

KIC APPROVED RESOLUTIONS FROM SPECIAL MEETING, JULY 21, 2018

RESOLUTION 0001, KICCY2018

Subject: A RESOLUTION of the Kiowa Indian Council approving Policies and Procedures for the Office of the Council

WHEREAS, the Kiowa Tribe is organized under a constitution ratified by the Kiowa Indian Council vote on April 17, 2017, and

WHEREAS, the Kiowa Constitution, Article V, Sec. 2 (b) states, "The Coordinator shall serve in accordance with terms and conditions established by the Council", and

WHEREAS, the Kiowa Indian Council desires to establish such terms and conditions in a written document which shall clearly describe the duties and responsibilities for the Coordinator, and describe the process for Kiowa Indian Council oversight of the Coordinator.

NOW THEREFORE BE IT RESOLVED, that the Kiowa Indian Council hereby approves the document 'Policies and Procedures for the Office of the Council', and,

BE IT FINALLY RESOLVED, that the Kiowa Indian Council reserves the right to propose amendment to the Policies and Procedures for the Office of the Council whenever necessary and shall review the document on a bi-annual basis to implement improvements as needed.

RESOLUTION 0002, KICCY2018

Subject: KIOWA TRIBAL MUSEUM AKA KIOWA CULTURE PRESERVATION AUTHORITY

Whereas, the Kiowa Constitution states in the Preamble, "We the people of the Kiowa Tribe, pursuant to our inherent sovereignty and under the guidance of DawKee (our almighty God), seek to improve, promote, and maintain our language, culture, traditions",

Whereas, the Kiowa Tribe recognizes and acknowledges that the awareness, familiarity and understanding of Kiowa traditions, customs, language, values and beliefs (hereafter to be referred to as, Kiowa Culture) are being lost with the passing of the older generations of Kiowa;

Whereas, the Kiowa Tribe renamed of the Kiowa Tribal Museum Board of Directors, October 2, 2004, as the Kiowa Culture Preservation Authority and charged them to preserve, protect and maintain our language, culture and traditions, and to expand the mission to establish a Culture Center as a means to preserve and protect the Kiowa Culture.

Now Therefore Be It Resolved, that the Kiowa Indian Council hereby requires that the Kiowa Tribe provide adequate funding for continuous operations in language preservation, exhibits and other culture preservation activities. It is further resolved that adequate funding of no less than \$150,000 be provided annually for program support to the staff and board of the Kiowa Culture Preservation Authority to preserve, protect and maintain our Kiowa culture with activities for the community, the youth and interested parties.

Be It Finally Resolved, that the Kiowa Indian Council shall support all efforts of the Kiowa Culture Preservation Authority to maintain, preserve and protect the Kiowa culture in perpetuity.

RESOLUTION 0004, KICCY2018

Subject: SET POLICY THE EXECUTIVE BRANCH TO DEVELOP A SALARY SCALE TO BE MADE INTO LAW BY THE LEGISLATURE, IF NECESSARY, FOR ALL TRIBAL EMPLOYEES NO LATER THAN 2018. FURTHER HUMAN RESOURCES SHALL IMPLEMENT POLICIES AND PROCEDURES WITH DOCUMENTATION TO SUPPORT SALARY CHANGES.

WHEREAS: Set policy the Executive Branch to develop a salary scale to be made into law by the Legislature, if necessary, for all tribal employees no later than 2018. Further, Human Resources shall implement policies and procedures with documentation to support any salary changes.

NOW THEREFORE BE IT RESOLVED; that the Kiowa Indian Council hereby; Set policy the Executive Branch to develop a salary scale to be made into law by the Legislature, if necessary, for all tribal employees no later than 2018. Further, Human Resources shall implement policies and procedures with documentation to support any salary changes.

RESOLUTION 0006, KICCY2018

Subject: REFINANCE OF KIOWA CASINO RED RIVER INDEBTEDNESS

The Kiowa Casino Red River has outstanding indebtedness going back to the original opening at interest rates up to fourteen percent (14%) per annum; and

WHEREAS: The current financial condition of the casino would allow the casino to qualify for bank financing at significantly lower rates which would allow the casino to reduce its debt service and increase distributions to the Tribe; and

WHEREAS: Pursuant to the Constitution approved by tribal membership on April 17, 2007, the Kiowa Indian Council has the power to authorize the Chairman of the Tribe to enter into treaties, compacts, or contracts, and said authorization may include the power to waive Sovereign Immunity.

NOW THEREFORE BE IT RESOLVED that the Kiowa Indian Council (KIC) hereby authorizes the Chairman of the Tribe to negotiate and sign a new one-time loan agreement for the refinance of the Kiowa Casino Red River indebtedness in a total amount not to exceed nineteen million dollars (\$19,000,000.00), that will include provisions for the granting of a limited waiver of sovereign immunity to allow enforcement against the Kiowa Casino Operations Authority (KCOA) for any personal property of the KCOA including revenues but not against any other asset of the Kiowa Tribe; to consent to sue and be sued in the Authority's name; to consent to the exercise of jurisdiction over any suit by the Tribal Court, an appropriate court of the United States or any state court or appellate court to which appeals may be taken; to consent to the resolution of any dispute by binding arbitration or any other form of dispute resolution, that further the Chairman of the KCOA shall, in addition to the Chairman of the Tribe, have the authority to sign said loan agreement agreeing to the above provisions as negotiated by the Chairman of the Tribe including all documents necessary to secure the loan, and all in compliance with the Annual Budget as previously approved by the KIC.

RESOLUTION 0010, KICCY2018

Subject: KIOWA TRIBE – LEGAL COUNCIL SELECTION POLICY

Whereas: It shall be policy of the Kiowa Tribe to follow this method of selections for any Legal Counsel that is hired to represent the Kiowa Tribe in a manner that the tribe may get the best possible representation.

Whereas: A request for proposal shall put out for advertisement, that defines the area or areas that such Legal Counsel shall have expertise and must be confirmed.

Whereas: Any Attorney or Law Firm must guarantee that there is no conflict of interest or even the appearance of conflict.

Whereas: Any Attorney or Law Firm must not have or ever had participated in any type of “Quid Pro Quo,” with any elected, appointed, or employee of the Kiowa Tribe.

Whereas: Upon passage of this resolution any Attorney or Law Firm will be required to re-apply as per the request or proposals. All Attorney contracts shall be deemed null and void.

Whereas: All requests for proposals shall also be required to comply with all other procurements policies.

Now Therefore Be It Resolved: that the Kiowa Indian Council hereby; For the good and benefit of the Kiowa Tribe and the Kiowa people does adopt this policy and it is effective this date.

RESOLUTION 0014, KICCY2018

Subject: EMERGENCY ASSISTANCE INCREASE REQUEST

WHEREAS: Emergency Assistance be increased from \$250 to \$400 per year per household.

NOW THEREFORE BE IT RESOLVED; that the Kiowa Indian Council hereby; 1. That the Tribal member be head of household and not just residing in the household; 2. That the bill be in the Tribal members names; 3. That the \$400 can be split between other household bills; 4. That the Tribal member can't use the household address more than once between Tribal members; 5. That the tribal member can only use the \$400 for medical, utility bills, rent and other emergencies that occur in their household and provide appropriate documentation along with their application; 6. That the Tribal member no to request \$400 in case for their own personal use; 7. That the Tribal member complete emergency assistance applications and submit to the Social Services Department intake clerks; 8. That the emergency assistance is only once per year for the Tribal member.

RESOLUTION 0015, KICCY2018

Subject: FUNERAL MEAL INCREASE REQUEST

Whereas: Increase the funeral meal request from \$100 to \$300.

NOW THEREFORE BE IT RESOLVED; that the Kiowa Indian Council hereby; 1. That the deceased must have been enrolled Tribal member; 2. That the family of the deceased designate a person to pick up the Wal-Mart gift card from the Social Services Staff; 3. That person will provide a copy of the deceased CDIB, complete a funeral meal application, and submit all information to the Social Services intake clerks.

RESOLUTION 0016, KICCY2018

Subject: KIOWA TRIBE ANNUAL ELDERLY PAYMENTS

WHEREAS: We amend the age requirements from 65 to 62 for our annual elderly payments.

NOW THEREFORE BE IT RESOLVED; that the Kiowa Indian Council hereby; The age requirements for Elderly payments be amended from 65 to 62.

RESOLUTION 0021, KICCY2018

Subject; KIOWA INDIAN COUNCIL POLICY FOR FORENSIC AUDITS

WHEREAS: Article v – Kiowa Indian Council, Section 3, Reserved Powers, [b], {I}, Empowers, the Council to SET policy for the tribe., AND

WHEREAS: The office of management and Budget {OMB} circular a-133 Audit and the Federal Audit Clearinghouse, requires an audit to be submitted to the Federal Audit Clearinghouse the most recent above required Audit minus any adverse or disclaimed opinions, material weaknesses or any significant findings. AND,

WHEREAS: The Kiowa Tribe’s elected leadership has for more than a decade has operated without an approved budget and is presently expending funds not properly budgeted,

WHEREAS: The Kiowa Tribe, in compliance with the present Kiowa Constitution, as approved does hereby establish and SET the following policy concerning “FORENSIC AUDITS” of the Kiowa Tribal Government, and any and all Programs, all Kiowa Tribal Entities that receive or generate income including any and all Gaming operations and entities connected to said Gaming operations, {gaming commissions, licensing and the Kiowa Casino Operation Authority.}

- WHEREAS:** the former elected leadership acted without following any approved budget and it seems that form of operation is continuing it seems to be a pattern of elected leadership operation with entrusted tribal funds,
- WHEREAS:** The Auditor should be selected through the approved procurement policy of the Kiowa tribe.
- WHEREAS:** The Forensic Auditors Contract must include the requirement for Auditor act and interact with the UNITED STATES ATTORNEY on any irregularities found and to include/prosecution.
- WHEREAS:** The Auditor will identify any weaknesses in the tribes operating policies and will recommend necessary changes to policy to prevent any further losses and findings.
- WHEREAS:** The Kiowa Tribe will conduct this same in-depth Forensic Audit every three years, with the same conditions.
- WHEREAS:** the Kiowa Indian Council authorizes the Audit of the Tribal Government for the years of 2013. [in more than a decade that is the only year that is auditable] and the Kiowa Indian Council authorizes a FORENSIC AUDIT of the present elected leadership be Audited from the time they took office to the present. Let's fix what is broken before we get too far down the road.
- WHEREAS:** The Kiowa Indian Council authorizes payment of said Audit be budgeted for out of any and all gaming funds, tax commission funds, oil and gas severance tax funds, oil and gas lease, farming and grazing leases, Ramah settlement and any other monies that are available.
- NOW THEREFORE BE IT RESOLVED;** the Kiowa Indian Council adopts the above policy as per the Kiowa Constitution.
- NOW THEREFORE BE IT RESOLVED;** the Kiowa Indian Council authorizes the above policy so that we can finally start to get our tribe on stable ground.

RESOLUTION 0023, KICCY2018

Subject: KIOWA INDIAN COUNCIL POLICY CONCERNING EXPENDING FUNDS FOR UNBUDGETED ITEMS OR UNBUDGETED PERSONNEL COST OR UNAPPROVED LINE ITEMS.

- WHEREAS:** A Budget is developed and approved for Fiscal accountability and a Budget amendment is to adjust the budget when needed but not legal until that process is completed.
- WHEREAS:** Anyone elected, appointed or employed, who initiates or assist in expending funds for items not expressly budgeted for shall be required to replace funds from personal funds or be charged with theft and prosecuted.

NOW THEREFORE BE IT RESOLVED; that the Kiowa Indian Council hereby; Adopts the budget accountability policy. And this will supersede any and all actions concerning this issue and is effective today.

RESOLUTION 0025, KICCY2018

Subject: ELDER PAYMENT INCREASE

WHEREAS: Our Kiowa Elders are a valuable part of the population and we have no active programs to meet their immediate needs for day to day expenses and emergency needs other than through an elder payment with Tribal monies;

WHEREAS: The current elder payment is set at five hundred dollars annually which is minimal in meeting the daily living expenses for elders;

WHEREAS: Article VI, Section 6(b) of the Constitution vests the Legislature the power to pass an annual budget or budget modification.

NOW, THEREFORE BE IT RESOLVED; that the Kiowa Indian Council hereby; request a budget modification by the Legislature to increase the Kiowa Elder payment to one thousand dollars with the new increased amount under that budget line item.

RESOLUTION 0026, KICCY2018

Subject: REMODELING AOA BUILDING AND PROVIDING ANOTHER ELDER CENTER

WHEREAS: The condition of the present AOA building needs long overdue remodeling, and the Elders outside of Carnegie District 2 need an Elders Community Center to serve their needs; AND,

NOW THEREFORE BE IT RESOLVED; that the Kiowa Indian Council hereby; requests a budget modification to include remodeling of the present AOA building and creation of a Kiowa Elders Center outside of the Carnegie District 2 to be placed on the 2018 upcoming budget to be taken out of available tribal funding or by submission for grant funding for this purpose.

RESOLUTION 0036, KICCY2018

Subject: BURIAL FUNDS

WHEREAS: in the best interests of each tribally enrolled member of the Kiowa Tribe, that at time of death, they should receive \$6,000.00 for their funeral expenses.

NOW THEREFORE BE IT RESOLVED; that the Kiowa Indian Council hereby; assists
Kiowa Tribe members with burial expenses in their time of need in
mourning the loss of a loved one.

RESOLUTION 0038, KICCY2018

**Subject: CHAIRMAN or REPRESENTATIVE FROM THE EXECUTIVE BRANCH BE IN
ATTENDANCE FOR ALL KIOWA INDIAN COUNCIL MEETINGS AND LEGISLATOR MEETINGS**

WHEREAS: The Chairman's representative from the Executive Branch shall attend
all Kiowa Indian Council meetings and all scheduled monthly
Legislative meetings. The Chairman's representative be in attendance
is needed and should be required so he/she may answer all questions
regarding Kiowa Indian Council business. The Legislative council is
not fully informed by the Chairman therefore, a lot of questions cannot
be answered satisfactorily for the Kiowa people. This is no fault of the
Legislator's due to the fact that the Chairman is not fully notifying them
or all his actions that he is taking. He is the Chairman of the entire
Tribe, voted and elected to represent all Kiowas, so he or a
representative should be accountable to the Kiowa Indian Council and
the elected Legislators.

NOW THEREFORE BE IT RESOLVED; that the Kiowa Indian Council hereby; requests
the Chairman or representative from the Executive Branch attend the
meeting as requested in the subject item. We, the Kiowa Indian Council want
and wish to have our questions answered and only you are fully aware to
answer them for the Kiowa people.

RESOLUTION 0040, KICCY2018

Subject: BUDGET BY LINE ITEM VOTE

WHEREAS: The annual budget is prepared by the Chairman and passed by the
Legislature to include all revenue and funds from any and all sources.

WHEREAS: Approval by line item give specific approval for money expenditures
rather than for the budget as a whole; giving more transparency to
where the money will be spent.

NOW THEREFORE BE IT RESOLVED; that the Kiowa Indian Council hereby;
requests the budget to be prepared by line item and presented to the Kiowa
Indian Council to be voted on by line item.

RESOLUTION 0041, KICCY2018

Subject: AMEND PERSONNEL POLICY TO ADD KIOWA PREFERENCE

WHEREAS: The Kiowa Indian Council desires to employ qualified Kiowa Tribal members to fill vacancies as they occur;

WHEREAS: Kiowa Tribal member are more familiar with Kiowa culture, customs, and lifestyles for sensitivity in serving tribal members;

WHEREAS: The current policies do not give maximum consideration for qualified Kiowas to be hired.

NOW THEREFORE BE IT RESOLVED; that the Kiowa Indian Council hereby; that the Personnel Policies and Procedures Affirmative Action section be amended to give Kiowa members preference in hiring; that is, if two candidates are both qualified, the Kiowa tribal member will have preference for hiring.
