MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 22-001(B)

A RESOLUTION TO APPROVE THE RELINQUISHMENT OF MEMBERSHIP OF TWO TRIBAL MEMBERS

WHEREAS, in accordance with Title XXII of the Tribal Code, enacted through Tribal Ordinance No. 16-RRR, enacted February 20, 2003, "Any member wishing to relinquish membership will be encouraged to do so on a conditional relinquishment form to be prepared by the Committee. In such case, the relinquishment will become effective upon the acceptance of that individual into membership of another tribe"; and

WHEREAS, Jacobi Ann Berg and Teddy Dion McMillan have been accepted into membership of another Tribe and wishes to relinquish membership with the Mississippi Band of Choctaw Indians; and

WHEREAS, an absolute relinquishment of said Tribal membership has been recommended for approval by the Tribal Enrollment Committee; now therefore be it

RESOLVED, that the Tribal Council does hereby relinquish the membership of Jacobi Ann Berg and Teddy Dion McMillan from the Mississippi Band of Choctaw Indians to be effective on the date of this Resolution.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 12th day of October, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 12th day of October, 2021.

ATTEST:

Cyrus Ben, Tribal Chief

Christopher Eaves, Secretary-Treasurer
MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 22-002(B)

A RESOLUTION TO APPROVE DECREASE IN BLOOD DEGREE FOR A PREVIOUSLY ENROLLED TRIBAL MEMBER

WHEREAS, in accordance with Title XXII of the Tribal Code, enacted through Tribal Ordinance No. 16-RRR, enacted February 20, 2003, a person may submit an application for change in blood quantum calculation based upon new or additional information about paternity or maternity; and

WHEREAS, the Tribal Enrollment Officer or Tribal Enrollment Committee may make changes in blood quantum for any member based upon additional knowledge; and

WHEREAS, a decrease in blood degree for one (1) tribal member has been recommended for approval by the Tribal Enrollment Committee, said change being outlined on the attachment; now therefore be it

RESOLVED, that the Tribal Council does hereby approve the attached decrease in blood degree for one (1) Tribal members.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 12th day of October, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 12th day of October, 2021.

ATTEST:

Cyrus Ben, Tribal Chief

Christopher Eaves, Secretary-Treasurer
MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 22-003(B)

A RESOLUTION TO APPROVE INCREASE IN BLOOD DEGREE AND/OR NAME CHANGE FOR PREVIOUSLY ENROLLED TRIBAL MEMBERS

WHEREAS, in accordance with Title XXII of the Tribal Code, enacted through Tribal Ordinance No. 16-RRR, on February 20, 2003, a person may submit an application for change in blood quantum calculation based upon new or additional information about paternity or maternity; and

WHEREAS, the Tribal Enrollment Officer or Tribal Enrollment Committee may make changes in blood quantum and/or name change for any members based upon additional knowledge; and

WHEREAS, an increase in blood degree and/or name change for five (5) Tribal members has been recommended for approval by the Tribal Enrollment Committee, said changes being outlined on the attachment; now therefore be it

RESOLVED, that the Tribal Council does hereby approve the attached increase in blood degree and/or name change for five (5) Tribal members.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 12th day of October, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 12th day of October, 2021.

ATTEST:

Cyrus Bon, Tribal Chief

Christopher Eaves, Secretary-Treasurer
MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 22-004(B)

A RESOLUTION TO APPROVE TRIBAL ENROLLMENTS

WHEREAS, in accordance with Title XXII of the Tribal Code, enacted through Tribal Ordinance No. 16-RRR on February 20, 2003, after applications for Tribal enrollment are recommended by the Tribal Enrollment Committee, “Each enrollment in the tribe shall be approved by resolution of the Tribal Council. Each such resolution may contain one or more enrollments”; and

WHEREAS, the Tribal enrollment applicants on the attached list have been recommended for approval by the Tribal Enrollment Committee; and

WHEREAS, with the adoption of this Resolution, there will be 11,023 enrolled Tribal members; now therefore be it

RESOLVED, that the Tribal Council does hereby enroll the attached list of 42 persons beginning with the name D. Anderson, III and ending with C. York in the Mississippi Band of Choctaw Indians and does hereby direct that roll numbers be assigned.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 12th day of October, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 12th day of October, 2021.

ATTEST:

[Signatures]

Cyrus Ben, Tribal Chief

Christopher Eaves, Secretary-Treasurer
MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 22-005

A RESOLUTION TO APPROVE A COST-OF-LIVING INCREASE FOR CERTAIN TRIBAL GOVERNMENT SERVICES DIVISION EMPLOYEES

WHEREAS, Section 1, Subsection (f) of the Revised Constitution and Bylaws of the Mississippi Band of Choctaw Indians ("MBCI" or the "Tribe") empowers the Tribal Council to appropriate available tribal funds for the benefit of the tribe or of any its communities; and

WHEREAS, the Tribal Council approved Fiscal Year 2022 Budgets for Tribal Administration, Programs, Agencies and Operations by Resolution CHO 21-129 on September 29, 2021, which included allowances for proposed merit increases and compensation plans for several departments; and

WHEREAS, the Tribal Chief and Tribal Council desire to provide a Cost-of-Living Increase for Tribal Government Services Division employees of the Mississippi Band of Choctaw Indians other than elected officials who have not been provided recent salary adjustments; and

WHEREAS, Resolution CHO 21-094 adopted on June 24, 2021, approved a Revised Education Pay Scale providing for annual salary increases for all certified staff within the Choctaw Tribal School System effective July 1, 2021; and

WHEREAS, a three percent (3%) Cost-of-Living Increase has been allocated in Fiscal Year 2022 Budgets for all regular full-time and regular part-time Tribal Government Services Division employees; now therefore be it

RESOLVED, that the Tribal Council does hereby approve a three percent (3%) Cost-of-Living Increase for eligible Tribal Government Services Division employees. Those employees who are not eligible are:

1. Employees who will receive a salary increase in the Fiscal Year 2022 budget that exceeds 3% of their salary;
2. Employees who are covered in the Department of Public Safety ("DPS") compensation plan adopted by Resolution CHO 21-129; or
3. Employees who are covered in the Division of Early Childhood Education ("DOECE") COLA adopted by Resolution CHO 21-129;
4. Elected Officials; and
5. Employees excluded under the Administrative Personnel Policy and Procedures; and be it further

RESOLVED, that employees who received a salary increase in the Fiscal Year 2022 budget and whose increase did not total 3% of their salary will receive an increase for the difference to total a 3% increase; and be it further
RESOLVED, that the Cost-of-Living increases shall be effective July 1, 2021, for non-certified employees within the Department of Schools; and be it further

RESOLVED, that the Cost-of Living Increase for all other eligible employees will be effective October 1, 2021.

CERTIFICATION

I, the undersigned as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 12th day of October, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed, and 0 abstaining.

Dated this 12th day of October, 2021.

ATTEST:

[Signatures]

Cyrus Ben, Tribal Chief

Christopher Eaves, Secretary-Treasurer
MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 22-006

A RESOLUTION TO APPROVE THE MISSISSIPPI BAND OF CHOCTAW INDIANS’ STRATEGIC PLAN AND FUNDING BUDGET ALLOCATED UNDER THE AMERICAN RESCUE PLAN ACT

WHEREAS, Section 1, Subsection (g) 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 operating budgets upon submission by the Tribal Chief; and

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

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

WHEREAS, the Tribe’s share of the CSFRF/CLFRF received to date is one hundred twenty-seven million one hundred twenty-five thousand fifty-five dollars and eighty-nine cents ($127,125,055.89); and

WHEREAS, on June 24, 2021, the Tribal Council adopted Resolution CHO 21-093 which authorized expenditures from the Tribe’s share of the CSFRF/CLFRF for direct assistance payments to MBCI Tribal members and for hiring consultants and employees to assist in the development of a Strategic Plan which will allow MBCI’s tribal government to expend the entirety of the Tribe’s share of the CSFRF/CLFRF in a manner most beneficial to MBCI and its membership; and

WHEREAS, the “Strategic Plan” referenced in Resolution CHO 21-093 is outlined in the Coronavirus State and Local Fiscal Recovery Funds Budget attached hereto as Exhibit “A”; now therefore be it

RESOLVED, that no payments under the Direct Assistance or Death Benefit authorized under Resolution CHO 21-093 shall be paid after June 24, 2022; and be it further:

RESOLVED, that the Tribal Council does hereby approve the Coronavirus State and Local Fiscal Recovery Funds Budget attached hereto as Exhibit “A”; and be it further
RESOLVED, that the Tribal Chief and Secretary-Treasurer are authorized to utilize the funds in accordance with the Coronavirus State and Local Fiscal Recovery Funds Budget attached hereto as Exhibit “A” and the Chief Financial Officer is authorized to report the expenditures to the Treasury Department in accordance with the statutory requirements and Treasury Guidance; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to sign documents, forms or contracts that are directly related to the implementation of the project areas outlined in the Coronavirus State and Local Fiscal Recovery Funds Budget without further Council approval.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 12th day of October, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 12th day of October, 2021.

ATTEST:

Cyrus Ben, Tribal Chief

Christopher Eaves, Secretary-Treasurer
MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 22-007

A RESOLUTION TO AUTHORIZE THE MISSISSIPPI BAND OF CHOCTAW INDIANS’ CHOCTAW HEALTH CENTER TO ENTER INTO A CLINICAL EDUCATION AFFILIATION AGREEMENT WITH THE MISSISSIPPI STATE FIRE ACADEMY

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 MBCI and the Mississippi State Fire Academy School of EMS desire to enter into a Clinical Education Affiliation Agreement to promote a high standard of health and emergency service to the public through a provision of clinical education placement for medical first responder training programs at Choctaw Health Center ("CHC"); and

WHEREAS, the Mississippi State Fire Academy offers the most up to date and accredited programs to the fire and emergency services community including medical first responder-training programs and the Curriculum/Testing Bureau manages all testing and accreditation for their certification programs; and

WHEREAS, the Mississippi State Fire Academy desires to enter into an agreement with the Tribe and CHC to host MBCI Choctaw Fire Department Tribal Employees attending EMT Advanced training and certification; and

WHEREAS, CHC would assist in providing an educational clinical setting for the Choctaw Fire Department Tribal Employee attending under a defined curriculum of study and supervision; and

WHEREAS, it is in the best interest of the Tribe to further promote and develop its first responder workforce through clinical educational experiences in coordination with CHC and the Mississippi State Fire Academy School of EMS; and

WHEREAS, it has been determined to be in the best interest of the Tribe to enter into other agreements for MBCI employees or tribal members needing field experience for advanced training, education, or certifications to further enhance and promote MBCI workforce development; and

WHEREAS, the CHC Governing Board and the Health Committee have 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 to execute the attached Clinical Education Affiliation Agreement in substantially the same form as attached for implementation of this agreement; 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, or extension of this agreement without further Council action; and be it further
RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief or his designee, to sign any other agreements, document, forms or contracts with an accredited program or agency for MBCI workforce members or tribal members needing field experience for the purpose of obtaining advanced training, education or specialized certifications thereby promoting and enhancing MBCI workforce development.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 12th day of October, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 12th day of October, 2021.

ATTEST:

Cyrus Ben, Tribal Chief

Christopher Eaves, Secretary-Treasurer
MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 22-008

A RESOLUTION AUTHORIZING THE TRIBAL CHIEF TO ENTER INTO A P.L. 93-638 CONSTRUCTION CONTRACT WITH INDIAN HEALTH SERVICE TO DEMOLISH THE OLD CHOCTAW HEALTH CENTER BUILDING

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 Tribe opened a new and larger Choctaw Health Center ("CHC") in the Pearl River Community in 2015; and

WHEREAS, the building which previously housed the Choctaw Health Center was operated by the Tribe under a use agreement with the Indian Health Service ("IHS"); and

WHEREAS, Choctaw Health Center Pearl River Hospital IHS # 206 (hereinafter "the Facility") is described as being 5,522 gross square meters and is located at 210 Hospital Circle, Choctaw, MS, 39350 (32°46'57"N 89°13'48"W) on a 33.74 acre lot; and

WHEREAS, Resolution CHO 15-030(B) established a request for the transfer of the old Choctaw Health Center to the Tribe and authorized a funding request for asbestos abatement; and

WHEREAS, during asbestos abatement, it was discovered that mold remediation was needed throughout the facility and that the extent of the disrepair and the existence of hazardous material made the Facility unusable; and

WHEREAS, it is in the best interest of the Tribe and IHS that the Facility be demolished; and

WHEREAS, the Tribe desires to enter into a P.L. 93-638 construction contract with IHS to allow the Tribe to demolish the Facility and to recover all costs associated with the demolition, including updating a Phase 1 Environmental Site Assessment ("ESA") and disposal of hazardous materials; and

WHEREAS, the CHC Governing Board and the Health Committee have 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 enter into a P.L. 93-638 construction contract with IHS to demolish the Facility and to recover all costs associated with the demolition project, including updating a Phase 1 ESA and disposal of hazardous materials; 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 demolition project, including a Phase 1 ESA and disposal of hazardous materials, 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, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 12th day of October, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 12th day of October, 2021.

ATTEST:

[Signatures]

Cyrus Ben, Tribal Chief

Christopher Eaves, Secretary-Treasurer
MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 22-009

A RESOLUTION TO APPROVE A TELEHEALTH AND EDUCATIONAL AFFILIATION AGREEMENT BETWEEN THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER AND THE MISSISSIPPI BAND OF CHOCTAW INDIANS

WHEREAS, Section 1, Subsection (a) of Article VIII of the Revised Constitution and Bylaws of the Mississippi Band ofChoctaw 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 Tribe operates a Medical Imaging and a Respiratory Therapy Department at the Choctaw Health Center (“CHC”); and

WHEREAS, the University of Mississippi Medical Center ("University") provides professional healthcare services in Jackson, Mississippi; and

WHEREAS, the University of Mississippi Medical Center desires to enter into an agreement with the Tribe to provide telehealth and teleradiology services to patients at the Choctaw Health Center; and

WHEREAS, the Choctaw Health Center desires to utilize the University's telehealth, teleradiology and educational services for its patients needing such services; and

WHEREAS, it is in the best interest of the Tribe to enter into an Affiliation Agreement regarding such services; and

WHEREAS, the CHC Governing Board and the Health Committee have reviewed this Resolution and is recommended to be forwarded to the Tribal Council for approval; now therefore be it

RESOLVED, that the Tribal Council authorizes the Tribal Chief to execute the attached Telehealth and Educational Affiliation Agreement Between University of Mississippi Medical Center and the Mississippi Band of Choctaw Indians, Choctaw Health Center in substantially the same form as is attached; and be it further

RESOLVED, that the Tribal Council does hereby authorizes the Tribal Chief or his designee, to sign additional documents, forms or contracts directly related to the continuance, amendment or extension 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, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 12th day of
October, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 12th day of October, 2021.

ATTEST:

Cyrus Ben, Tribal Chief

Christopher Eaves, Secretary-Treasurer
MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 22-010

A RESOLUTION TO ESTABLISH A DRUG PREVENTION INITIATIVE TASK FORCE TO COMBAT DRUG USE, TRAFFICKING AND DEPENDENCY ON TRIBAL LANDS OF THE MISSISSIPPI BAND OF CHOCTAW INDIANS

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

WHEREAS, Section 1, Subsection (k) of Article VIII of the Revised Constitution and Bylaws of the Tribe empowers the Tribal Council to promote and protect the health, peace, morals, education, and general welfare of the Tribe and its members; and

WHEREAS, Section 1, Subsection (p) of Article VIII of the Revised Constitution and Bylaws of the Tribe empowers the Tribal Council to pass any ordinances and resolutions necessary or incidental to the exercise of any of the foregoing powers and duties; and

WHEREAS, the Tribal Council desires to establish a Drug Prevention Initiative (“DPI”) Task Force which will be responsible for collecting empirical data from all tribal agencies and programs in order to combat the ongoing proliferation of drugs, drug trafficking, substance disorders and drug dependency that have plagued all facets of tribal life; and

WHEREAS, the DPI Task Force will accomplish its objectives by reviewing model programs and policies, which have been successfully implemented in other tribal communities, to customize a multifaceted DPI Choctaw Action Plan (“CAP”) to serve as a master plan to address and eradicate ongoing drugs use, trafficking and substance abuse disorders and dependency; and

WHEREAS, the DPI Task Force should be composed of members from various backgrounds or disciplines who live or work on the reservation and who have specialized knowledge to assist in the goals of the Task Force; and

WHEREAS, the DPI Task Force should foster collaboration with off-reservation resources, including but not limited to local, state or federal law enforcement agencies, educational institutions, anti-drug coalitions and community-based organizations; and

WHEREAS, the DPI Task Force should recommend application for available moneys that are available from federal, state, or local grants or foundations; 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 the establishment of a Drug Prevention Initiative Task Force on the Choctaw Indian Reservation and hereby appoints the following persons to serve on the Task Force:
1) Timothy Taylor, Chairperson  
2) Alyssa Ben, member  
3) Gabriel Billie, member  
4) Harold Comby, member  
5) Stanley Johnson, member  
6) Delnita Jones, member  
7) Toniya Lay, member  
8) Darlene B. Willis, member

And be it further

RESOLVED that the Tribal Council does hereby authorize the Tribal Chief to apply for, negotiate and enter into any and all documents, contracts, agreements, or memoranda of agreements in support of the objectives of the DPI Task Force and to provide resources for the DPI Task Force without further Council action; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to apply for and accept moneys, if funding becomes available, without further Council action, for the support and continuation of the DPI Task Force, whether these moneys come from federal, state, or local grants or foundations; and be it further

RESOLVED, that the DPI Task Force will submit a first written report to the Tribal Chief or his designee, regarding the CAP Plan and to be presented to the Tribal Council no later than the date of the constitutional Regular Call Tribal Council meeting on January 11, 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, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 12th day of October, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed, and 0 abstaining.

Dated this 12th day of October, 2021.

ATTEST:

Cyrus Ben, Tribal Chief

Christopher Eaves, Secretary-Treasurer
MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 22-011

A RESOLUTION TO AUTHORIZE EXECUTION OF AN AMENDED AND RESTATED CREDIT AGREEMENT AND RELATED LOAN DOCUMENTS WITH KEYBANK NATIONAL ASSOCIATION, AS ADMINISTRATIVE AGENT AND ARRANGER ("KEYBANK") AND THE LENDERS PARTY THERETO TO REFINANCE MATURING EXISTING INDEBTEDNESS OF THE CHOCTAW RESORT DEVELOPMENT ENTERPRISE AND FUND OPERATING NEEDS OF THE CHOCTAW RESORT DEVELOPMENT ENTERPRISE

WHEREAS, Choctaw Resort Development Enterprise (the “Enterprise”) was established by the Tribal Council through adoption of Resolution CHO 00-010; and

WHEREAS, Tribal Ordinance 56 is the law governing tribal enterprises under the Business Enterprise Division of the Tribal Government Executive Branch; and

WHEREAS, Ordinance 56, Section 11 delegates to the Enterprise Board of Directors the power to operate and make policies for the Enterprise within its stated purpose; and

WHEREAS, pursuant to Ordinance 56, Section 11(g)(2) the Enterprise Board of Directors may borrow money and enter other financing and credit arrangements for enterprise purposes, subject to approval of the Tribal Council; and

WHEREAS, pursuant to Resolution CRDE 21-010 (July 8, 2021) the Enterprise’s Board approved a Term Sheet and Related Engagement Letter and Fee Letter with KeyBank (the “Engagement Documents”), approving the general terms, subject to negotiation and execution of final loan documents, for a new senior secured credit facility for the Enterprise consisting of a term loan facility of up to $100,000,000 and a revolving credit facility of up to $50,000,000 (the “Replacement Facility”), the proceeds of which will be used to (i) pay the remaining balance of the Enterprise’s $175,000,000 Secured Credit Facility dated September 1, 2016 (the “2016 Secured Facility”) which matures as of November 30, 2021, and (ii) provide working capital funds, with the Engagement Documents being subject to such changes as approved by the Chairman of the Board of the Enterprise; and

WHEREAS, prior to execution of the Engagement Documents the Enterprise management in consultation with the Enterprise’s Chairman of the Board determined the possible need for additional funds during the term of the Replacement Facility to fund capital maintenance projects and future growth initiatives for the Enterprise and KeyBank, with the approval of the Chairman of the Board of the Enterprise, agreed to amend the Engagement Documents to increase the amount of the Replacement Facility by $25,000,000 to consist of a term loan facility of up to $125,000,000 and a revolving credit facility of up to $50,000,000 with the other terms in the Engagement Documents to remain the same (the “Modified Replacement Facility”); and

WHEREAS, KeyBank has secured the commitments for the Modified Replacement Facility; and
WHEREAS, the Enterprise management and its legal counsel have negotiated the $175,000,000 Amended and Restated Credit Agreement, a draft of which was presented and approved by the Enterprise Board (the “Amended Credit Agreement”) pursuant to Resolution CRDE 22-001 (October 6, 2021), subject to the approval of Tribal Council; and

WHEREAS, pursuant to Resolution CRDE 22-001 (October 6, 2021), the Enterprise Board found that the Modified Replacement Facility is in the best interest of the Enterprise and the Tribe as it has a lower interest rate and more favorable financial covenants and terms than currently existing under the 2016 Secured Facility and recommended approval by the Tribal Council of the Modified Replacement Facility as reflected in the draft of the Amended Credit Agreement; now therefore be it

RESOLVED, that the Tribal Council has concluded that it is in the best interest of the Tribe, the Tribe’s members and the Enterprise to approve the $175,000,000 Modified Replacement Facility to be comprised of a term credit facility of up to $125,000,000 and a revolving credit facility of up to $50,000,000; and be it further

RESOLVED, that the Tribal Council has reviewed the draft of the Amended Credit Agreement presented and does hereby approve the Modified Replacement Facility as provided in the Amended Credit Agreement, and the completion of the Amended Credit Agreement and exhibits, schedules and documents as required for the consummation of the Amended Credit Agreement, including the Notes to evidence the Term Loan Facility and Revolving Credit Facility, the Security Agreements, Deposit Account Agreements, Springing Depository Agreements and other documents, instruments, agreements or certificates as may be required to consummate the Amended Credit Agreement (collectively with the Amended Credit Agreement, the “Loan Documents”), all with such changes as approved by the Authorized Representatives (listed herein) of the Tribe and Enterprise, their execution thereof being conclusive evidence of the approval thereof; and be it further

RESOLVED, that the Tribal Council hereby (i) approves the provisions in the Amended Credit Agreement and the Loan Documents providing for the limited waiver of sovereign immunity and dispute resolution by arbitration on the terms as provided in Article 13 of the Amended Credit Agreement, which are the same as the sovereign immunity waiver and arbitration provisions in the 2016 Secured Facility, and (ii) approves the waiver of the Tribe’s and the Enterprise’s immunity from suit in any suit, action, or proceeding (including legal process) arising out of the Loan Documents and the transactions contemplated by those documents and for resolution of disputes under the Loan Documents pursuant to arbitration and the granting of jurisdiction to the Civil Division of the Tribal Court of the Mississippi Band of Choctaw Indians to compel or enforce any arbitration or arbitration award pursuant to the Loan Documents; with the waiver to inure to the benefit of all of the Lenders who are party to the Loan Documents and to the benefit of the creditors and others entitled to benefits of the Loan Documents and such persons shall be entitled to all legal and equitable remedies as provided in the Loan Documents; and be it further

RESOLVED, that the Tribal Chief and the Secretary-Treasurer of the Tribe in the name and on behalf of the Tribe (the “Tribe Authorized Representatives”) and the Tribal Chief, as Chairman of
the Board of the Enterprise and Secretary-Treasurer of the Enterprise (collectively, the “Enterprise Authorized Representatives” and collectively, with the Tribe Authorized Representatives the “Authorized Representatives”), are authorized and directed hereby and by the Mississippi Band of Choctaw Indians Ordinance No. 56, Section 11, to execute the final Amended Credit Agreement and Loan Documents as ultimately agreed to by the parties, the Lenders, and legal counsel to accomplish the refinace; and be it further

RESOLVED, that the Chairman of the Board of the Enterprise is authorized to appoint such other officers or representatives of the Enterprise as deemed appropriate to take the actions necessary or desirable in carrying out the transactions contemplated in the Amended Credit Agreement and Loan Documents and the intent and purposes described therein, including, without limitation, to make, execute and/or deliver such certificates, requests, documents and information as required under the Amended Credit Agreement and Loan Documents; and be it further

RESOLVED, the Tribal Chief and the Secretary-Treasurer are directed to report back to the Tribal Council when the final Loan Documents and the related waivers have been executed.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 12th day of October, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 12th day of October, 2021.

ATTEST:

[Signatures]

Cyrus Ben, Tribal Chief

Christopher Eaves, Secretary-Treasurer
MISSISSIPPI BAND OF Choctaw Indians

RESOLUTION CHO 22-012(B)

A RESOLUTION TO APPROVE A RESIDENTIAL LEASE IN THE Conehatta Community

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

WHEREAS, 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 11, 1952, the Tribal Council adopted a resolution which established rules and regulations governing the leasing of tribal lands to MBCI tribal members; and

WHEREAS, the Tribal Council has amended the aforementioned rules and regulations through adoption of Resolutions CHO 10-74, CHO 59-75, and CHO 01-89; and

WHEREAS, leases of tribal lands for residential purposes no longer require Bureau of Indian Affairs approval as the Tribal Council has the sole authority to approve such leases under the Mississippi Band of Choctaw Indians HEARTH Act Leasing Regulations approved by the Department of the Interior on March 5, 2019 with notice published in the Federal Register on April 10, 2019, Vol. 84, No. 69, pages 14390-14391; and

WHEREAS, MBCI tribal member Shaun Grant has applied to lease the one-quarter (1/4) of an acre site shown and described on the survey plat attached hereto as Exhibit "A" for the purpose of building a weight room adjacent to his house site in the Conehatta Community; and

WHEREAS, the MBCI Attorney General's Office has approved the form of the lease attached hereto as Exhibit "B" pursuant to Section 18 of the Tribe's HEARTH Act Regulations; and

WHEREAS, the MBCI Real Estate Program is recommending that the Tribe charge nominal rent in relation to the lease attached hereto as Exhibit "B" pursuant to Section 11(b)(2) of the Tribe’s HEARTH Act Leasing Regulations; and

WHEREAS, the MBCI Real Estate Program has determined that it is in the best interest of the Tribe to waive the requirement for bond in relation to the lease attached hereto as Exhibit "B" pursuant to Section 12(b) of the Tribe’s HEARTH Act Leasing Regulations; and
RES CHO 22-012(B)
Page 2

WHEREAS, the Tribal Council has determined that it is in the best interest of the Tribe to approve the provisions of the lease attached hereto as Exhibit “B” which allow the lessee to make their interest in the lease subject to a leasehold mortgage without the need for further Tribal Council approval pursuant to Section 16(a) of the Tribe's HEARTH Act Leasing Regulations; and

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

RESOLVED, that the Tribal Council does hereby approve the form of the lease attached hereto as Exhibit “B” pursuant to Section 18 of the Tribe’s HEARTH Act Regulations; and be it further

RESOLVED, that the Tribal Council does hereby approve payment of nominal rent in relation to the lease attached hereto as Exhibit “B” pursuant to Section 11(b)(2) of the Tribe’s HEARTH Act Leasing Regulations; and be it further

RESOLVED, that the Tribal Council does hereby waive the requirement for bond in relation to the lease attached hereto as Exhibit “B” pursuant to Section 12(b) of the Tribe’s HEARTH Act Leasing Regulations; and be it further

RESOLVED, that the Tribal Council does hereby approve the provisions of the lease attached hereto as Exhibit “B” which allow the lessee to make their interest in the lease subject to a leasehold mortgage without the need for further Tribal Council approval pursuant to Section 16(a) of the Tribe's HEARTH Act Leasing Regulations; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief, the Secretary-Treasurer, and the Tribal Council representatives for the Conehatta Community to execute the lease attached hereto as Exhibit “B”; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to sign any additional documents, forms, or contracts directly related to implementation the lease attached hereto as Exhibit “B” 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, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 12th day of October, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 12th day of October, 2021.

ATTEST:
RES CHO 22-012(B)
Page 3

Cyrus Ben, Tribal Chief

Christopher Eaves, Secretary-Treasurer

RECOMMENDED:

Superintendent, Choctaw Agency

Date

10-13-2021
MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 22-013(B)

A RESOLUTION TO APPROVE A RIGHT-OF-WAY IN FAVOR OF CENTRAL ELECTRIC POWER ASSOCIATION IN THE PEARL RIVER 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, on March 4, 2021, the Tribal Council adopted Resolution CHO 21-067(B), which approved a residential lease for MBCI tribal members Jason and Kendall Grisham to construct a new home in the Pearl River Community; and

WHEREAS, the aforementioned MBCI tribal members have requested that Central Electric Power Association install a power line servicing their new house site, over and across land which is held by the United States of America in trust for the benefit of the Tribe and is more particularly described in the Right of Way Application attached hereto as Exhibit "A"; and

WHEREAS, the Tribal Council has determined it is in the best interest of the Tribe for the Bureau of Indian Affairs to grant a right-of-way of perpetual duration in favor of Central Electric Power Association over and across the above-described land; and

WHEREAS, there will be no payment to the Tribe because the service is being installed at the request and for the benefit of a MBCI tribal member; and

WHEREAS, the Tribal Council has determined that the negotiated compensation of zero dollars ($0.00) is satisfactory to the Tribe and it is therefore in the best interest of the Tribe to waive valuation pursuant to 25 C.F.R. §169.110(a); and

WHEREAS, the Tribal Council has determined that it is in the best interest of the Tribe to waive the requirement for bond pursuant to 25 C.F.R. §169.103 since the service is being installed at the request and for the benefit of a MBCI tribal member; 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 hereby authorizes and consents to a Grant of Right-of-Way by the Bureau of Indian Affairs in favor of Central Electric Power Association, over and across land which is held by the United States of America in trust for the benefit of the Tribe and is more particularly described in the Right-of-Way Application attached hereto as Exhibit "A"; and be it further
RESOLVED, that the Tribal Council does hereby authorize the Bureau of Indian Affairs to grant the right-of-way over and across the above-described land for a perpetual duration; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Bureau of Indian Affairs to waive valuation and the requirement for bond in relation to the right-of-way over and across the above-described land; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to sign any additional documents, forms, or contracts directly related to the establishment of electric service to the aforementioned MBCI tribal members’ new house site in the Pearl River Community and the continuance, amendment, or extension of the right-of-way over and across the above-described land without further Council action.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 12th day of October, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 12th day of October, 2021.

ATTEST:

Cyrus Ben, Tribal Chief

Christopher Eaves, Secretary-Treasurer

RECOMMENDED:

Superintendent, Choctaw Agency

Date

10-13-2021
MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 22-014(B)

A RESOLUTION TO APPROVE A RIGHT-OF-WAY IN FAVOR OF CENTRAL ELECTRIC POWER ASSOCIATION 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, on March 6, 1998, the Tribal Council adopted Resolution CHO 94-98(B), which authorized a right-of-way for a power line servicing a mobile home site in the Conehatta Community; and

WHEREAS, MBCI tribal member Alyssa Chickaway has requested that Central Electric Power Association install a power line servicing a new mobile home on the aforementioned site, over and across land which is held by the United States of America in trust for the benefit of the Tribe and is more particularly described in the Right of Way Application attached hereto as Exhibit "A"; and

WHEREAS, the Tribal Council has determined it is in the best interest of the Tribe for the Bureau of Indian Affairs to grant a right-of-way of perpetual duration in favor of Central Electric Power Association over and across the above-described land; and

WHEREAS, there will be no payment to the Tribe because the service is being installed at the request and for the benefit of a MBCI tribal member; and

WHEREAS, the Tribal Council has determined that the negotiated compensation of zero dollars and zero cents ($0.00) is satisfactory to the Tribe and it is therefore in the best interest of the Tribe to waive valuation pursuant to 25 C.F.R. §169.110(a); and

WHEREAS, the Tribal Council has determined that it is in the best interest of the Tribe to waive the requirement for bond pursuant to 25 C.F.R. §169.103 since the service is being installed at the request and for the benefit of a MBCI tribal member; 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 rescind Resolution CHO 94-98(B); and be it further

RESOLVED, that the Tribal Council hereby authorizes and consents to a Grant of Right-of-Way by the Bureau of Indian Affairs in favor of Central Electric Power Association, over and across land which is held by the United States of America in trust for the benefit of the Tribe and is more
particularly described in the Right-of-Way Application attached hereto as Exhibit “A”; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Bureau of Indian Affairs to grant the right-of-way over and across the above-described land for a perpetual duration; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Bureau of Indian Affairs to waive valuation and the requirement for bond in relation to the right-of-way over and across the above-described land; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to sign any additional documents, forms, or contracts directly related to the establishment of electric service to the aforementioned MBCI tribal member’s mobile home in the Conehatta Community and the continuance, amendment, or extension of the right-of-way over and across the above-described land without further Council action.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 12th day of October, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 12th day of October, 2021.

ATTEST:

[Signature]
Cyrus Ben, Tribal Chief

[Signature]
Christopher Eaves, Secretary-Treasurer

RECOMMENDED:

[Signature]
Superintendent, Choctaw Agency

10-13-2021
Date
MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 22-015(B)

A RESOLUTION TO APPROVE A RIGHT-OF-WAY IN FAVOR OF CENTRAL ELECTRIC POWER ASSOCIATION IN THE RED WATER 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, 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 Central Electric Power Association install a power line servicing the COVID-19 Emergency Response Facility in the Red Water Community, over and across land which is held by the United States of America in trust for the benefit of the Tribe and is more particularly described in the Right of Way Application attached hereto as Exhibit "A"; and

WHEREAS, the Tribal Council has determined it is in the best interest of the Tribe for the Bureau of Indian Affairs to grant a right-of-way of perpetual duration in favor of Central Electric Power Association over and across the above-described land; and

WHEREAS, there will be no payment to the Tribe because the service is being installed at the request and for the benefit of the Tribe; and

WHEREAS, the Tribal Council has determined that the negotiated compensation of zero dollars ($0.00) is satisfactory to the Tribe and it is therefore in the best interest of the Tribe to waive valuation pursuant to 25 C.F.R. §169.110(a); and

WHEREAS, the Tribal Council has determined that it is in the best interest of the Tribe to waive the requirement for bond pursuant to 25 C.F.R. §169.103 since the service is being installed at the request and for the benefit of the Tribe; 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 hereby authorizes and consents to a Grant of Right-of-Way by the Bureau of Indian Affairs in favor of Central Electric Power Association, over and across land which is held by the United States of America in trust for the benefit of the Tribe and is more particularly described in the Right-of-Way Application attached hereto as Exhibit "A"; and be it further
RESOLVED, that the Tribal Council does hereby authorize the Bureau of Indian Affairs to grant the right-of-way over and across the above-described land for a perpetual duration; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Bureau of Indian Affairs to waive valuation and the requirement for bond in relation to the right-of-way over and across the above-described land; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to sign any additional documents, forms, or contracts directly related to the establishment of electric service to the COVID-19 Emergency Response Facility in the Red Water Community and the continuance, amendment, or extension of the right-of-way over and across the above-described land without further Council action.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 12th day of October, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 12th day of October, 2021.

ATTEST:

[Signature]
Cyrus Ben, Tribal Chief

Christopher Eaves, Secretary-Treasurer

RECOMMENDED:

[Signature]
Superintendent, Choctaw Agency

10-13-2021
MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 22-016(B)

A RESOLUTION TO AUTHORIZE A SERVICE LINE AGREEMENT IN FAVOR OF TELEPAK NETWORKS, INC. D/B/A C SPIRE FIBER IN THE PEARL RIVER 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, on April 14, 2009, the Tribal Council adopted Resolution CHO 09-081, which authorized a business lease with East Central Community College for a tribally-owned commercial facility located at 375 Industrial Drive in the Pearl River Community; and

WHEREAS, East Central Community College has requested that Telepak Networks, Inc. d/b/a/ C Spire Fiber ("C Spire") extend its high-speed broadband service to aforementioned facility; and

WHEREAS, extension of C Spire’s high-speed broadband service to the aforementioned facility will require C Spire to construct and maintain a fiber optic backbone line over and across land which is held by the United States in trust for the Tribe; and

WHEREAS, a right-of-way granted by the Bureau of Indians Affairs is not required for utility lines running from a main line, transmission line, or distribution line which serve a single facility and which have a voltage of fourteen and one-half (14.5) kilovolts or less for residential uses or thirty-four and one-half (34.5) kilovolts or less for commercial uses; 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 a fiber optic backbone line 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 to execute the Service Line Agreement attached hereto as Exhibit "A"; and

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to sign any additional documents, forms, or contracts directly related to the establishment of C Spire's high-speed broadband service to the aforementioned facility 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, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 12th day of October, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 12th day of October, 2021.

ATTEST:

Cyrus Ben, Tribal Chief

Christopher Eaves, Secretary-Treasurer

RECOMMENDED:

Superintendent, Choctaw Agency

Date

10-13-2021
MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 22-017(B)

A RESOLUTION TO DESIGNATE A SITE IN THE PEARL RIVER COMMUNITY FOR DEVELOPMENT, MAINTENANCE AND ADMINISTRATION OF ISOLATION AND QUARANTINE 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 enacted 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 the Tribe’s Tribally-Designated Housing Entity; 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, maintenance, and administration of housing units by Choctaw Housing Authority is a public use for which tribal lands can be dedicated; and

WHEREAS, Choctaw Housing Authority has identified a site in the Pearl River Community on tribal lands for housing units that will be utilized for isolation and/or quarantine of persons diagnosed with COVID-19, which are more particularly shown and described on the survey plat attached hereto as Exhibit “A”; and

WHEREAS, the need for such housing has been determined, and federal funds may be available to construct tiny houses for this purpose; and

WHEREAS, application for federal funds to construct such housing has been submitted under authority of Resolution CHO 21-125; and

WHEREAS, a site for these houses will be needed immediately if funding for the tiny houses is secured; and

WHEREAS, if no funding is awarded and construction has not commenced by one (1) year from the date of the entry of this Resolution, the designation for this public use shall terminate; 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 and described on the survey plat attached hereto as Exhibit “A” for development, maintenance, and administration of isolation and quarantine housing units by Choctaw Housing Authority; and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chief to sign any additional documents, forms, or contracts directly related to the development, maintenance, and administration of isolation and quarantine housing units on the above-referenced tribal lands by Choctaw Housing Authority without further Council action; and be it further

RESOLVED, if no funding is awarded and construction has not commenced by one (1) year from the date of the entry of this Resolution, the designation for this public use shall be terminated.

CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 17 members, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 12th day of October, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 12th day of October, 2021.

ATTEST:

Cyrus Ben, Tribal Chief

Christopher Eaves, Secretary-Treasurer

RECOMMENDED:

Superintendent, Choctaw Agency

Date 10-13-2021
MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 22-018

A RESOLUTION TO AUTHORIZE THE MISSISSIPPI BAND OF CHOCTAW INDIANS TO SUBMIT AN APPLICATION FOR AN INDIAN COMMUNITY DEVELOPMENT BLOCK GRANT

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 (h) of Article VIII of the Revised Constitution and Bylaws of the Tribe empowers the Tribal Council to approve or disapprove all allocations or disbursement of tribal funds (or funds under the control of the Tribe) not specifically authorized in a budget approved by the Tribal Council; and

WHEREAS, on September 30, 2010, the Tribal Council adopted Resolution CHO 10-128(B) which designated sites to place fifty (50) cottages donated by the Mississippi Emergency Management Agency; and

WHEREAS, the Tribe intends to apply for an Indian Community Development Block Grant from the U.S. Department of Housing and Urban Development to partially fund renovations and repairs to the aforementioned cottages; and

WHEREAS, the Tribe’s proposal includes up to two hundred thirty-four thousand dollars ($234,000.00) as the 25% fund match from the Tribe; and

WHEREAS, the federal regulations governing Indian Community Development Block Grants require a Tribal Council Resolution certifying that the Tribe has complied with the citizen participation requirements set forth in 24 CFR §1003.604; and

WHEREAS, the Chairman of 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 Tribal Council does hereby authorize the Tribal Chief to apply for an Indian Community Development Block Grant to fund renovations and repairs to the aforementioned cottages, provided that the 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) 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) MBCI is exempt from making certification regarding or from filing Standard Form-LLL regarding lobbying per 31 U.S.C. §1352, 2 U.S.C. §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 commit up to two hundred thirty-four thousand dollars ($234,000.00) as the 25% fund match in support of the Tribe’s application for an Indian Community Development Block Grant to fund renovations and repairs to the aforementioned cottages; and be it further

RESOLVED, that the Tribal Council does hereby certify that the Tribe has complied with the citizen participation requirements set forth in 24 CFR §1003.604; 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 Tribe’s application for an Indian Community Development Block Grant to fund renovations and repairs to the aforementioned cottages 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, 17 of whom, constituting a quorum were present at a Regular Call meeting duly called, noticed, convened and held this the 12th day of October, 2021; and that the foregoing Resolution was duly Adopted by a vote of 17 members in favor, 0 opposed and 0 abstaining.

Dated this 12th day of October, 2021.

ATTEST:

Cyrus Ben, Tribal Chief

Christopher Eaves, Secretary-Treasurer