

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

ORDINANCE NO. 16-RRRRR

AN ORDINANCE TO AMEND TITLE XXXIII—CHOCTAW TRIBAL ELECTION CODE TO
ESTABLISH ELECTION RULES AND PROCEDURES TO ALLOW ELECTRONIC
VOTING MACHINES

WHEREAS, the Tribal Council of the Mississippi Band of Choctaw Indians acting pursuant to Article V, Section 2 of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians (“MBCI” or the “Tribe”) has adopted Title XXXIII, Choctaw Tribal Election Code to codify the election rules and procedures (“Election Code”); and

WHEREAS, the Tribal Election Committee has made recommendations to amend the Election Code to allow the use of electronic voting machines in Tribal elections and to establish rules and procedures for the use of electronic voting machines in the voting process and other minor Tribal Code amendments as outlined in Exhibit “A”; and

WHEREAS, the Tribal Council believes that it is in the best interest of the Tribe to amend the Election Code to authorize the use of electronic voting machines and establish the rules and procedures for use of electronic voting machines in Tribal elections; and

WHEREAS, if after the enactment of this Ordinance a petition for a referendum seeking to reject or revoke this Ordinance is filed, the Tribal Election Committee shall conduct the next election under the provisions of the existing Title XXXIII if a final determination on the petition for a referendum is not complete in time for the next election; and

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

ENACTED, that Tribal Council does hereby approve the amendments to Title XXXIII—Choctaw Election Code as shown in the attached Exhibit “A”; and be it further

ENACTED, that the amended Title XXXIII—Choctaw Election Code shall be effective upon the enactment of this Ordinance and the Office of the Attorney General shall ensure that the Tribal Code is updated on the Tribe’s website provided, however, if after the enactment of this Ordinance a petition for a referendum seeking to reject or revoke this Ordinance is filed, the Tribal Election Committee shall conduct the next election under the provisions of the existing Title XXXIII if a final determination on the petition for a referendum is not complete in time for this next election.

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 December, 2022; and that the foregoing Ordinance was duly Enacted by a vote of 14 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of December, 2022.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 23-009

A RESOLUTION TO AUTHORIZE AMY PAULS OF MISSISSIPPI STATE UNIVERSITY
TO CONDUCT DOCTORAL RESEARCH RELATING TO THE 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, Amy Pauls, a doctoral student at Mississippi State University, is requesting authorization to conduct research relating to the Choctaw Tribal Schools as described in the research proposal attached hereto as Exhibit "A"; and

WHEREAS, the research described in the research proposal attached hereto as Exhibit "A" will help the Choctaw Tribal Schools gauge the efficacy of its curriculum at no cost to the Choctaw Tribal Schools; and

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

RESOLVED, that the Tribal Council does hereby authorize Amy Pauls to conduct the research described in the research proposal attached hereto as Exhibit "A" under the following conditions:

- (1) the results of the research must be submitted in writing to the Policy & Legislative Office and the Office of the Attorney General;
- (2) the results of the research must be presented in-person to the Education Committee; and
- (3) the results of the research cannot be disseminated to any person or organization other than Mississippi State University faculty without prior written authorization from the Tribal Council; and be it further

RESOLVED, that the Tribal Council does hereby authorize 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 described in the research proposal 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, 13 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 14th day of December, 2022; and that the foregoing Resolution was duly Adopted by a vote of 13 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of December, 2022.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 23-010

A RESOLUTION TO AUTHORIZE WILLIAM DAN DOUGLAS, JR. TO PERFORM LEGAL SERVICES FOR THE MISSISSIPPI BAND OF CHOCTAW INDIANS

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 August 13, 1993, the Tribal Council adopted Resolution CHO 189-93, which authorized MBCI's first acquisition of land in Henning, Tennessee and the eventual transfer of that land to the United States in trust for the Tribe; and

WHEREAS, the Tribal Council has authorized additional acquisitions of land in Henning, Tennessee through adoption of Resolutions CHO 53-95 and CHO 18-099; and

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

WHEREAS, the Tribal Council has amended the aforementioned list through adoption of Resolutions CHO 06-146, CHO 07-015, CHO 07-108, CHO 08-023, CHO 08-065, CHO 09-005, CHO 09-026, 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, CHO 21-020, CHO 21-051, CHO 21-065, CHO 21-073, CHO 22-088, and CHO 22-089; and

WHEREAS, attorney William Dan Douglas, Jr. has extensive experience with real estate transactions in Lauderdale County, Tennessee; and

WHEREAS, William Dan Douglas, Jr. has not previously been authorized to perform legal services for the Tribe; and

WHEREAS, the Judicial Affairs and Law & Order 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 William Dan Douglas, Jr. to perform legal services for the Tribe as outlined in the Engagement Letter attached hereto as Exhibit "A"; and be it further

RESOLVED, that the Tribal Council authorizes the Tribal Chief to sign the Engagement Letter attached hereto as Exhibit "A"; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign any additional documents, forms, or contracts directly related to the continuance, amendment, or extension of the Engagement Letter 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, 13 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 14th day of December, 2022; and that the foregoing Resolution was duly Adopted by a vote of 13 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of December, 2022.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 23-011

A RESOLUTION TO AUTHORIZE THE MISSISSIPPI BAND OF CHOCTAW INDIANS' DEPARTMENT OF FAMILY AND COMMUNITY SERVICES, ELDERLY SOCIAL AND NUTRITION PROGRAM TO APPLY FOR AN ELDERLY NUTRITION GRANT FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, ADMINISTRATION ON AGING

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 Health and Human Services, Administration on Aging has made available grant funds for the continuation of a program which provides nutritional and supportive services to Native American elders under Part A and to Family Caregiver support services under Part C of the Older American Act; and

WHEREAS, MBCI has an effective elderly nutrition program which provides additional nutritional and supportive services to Tribal elderly members; and

WHEREAS, the Department of Family and Community Services' Elderly Social and Nutrition Program desires to renew their application for another three (3) years (2023-2026) for these funds; and

WHEREAS, the Community and Family Services & Veterans Affairs Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the 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 Tribal Chief or his designee, to apply for, negotiate and accept grant funding through the Elderly Nutrition Grant from the U.S. Department of Health and Human Services, Administration on Aging and renew subsequent applications upon the availability of funds; 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 grant funding through the Elderly Nutrition Grant from the U.S. Department of Health and Human Services, Administration on Aging 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, 13 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 14th day of December, 2022; and that the foregoing Resolution was duly Adopted by a vote of 13 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of December, 2022.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 23-012

A RESOLUTION TO AUTHORIZE THE MISSISSIPPI BAND OF CHOCTAW INDIANS' DEPARTMENT OF FAMILY AND COMMUNITY SERVICES, ELDERLY SOCIAL AND NUTRITION PROGRAM TO PARTICIPATE IN A NATIONWIDE NEEDS ASSESSMENT THROUGH THE NATIONAL RESOURCE CENTER ON NATIVE AMERICAN AGING

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 approve or disapprove contracts or agreements with Federal, State or local governments, with private persons or with corporate bodies; and

WHEREAS, the Administration on Aging is an agency of the U.S. Department of Health and Human Services; and

WHEREAS, the National Resource Center on Native American Aging ("National Resource Center") has been awarded grants from the Administration on Aging to provide technical assistance to assess the health and social needs of Native American elders; and

WHEREAS, the Tribe must conduct a needs assessment of Tribal elders before applying for grant funds made available through the U.S. Department of Health and Human Services to provide nutritional and support services to Tribal elders; and

WHEREAS, the National Resource Center's needs assessment of Tribal elders is designed to yield information on general health status, activities of daily living, visual, hearing and dental needs, tobacco and alcohol use, nutrition, exercise, excess weight, social support, housing and work; and

WHEREAS, the National Resource Center will provide needs assessment instruments, assistance in sampling, training of interviewers, consultation with interviewers via email or telephone, data entry and analysis, data storage and production of tables and comparisons with national statistics; and

WHEREAS, in addition to providing technical assistance, the National Resource Center is required to perform research and disseminate the results of its research as a condition of its grants from the Administration on Aging; and

WHEREAS, the National Resource Center is requesting Tribes throughout the nation to volunteer and participate in a partnership arrangement to identify the needs of Native American elders nationwide; and

WHEREAS, the confidentiality of enrolled Tribal members and Tribal information is of the utmost importance; and

WHEREAS, Tribal members personal health information will be collected anonymously and a digital copy of the data stored on a secure server at the University of North Dakota School of Medicine and Health Sciences for a period of ten (10) years before being destroyed and paper

copies will be retained for six (6) months after the cycle ends to ensure accurate data entry then destroyed; and

WHEREAS, summary information from the Tribe's needs assessment, along with a national comparison report from all the needs assessment, will be returned to the Tribal Council and to the local contact person; and

WHEREAS, the Community and Family Services & Veterans Affairs Committee has reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the 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 release of information and data collected by the National Resource Center for the purpose of disseminating state, regional and national results from analysis of the data; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign any documents, letters, forms or applications directly related to the Tribe's participation in the National Resource Center's needs assessment of Tribal elders; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to apply for, negotiate and accept grant funding through the National Resource Center on Native American Aging from the Department of Health and Human Services, Administration on Aging and renew subsequent applications upon the availability of funds; 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 grant funding through the National Resource Center on Native American Aging from the U.S. Department of Health and Human Services, Administration on Aging 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, 13 of whom constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 14th day of December, 2022; and that the foregoing Resolution was duly Adopted by a vote of 13 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of December, 2022.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 23-013(B)

A RESOLUTION TO APPROVE A LAND USE PERMIT FOR MICHAEL VERNON KING
IN THE CONEHATTA COMMUNITY

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

WHEREAS, Section 1, Subsection (i) of Article VIII of the Revised Constitution and Bylaws of the Tribe empowers the Tribal Council to establish and enforce rules, consistent with applicable statutes and 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, on March 7, 2017, the Tribal Council adopted Resolution CHO 17-038, which established the Tribe’s HEARTH Act Leasing Regulations; and

WHEREAS, the Tribal Council amended the Tribe’s HEARTH Act Leasing Regulations through adoption of Resolution CHO 19-039; and

WHEREAS, the Tribe’s HEARTH Act Leasing Regulations were 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, MBCI Tribal member Michael Vernon King has applied to lease the house site shown and described on the diagram attached hereto as Exhibit “A”, but has not yet gathered all of the documents required to obtain a lease; and

WHEREAS, the previous leaseholder’s interest in the house located on the aforementioned site ended upon expiration of their lease in 1995; and

WHEREAS, Michael Vernon King has occupied the aforementioned house since the previous leaseholder’s death in 1999; and

WHEREAS, Section 19 of the Tribe’s HEARTH Act Leasing Regulations provides that the Tribal Council can authorize issuance of one-year land use permits without having all of the documents required to obtain a lease; 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 the Secretary-Treasurer to sign the Land Use Permit attached hereto as Exhibit "A"; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign any additional documents, forms, or contracts directly related to implementation of the Land Use Permit 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, 13 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 14th day of December, 2022; and that the foregoing Resolution was duly Adopted by a vote of 13 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of December, 2022.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency

12-15-2022

Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 23-014(B)

A RESOLUTION TO AUTHORIZE A SERVICE LINE AGREEMENT IN FAVOR OF
TELEPAK NETWORKS, INC. D/B/A C SPIRE FIBER

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 July 14, 2020, the Tribal Council adopted Resolution CHO 20-093, which approved a Coronavirus Relief Fund Budget, including an allocation for the development of “COVID-19 Emergency Response Facilities”; and

WHEREAS, the Tribe has requested that Telepak Networks, Inc. d/b/a/ C Spire Fiber (“C Spire”) extend its high-speed broadband service to the COVID-19 Emergency Response Facilities in the Bogue Chitto, Conehatta, Red Water, and Tucker communities; and

WHEREAS, extension of C Spire’s high-speed broadband service to the aforementioned facilities will require C Spire to construct and maintain fiber optic backbone lines over and across MBCI Reservation lands; and

WHEREAS, 25 CFR Part 169—Subpart B provides that a right-of-way granted by the Bureau of Indians Affairs is not required for utility lines that are used only to supply a building with utility service and which run from a main line, transmission line, or distribution line; and

WHEREAS, the Tribal Council has determined it is in the best interest of the Tribe to enter into a Service Line Agreement of perpetual duration with C Spire for the purpose of constructing and maintaining fiber optic backbone lines over and across the land described in the Service Line Agreement attached hereto as 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 authorize the Tribal Chief or his designee, to execute the Service Line Agreement attached hereto as Exhibit “A”; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign any additional documents, forms, or contracts directly related to the establishment of C Spire’s high-speed broadband service at each of the aforementioned facilities and the continuance, amendment, or extension of the Service Line Agreement attached hereto as Exhibit “A” without further Council action.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 13 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 14th day of December, 2022; and that the foregoing Resolution was duly Adopted by a vote of 13 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of December, 2022.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency

12-15-2022

Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 23-015(B)

A RESOLUTION TO DESIGNATE SITES IN THE CONEHATTA COMMUNITY FOR DEVELOPMENT, MAINTENANCE AND ADMINISTRATION OF SINGLE-FAMILY HOUSING UNITS BY CHOCTAW HOUSING AUTHORITY

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

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

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

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

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

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

WHEREAS, on January 9, 2018, the Tribal Council adopted Resolution CHO 08-035(B), which designated a site for a Choctaw Housing Authority development parallel to Mills Road in the Conehatta Community; and

WHEREAS, Choctaw Housing Authority plans to expand the aforementioned development by placing two single-family housing units on the MBCI Reservation lands shown and described on the survey plat attached hereto as 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 MBCI Reservation lands shown and described on the survey plat attached hereto as Exhibit “A” for development, maintenance, and administration of single-family housing units by Choctaw Housing Authority; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign any additional documents, forms, or contracts directly related to the development, maintenance, and administration of single-family housing units on the above-referenced MBCI Reservation lands by Choctaw Housing Authority without further Council action.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 13 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 14th day of December, 2022; and that the foregoing Resolution was duly Adopted by a vote of 13 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of December, 2022.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency

12-15-2022

Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 23-016(B)

A RESOLUTION TO DESIGNATE A SITE IN THE BOGUE HOMA COMMUNITY FOR THE DEVELOPMENT OF A WASTEWATER TREATMENT SYSTEM SERVING FIVE CHOCTAW HOUSING AUTHORITY SINGLE-FAMILY HOUSING UNITS

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

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

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

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

WHEREAS, on November 9, 2007, the Tribal Council adopted Resolution CHO 08-018(B), which designated nine one-acre sites in the Bogue Homa Community for the development of single-family housing units by Choctaw Housing Authority; and

WHEREAS, Choctaw Housing Authority intends to develop five single-family housing units on three of the aforementioned one-acre sites; and

WHEREAS, an additional two acres is required to accommodate a wastewater treatment system that will adequately serve the five proposed single-family housing units; and

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

WHEREAS, development of wastewater treatment systems serving single-family housing units administered by Choctaw Housing Authority is a public use for which Tribal lands can be dedicated; and

WHEREAS, the site which has been identified for a wastewater treatment system serving the five proposed single-family housing units is located adjacent to three of the aforementioned one-acre sites on Tribal lands which are more particularly shown on the diagram attached hereto as 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 Tribal lands shown on the diagram attached hereto as Exhibit "A" for development of a wastewater treatment system serving five single-family housing units administered by Choctaw Housing Authority; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign any additional documents, forms, or contracts directly related to the development of a wastewater treatment system on the above-referenced Tribal lands by Choctaw Housing Authority without further Council action.

CERTIFICATION

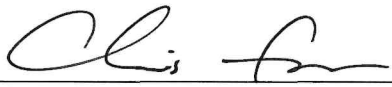
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 13 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 14th day of December, 2022; and that the foregoing Resolution was duly Adopted by a vote of 13 members in favor, 0 opposed and 0 abstaining.

Dated this 14th day of December, 2022.

ATTEST:

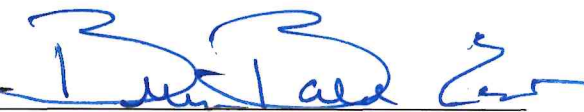


Cyrus Ben, Tribal Chief




Christopher Eaves, Secretary-Treasurer

RECOMMENDED:



Superintendent, Choctaw Agency



Date

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 23-017

A RESOLUTION TO APPROVE FY 2023 BUDGET FOR CHOCTAW RESIDENTIAL
CENTER ENTERPRISE

WHEREAS, Tribal Ordinance 56 provides for the continuation of ongoing Tribal enterprises under the Business Enterprise Division of the Tribal Government Executive Branch; and

WHEREAS, Section 13(a) of Ordinance 56 requires that Tribal Enterprises submit for approval annual operating budgets to the Tribal Chief and Tribal Council; and

WHEREAS, Section 13(b) of Ordinance 56 requires that Tribal Enterprises submit for approval capital budgets to the Tribal Chief and Tribal Council; and

WHEREAS, the enterprise manager of Choctaw Residential Center has prepared and submitted an operating and a capital budget for FY 2023 beginning January 1, 2023, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the Choctaw Residential Center Board of Directors has reviewed and approved the attached budget for FY 2023; and

WHEREAS, the Choctaw Residential Center Enterprise Board of Directors has approved a distribution to the Tribal Government General Fund for FY 2023 in the amount of \$750,000 on a date to be determined; now therefore be it

RESOLVED, that the Tribal Council does hereby approve the attached FY 2023 budget for the Choctaw Residential Center Enterprise, including Operating Expenditures in the amount of \$10,065,782 and Capital Expenditures in the amount of \$499,080; and be it further

RESOLVED, that the Tribal Council authorizes the Choctaw Residential Center Enterprise Board of Directors to move expenditures among approved line items when necessary; however, any increase to the capital budget or fixed cost amounts included in the operation budget must receive the prior approval of the Tribal Council.

CERTIFICATION

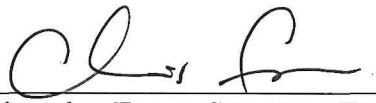
I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 15 of whom, constituting a quorum were present at a Special Call meeting duly called, noticed, convened and held this the 14th day of December, 2022; 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 December, 2022.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 23-018

A RESOLUTION AUTHORIZING CHAHTA ENTERPRISE TO ENTER INTO AN
AGREEMENT FOR A LINE OF CREDIT FROM THE TRIBAL DEVELOPMENT LOAN
FUND

WHEREAS, the Mississippi Band of Choctaw Indians d/b/a Chahta Enterprise (the “Enterprise”) is a duly established Tribal enterprise operating under Ordinance 56; and

WHEREAS, on April 14, 2020, the Tribal Council adopted Resolution CHO 20-087, which authorized an emergency line of credit in the amount of \$330,000 to cover losses incurred during the Covid-19 pandemic; and

WHEREAS, the Enterprise has recently contracted with several new customers and will require additional start-up linen to meet the demands of the new commercial laundry customer base; and

WHEREAS, the Enterprise Board of Directors has approved the Enterprise’s request to the Tribal Council for an additional line of credit from the Tribal Development Loan Fund (“TDLF”) account in the amount of \$270,000 and has requested that the Tribal Council approve the request as required under Ordinance 56 §11(g)(2)(i); now therefore be it

RESOLVED, that the Tribal Council does hereby authorize an additional line of credit from the Tribal Development Loan Fund to Chahta Enterprise in an amount not to exceed \$270,000 to be repaid over a 5-year period at an interest rate of 0%, with the ability of the borrower to be granted a five (5) year extension; and be it further

RESOLVED, that the Tribal Council does hereby authorize MBCI’s Office of Finance & Accounting to complete the necessary documents to transfer funds in the amount of \$270,000 from the TDLF account to Chahta Enterprise; and be it further

RESOLVED, that the Tribal Chief and the Secretary-Treasurer are hereby authorized to execute any documents, forms, or contracts directly related to this authorized line of credit or the extension thereof without further Council action.

CERTIFICATION

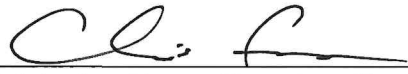
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Dated this 14th day of December, 2022.

ATTEST:



Cyrus Ben, Tribal Chief



Christopher Eaves, Secretary-Treasurer