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

ORDINANCE NO. 81-C

AN ORDINANCE APPROVING AND ENACTING THE "TRIBAL EMPLOYMENT CODE" AS CHAPTER TWO IN TITLE XXXVI OF THE CHOCTAW TRIBAL CODE

WHEREAS, Section 1, Subsection (m) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians ("MBCI" or the "Tribe") empowers the Tribal Council to establish and enforce ordinances governing the conduct of tribal members; providing for the maintenance of law, order and the administration of justice; regulating wholesale, retail, commercial, or industrial activities on tribal lands; establishing a tribal court; and defining the powers and duties of that court; subject to the approval of the Secretary of the Interior where such approval is required by Federal law; and

WHEREAS, Section 1, Subsection (c) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians 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, the Tribal Council finds that all Tribal employees and independent contractors who seek positions within the Tribal Government, Tribal Business Enterprises, or any independent Tribal agency or regulatory body of the Tribe should not have been previously convicted or adjudicated by the Tribe's Human Resources office of committing theft or any form of theft-related offense against the Tribe; and

WHEREAS, the Tribal Council approves and enacts the "Tribal Employment Code" to be included as Chapter Two of Title XXXVI in the Choctaw Tribal Code which provides for a general prohibition against hiring or rehiring anyone who has previously committed theft or any form of theft-related offense against the Tribe, but including an exception to that general prohibition depending on the amount of time that has passed and based on the amount of loss to the Tribe; and

WHEREAS, the Human Resource, Training & 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 approves and enacts the attached "Tribal Employment Code" to be included as Chapter Two of Title XXXVI in the Choctaw Tribal Code.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of

ORD NO. 81-C Page 2

January, 2023; and that the foregoing Ordinance is duly Enacted by a vote of 16 members in favor, 0 opposed, and 0 abstaining.

Dated this 10th day of January, 2023.

ATTEST:

Cyrus Ben, Tribal Chief

RESOLUTION CHO 23-019(B)

A RESOLUTION TO ACKNOWLEDGE A RELINQUISHMENT OF MEMBERSHIP IN THE MISSISSIPPI BAND OF CHOCTAW INDIANS

WHEREAS, Section 2 of Article III of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians ("MBCI" or the "Tribe") empowers the Tribal Council to pass ordinances, subject to the approval of the Secretary of the Interior, governing future membership, loss of membership, and the adoption of new members; provided that no person of less than one-half degree of Choctaw blood shall be admitted to membership in the Mississippi Band of Choctaw Indians; and

WHEREAS, on December 19, 1995, the Tribal Council enacted Ordinance No. 16-NN which established procedures for Tribal enrollment as Title XXII of the Choctaw Tribal Code ("Tribal Enrollment Code"); and

WHEREAS, the Tribal Council has amended the Tribal Enrollment Code through enactment of Ordinance Nos. 16-RRR and 16-JJJJJ; and

WHEREAS, Section §22-4-1 of the Tribal Enrollment Code provides that any adult MBCI Tribal member may voluntarily relinquish their MBCI Tribal membership contingent upon their enrollment as a member of another federally recognized Indian Tribe; and

WHEREAS, on October 11, 2022, the Tribal Council adopted Resolution CHO 23-001(B) which authorized a conditional relinquishment of MBCI Tribal membership; and

WHEREAS, the Tribal Enrollment Office has received written confirmation that the subject of the aforementioned Resolution was enrolled as a member of another federally recognized Indian Tribe on December 1, 2022; now therefore be it

RESOLVED, that the Tribal Council does hereby acknowledge that the subject of Resolution CHO 23-001(B) relinquished their MBCI Tribal membership on December 1, 2022.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 10th day of January, 2023.

RES	CHO	23-01	19(B)
Page	2		

ATTEST:

Cyrus Ben, Tribal Chief

RESOLUTION CHO 23-020(B)

A RESOLUTION TO APPROVE AN INCREASE IN BLOOD DEGREE AND A NAME CHANGE FOR A PREVIOUSLY ENROLLED TRIBAL MEMBER

WHEREAS, Section 2 of Article III of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians ("MBCI" or the "Tribe") empowers the Tribal Council to pass ordinances, subject to the approval of the Secretary of the Interior, governing future membership, loss of membership, and the adoption of new members; provided that no person of less than one-half degree of Choctaw blood shall be admitted to membership in the Mississippi Band of Choctaw Indians; and

WHEREAS, on December 19, 1995, the Tribal Council enacted Ordinance No. 16-NN, which established procedures for Tribal enrollment as Title XXII of the Choctaw Tribal Code ("Tribal Enrollment Code"); and

WHEREAS, the Tribal Council has amended the Tribal Enrollment Code through enactment of Ordinance Nos. 16-RRR and 16-JJJJJ; and

WHEREAS, Section §22-2-8 of the Tribal Enrollment Code provides that MBCI Tribal members may apply to increase their blood degree based on new or additional information about paternity or maternity; and

WHEREAS, Section §22-3-11 of the Tribal Enrollment Code provides that MBCI Tribal members may change their names as they appear in MBCI's enrollment records by submitting certain documents; and

WHEREAS, the Tribal Enrollment Committee is recommending that the Tribal Council approve an increase in blood degree and a name change for one MBCI Tribal member as specified in the document attached hereto as Exhibit "A"; now therefore be it

RESOLVED, that the Tribal Council does hereby approve an increase in blood degree and a name change for one MBCI Tribal member as specified in the document attached hereto as Exhibit "A".

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 10th day of January, 2023.

RES CHO 23-020(B) Page 2

ATTEST:

Cyrus Ben, Tribal Chief

RESOLUTION CHO 23-021(B)

A RESOLUTION TO ENROLL TRIBAL MEMBERS

WHEREAS, Section 2 of Article III of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians ("MBCI" or the "Tribe") empowers the Tribal Council to pass ordinances, subject to the approval of the Secretary of the Interior, governing future membership, loss of membership, and the adoption of new members; provided that no person of less than one-half degree of Choctaw blood shall be admitted to membership in the Mississippi Band of Choctaw Indians; and

WHEREAS, on December 19, 1995, the Tribal Council enacted Ordinance No. 16-NN which established procedures for Tribal enrollment as Title XXII of the Choctaw Tribal Code ("Tribal Enrollment Code"); and

WHEREAS, the Tribal Council has amended the Tribal Enrollment Code through enactment of Ordinance Nos. 16-RRR and 16-JJJJJ; and

WHEREAS, Sections §22-2-10 and §22-2-14 of the Tribal Enrollment Code provide that new MBCI Tribal members are to be enrolled by Tribal Council Resolution upon a recommendation by the Tribal Enrollment Committee that those new members meet the membership criteria set forth in Article III of the Revised Constitution and Bylaws of the Tribe; and

WHEREAS, the Tribal Enrollment Committee is recommending that the Tribal Council enroll 44 new MBCI Tribal members as specified in the document attached hereto as Exhibit "A"; and

WHEREAS, with the adoption of this Resolution, there will be 11,049 enrolled members of MBCI; now therefore be it

RESOLVED, that the Tribal Council does hereby enroll the <u>44</u> persons specified in the document attached hereto as Exhibit "A", beginning with the name <u>K. Alex-Wilson</u> and ending with <u>M. Wishork</u>; and be it further

RESOLVED, that the Tribal Council does hereby authorize the assignment of roll numbers to all 44 persons specified in the document attached hereto as Exhibit "A".

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

RES	CHO 23-021(B)
Page	2

Dated this 10^{th} day of January, 2023.

ATTEST:

Cyrus Ben, Tribal Chief

RESOLUTION CHO 23-022

A RESOLUTION TO APPROVE AN AFFILIATION AGREEMENT FOR CLINICAL EXPERIENCE BETWEEN THE UNIVERSITY OF ALABAMA AND THE MISSISSIPPI BAND OF CHOCTAW INDIANS' CHOCTAW HEALTH CENTER

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 University of Alabama's ("UA") School of Social Work and Choctaw Health Center ("CHC") desire to renew the field affiliation agreement previously approved under Resolution CHO 14-026, dated December 19, 2013, to provide clinical field experience in social work; and

WHEREAS, CHC encourages its employees to pursue advanced studies in health care related fields; and

WHEREAS, CHC seeks to attract qualified, trained, and licensed health care professionals to meet its mission in providing quality health care to the Tribal community; and

WHEREAS, CHC is able to provide field supervision for any Tribal member or CHC employee pursuing social work degree programs, including graduate level studies; and

WHEREAS, there will be no costs associated with this affiliation agreement; and

WHEREAS, it is in the best interest of CHC and the Tribe to enter into an Affiliation Agreement with UA; and

WHEREAS, the CHC Governing Board and the Chairman of the Health Committee have 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 the Tribal Chief or his designee, to execute the attached Field Affiliation Agreement, in substantially the same form, to continue an affiliation with the University of Alabama's School of Social Work; and be it further

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

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 10th day of January, 2023.

ATTEST:

Cyrus Ben, Tribal Chief

RESOLUTION CHO 23-023

A RESOLUTION TO AUTHORIZE THE MISSISSIPPI BAND OF CHOCTAW INDIANS TO APPLY FOR AN INDIAN HOUSING BLOCK GRANT—COMPETITIVE GRANT PROGRAM FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

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 Housing and Urban Development ("HUD") is inviting eligible federally recognized Indian Tribes or Tribally Designated Housing Entities to apply for discretionary grant funding to conduct a range of affordable housing activities, including developing, maintaining and operating affordable housing in safe and healthy environments on Indian reservations; and

WHEREAS, the Indian Housing Block Grant ("IHBG")—Competitive Grant Program is authorized under Title I of the Native American Housing Assistance and Self-Determination Act of 1996, as amended (25 U.S.C. 4101 et seq.) ("NAHASDA"); and

WHEREAS, IHBG grant funds must be used by Tribes primarily to benefit low-income Indian families that meet the criteria of NAHASDA and 24 CFR 1000.104; and

WHEREAS, the Tribe intends to seek HUD funding under this IHBG—Competitive Grant Program, Funding Opportunity #FR-6600-N-48, up to the maximum \$7,500,000, for the development of a multi-unit apartment complex at a selected construction site on Frog Level Road in the Pearl River community; and

WHEREAS, the MBCI seeks to reduce overcrowding, relieve Tribal members from physically deteriorating housing units, and provide safe, affordable housing to better accommodate the needs of individuals with disabilities and/or Veteran status and First Responders; and

WHEREAS, the land for the apartment complex is appraised at \$35,000; and

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

RESOLVED, that the Tribe's grant application is made with the following stipulations:

- 1) The Mississippi Band of Choctaw Indians ("MBCI") is a federally recognized Indian Tribe and pursuant to federal law, will only comply with those regulations that are specifically applicable to Indian Tribes; and
- 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 his designee, to apply for, negotiate and accept an Indian Housing Block Grant—Competitive Grant Program from the U.S. Department of Housing and Urban Development 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 an Indian Housing Block Grant—Competitive Grant Program from the U.S. Department of Housing and Urban Development without further Council action.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 10th day of January, 2023.

ATTEST:

Cyrus Ben, Tribal Chief

RESOLUTION CHO 23-024(B)

A RESOLUTION TO AUTHORIZE THE TRIBAL CHIEF TO APPROVE CERTAIN RIGHTS-OF-WAY ON AN ONGOING BASIS

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, there is a frequent need to supply facilities with electricity, water, sewer, gas, internet access, and other utilities; and

WHEREAS, ongoing authority to approve rights-of-way will expedite the process of supplying facilities with electricity, water, sewer, gas, internet access, and other utilities; and

WHEREAS, 25 CFR §169.107 provides that the Bureau of Indian Affairs cannot grant rights-ofway without written consent from the Tribe; and

WHEREAS, 25 CFR §169.110 provides that the Bureau of Indian Affairs can waive the requirement for valuation in relation to a grant of right-of-way upon receipt of a document authorized by the Tribal Council which states that a waiver of the valuation requirement is in the best interest of the Tribe since the Tribe has already agreed to a satisfactory amount of compensation; and

WHEREAS, 25 CFR §169.107 provides that the Bureau of Indian Affairs can waive the requirement for bond, insurance, or an alternative form of security in relation to a grant of right-of-way upon receipt of a document authorized by the Tribal Council which states that a waiver of the security requirement is in the Tribe's best interest; and

WHEREAS, 25 CFR §169.201 provides that the Bureau of Indian Affairs can grant a right-of-way for any duration that the Tribe determines is reasonable; and

WHEREAS, the Chairman of the Natural Resources 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 the Tribal Chief or his designee, to consent to grants of right-of-way of any duration on an ongoing basis for the purpose of supplying electricity, water, sewer, gas, internet access, or other utilities to facilities located on MBCI Reservation lands; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to determine whether the agreed-upon compensation for the grants of right-of-way authorized by this Resolution is satisfactory to the Tribe; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to determine whether it is in the best interest of the Tribe to authorize the Bureau of Indian Affairs to waive valuation in relation to the grants of right-of-way authorized by this Resolution; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to authorize the Bureau of Indian Affairs to waive valuation and the requirement for bond, insurance, or an alternative form of security in relation to the grants of right-of-way authorized by this Resolution; 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 issuance of the grants of right-of-way authorized by this resolution or the establishment of utility service at facilities that are the subject of the grants of right-of-way authorized by this resolution without further Council action.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 10th day of January, 2023.

ATTEST:

Cyrus Ben, Tribal Chief

Christopher Eaves, Secretary-Treasurer

10/2023

RECOMMENDED:

Superintendent, Chostaw Agency

Date

RESOLUTION CHO 23-025(B)

A RESOLUTION TO AUTHORIZE THE TRIBAL CHIEF TO ENTER INTO CERTAIN SERVICE LINE AGREEMENTS ON AN ONGOING BASIS

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 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, there is a frequent need to supply buildings with electricity, water, sewer, gas, internet access, and other utilities; and

WHEREAS, ongoing authority to enter into service line agreements will expedite the process of supplying buildings with electricity, water, sewer, gas, internet access, and other utilities; and

WHEREAS, the Chairman of the Natural Resources 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 the Tribal Chief or his designee, to enter into service line agreements of any duration on an ongoing basis for the purpose of supplying electricity, water, sewer, gas, internet access, or other utilities to buildings located on MBCI Tribal lands; 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 utility service at buildings that are the subject of service line agreements authorized by this Resolution without further Council action.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 10th day of January, 2023.

ATTEST:

RES	CHO	23-025(B)
Page	2	

Cyrus Ben, Tribal Chief

Christopher Eaves, Secretary-Treasurer

RECOMMENDED:

Superintendent, Choctav Agency

Date

RESOLUTION CHO 23-026

A RESOLUTION TO DESIGNATE AN AUTHORIZED CUSTOMER REPRESENTATIVE FOR TRUSTMARK NATIONAL BANK TRANSACTIONS IN CONJUNCTION WITH DEPOSIT ACCOUNTS

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, Section 1, Subsection (c) of Article VIII of the Revised Constitution and Bylaws of the MBCI 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, MBCI has had a long standing business relationship with Trustmark National Bank ("Trustmark") as is evidenced by the adoption of Resolutions CHO 195-96 and CHO 11-97, and Trustmark acts as a depository for MBCI and maintains multiple deposit accounts; and

WHEREAS, MBCI wishes to use certain services and products offered by Trustmark, collectively referred to as "Cash Management Services and Products" ("CMSP"), and it is necessary to designate an Authorized Customer Representative to utilize such CMSP; and

WHEREAS, even if MBCI has designated that two or more signatures ("Multiple Signature Requirement") are required to withdraw funds from its deposit account(s) at Trustmark, MBCI does not desire to impose such Multiple Signature Requirement with respect to withdrawals made or initiated by the use of such CMSP; and

WHEREAS, notwithstanding any other Resolution or agreement requiring two or more signatures to withdraw funds from certain accounts through which Trustmark's CMSP shall be offered, MBCI desires to designate the Authorized Customer Representative set forth below to execute operating, cash management, funds transfer, wires, automated clearing house, sweep services, remote deposit capture services, master repurchase, online banking, night depository, safe deposit box, lockbox, positive pay, electronic balance reporting, investment management and other agreements relating to deposit accounts with Trustmark, and to otherwise initiate transactions or instructions using security procedures applicable to any Trustmark CMSP used by MBCI; and

WHEREAS, regardless of the identity of the initiator, MBCI further desires to authorize the initiation of transactions or instructions using security procedures applicable to any Trustmark CMSP used by MBCI; and

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

RESOLVED, that the MBCI CFO, is hereby designated as MBCI's "Authorized Customer Representative" and that notwithstanding any other Resolution or agreement requiring two or more signatures to withdraw or transfer funds from the deposit account(s) of the MBCI, she is hereby authorized and vested with full authority to act for and on behalf of MBCI; and be it further

RESOLVED, that MBCI may from time to time enter into operating, cash management, funds transfer, wires, automated clearing house, sweep services, remote deposit capture services, master repurchase, online banking, night depository, safe deposit box, lockbox, positive pay, electronic balance reporting, investment management and other agreements relating to deposit accounts with Trustmark and that (in addition to the Authorized Signer designated in the resolutions authorizing deposit accounts and related services) the MBCI CFO is hereby authorized, for and on behalf of MBCI, to (1) complete, accept, execute, amend, supplement, and deliver to Trustmark agreements, applications, forms and other documents, in either paper or electronic form, on behalf of MBCI, upon such terms and conditions as the MBCI CFO may deem appropriate, after consultation with the Tribal Chief; (2) appoint and delegate, from time to time, persons who may act on behalf of MBCI pursuant to, and with regard to, such agreements; (3) add, delete, or change any services or products used by MBCI and MBCI accounts for which the services or products may be used; and (4) may further initiate transactions or instructions using security procedures applicable to any Trustmark CMSP used by MBCI; and be it further

RESOLVED, that regardless of the identity of the initiator, the initiation of a transaction or instructions using security procedures applicable to any Trustmark CMSP used by MBCI constitutes sufficient authorization for Trustmark to execute such transaction or instruction notwithstanding any particular designation by MBCI of authorized persons or signature requirements identified on any signature card or other documents relating to MBCI's deposit account maintained with Trustmark, and that the submission of transactions and instructions using the security procedures shall be considered the same as an authorized written signature of an authorized signatory of MBCI in authorizing Trustmark to execute each such transaction or instruction; and be it further

RESOLVED, that MBCI shall be bound by any and all transactions initiated either by any Authorized Customer Representative or solely through the use of security procedures designated for any applicable CMSP, and by any and all transactions and activity otherwise initiated by MBCI; and be it further

RESOLVED, that any and all acts authorized pursuant to this Resolution and performed prior to the passage of this Resolution are hereby ratified and approved; and be it further

RESOLVED, that this Resolution supersedes all Resolutions of like tenor previously furnished to Trustmark but does not supersede the Resolutions authorizing deposit accounts and related services; and be it further

RESOLVED, that this Resolution will continue in full force and effect and shall remain irrevocable as far as Trustmark is concerned until Trustmark is notified in writing of its modification or rescission, which shall have prospective effect only; and it be it further

RESOLVED, that there is no provision within the Constitution or Bylaws, or other governing document of MBCI, that restricts the passing of the foregoing Resolution, and that this Resolution was and is duly approved and authorized in conformity with the governing documents and applicable law; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or the MBCI CFO, as the Authorized Customer Representative, to sign any documents, forms, or contracts directly related to the implementation or continuance of the Trustmark CMSP without further Council action.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 10th day of January, 2023.

ATTEST:

Cyrus Ben, Tribal Chief

RESOLUTION CHO 23-027

A RESOLUTION TO CONFIRM THE NOMINATION OF W. DIANE MAXWELL AS THE ATTORNEY GENERAL FOR THE MISSISSIPPI BAND OF CHOCTAW INDIANS

WHEREAS, Section §1-6-5 of Title I of the Mississippi Band of Choctaw Indians' Tribal Code provides in pertinent part:

"The chief law enforcement prosecutorial office of the Tribal government shall be the Office of the Attorney General of the Mississippi Band of Choctaw Indians. The Attorney General of the Mississippi Band of Choctaw Indians ("Attorney General") shall report directly to the Chief and shall be considered a permanent political appointee under the Revised Personnel Policies for Tribal employees. Subject to the availability of funds, the Chief shall nominate such persons as the Chief feels are qualified to fill the position of Attorney General. Before taking office, such persons shall be confirmed by a majority vote of the Tribal Council. No person shall be nominated or appointed as Attorney General unless he or she is a member in good standing of the bar of the State of Mississippi."; and

WHEREAS, W. Diane Maxwell is an active bar member in good standing, as evidenced by the attached Letter of Good Standing issued from the State Bar of Mississippi; and

WHEREAS, Chief Cyrus Ben has nominated W. Diane Maxwell to fill the position of Attorney General; now therefore be it

RESOLVED, that the Tribal Council does hereby confirm the nomination and appointment of W. Diane Maxwell as the Attorney General 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, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 10th day of January, 2023.

ATTEST:

Cyrus Ben, Tribal Chief

RESOLUTION CHO 23-028

A RESOLUTION TO CONFIRM THE APPOINTMENT OF MEMBERS TO THE TRIBAL ENROLLMENT COMMITTEE

WHEREAS, procedures for Tribal Enrollment have been promulgated by the Tribal Council and enacted as Title XXII of the Tribal Code through adoption of Ordinances No. 16-NN, 16-RRR and 16-JJJJJ; and

WHEREAS, Section §22-2-1 of Title XXII provides that the Enrollment Committee shall be composed of five (5) persons nominated by the Chief and confirmed by the Tribal Council, who shall serve four (4) year terms commencing in January of 1996; and

WHEREAS, the Tribal Council through Resolutions CHO 18-055, CHO 19-100 and CHO 19-116 confirmed appointments to the Tribal Enrollment Committee which have expired January 2019, January 2021 and January 2023; and

WHEREAS, Chief Cyrus Ben has nominated the following and terms expire as follows:

<u>Member</u>	Term Expires
Gilbert Thompson, Chairperson	January 2027
Willa Thomas	January 2027
Celestine Steve	January 2026
Rebecca Steve	January 2026
Linda Williams	January 2026

Now therefore be it

RESOLVED, that the Tribal Council does hereby confirm the appointments listed to the Tribal Enrollment Committee; and be it further

RESOLVED, that these appointments are four (4) year terms and end on the expiration date or until a successor has been duly nominated and confirmed.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 10th day of January, 2023.

ATTEST:

Cyrus Ben, Tribal Chief

RESOLUTION CHO 23-029

A RESOLUTION TO CONFIRM THE APPOINTMENT OF MEMBERS TO THE TRIBAL PERSONNEL GRIEVANCE PANEL

WHEREAS, the Tribal Council established an independent panel for resolution of employee grievance disputes through adoption of Resolution CHO 03-011; and

WHEREAS, the Tribal Council confirmed a chairperson and established procedures for the Tribal Personnel Grievance Panel through adoption of Resolution CHO 03-104; and

WHEREAS, the Tribal Council adopted Resolution CHO 20-006 which confirmed appointments to the Tribal Personnel Grievance Panel which have expired October 2020 and October 2022; and

WHEREAS, Chief Cyrus Ben has nominated the following and terms expire as follows:

Member	Term Expires
Stanley Johnson, Chairperson	October 2027
Melanie Carson	October 2027
Julia Lindsey	October 2027
Rhonda Bell	October 2026
Dr. Joshua Weaver	October 2026
Roberta Taylor, alternate	October 2027

Now therefore be it

RESOLVED, that the Tribal Council does hereby confirm the appointments listed to the Tribal Personnel Grievance Panel; and be it further

RESOLVED, that these appointments are four (4) year terms and end on the expiration date or until a successor has been duly nominated and confirmed.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 10th day of January, 2023.

ATTEST:

Cyrus Ben, Tribal Chief

RESOLUTION CHO 23-030

A RESOLUTION TO CONFIRM THE APPOINTMENT OF MEMBERS TO THE TRIBAL CREDIT COMMITTEE

WHEREAS, the Credit Committee of the Revolving Credit Program is comprised of five members serving staggered terms ending in July of even numbered years; and

WHEREAS, the Tribal Council through Resolutions CHO 05-044 and 05-050 confirmed new appointments and reestablished credit committee terms; and

WHEREAS, the Tribal Council through Resolution CHO 16-091 confirmed appointments to the Tribal Credit Committee which have expired July 2018 and July 2020; and

WHEREAS, Chief Cyrus Ben has nominated the following and terms expire as follows:

Member	Term Expires
Connie Deon, Chairperson	July 2026
Edward Rangel	July 2026
Kendall Grisham	July 2027
Kelli Jones	July 2027
Brittany Bell	July 2027

Now therefore be it

RESOLVED, that the Tribal Council does hereby confirm the appointments listed to the Tribal Credit Committee; and be it further

RESOLVED, that these appointments are four (4) year terms and end on the expiration date or until a successor has been duly nominated and confirmed.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 10th day of January, 2023.

ATTEST:

Cyrus Ben, Tribal Chief

RESOLUTION CHO 23-031

A RESOLUTION TO CONFIRM THE APPOINTMENT OF MEMBERS TO THE CHOCTAW TAX COMMISSION

WHEREAS, Title XIV of the Tribal Code, as enacted March 27, 1989, through Tribal Ordinance No. 16-I, and amended through Ordinance Nos. 16-K, 16-N and 16-S, provides for certain exemptions to the payment of retail sales taxes on the reservation; and

WHEREAS, the Tribal Council adopted Resolution CHO 16-020 which confirmed appointments to the Choctaw Tax Commission which have expired on July 31, 2019; and

WHEREAS, Chief Cyrus Ben has nominated the following and terms expire as follows:

Member	Term Expires
Debra Smith, Chairperson	July 2027
Janette Farve	July 2027
Tenecia Bell	July 2027

Now therefore be it

RESOLVED, that the Tribal Council does hereby confirm the appointments listed to the Choctaw Tax Commission; and be it further

RESOLVED, that these appointments are four (4) year terms and end on the expiration date or until a successor has been duly nominated and confirmed.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 10th day of January, 2023.

ATTEST:

Cyrus Ben, Tribal Chief

RESOLUTION CHO 23-032

A RESOLUTION TO CONFIRM THE APPOINTMENT OF MEMBERS TO THE TRIBAL ELECTION COMMITTEE

WHEREAS, Title XXXIII of the Choctaw Tribal Code is known as the Choctaw Tribal Election Code and it outlines the rules governing Tribal elections, including the appointment of persons to the Tribal Election Committee; and

WHEREAS, Section §33-4-1(3) provides that, as the staggered terms established prior to the adoption of Title XXXIII expire, new appointments to fill those expired terms should be made; and

WHEREAS, the Tribal Council through Resolutions CHO 19-058 and CHO 21-044 confirmed appointments to the Tribal Election Committee which have expired October 11, 2022; and

WHEREAS, Chief Cyrus Ben has nominated the following and terms expire as follows:

Member/Alternate	Term Expires
Amy Pauls, Member	October 13, 2026
Melanie Benn, Alternate	October 13, 2026
Danita Willis, Alternate	October 13, 2026

Now therefore be it

RESOLVED, that the Tribal Council does hereby confirm the appointments listed to the Tribal Election Committee; and be it further

RESOLVED, that these appointments are four (4) year terms and end on the expiration date or until a successor has been duly nominated and confirmed.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 10th day of January 2023.

ATTEST:

Cyrus Ben, Tribal Chief

RESOLUTION CHO 23-033

A RESOLUTION TO CONFIRM APPOINTMENTS TO THE CHOCTAW RESIDENTIAL CENTER ENTERPRISE BOARD OF DIRECTORS

WHEREAS, the Choctaw Residential Center Enterprise was established by the Mississippi Band of Choctaw Indians in 1985 and is now a fully owned Tribal Enterprise governed by Ordinance 56; and

WHEREAS, Ordinance 56 established a seven-member Board of Directors for the Choctaw Residential Center Enterprise consisting of the Tribal Chief, the Vice-Chief, the Secretary-Treasurer, the Chairman of the Health Committee and three members nominated by the Tribal Chief and confirmed by the Tribal Council; and

WHEREAS, the Tribal Council through Resolution CHO 18-004 confirmed appointments to the Choctaw Residential Center Enterprise which have expired October 2021; and

WHEREAS, Chief Cyrus Ben has nominated the following and terms expire as follows:

Member	Term Expires
Peggy Crawford	October 2026
Jimmy Shannon	October 2026

Now therefore be it

RESOLVED, that the Tribal Council does hereby confirm the appointments listed to the Choctaw Residential Center Enterprise Board of Directors; and be it further

RESOLVED, that these appointments are four (4) year terms and end on the expiration date or until a successor has been duly nominated and confirmed.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 10th day of January, 2023.

ATTEST:

Cyrus Ben, Tribal Chief Christopher Eaves, Secretary-Treasurer

RESOLUTION CHO 23-034

A RESOLUTION TO CONFIRM APPOINTMENTS TO THE CHOCTAW HOUSING AUTHORITY BOARD OF COMMISSIONERS

WHEREAS, Resolution CHO 00-072 designated the Choctaw Housing Authority as the Tribe's designated housing entity for purposes of NAHASDA and appointed an eight-member Board of Commissioners in accordance with Tribal Ordinance No. 1-A; and

WHEREAS, Tribal Ordinance No. 1-A requires that the Choctaw Housing Authority Board of Commissioners consist of eight members with each member representing one of the eight recognized Choctaw communities; and

WHEREAS, the Tribal Council through Resolutions CHO 18-007 and CHO 19-027 confirmed appointments to the Choctaw Housing Authority Board of Commissioners which have expired January 31, 2020, January 31, 2021 and January 31, 2023; and

WHEREAS, Chief Cyrus Ben has nominated the following and terms expire as follows:

Conehatta	Hilda Nickey	January 31, 2026
Standing Pine	Loriann Ahshapanek	January 31, 2026
Pearl River	Kent Wesley	January 31, 2026
Crystal Ridge	Christopher Eaves	January 31, 2026
Bogue Chitto	Kendall Wallace	January 31, 2026
Red Water	Richard Isaac	January 31, 2027
Bogue Homa	Michael Briscoe	January 31, 2027
Tucker	Demando Mingo	January 31, 2027

Now therefore be it

RESOLVED, that the Tribal Council does hereby confirm the appointments listed to the Choctaw Housing Authority Board of Commissioners; and be it further

RESOLVED, that these appointments are four (4) year terms and end on the expiration date or until a successor has been duly nominated and confirmed.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 10th day of January, 2023.

ATTEST:

RES CHO 23-034 Page 2

Cyrus Ben, Tribal Chief

RESOLUTION CHO 23-035

A RESOLUTION TO CONFIRM APPOINTMENTS TO THE CHAHTA ENTERPRISE BOARD OF DIRECTORS

WHEREAS, Chahta Enterprise was chartered by the Mississippi Band of Choctaw Indians in 1982 and is now fully owned Tribal Enterprise governed by Ordinance 56; and

WHEREAS, Ordinance 56 designated a five-member Board of Directors for the Chahta Enterprise consisting of the Tribal Chief, the Secretary-Treasurer and three members appointed by the Tribal Chief and confirmed by the Tribal Council; and

WHEREAS, the Tribal Council adopted Resolution CHO 18-003 which confirmed appointments to the Chahta Enterprise Board of Directors which expired November 2019 and November 2021; and

WHEREAS, Chief Cyrus Ben has nominated the following and terms expire as follows:

Member	Term Expires
Hilda Nickey	November 2027
Angela Hundley	November 2027
Nigel Gibson	November 2027

Now therefore be it

RESOLVED, that the Tribal Council does hereby confirm the appointments listed to the Chahta Enterprise Board of Directors; and be it further

RESOLVED, that these appointments are four (4) year terms and end on the expiration date or until a successor has been duly nominated and confirmed.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 10th day of January, 2023.

ATTEST:

Cyrus Ben, Tribal Chief

RESOLUTION CHO 23-036

A RESOLUTION TO CONFIRM APPOINTMENTS TO THE CHOCTAW SHOPPING CENTER ENTERPRISE BOARD OF DIRECTORS

WHEREAS, the Choctaw Shopping Center Enterprise is governed by a Board of Directors as specified in Ordinance 56; and

WHEREAS, Ordinance 56 designated a five-member Board of Directors for the Choctaw Shopping Center Enterprise consisting of the Tribal Chief, the Secretary-Treasurer and three members appointed by the Tribal Chief and confirmed by the Tribal Council; and

WHEREAS, the Tribal Council adopted Resolution CHO 18-006 which confirmed appointments to the Choctaw Shopping Center Enterprise Board of Directors which expired October 2018 and October 2020; and

WHEREAS, Chief Cyrus Ben has nominated the following and terms expire as follows:

Member	Term Expires
Timothy Thomas, Sr.	October 2027
Deborah Martin	October 2027
Kendall Wallace	October 2027

Now therefore be it

RESOLVED, that the Tribal Council does hereby confirm the appointments listed to the Choctaw Shopping Center Enterprise Board of Directors; and be it further

RESOLVED, that these appointments are four (4) year terms and end on the expiration date or until a successor has been duly nominated and confirmed.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

Dated this 10th day of January, 2023.

ATTEST:

Cyrus Ben, Tribal Chief

RESOLUTION CHO 23-037

A RESOLUTION TO APPOINT TRIBAL COUNCIL SERGEANT AT ARMS

WHEREAS, Section 3 of Article II of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians, provides that the "Tribal Council in the conduct of its business shall be governed by Robert's Rules of Order"; and

WHEREAS, the Tribal Council through adoption of Resolution CHO 133-89 and CHO 02-020 established the position of Sergeant at Arms, to be occupied by persons who are not members of the Tribal Council to maintain order in the place of meeting; and

WHEREAS, the duties previously established for the Sergeant at Arms include:

- 1. To maintain order and quiet in the audience at Regular and Special called meetings of the Tribal Council;
- 2. To assist in distributing documents, setting up and dismantling audio visual presentations, and seating visitors to the Council meetings;
- 3. To expel anyone from the Council Hall or other area of meeting upon the order of the presiding officer, for intoxication, disruption of the meetings, and/or disturbing the peace;
- 4. To handle members of the press attending meetings, including describing meeting procedures and assisting them in finding seating;
- 5. To search persons attending the meeting for weapons where warranted; and
- 6. To prohibit any recordings of Tribal Council meeting from being made that are not authorized by the presiding officer.

and

WHEREAS, Resolution CHO 18-026 confirmed the appointment of Mario Ben as Sergeant at Arms of the Tribal Council; and

WHEREAS, Mr. Ben has passed away and there is one position of Sergeant at Arms currently vacant; and

WHEREAS, Chief Cyrus Ben nominates James D. Willis as Sergeant at Arms of the Tribal Council; now therefore be it

RESOLVED, that the Tribal Council does hereby confirm the appointment of James D. Willis as Sergeant at Arms 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, 16 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 10th day of January, 2023; and that the foregoing Resolution was duly Adopted by a vote of 16 members in favor, 0 opposed and 0 abstaining.

RES CHO 23-037 Page 2

Dated this 10th day of January, 2023.

ATTEST:

Cyrus Ben, Tribal Chief