

**MASHANTUCKET PEQUOT TRIBAL COUNCIL**

**January 2023**

**RESOLUTION POSTING REPORT**

**TRIBAL COUNCIL RESOLUTIONS**

**TCR010323-01 of 02 through TCR012623-04 of 04 (10 pages)**

*Distributed by:*

*Office of Matthew A. Pearson, Secretary*

*Pursuant to TCR031897-01 of 09*

*Prepared by: Ann Marie Eleazer, Assistant Director of Legislative Operations*

*[Recorder's Note: Per TCR081414-03 of 15, FIP, LRA and 14-day waiver language have been removed from Tribal Council Resolutions moving forward.]*

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**PLEASE NOTE:**

**1) Tribal Council Regular, Special, Strategic Meeting, E-Mail or Conference Call Votes**

In some instances, a Tribal Council Member may have been in attendance at a meeting, but was not present at the time the vote was taken.

**2) Zero (0) Executive Resolutions were approved during this Resolution Summary Report period.**

**[Recorder's Note: Attachments referred to within these resolutions are attached to the original Resolution, but are not attached to this Resolution Summary Report.]**

*[Please note the following standard four WHEREAS Clauses are contained within every Resolution]:*

**The Mashantucket Pequot Tribe (the "Tribe") also known as the Mashantucket Pequot Tribal Nation (the "Tribe") is a federally-recognized, Indian Tribe; and**

**The Mashantucket Pequot Tribal Council (the "Council") is the duly-authorized Governing Body of the Tribe pursuant to the Constitution and By-Laws of the Tribe, and is a federally-recognized, Indian Tribal Government; and**

**The Mission Statement of the Mashantucket Pequot Tribal Nation pursuant to TCR022499-01 states, "...the ultimate goal is to protect and advance the Sovereign Rights of the Tribal Nation in order to build and preserve a cultural, social and economic foundation that can never be undermined or destroyed."; and**

**The Mission Statement of the Tribal Council, as amended pursuant to TCR011410-03, is to preserve, protect and advance the Mission Statement of the Tribe for the benefit of the Mashantucket Pequot Tribal Nation; and**

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**010323TCM**

**Call to Order: 1:33 p.m.**

**TRIBAL COUNCIL MEETING ATTENDANCE:**

**Present: Cluff, Pearson, Reels, Menihan, Whipple, Scott**

**Absent: Butler (Excused)**

**TCR010323-01 of 02-Reappointment of Merrill Reels as the Tribal Council Treasurer.** *[Vote: 7 NUKS (Butler, Cluff, Pearson, Reels, Menihan, Whipple, Scott)].* **WHEREAS**, under Article VI, Section 3 of the Constitution of the Mashantucket Pequot Tribal Nation, the Tribal Council elects their Treasurer; and **WHEREAS**, per TCR022305-02 of 02, Tribal Council clarified that the term of a Secretary, Treasurer, or a Secretary/Treasurer shall be coterminous with their current Term of Office on the Tribal Council. At such time as their term on the Council ends, either by expiration of their term or otherwise, then the office of the Secretary, Treasurer, or Secretary/Treasurer shall end at the same time. Whether or not the same individual is re-elected to the Tribal Council, there shall be a new election of the position in question; and **WHEREAS**, TCR010919-01 of 03 appointed Merrill Reels as the Treasurer of the Mashantucket (Western) Pequot Tribal Council through 2019; and **WHEREAS**, TCR010920-04 of 06 re-appointed Merrill Reels as the Treasurer through 2022; and **WHEREAS**, Merrill Reels was re-elected to the Tribal Council at the November 6, 2022 Mashantucket (Western) Pequot Annual Meeting; and **WHEREAS**, the Tribal Council set November 18, 2022 as the deadline for submitting interest in serving as the Tribal Council Treasurer. At the time of the submission deadline Merrill Reels was the only one to express written interest in the position; and **WHEREAS**, the Tribal Council wishes for Merrill Reels to continue his performance in the Treasurer role for the span of his new term of office. **WHEREAS**, pursuant to TCR021218-05 of 06, for clarity of record, the Mashantucket Pequot Tribal Council hereby verifies that this 14-day advance submission requirement waiver was made at the time that this TCR was considered and voted upon. **THEREFORE, BE IT RESOLVED**, pursuant to TCR021218-05 of 06, for clarity of record, the Mashantucket Pequot Tribal Council hereby verifies that this 14-day advance submission requirement waiver was made at the time that this TCR was considered and voted upon. **BE IT FINALLY RESOLVED**, the Tribal Council hereby reappoints Merrill Reels to fill the position of the Tribal Council Treasurer according to the Constitution and By-Laws, effective January 1, 2023 for the remainder of his term of office or until further action of the Tribal Council.

**TCR010323-02 of 02-Approves the 2023 Standing Committee Chair Assignments, Office Space and Seating Arrangements in Tribal Council Chambers.** *[Vote: 7 NUKS (Butler, Cluff, Pearson, Reels, Menihan, Whipple, Scott)].* **WHEREAS**, TCR010308-04 of 06 provided the most recently approved Selection Process for Tribal Council Seating in Chambers, Office Spaces, and Standing Committee Chair Assignments for the twelve Standing Committees of the Tribe; and **WHEREAS**, TCR010308-04 of 06 also provided administrative direction that parking for Tribal Council will no longer be approved by Tribal Council Resolution (TCR) but will be on a first come, first served basis moving forward; and **WHEREAS**, on November 7, 2021, at the Mashantucket (Western) Pequot Annual Meeting, Merrill Reels and Crystal Whipple were re-elected as Tribal Councilors; and **WHEREAS**, TCR010323-01 of 02 re-appointed Merrill Reels as the Treasurer of the Mashantucket (Western) Pequot Tribal Nation; and **WHEREAS**, TCR010322-01 of 02 set the order of seating in Tribal Council Chambers from left to right (facing the Tribal Council table) as follows:

Michele Scott  
Crystal M. Whipple  
Latoya Cluff  
Rodney Butler  
Matthew A. Pearson  
Daniel W. Menihan  
Merrill Reels; and

**WHEREAS**, TCR010322-01 of 02 also established the 2022 Standing Committee Chair Assignments as follows:

Administrative Support	Matthew Pearson
Community Planning	Latoya Cluff
Economic Development	Michele Scott
Education	Crystal Whipple
Finance	Merrill Reels
Health & Human Services	Michele Scott
Historical & Cultural Preservation	Daniel Menihan
Housing	Latoya Cluff

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Judicial	Matthew Pearson
Natural Resources Protection	Crystal Whipple
Parks & Recreation	Daniel Menihan
Public Safety	Merrill Reels; and

**WHEREAS**, on November 14, 2022, the deadline to submit interest in changing seats or office space concluded without any written interest being submitted. In addition, not enough written interest was expressed to facilitate any possible exchanges in standing committee chair assignments. With these results, the Tribal Council concluded that an informal poll meeting would not be required for the 2023 calendar year; and **WHEREAS**, pursuant to TCR021218-05 of 06, for clarity of record, the Mashantucket Pequot Tribal Council hereby verifies that this 14-day advance submission requirement waiver was made at the time that this TCR was considered and voted upon. **THEREFORE, BE IT RESOLVED**, pursuant to TCR021218-05 of 06, for clarity of record, the Mashantucket Pequot Tribal Council hereby verifies that this 14-day advance submission requirement waiver was made at the time that this TCR was considered and voted upon. **BE IT FURTHER RESOLVED**, the Tribal Council hereby reaffirms that Tribal Council parking shall be on a first come, first served basis. **BE IT FURTHER RESOLVED**, the seating in Tribal Council Chambers from left to right (facing the Tribal Council table) shall continue to be as follows for 2023:

Michele Scott  
Crystal M. Whipple  
Latoya Cluff  
Rodney Butler  
Matthew A. Pearson  
Daniel W. Menihan  
Merrill Reels

**BE IT FURTHER RESOLVED**, all office space assignments shall remain the same for 2023. **BE IT FINALLY RESOLVED**, the Tribal Council approves the 2023 Standing Committee Chair Assignments as follows:

Administrative Support	Matthew Pearson
Community Planning	Latoya Cluff
Economic Development	Michele Scott
Education	Crystal Whipple
Finance	Merrill Reels
Health & Human Services	Michele Scott
Historical & Cultural Preservation	Daniel Menihan
Housing	Latoya Cluff
Judicial	Matthew Pearson
Natural Resources Protection	Crystal Whipple
Parks & Recreation	Daniel Menihan
Public Safety	Merrill Reels

**011223TCM**

**Call to Order: 9:02 a.m.**

**TRIBAL COUNCIL MEETING ATTENDANCE:**

**Present: Butler, Pearson, Reels, Whipple, Scott**

**Present/Tardy: Menihan (Excused-9:43 a.m.)**

**Absent: Cluff (Excused)**

**TCR011223-01 of 07-Amends the MPTN Entrepreneur Pilot Program, Directs Workforce Development to Assist Tribal Members with Developing a Successful Business Plan and Revises the Application Submittal to an Annual Basis (Amends TCR032521-01 of 03, TCR110421-01 of 04, TCR052522-09 of 11).** *[Vote: 5 NUKS (YES) (Butler, Pearson, Reels, Whipple, Scott) 2 ABSENT (Cluff and Menihan)].*

**WHEREAS**, economic independence and the well-being of Tribal Members is a strategic goal of the Mashantucket Pequot Tribal Nation (MPTN); and **WHEREAS**, TCR032521-01 of 03 approved the MPTN Entrepreneur Pilot Program; and **WHEREAS**, TCR110421-01 of 04 extended the MPTN Entrepreneur Pilot Program in hopes that at least one applicant would qualify and be approved for a loan at the conclusion of the second phase; and **WHEREAS**, TCR052522-09 of 11 directed Workforce Development to assist Tribal Members with producing a successful business plan and extended the Application Deadline to October 31, 2022; and **WHEREAS**, Unfortunately, no Tribal Members applicants have qualified thus far; and **WHEREAS**, the Treasurer, CFO and Director of Treasury (“Review Team”) met with Workforce Development staff to determine the best course of

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action to assist Tribal Members with obtaining a loan; and **WHEREAS**, the Review Team recommends that the Workforce Development assist Tribal Member applicants in creating a complete business plan; and **WHEREAS**, the Review Team also recommends that Tribal Member applicants meet with Workforce Development to have their business plan evaluated and approved prior to submitting a final application and Business Plan to the MPTN Entrepreneur Pilot Program Review Team; and **WHEREAS**, the Review Team further recommends that the application deadline for the MPTN Entrepreneur Pilot Program be changed to an annual basis on June 1st of each year with a target award date of July 15th; and **WHEREAS**, final approval for MPTN Entrepreneur Pilot Program applications will continue to be determined by the Review Team. **THEREFORE, BE IT RESOLVED**, the Tribal Council hereby directs Workforce Development to assist the Tribal Member applicants in creating a complete business plan. **BE IT FURTHER RESOLVED**, the Tribal Council hereby requires Tribal Member applicants to meet with the Workforce Development to have their business plan evaluated and approved prior to submitting their application and Business Plan to the MPTN Entrepreneur Pilot Program. **BE IT FURTHER RESOLVED**, the Tribal Council hereby establishes the application deadline for the MPTN Entrepreneur Pilot Program be changed to an annual basis on June 1st of each year with a target award date of July 15<sup>th</sup>. **BE IT FINALLY RESOLVED**, MPTN Entrepreneur Pilot Program shall continue on an annual basis until otherwise changed by Tribal Council to become a regular or dissolved program.

**TCR011223-02 of 07-Reappoints Scott Reels to the Finance Committee As Member for a Term of Two (2) Years (Ratifies FC121622-01 of 02).** *Vote: 5 NUKS (YES) (Butler, Pearson, Reels, Whipple, Scott) 2 ABSENT (Cluff and Menihan)].* **WHEREAS**, the Mashantucket Pequot Tribal Finance Committee (FC) is a duly-authorized Standing Committee of the Mashantucket Pequot Tribal Nation Body; and **WHEREAS**, Tribal Member Scott Reels' term expired on October 8, 2022; and **WHEREAS**, on October 26, 2022, a Memorandum regarding vacancies on the MPTN Standing Committees was sent to Membership via U.S. Mail; and **WHEREAS**, the Finance Committee Chair did not receive any Tribal Member interest in serving on the Finance Committee; and **WHEREAS**, on November 27, 2022, a Memorandum regarding vacancies on MPTN Standing Committees was sent to Membership via U.S. Mail; and **WHEREAS**, on November 21, 2022, Tribal Member Scott Reels expressed interest via email to continue to serve on the Finance Committee; and **WHEREAS**, no other Tribal Members expressed interest to serve on the Finance Committee and it is the desire of the Chair of the Finance Committee to reappoint Scott Reels as member for a term of two (2) years; and **WHEREAS**, on December 16, 2022, the Finance Committee held a regular scheduled meeting and reappointed Scott Reels to serve as a member for a (2) two-year Term; and **THEREFORE, BE IT RESOLVED**, the Tribal Council hereby ratifies FC121622-01 of 02 (*Exhibit A*) and approves the appointment of Scott Reels to the FC for a (2) two-year Term, effective immediately.

**TCR011223-03 of 07-Appoints Clifford Sebastian, IV to the Finance Committee As Alternate for a Term of Two (2) Years (Ratifies FC121622-02 of 02).** *Vote: 5 NUKS (YES) (Butler, Pearson, Reels, Whipple, Scott) 2 ABSENT (Cluff and Menihan)].* **WHEREAS**, the Mashantucket Pequot Tribal Finance Committee (the "Committee") is a duly-authorized Standing Committee of the Mashantucket Pequot Tribal Nation Body; and **WHEREAS**, Tribal Member's Scott Reels, Kendra Perry-Young, and Kyle White's terms expired on October 8, 2022, creating a Member and two Alternate vacancies; and **WHEREAS**, on October 26, 2022, a Memorandum regarding vacancies on the MPTN Standing Committees was sent to Membership via U.S. Mail; and **WHEREAS**, the Finance Committee Chair did not receive any Tribal Member interest in serving on the Finance Committee; and **WHEREAS**, on November 27, 2022, a Memorandum regarding vacancies on MPTN Standing Committees was sent to Membership via U.S. Mail; and **WHEREAS**, on December 5, 2022, Tribal Member Clifford Sebastian, IV expressed interest via email to serve on the Finance Committee; and **WHEREAS**, Clifford Sebastian, IV, in the past has served honorably and respectfully on the Finance Committee; and **WHEREAS**, no other Tribal Members expressed interest to serve on the Finance Committee and it is the desire of the Finance Committee to appoint Clifford Sebastian, IV as alternate for a term of two (2) years; and **WHEREAS**, on December 16, 2022, the Finance Committee held a regular scheduled meeting and appointed Clifford Sebastian, IV to serve as alternate for a (2) two-year Term. **THEREFORE, BE IT RESOLVED**, the Tribal Council hereby ratifies FC121622-02 of 02 (*Exhibit A*) and approves the appointment of Clifford Sebastian, IV to the Finance Committee for a (2) two-year Term, effective immediately.

**TCR011223-04 of 07-Revises the MPTN Inclement Weather Policy (Amends TCR112918-05 of 05 and TCR050822-02 of 02).** *Vote: 5 NUKS (YES) (Butler, Pearson, Reels, Whipple, Scott) 2 ABSENT (Cluff and Menihan)].* **WHEREAS**, the Mashantucket Pequot Administrative Support Committee (ASC) is a duly-authorized Standing Committee of the Tribe; and **WHEREAS**, the mission statement of the Committee, as approved by TCR081122-02 of 07, states that, "*The Administrative Support Committee shall propose enhancement to existing MPTN administrative policy, procedures, processes, and standards to help meet the highest needs of the Tribal Community by improving MPTN administrative efficiency and*

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*effectiveness*"; and **WHEREAS**, at the February 4, 2022 Administrative Support Committee (ASC) regular meeting the Committee identified a priority list of existing policies they felt needed to be reviewed for possible efficiency and effectiveness improvements; and **WHEREAS**, TCR112918-05 of 15 changed the Mashantucket Pequot Tribal Nation (MPTN) Inclement Weather Policy to provide the Chief of Staff (COS) the ability to provide five (5) full day closures where team members would be compensated rather than the two (2) inclement weather days afforded to team members that they could independently choose to use at their discretion; and **WHEREAS**, TCR050522-02 of 02 approved a series of changes to MPTN and Mashantucket Pequot Gaming Enterprise (MPGE) Policies, with the intention of having stronger alignment in the policies of the entities. One such policy change was reverting the MPTN Inclement Weather Policy back to the two (2) inclement weather days for use at the discretion of the team members; and **WHEREAS**, the Committee reviewed the earlier policy as approved by TCR112918-05 of 15 and the current policy as approved by TCR050522-02 of 02 and compared the two (2). Ultimately, the Committee concluded that, while the Committee appreciates the effort to better align policies across organizations, the operational needs of MPTN are different than that of MPGE and in the case of the Inclement Weather Policy it is appropriate that they be different; and **WHEREAS**, the Committee reached this conclusion primarily due to the fact that unlike MPTN, MPGE is a 24/7 operation with the resources to provide accommodations during inclement weather for essential departments throughout the inclement weather period. Additionally MPGE is the primary focus of Public Works which, especially during times of staffing challenges, can take a significant period of time leading to government buildings not being cleared for team members to safely access on time to maintain normal operations; and **WHEREAS**, the Chief of Staff's Office also expressed a strong preference for the flexibility provided by the higher number of inclement weather days authorized at the discretion of the Chief of Staff following consultation with the Fire Department, Tribal Police, and Public Works; and **WHEREAS**, the Committee recommended via ASC121222-01 of 01 (*Exhibit A*) that the MPTN Inclement Weather Policy be modified to reflect the version from TCR112918-05 of 15 but maintain the Limited Emergencies section from TCR050522-02 of 02; and **WHEREAS**, during the Legislative Review and Analysis, the Office of Legal Counsel (OLC) suggested some minor language changes for clarity that did not detract from the Committee's intentions and the revised proposed policy (*Exhibit B*) is presented for Tribal Council consideration. **THEREFORE, BE IT RESOLVED**, the Tribal Council amends TCR112918-05 of 05 and TCR050822-02 of 02 in order to modify MPTN Policies Section V, Subsection 2 "Inclement Weather / Limited Emergency Policy" as demonstrated in *Exhibit B*.

**TCR011223-05 of 07-Enactment of the Mashantucket Pequot Family and Medical Leave Law, 51**

**M.P.T.L. (Ratifies JC120222-01 of 02).** *Vote: 5 NUKS (YES) (Butler, Pearson, Reels, Whipple, Scott) 2 ABSENT (Cluff and Menihan)*. **WHEREAS**, the Council finds that promoting spirituality, strong family values, education, social stability, economic independence and the well-being of the community creates a strong cultural, social and economic foundation for the Tribe; and **WHEREAS**, the public policy of the Tribe is that all employees working within Tribal territory be treated fairly and consistent with the Tribe's cultural values; and **WHEREAS**, the Tribe, as an employer, provides employment to thousands of people in Mashantucket through its departments, divisions, entities and/or enterprises and has historically provided, through Tribal employment laws and policies, fair treatment to its employees, including comprehensive benefits and leave protections; and **WHEREAS**, the Council believes that codifying and strengthening the family and medical leave protections for employees of the Tribe will promote important cultural values and strengthen the community; and **WHEREAS**, the Council has considered and determined that it is important to require Tribal Employers to provide Tribal Employees with reasonable leave for medical reasons, for the birth, placement, and care of a child, for the care of a family member who has a serious health condition, and to support and care for seriously injured or ill military family members; and **WHEREAS**, the Mashantucket Pequot Judicial Committee (JC) is a duly-authorized Standing Committee of the Mashantucket Pequot Tribal Nation; and **WHEREAS**, TCR110394-04 of 04 approved the current mission statement for the Judicial Committee which states that, "*The mission of the Judicial Committee is to assist the Mashantucket Pequot Tribal Council in the initial development of the Tribal Court and other such dispute resolution systems as are practical for the Mashantucket Pequot Tribal Nation. In performing its functions, the Judicial Committee shall not become involved in any individual case. The Judicial Committee shall for the consideration of the Tribal Council, develop ordinances which clearly define the jurisdiction of the Tribal Court and which describe other dispute resolution forums as make sense for the Tribe. The Committee shall also monitor the administration of Justice by the Tribal Court. This includes reviewing the overall quality and performance of the Tribal Court System, including but not limited to review of: 1) the equality of sentencing, 2) the fairness of the administration of the Pre-Trial Intervention Program. On an annual basis the Judicial Committee shall review and modify as necessary the Judicial Committee Mission Statement.*"; and **WHEREAS**, the Judicial Committee approved JCR120222-01 of 02 (*Exhibit A*) to recommend a new tribal law be enacted, the Mashantucket Pequot Family and Medical Leave Law (*Exhibit B*) to be enforced and administered by the Mashantucket Employment Rights Office (MERO) and the Tribal Court; and **WHEREAS**, the legislative process for a law proposed to be administered by the MERO provides for a public comment opportunity pursuant to 31 M.P.T.L., the Mashantucket Employment Rights Law, which public comment opportunity included sessions held via Zoom on September 21, 2022, September 24, 2022, September 27, 2022, September 29, 2022, October 1, 2022,

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October 2, 2022, October 3, 2022, October 6, 2022, October 8, 2022 and October 12, 2022; and **WHEREAS**, all comments were advanced to the Judicial Committee who has reviewed those comments and made some revisions to the proposed law in response; and **WHEREAS**, the Council has reviewed the proposed law, the public comments, and the revised law, and supports the final version as submitted by the Committee. **THEREFORE, BE IT RESOLVED**, the Council hereby ratifies JCR120222-01 of 02 (*Exhibit A*) and approves of enactment of 51 M.P.T.L., the Mashantucket Pequot Family and Medical Leave Law (*Exhibit B*) to be enforced by the MERO. **BE IT FURTHER RESOLVED**, that the MERO is hereby directed to establish regulations consistent with this law to be published and in effect no later than 180 calendar days after enactment; and **BE IT FINALLY RESOLVED**, said law shall be effective upon passage and the MERO shall no later than sixty (60) days from enactment develop the necessary forms and materials necessary to administer the law.

**TCR011223-06 of 07-Approves Revisions to the Judicial Committee Mission Statement (Ratifies**

**JC120222-02 of 02)**. *Vote: 5 NUKS (YES) (Butler, Pearson, Reels, Whipple, Scott) 2 ABSENT (Cluff and Menihan)*. **WHEREAS**, the Mashantucket Pequot Judicial Committee (JC) is a duly-authorized Standing Committee of the Mashantucket Pequot Tribal Nation (MPTN); and **WHEREAS**, TCR110394-04 of 04 approved the current mission statement for the Judicial Committee which states that, “*The mission of the Judicial Committee is to assist the Mashantucket Pequot Tribal Council in the initial development of the Tribal Court and other such dispute resolution systems as are practical for the Mashantucket Pequot Tribal Nation. In performing its functions, the Judicial Committee shall not become involved in any individual case. The Judicial Committee shall for the consideration of the Tribal Council, develop ordinances which clearly define the jurisdiction of the Tribal Court and which describe other dispute resolution forums as make sense for the Tribe. The Committee shall also monitor the administration of Justice by the Tribal Court. This includes reviewing the overall quality and performance of the Tribal Court System, including but not limited to review of: 1) the equality of sentencing, 2) the fairness of the administration of the Pre-Trial Intervention Program. On an annual basis the Judicial Committee shall review and modify as necessary the Judicial Committee Mission Statement.*”; and **WHEREAS**, periodically, the Standing Committees of the Tribe make recommendations to the Tribal Council to update their committee mission statements to reflect changes in direction, responsibilities, and overall purpose that have occurred over time; and **WHEREAS**, despite the current mission statement (*Exhibit A*) requiring the Committee to perform annual review and modifications to their mission statement it has not been modified by the Tribal Council in over 25 years and still references the “initial development” of the Tribal Court which just celebrated its 30th year of operation in April 2022; and **WHEREAS**, the Committee conducted an extensive review of their assigned responsibilities and held several meetings to discuss how to modify the mission statement to more accurately define their current functions; and **WHEREAS**, on December 2, 2022, the Committee finalized a revised version of their mission statement (*Exhibit B*) and formalized their request for Tribal Council to approve this new version via JCR120222-02 of 02 (*Exhibit C*). **THEREFORE, BE IT RESOLVED**, the Tribal Council hereby ratifies JCR120222-02 of 02 (*Exhibit C*) and approves of the revised Judicial Committee mission statement as presented in *Exhibit B*.

**TCR011223-07 of 07-Approval of Additional Capital Funding for FY23 Requested for Critical Projects for MPMRC and the MPTN Police Department.**

*Vote: 5 NUKS (YES) (Butler, Pearson, Reels, Whipple, Scott) 2 ABSENT (Cluff and Menihan)*. **WHEREAS**, the FY23 Operating Budget for Mashantucket Pequot Museum & Research Center (MPMRC), was approved by Tribal Council, per TCR092922-14 of 15, reflecting a FY23 Operating Budget for the Mashantucket Pequot Museum & Research Center of \$2,700,000.00 and Capital Budget of \$2,577,300.00; and **WHEREAS**, the final FY23 Net Government Operating Budget, was approved by Tribal Council, per TCR102022-07 of 12, reflecting a FY23 Net Government Operating Budget of \$50,423,614.00 and a Capital Budget of \$7,764,046.00; of which \$1,037,607.00 is carryover from the FY22 approved Capital Budget; and **WHEREAS**, on December 9, 2022, Tribal Council provided email consensus approval to the Chief Financial Officer (CFO) for additional capital funding of \$450,000.00 for the Mashantucket Pequot Museum & Research Center, and \$100,000.00 for Public Safety projects in the Police Department area (*Exhibit A*) is attached for illustrative purposes for how the additional funding is to generally be used); and **WHEREAS**, the revised FY23 Capital Budget for Mashantucket Pequot Museum & Research Center after the approval of \$450,000.00 additional funding would be \$3,027,300.00; and **WHEREAS**, the revised FY23 Capital Budget for the Net Government Operating Budget after the consensus approval of \$100,000.00 would be \$7,864,046.00, of which \$1,037,607.00 is carryover from the FY22 approved Capital Budget; and **WHEREAS**, a waiver of the 14-day advance submission requirement and the 30-day advance agenda approval mandate pursuant to TCR112101-02 of 03 is needed to address the issue on today’s Tribal Council Agenda. **THEREFORE, BE IT RESOLVED**, the Mashantucket Pequot Tribal Council hereby waives the 14-day advance submission requirement and the 30-day advance agenda approval mandate approved in TCR112101-02 of 03 to allow this issue to be addressed in a timely manner. **BE IT FURTHER RESOLVED**, Tribal Council approves the revised FY23 Mashantucket Pequot Museum and Research Center Capital Budget of THREE MILLION, SEVENTY-SEVEN THOUSAND, THREE HUNDRED AND NO/100 DOLLARS

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(\$3,077,300.00), an increase of FOUR HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$450,000.00) from the original approved FY23 Mashantucket Pequot Museum & Research Center. **BE IT FINALLY RESOLVED**, Tribal Council approves a revised FY23 Net Government Capital Budget of SEVEN MILLION, EIGHT HUNDRED SIXTY-FOUR THOUSAND, FORTY-SIX AND NO/100 DOLLARS (\$7,864,046.00), of which ONE MILLION, THIRTY-SEVEN THOUSAND, SIX HUNDRED SEVEN AND NO/100 DOLLARS (\$1,037,607.00) is carryover from the FY22 approved capital budget, an increase of ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) from the original approved FY23 Budget.

**011723REGMTG (NO RESOLUTIONS WERE ADOPTED)**

**Call to Order: 1:09 p.m.**

**TRIBAL COUNCIL MEETING ATTENDANCE:**

**Present: Butler, Cluff, Pearson, Reels, Menihan, Whipple, Scott**

**011923TCM (NO RESOLUTIONS WERE ADOPTED)**

**Call to Order: 9:07 a.m.**

**TRIBAL COUNCIL MEETING ATTENDANCE:**

**Present: Butler, Pearson, Reels, Menihan, Whipple, Scott**

**Present/Tardy: Cluff (Excused-10:59 a.m.)**

**012623TCM**

**Call to Order: 9:02 a.m.**

**TRIBAL COUNCIL MEETING ATTENDANCE:**

**Present: Butler, Cluff, Reels, Menihan, Whipple, Scott**

**Present/Tardy: Pearson (Excused-9:03 a.m.)**

**TCR012623-01 of 04-Authorization to Participate in the Five Settlements with Teva, Allergen, Walmart, Walgreens and CVS and Authorize MPTN's Opioid Litigation Counsel to Submit Tribal Participation Forms on MPTN's Behalf.** *[Vote: 7 NUKS (YES) (Butler, Cluff, Pearson, Reels, Menihan, Whipple, Scott)].* **WHEREAS**, the Mission Statement of the Tribal Council, as amended pursuant to TCR011410-03 is to, “*Preserve, protect and advance the Mission Statement of the Tribe for the benefit of the Mashantucket Pequot Tribal Nation*”; and **WHEREAS**, the Native-American population has suffered some of the worst consequences of the opioid epidemic of any population in the United States. Tribal governments have had to spend considerable tribal funds to cover the costs of the opioid crisis, including increased costs for health care, social services, child welfare, law enforcement and other government services; and **WHEREAS**, over 400 federally-recognized tribes, including the Tribe, filed litigation against the opioid manufacturers, distributors, pharmacies, all of which the tribal plaintiffs maintain are responsible for the opioid crisis, which are part of the federal multi-district litigation In re: National Prescription Opiate Litigation, MDL. No. 2804, Case No. 17-md-02804 (the “Litigation”); and **WHEREAS**, the court-appointed Tribal Leadership Committee announced five (5) comprehensive settlements of opioid claims asserted in cases filed by the tribes against Teva, Allergan, Walmart, Walgreens and CVS (collectively, the “Defendants”); and **WHEREAS**, the Defendants have agreed to resolve the tribal claims for a total of \$603,000,000.00 of which Teva, an opioid manufacturer, will pay approximately \$119,000,000.00 over 13 years and Allergan, a related opioid manufacturer, will pay nearly \$71,000,000.00 over 6 years. For the pharmacies, Walmart will pay \$77,900,000.00 over one year; Walgreens will pay approximately \$148,000,000.00 over 15 years and CVS will pay approximately \$130,000,000.00 over 10 years; and **WHEREAS**, the Settlements only go into effect if certain tribal participation thresholds are reached; and **WHEREAS**, under the terms of the Settlements, each participating tribe has the right to determine which approved opioid abatement uses are best for the participating tribe and each participating tribe has the right to meaningfully participate in the final allocation process and a right to be heard prior to entry of the final allocation order; and **WHEREAS**, the Tribal Council is aware of and has reviewed the terms of the five settlements and elects to participate in the Settlements. **THEREFORE, BE IT RESOLVED**, the Tribal Council, in order to obtain and in consideration for the benefits provided to the Tribe pursuant to the Settlement Agreements, and acting through the authorized law firm, Skikos Crawford Skikos & Joseph, LLP (“Skikos”), hereby elects to participate in the five settlements and become a Participating Tribe as defined therein, and release all Released Claims against all Released Entities as defined therein. **BE IT FURTHER RESOLVED**, that General Counsel is authorized to sign and submit the Skikos Tribal Informed Consent-Letter (*Exhibit A*) and Skikos is authorized to submit the Tribal Participation Forms (*Exhibit B*) on behalf of the Tribe. **BE IT**

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**FINALLY RESOLVED**, consistent with the terms of the Tribal Participation Forms, the Tribe's General Counsel is directed to work with Skikos to finalize dismissals with prejudice of any Released Claims (as defined in the Tribal Participation Forms) and provide such dismissals with prejudice to the Defendants consistent with the requirements of the Term Sheets.

**TCR012623-02 of 04-Reappoints Robert D. Hayward to the Administrative Support Committee for a Two-Year Term (Ratifies ASC010623-01 of 02).** *[Vote: 7 NUKS (YES) (Butler, Cluff, Pearson, Reels, Menihan, Whipple, Scott)].* **WHEREAS**, the Mashantucket Pequot Administrative Support Committee (ASC) is a duly-authorized Standing Committee of the Mashantucket Pequot Tribal Nation; and **WHEREAS**, the mission statement of the Committee, as revised by TCR081122-02 of 07, is, "...to propose enhancements to existing MPTN administrative policy, procedures, processes, and standards to help meet the highest needs of the Tribal Community by improving MPTN administrative efficiency and effectiveness."; and **WHEREAS**, pursuant to TCR111722-01 of 02, the Standing Committee Protocol states that, "Committee Members' terms shall be staggered to ensure proper continuity in terms of carrying issues forward. Initially, Committee Members shall be appointed for one (1), two (2), or (3) three-year terms, after which, reappointed Committee Members shall be reappointed for either one (1) or two (2) year terms."; and **WHEREAS**, TCR011421-04 of 05 re-appointed several members of the Committee including Robert D. Hayward and Michael Thomas whose terms are set to expire on January 14, 2023; and **WHEREAS**, given the impending term expirations, the Committee posted the upcoming vacancies as part of a memorandum re vacancies on Mashantucket Pequot Tribal Nation (MPTN) Standing Committees distributed to the tribal membership on December 22, 2022 via the Tribe's secure website and U.S. Mail with a posted deadline to express interest of January 5, 2023; and **WHEREAS**, at the time of the deadline Robert D. Hayward and Michael Thomas were the only Tribal Members to express interest on serving on the Committee; and **WHEREAS**, at a duly-called meeting of the Committee where a quorum was present, the decision was reached in the form of ASC010623-01 of 02 (*Exhibit A*) to request the Tribal Council reappoint Robert D. Hayward for another two-year term. **THEREFORE, BE IT RESOLVED**, the Tribal Council hereby ratifies ASC010623-01 of 02 (*Exhibit A*) and reappoints Robert D. Hayward to the Administrative Support Committee as a full member for a new two-year term with immediate effect.

**TCR012623-03 of 04-Reappoints Michael Thomas to the Administrative Support Committee for a Two-Year Term (Ratifies ASC010623-02 of 02).** *[Vote: 7 NUKS (YES) (Butler, Cluff, Pearson, Reels, Menihan, Whipple, Scott)].* **WHEREAS**, the Mashantucket Pequot Administrative Support Committee (ASC) is a duly-authorized Standing Committee of the Mashantucket Pequot Tribal Nation; and **WHEREAS**, the mission statement of the Committee, as revised by TCR081122-02 of 07, is, "...to propose enhancements to existing MPTN administrative policy, procedures, processes, and standards to help meet the highest needs of the Tribal Community by improving MPTN administrative efficiency and effectiveness."; and **WHEREAS**, pursuant to TCR111722-01 of 02, the Standing Committee Protocol states that, "Committee Members' terms shall be staggered to ensure proper continuity in terms of carrying issues forward. Initially, Committee Members shall be appointed for one (1), two (2), or (3) three-year terms, after which, reappointed Committee Members shall be reappointed for either one (1) or two (2) year terms."; and **WHEREAS**, TCR011421-04 of 05 re-appointed several members of the Committee including Robert D. Hayward and Michael Thomas whose terms are set to expire on January 14, 2023; and **WHEREAS**, given the impending term expirations, the Committee posted the upcoming vacancies as part of a memorandum re vacancies on MPTN Standing Committees distributed to the tribal membership on December 22, 2022 via the Tribe's secure website and U.S. Mail with a posted deadline to express interest of January 5, 2023; and **WHEREAS**, at the time of the deadline Michael Thomas and Robert D. Hayward were the only Tribal Members to express interest on serving on the Committee; and **WHEREAS**, at a duly-called meeting of the Committee where a quorum was present, the decision was reached in the form of ASC010623-02 of 02 (*Exhibit A*) to request the Tribal Council reappoint Michael Thomas for another two-year term. **THEREFORE, BE IT RESOLVED**, the Tribal Council hereby ratifies ASC010623-02 of 02 (*Exhibit A*) and reappoints Michael Thomas to the Administrative Support Committee as a full member for a new two-year term with immediate effect.

**TCR012623-04 of 04-Approves Paid Administrative Leave for the Tribal Family 31<sup>st</sup> Anniversary High Stakes Bingo Game on February 13, 2023.** *[Vote: 5 NUKS (YES) (Butler, Cluff, Pearson, Menihan, Whipple) 2 MATA (NO) (Reels and Scott)].* **WHEREAS**, the Mission Statement of the Tribal Council, as amended pursuant to TCR011410-03 is to, "Preserve, protect and advance the Mission Statement of the Tribe for the benefit of the Mashantucket Pequot Tribal Nation"; and **WHEREAS**, on July 5, 1986, the Tribe opened the Mashantucket Pequot High Stakes Bingo Hall; and **WHEREAS**, on February 15, 1992, the Tribe opened Foxwoods Casino; and **WHEREAS**, in honor of the 30th anniversary of Foxwoods Resort & Casino, the Tribal Council in coordination with the Mashantucket Pequot Gaming Enterprise (MPGE) Executive Team authorized two High Stakes Bingo Games specifically for the tribal membership to be held on February 28, 2022 & August 30, 2022; and **WHEREAS**, the events were so successful that the Tribal Council and the MPGE Executive Team would like to

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annualize the event to occur during the week of the anniversary of the opening of Foxwoods Casino as a reflection on where our gaming roots began; and **WHEREAS**, the Tribal Council would like to extend the invitation to also include Spouses of enrolled Tribal Members to not just attend alongside their significant others but to play as well; and **WHEREAS**, as the event will be held at the Bingo Hall the Tribal Council continues to support the restriction that only Tribal Members and Spouses who are in good standing with Foxwoods be allowed to participate; and **WHEREAS**, to maximize the number of Tribal Members and Tribal Spouses who will be able to participate the Tribal Council would like to provide Paid Administrative Leave (PAL) for those Tribal Members and Spouses who may be scheduled to work during this time for the hours of the event plus 30 minutes before and after for travel; and **WHEREAS**, to qualify for the Paid Administrative Leave the Tribal Member or Spouse must have informed their supervision that they will be attending by February 3, 2023 (departments are not required to approve the absence if the notification is sent to them after this date), RSVP'd to Tribal Guest Services by February 9, 2023, and must sign-in at the event when they pick up their bingo card; and **WHEREAS**, as a special event not covered under the Umbrella Leave Policy (TCR102220-12 of 16) this event, "shall require a separate Tribal Council Resolution" in order to approve PAL; and **WHEREAS**, in an effort to provide the greatest amount of advance communication possible the Tribal Council provided their consensus approval for this PAL on January 10, 2023 with the expectation that this resolution would follow to formally support the PAL. **THEREFORE, BE IT RESOLVED**, Tribal Council approves Paid Administrative Leave for enrolled Tribal Members and Spouses who attend the Tribal Family 31st Anniversary High Stakes Bingo Game on February 13, 2023 for the hours of the event plus 30 minutes before and after for travel so long as they have informed their supervision that they will be attending by February 3, 2023 (departments are not required to approve the absence if the notification is sent to them after this date), RSVP'd to Tribal Guest Services by February 9, 2023, and must sign-in at the event when they pick up their bingo card. **BE IT FURTHER RESOLVED**, only enrolled Tribal Members and Spouses who are in good standing with Foxwoods and are age 18 or older as of February 13, 2023 are eligible to participate. **BE IT FINALLY RESOLVED**, Tribal Guest Services will provide the names of those Tribal Member and Spouses who signed-in at the event and RSVP'd prior to the agreed deadline to Payroll within three (3) business days of the event.