Township 11 North, Range 11 East, Neshoba County, Mississippi. Together with all improvements and appurtenances pertaining thereto

LESS AND EXCEPT

Begin at the point of intersection of the Eastern line of grantors property with the present Northeasterly right-of-way line of Mississippi Highway No. 16 as shown on the plans for Federal Aid Project no. STP-0024-04 (016) (101191/201000); from said point of beginning run thence North 77° 31' 09" West along said present Northeasterly right-of-way line, a distance of 35.941 meters (117.916 feet); then run Northwesterly along said present Northeasterly right-of-way line and the circumference of a circle to the right having a radius of 5121.061 meters (16801.381 feet), an arc distance of 48.078 meters (157.737 feet) [said arc having a cord bearing of North 77° 15' 01" West for a distance of 48.078 meters (157.736 feet)] to the Eastern line of grantors property; thence North 00° 40' 11" East along said Eastern property line, a distance of 13.771 meters (45.179

feet); thence South 40° 36' 12" East, a distance of 16.717 meters (54.845 feet) to a point that is 27.432 meters (90 feet) Northeasterly of and perpendicular to the centerline of survey of said project at station 158+20; thence South 73° 45' 51" East along a line that is 27.432 meters (90 feet) Northeasterly of and parallel with the centerline of survey of said project, a distance of 36.576 meters (120.000 feet); thence South 88° 28' 50" East, a distance of 35.995 meters (118.094 feet) to the Eastern line of grantors property; thence South 01° 05' 01" West along said Eastern property line, a distance of 8.276 meters (27.152 feet) to the point of beginning, containing 0.036 hectares (0.088 acres), more or less, and being situated in and a part of the Southwest ¼, Section 29, Township 11 North, Range 11 East, Neshoba County, Mississippi.

And

WHEREAS, the Cadence Property will be properly surveyed by a registered surveyor and a metes and bounds legal description will be prepared for the property; and

WHEREAS, the aforementioned property owned by the Cadence Property is adjacent to tribal lands and is needed for expansion of tribal lands in the Pearl River community; and

WHEREAS, a Contract for the Sale and Purchase of Real Estate has been prepared regarding the Cadence Property, a copy of which is attached hereto as Exhibit "A," which outlines the agreement regarding the transaction, including the purchase price; and

WHEREAS, the Committee on Natural Resources has reviewed this Resolution and recommends it 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 the Secretary-Treasurer to execute a Contract for the Sale and Purchase of Real Estate, a copy of which is attached hereto as Exhibit "A," of the above-described lands in accordance with the terms and conditions of said Exhibit "A," or substantially the same, using appropriated tribal funds for land purchase; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief and Secretary-Treasurer to purchase the above-described lands at a price not to exceed \$35,000.00, plus any associated closing costs, using currently-appropriated tribal land purchase funds and to execute any and all further necessary documents to effectuate said land purchase; and be it further

RESOLVED, that the Tribal Council does hereby request the Secretary of the Interior to place title to said lands so purchased in the name of the United States of America in trust for the Mississippi Band of Choctaw Indians.

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, 14 of whom, constituting a quorum,

were present at a Special Call meeting duly called, noticed, convened, and held this the 14th day of September, 2018; and that the foregoing Resolution was duly adopted by a vote of 14 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of September, 2018.

ATTEST:



Phyllis J. Anderson, Tribal Chief



Richard T. Isaac, Secretary-Treasurer