

**MASHANTUCKET PEQUOT TRIBAL COUNCIL**

**August 2023**

**RESOLUTION POSTING REPORT**

**TRIBAL COUNCIL RESOLUTIONS**

**TCR081023-01 of 11 through TCR081723-02 of 02 (9 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.]*

**August 2023 Resolution Posting Report for distribution to Membership**  
**On [www.Pequotathome.net](http://www.Pequotathome.net) of Mashantucket Pequot Tribal Council**  
*[Original Resolutions are located in the Tribal Clerk's Office]*

**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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**080323TCM (NO RESOLUTIONS WERE ADOPTED)**

**Call to Order: 10:05 a.m.**

**TRIBAL COUNCIL MEETING ATTENDANCE:**

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

**Absent: Scott (Excused)**

**081023TCM**

**Call to Order: 9:05 a.m.**

**TRIBAL COUNCIL MEETING ATTENDANCE:**

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

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

**Absent: Cluff (Excused)**

**TCR081023-01 of 11-Approves By-Laws for Command Holdings, A Pequot Company (Ratifies**

**Command Board Resolution 021022-01 of 06).** *[Vote: 6 YES (NUKS) (Butler, Cluff, Pearson, Reels, Whipple, Scott) 1*

*ABSENT (Menihan)].* **WHEREAS**, pursuant to TCR020421-03 of 07, the Tribal Council previously approved the establishment of Command Holdings, A Pequot Company, a federally chartered corporation formed pursuant to 25 U.S.C. §5124 (“Command” or the “Corporation”); and **WHEREAS**, pursuant to Command Board Resolution 021022-01 of 06, a copy of which attached hereto as *Exhibit A*, the Command Board previously approved the By-Laws for the Corporation, a copy of which is attached hereto as *Exhibit B*, (the “By-Laws”); and **WHEREAS**, Article IX, Section 16 of Command’s Charter provides that the Command Board may adopt By-Laws for the Corporation, “*provided, however, that the Corporation’s By-Laws and any amendments thereto shall be approved by the Tribal Council prior to being effective*”; and **WHEREAS**, the Tribal Council now desires to ratify the Corporation’s By-Laws consistent with Article IX, Section 16 of the Charter; 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 FINALLY RESOLVED**, that the Tribal Council hereby ratifies Command Board Resolution 02102022-1 of 6, approving the By-Laws of Command Holdings, A Pequot Company, attached hereto as *Exhibit B*, and further authorizes and directs Tribal Council Secretary Matthew Pearson to execute all documents necessary to affect the purposes of this TCR.

**TCR081023-02 of 11-Approves Amendments to Articles of Organization and Operating Agreement of Copperhead Technologies, LLC.** *[Vote: 6 YES (NUKS) (Butler, Cluff, Pearson, Reels, Whipple, Scott) 1 ABSENT*

*(Menihan)].* **WHEREAS**, pursuant to TCR081017-02 of 07, the Tribal Council previously approved the formation of Copperhead Technologies, LLC (“Copperhead” or “Company”) as a wholly-owned subsidiary of the Mashantucket Pequot Tribal Nation Business Development Company, LLC (“MPTN-BDC”); and **WHEREAS**, pursuant to TCR020421-03 of 07, the Tribal Council previously approved the formation of Command Holdings, A Pequot Company, a federally-chartered corporation formed pursuant to 25 U.S.C. §5124 (the “Section 17 Corporation”); and **WHEREAS**, on December 21, 2022, the MPTN-BDC assigned 100% of its ownership of Copperhead to the Section 17 Corporation; and **WHEREAS**, the Tribal Council now desires to approve certain amendments to Copperhead’s Articles and Operating Agreement to facilitate such assignment; and **WHEREAS**, Article X of the Company’s Articles of Organization provides that the Company’s “Articles of Organization may be amended only by action of the Tribal Council of the Tribe at a meeting duly noticed”; and **WHEREAS**, Article 9 of the Company’s Operating Agreement provides that “Operating Agreement may be altered, amended, repealed or new Operating Agreement adopted by the Tribal Council”; 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 FINALLY RESOLVED**, that the Tribal Council hereby approves the (i) Second Amended and Restated Articles of Organization for Copperhead Technologies, LLC attached hereto as *Exhibit A*, and (ii) the Third Amended and Restated Operating Agreement for Copperhead Technologies, LLC attached hereto as *Exhibit B*, and further

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authorizes and directs Tribal Council Secretary Matthew Pearson to execute all documents necessary to effect the purposes of this TCR.

**TCR081023-03 of 11-Approves the Proposed Assignment of Mashantucket Pequot Tribal Nation**

**Business Development Company, LLC to Command Holdings, A Pequot Company.** *[Vote: 6 YES (NUKS) (Butler, Cluff, Pearson, Reels, Whipple, Scott) 1 ABSENT (Menihan)].* **WHEREAS**, pursuant to TCR092216-06 of 06, the Tribal Council previously approved the formation of the Mashantucket Pequot Tribal Nation Business Development Company, LLC (“BDC” or “Company”) as a wholly-owned subsidiary of the Tribe; and **WHEREAS**, pursuant to TCR020421-03 of 07, the Tribal Council previously approved the formation of Command Holdings, A Pequot Company, a federally-chartered corporation formed pursuant to 25 U.S.C. §5124 (the “Section 17 Corporation”); and **WHEREAS**, the Tribal Council now desires to assign its ownership of the BDC to the newly formed Section 17 Corporation; and to further approve certain amendments to the BDC’s Articles and Operating Agreement to facilitate such assignment; **WHEREAS**, Article X of the Company’s Articles of Organization provides that the Company’s “Articles of Organization may be amended only by action of the Tribal Council of the Tribe at a meeting duly noticed”; and **WHEREAS**, Article 9 of the Company’s Operating Agreement provides that “Operating Agreement may be altered, amended, repealed or new Operating Agreement adopted by the Tribal Council”; 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 FINALLY RESOLVED**, that the Tribal Council hereby approves the following actions: (i) the assignment of 100% of its ownership interest in the BDC to Command Holdings, A Pequot Company; (ii) the amendment and filing of the Restated Articles of Organization for the Mashantucket Pequot Tribal Nation Business Development Company, LLC attached hereto as *Exhibit A*, and (iii) the Third Amended and Restated Operating Agreement attached hereto as *Exhibit B* and further authorizes and directs Tribal Council Secretary Matthew Pearson to execute all documents necessary to effect the purposes of this TCR.

**TCR081023-04 of 11-Approves Amending 49 M.P.T.L. Re Cannabis (Revises TCR093021-01 of 13).**

*[Vote: 6 YES (NUKS) (Butler, Cluff, Pearson, Reels, Whipple, Scott) 1 ABSENT (Menihan)].* **WHEREAS**, per TCR112091-01, the Tribe adopted “as tribal law the criminal laws of the state of Connecticut” and as codified in 2 M.P.T.L ch. 2 § 1.a.; and **WHEREAS**, per TCR113093-03, as amended by TCR053100-04 of 07 and TCR100500-02 of 04, the Tribal Council approved the Mashantucket Pequot Tribal Criminal Code Ordinance; and **WHEREAS**, recently the Connecticut Legislature passed Bill No. 1201, “AN ACT CONCERNING RESPONSIBLE AND EQUITABLE REGULATION OF ADULT-USE CANNABIS (RERACA)” which decriminalized the possession and use of small quantities of cannabis and provided for a comprehensive set of laws governing cannabis in Connecticut and became effective July 1, 2021; and **WHEREAS**, pursuant to the Constitution and By-Laws, the Tribal Council is the governing body of the Tribe and has the authority to enact legislation to regulate the cultivation, possession, use, manufacturing, sale and distribution of cannabis on the Mashantucket Pequot Reservation and enacted Title 49 of the Mashantucket Pequot Tribal Laws to decriminalize possession and use of small quantities of cannabis consistent with State law and as an initial placeholder for a more comprehensive tribal law; and **WHEREAS**, the Mashantucket Pequot Tribal Council wishes to amend Title 49 of the Mashantucket Pequot Tribal Laws to provide for a comprehensive scheme of laws to address every facet of cannabis including but not limited to the cultivation, possession, use, manufacturing, sale and distribution of cannabis on the Mashantucket Pequot Reservation (*Exhibit A*). **THEREFORE, BE IT RESOLVED**, that 49 M.P.T.L. is hereby amended in accordance with *Exhibit A* attached hereto.

**TCR081023-05 of 11-Appointment of Matthew Byron as a Committee Member of the Natural Resources Protection Committee for a 2-Year Term (Ratifies NRC071823-01).** *[Vote: 6 YES (NUKS)*

*(Butler, Cluff, Pearson, Reels, Whipple, Scott) 1 ABSENT (Menihan)].* **WHEREAS**, the Natural Resources Protection Committee (“the Committee”) is a duly-authorized standing committee of the Mashantucket Pequot Tribal Nation; and **WHEREAS**, there are currently 2 vacancies on the Natural Resources Protection Committee one being a long-standing vacancy due to the removal of Jodi-Ann Little Fawn and the other due to the removal of Nakia Northup due to the attendance rules outlined in the Standing Committee Protocol; and **WHEREAS**, pursuant to TCR012518-08 mailings have been conducted in search of new members but there had been a lack of interest by Tribal Members to serve on said committee; and **WHEREAS**, Tribal Members Matthew Byron and Jeremy Whipple have been the only individual to submit letters of interest to serve on the committee; and **WHEREAS**, the Tribal Council feels that both Tribal Members would serve diligently and would meet the ongoing needs of the committee.

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**THEREFORE, BE IT RESOLVED**, the Tribal Council hereby ratifies NRC071823-01 (*Exhibit A*) and appoints Matthew Byron to the Natural Resources Protection Committee for a 2-year term pursuant to the Standing Committee Protocols.

**TCR081023-06 of 11-Appointment of Jeremy Whipple as a Committee Member of the Natural Resources Protection Committee for a 2-Year Term (Ratifies NRC071823-02).** *[Vote: 6 YES (NUKS) (Butler, Cluff, Pearson, Reels, Whipple, Scott) 1 ABSENT (Menihan)].* **WHEREAS**, the Natural Resources Protection Committee (“the Committee”) is a duly authorized standing committee of the Mashantucket Pequot Tribal Nation; and **WHEREAS**, there are currently 2 vacancies on the Natural Resources Protection Committee one being a long-standing vacancy due to the removal of Jodi-Ann Little Fawn and the other due to the removal of Nakia Northup due to the attendance rules outlined in the Standing Committee Protocol; and **WHEREAS**, pursuant to TCR012518-08 mailings have been conducted in search of new members but there had been a lack of interest by Tribal Members to serve on said committee; and **WHEREAS**, Tribal Members Matthew Byron and Jeremy Whipple have been the only individual to submit letters of interest to serve on the committee; and **WHEREAS**, the Tribal Council feels that both Tribal Members would serve diligently and would meet the ongoing needs of the committee. **THEREFORE, BE IT RESOLVED**, the Tribal Council hereby ratifies NRC071823-02 (*Exhibit A*) and appoints Jeremy Whipple to the Natural Resources Protection Committee for a 2-year term pursuant to the Standing Committee Protocols.

**TCR081023-07 of 11-Approves the September 19, 2023 Regular Meeting Agenda.** *[Vote: 6 YES (NUKS) (Butler, Cluff, Pearson, Reels, Whipple, Scott) 1 ABSENT (Menihan)].* **WHEREAS**, TCR121522-05 of 07 approved the Tribal Council Meeting Agendas, including dates for the Regular Meetings with Membership, through December 31, 2023; and **WHEREAS**, there is a need for Tribal Council to further approve the discussion topics for the Regular Meeting Agenda, scheduled for Tuesday, September 19, 2023; and **WHEREAS**, on March 19, 2020, per TCR031920-01 of 01, the Tribal Council declared that a State of Emergency existed throughout the Mashantucket Pequot Tribal Nation due to the COVID-19 pandemic; and **WHEREAS**, given this State of Emergency, the Tribal Council approved TCR062520-04 of 10 to approve virtual meetings due to continued health concerns; and **WHEREAS**, on May 5, 2023, the World Health Organization (WHO) declared an end to the COVID-19 emergency; however, the State of Emergency in Mashantucket has yet to be ended; and **WHEREAS**, the low in-person attendance at both the March 21, 2023 and May 16, 2023 Regular Meetings with Membership has shown that the overwhelming majority of Tribal Members prefer to attend via Zoom; and **WHEREAS**, given the clear preference for attending via Zoom, the Tribal Council wishes to return to virtual attendance without an in-person option for the Regular Meetings with Membership through March 31, 2024. The Tribal Council will offer a poll regarding a return to hybrid options at the April 2024 Virtual Community Meeting to see if the position of the Membership has changed; and **WHEREAS**, TCR080620-01 of 01 confirmed that virtual attendance at a Membership Meeting will count towards qualifications for candidacy for the annual Tribal Council elections. **THEREFORE, BE IT RESOLVED**, the Tribal Council hereby approves September 19, 2023 Regular Meeting Agenda and discussion topics as follows:

**Tuesday, September 19, 2023 – Regular Meeting – Zoom (1:00p – 5:00p)**

- 12:55 Call to Order of the Regular Meeting
- 1:00 Tribal Council Roll Call  
Opening Prayer & Flag Song
- 1:15 Council Updates
  - Elders Council Chair
  - Youth Council Chair
  - Tribal Council
- 2:00 Health Segment (S. Vora)
- 2:15 Quarterly Treasurer Update (M. Reels)
- 2:40 Annual MPGE & Two Trees Update (J. Guyot)
- 3:30 Annual Foxwoods El San Juan Update
- 4:00 Annual WondrNation Update
- 4:30 Tribal Member Question & Answer Session/Public Comment
- 5:00 Adjourn

**BE IT FURTHER RESOLVED**, the opportunity to check in to the meeting with the Tribal Clerk’s office ends when the meeting is adjourned, even if the meeting ends early. **BE IT FINALLY RESOLVED**, the Tribal Council approves Paid Administrative Leave from Noon to Midnight for those Tribal Members who check in to the meeting with the Tribal Clerk.

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**TCR081023-08 of 11-Approves the Agenda and Information Packet to Tribal Members for the Annual Meeting of the Mashantucket Pequot Tribe to be held on Sunday, November 5, 2023 in the**

**Community Center Gymnasium.** [Vote: 6 YES (NUKS) (Butler, Cluff, Pearson, Reels, Whipple, Scott) 1 ABSENT (Menihan)]. **WHEREAS**, the Tribal Council desires to approve the Agenda for the Annual Meeting of the Mashantucket Pequot Tribal Nation (MPTN) to be held on the first Sunday of November each year (Sunday, November 5, 2023); and **WHEREAS**, per TCR082201-02, the Tribal Council Secretary prepares an Annual Meeting Information Packet (*Exhibit A*) for Tribal Members that includes:

- The date and Agenda for the Annual Meeting; The process and constitutionally-mandated qualifications for becoming a candidate for Tribal Council and the process and date by which the Declaration of Candidacy must be filed;
- Additional miscellaneous information; and

**WHEREAS**, pursuant to TCR082201-02 of 03, the Annual Meeting Packet includes the agenda for the Regular Meeting immediately preceding the Annual Meeting (September 19, 2023 Regular Meeting Agenda approved by TCR081023-07 of 11); and **WHEREAS**, pursuant to TCR120122-06 of 07, the Tribal Council changed the Umbrella Leave Policy to require Tribal Members to sign-in with the Tribal Clerk's Office at the Annual Meeting in order to receive Paid Administrative Leave all day, all shifts the Monday following the Annual Meeting; and **WHEREAS**, on March 19, 2020, per TCR031920-01 of 01, the Tribal Council declared that a State of Emergency existed throughout the Mashantucket Pequot Tribal Nation due to the COVID-19 pandemic; and **WHEREAS**, given the continued State of Emergency, the Tribal Council approved TCR062520-04 of 10 to approve virtual meetings due to ongoing health concerns; and **WHEREAS**, on May 5, 2023, the World Health Organization (WHO) declared an end to the COVID-19 emergency; however, the State of Emergency in Mashantucket has yet to be ended; and **WHEREAS**, given the low in-person attendance at both the March 21, 2023 and May 16, 2023 Regular Meetings with Membership, the Tribal Council, pursuant to TCR060823-07 of 10, declared a return to the virtual meeting format (without an in-person option) for Regular Meetings with Membership through March 31, 2024; and **WHEREAS**, the Tribal Council desires to also maintain the virtual meeting format for the Annual Meeting; and **WHEREAS**, TCR080620-01 of 01 confirmed that virtual attendance at a Membership Meeting will count towards qualifications for candidacy for the annual Tribal Council elections.

**THEREFORE, BE IT RESOLVED**, Tribal Council hereby approves of the Agenda and Information Packet Materials for the November 5, 2023 Annual Meeting of the Mashantucket Pequot Tribe (*Exhibit A*). **BE IT FURTHER RESOLVED**, the Tribal Council Secretary will mail the Annual Meeting Information Packet (*Exhibit A*) to every qualified Tribal Member for their review on or before Friday, August 25, 2023. **E IT FINALLY RESOLVED**, the Tribal Council Secretary will ensure proper communication to all Department Heads throughout the various Tribal Entities and Foxwoods Resort Casino that the Annual Meeting is approved under the Umbrella Policy for Tribal Members that attend to receive Administrative Leave with Pay all day, all shifts.

**TCR081023-09 of 11-Authorizing the Filing of an Application with the United States Department of the Interior, Bureau of Indian Affairs, to Accept Title to 119 Indiantown Road, Ledyard, Connecticut in Trust for the Benefit of the Mashantucket Pequot Tribe.** [Vote: 6 YES (NUKS) (Butler, Cluff, Pearson, Reels, Whipple, Scott) 1 ABSENT (Menihan)].

**WHEREAS**, the Tribe has consistently sought to reacquire traditional lands of the Tribe that have passed to non-Indian ownership and has pursued that objective prior to and after gaining federal recognition in 1983; and **WHEREAS**, the Tribe's Settlement Act provides authority for the Tribe to seek trust status for lands and establishes a federal reservation; and **WHEREAS**, as part of the Tribe's efforts to reacquire traditional lands in and around the Tribe's Reservation, in 2007, the Tribe acquired a parcel of land known as 119 Indiantown Road, Ledyard, Connecticut in a land swap with the Town of Ledyard by Warranty Deed (attached hereto as *Exhibit A*); and **WHEREAS**, in June of 2023, Boundaries, LLC, a state licensed surveying company with extensive experience in Southeastern Connecticut, completed a survey of 119 Indiantown Road, and based on that survey, prepared a metes and bounds description of the property which is attached hereto as *Exhibit B*; and **WHEREAS**, 119 Indiantown Road is comprised of approximately 76.74 acres in fee simple, which land is contiguous to the Tribe's Reservation and is also bounded on one side by Tribal fee property; and **WHEREAS**, the Tribal Council has determined that the future of the Tribe, its government and its citizens, as well as the economic development necessary to support self-government is dependent upon a secure land base within the jurisdictional control of the Tribe; and **WHEREAS**, 119 Indiantown Road, Ledyard, Connecticut is presently forest lands used for hiking and ATV trails for Tribal Citizens, and the Tribal Council intends to leave this land in its present state for the enjoyment of the natural environment by the tribal community; and **WHEREAS**, the Tribe has performed initial archeological research and excavation on 119 Indiantown Road resulting in findings of a thin scatter of potentially significant materials and a recommendation to conduct additional research; and the Tribe is committed to preserving and maintaining sovereign authority and control over any such archeological sites; and **WHEREAS**, the

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Tribe has prepared a comprehensive application addressing the statutory and regulatory requirements for acquisition by the United States of the property in trust for the benefit of the Tribe; and **WHEREAS**, the Secretary of the Interior is authorized to acquire land in trust on behalf of the Tribe pursuant to Section 5 of the Indian Reorganization Act, 25 U.S.C. § 5108 as confirmed and made applicable to the Tribe by the Mashantucket Pequot Settlement Act; 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**, that the Mashantucket Pequot Tribal Council does hereby authorize the filing of an application to and hereby requests that the Secretary of the Interior, or her designee, approve the Tribe's fee to trust application and acquire title to 119 Indiantown Road, Ledyard, Connecticut in trust for the benefit of the Mashantucket Pequot Tribe pursuant to applicable law. **BE IT FINALLY RESOLVED**, that the Chair of the Tribal Council, or in their absence, the Vice Chair, is authorized, empowered and directed, on behalf of the Tribe, to execute and deliver such other certificates, documents, agreements and instruments, and to take such other actions, as in their sole discretion, are deemed necessary or appropriate to effectuate the terms of this resolution, and the acquisition of 119 Indiantown Road in trust for the benefit of the Tribe.

**TCR081023-10 of 11--Authorizing the Filing of an Application with the United States Department of the Interior, Bureau of Indian Affairs, to Accept Title to 137 Indiantown Road, Ledyard, Connecticut in Trust for the Benefit of the Mashantucket Pequot Tribe.** *[Vote: 6 YES (NUKS) (Butler, Cluff, Pearson, Reels, Whipple, Scott) 1 ABSENT (Menihan)].*

**WHEREAS**, the Tribe has consistently sought to reacquire traditional lands of the Tribe that have passed to non-Indian ownership and has pursued that objective prior to and after gaining federal recognition in 1983; and **WHEREAS**, the Mashantucket Pequot Settlement Act provides authority for the Tribe to seek trust status for lands and establishes a federal reservation; and **WHEREAS**, as part of the Tribe's efforts to reacquire traditional lands in and around the Tribe's Reservation, in 1994, the Tribe acquired fee simple title to a parcel of land known as 137 Indiantown Road, Ledyard, Connecticut by Warranty Deed (attached hereto as *Exhibit A*); and **WHEREAS**, in June of 2023, Boundaries, LLC, a state licensed surveying company with extensive experience in Southeastern Connecticut, completed a survey of 137 Indiantown Road, Ledyard, Connecticut and, based on that survey, prepared a metes and bounds description of the property which is attached hereto as *Exhibit B*; and **WHEREAS**, the Mashantucket Pequot Tribe owns 137 Indiantown Road, comprising approximately 3.97 acres in fee simple, which land is contiguous to 119 Indiantown Road and 153 Indiantown Road, both of which are owned by the Tribe in fee and contiguous to the Tribe's Reservation; and **WHEREAS**, by separate resolution the Tribal Council has authorized the filing of an application to place 119 Indiantown Road in trust for the benefit of the Tribe; and **WHEREAS**, the Tribal Council has determined that the future of the Tribe, its government and its citizens, as well as the economic development necessary to support self-government is dependent upon a secure land base within the jurisdictional control of the Tribe; and **WHEREAS**, 137 Indiantown Road is presently forest lands used for hiking and ATV trails for Tribal Citizens, and the Tribal Council intends to leave this land in its present state for the enjoyment of the natural environment by the tribal community; and **WHEREAS**, the Tribe has prepared a comprehensive application addressing the statutory and regulatory requirements for acquisition by the United States of the property in trust for the benefit of the Tribe; and **WHEREAS**, the Secretary of the Interior is authorized to acquire land in trust on behalf of the Tribe pursuant to Section 5 of the Indian Reorganization Act, 25 U.S.C. § 5108 as confirmed and made applicable to the Tribe by the Mashantucket Pequot Settlement Act; 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**, that the Mashantucket Pequot Tribal Council does hereby authorize the filing of an application to and hereby requests that the Secretary of the Interior, or her designee, approve the Tribe's fee to trust application and acquire title to 137 Indiantown Road, Ledyard, Connecticut in trust for the benefit of the Mashantucket Pequot Tribe pursuant to applicable law. **BE IT FINALLY RESOLVED**, that the Chair of the Tribal Council, or in their absence, the Vice Chair, is authorized, empowered and directed, on behalf of the Tribe, to execute and deliver such other certificates, documents, agreements and instruments, and to take such other actions, as in their sole discretion, are deemed necessary or appropriate to effectuate the terms of this resolution, and the acquisition of 137 Indiantown Road in trust for the benefit of the Tribe.

**TCR081023-11 of 11--Authorizing the Filing of an Application with the United States Department of the Interior, Bureau of Indian Affairs, to Accept Title to 159 Indiantown Road, Ledyard, Connecticut**

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**in Trust for the Benefit of the Mashantucket Pequot Tribe.** *[Vote: 6 YES (NUKS) (Butler, Cluff, Pearson, Reels, Whipple, Scott) 1 ABSENT (Menihan)].* **WHEREAS**, the Tribe has consistently sought to reacquire traditional lands of the Tribe that have passed to non-Indian ownership and has pursued that objective prior to and after gaining federal recognition in 1983; and **WHEREAS**, the Mashantucket Pequot Settlement Act provides authority for the Tribe to seek trust status for lands and establishes a federal reservation; and **WHEREAS**, as part of the Tribe's efforts to reacquire traditional lands in and around the Tribe's Reservation, in 1994, the Tribe acquired fee simple title to a parcel of land known as 159 Indiantown Road, Ledyard, Connecticut by Warranty Deed (attached hereto as *Exhibit A*); and **WHEREAS**, in June of 2023, Boundaries, LLC, a state licensed surveying company with extensive experience in Southeastern Connecticut, completed a survey of 159 Indiantown Road, Ledyard, Connecticut and based on that survey prepared a metes and bounds description of the property which is attached hereto as *Exhibit B*; and **WHEREAS**, 159 Indiantown Road is comprised of 4.79 acres in fee simple, which land is contiguous to the Tribe's Reservation and bordered by Tribal fee land on the other sides; and **WHEREAS**, the Tribal Council has determined that the future of the Tribe, its government and its citizens, as well as the economic development necessary to support self-government is dependent upon a secure land base within the jurisdictional control of the Tribe; and **WHEREAS**, 159 Indiantown Road is presently undeveloped land used for hiking and other outdoor activity for Tribal Citizens, and the Tribal Council intends to leave this land in its present state for the enjoyment of the natural environment by the tribal community; and **WHEREAS**, the Tribe has prepared a comprehensive application addressing the statutory and regulatory requirements for acquisition by the United States of the property in trust for the benefit of the Tribe; and **WHEREAS**, the Secretary of the Interior is authorized to acquire land in trust on behalf of the Tribe pursuant to Section 5 of the Indian Reorganization Act, 25 U.S.C. § 5108, as confirmed and made applicable to the Tribe by the Mashantucket Pequot Settlement Act; 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**, that the Mashantucket Pequot Tribal Council does hereby authorize the filing of an application to and hereby requests that the Secretary of the Interior, or her designee, approve the Tribe's fee to trust application and acquire title to 159 Indiantown Road, Ledyard, Connecticut in trust for the benefit of the Mashantucket Pequot Tribe pursuant to applicable law. **BE IT FINALLY RESOLVED**, that the Chair of the Tribal Council, or in their absence, the Vice Chair, is authorized, empowered and directed, on behalf of the Tribe, to execute and deliver such other certificates, documents, agreements and instruments, and to take such other actions, as in their sole discretion, are deemed necessary or appropriate to effectuate the terms of this resolution, and the acquisition of 159 Indiantown Road in trust for the benefit of the Tribe.

**081723TCM**

**Call to Order: 9:04 a.m.**

**TRIBAL COUNCIL MEETING ATTENDANCE:**

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

**Present/Tardy: Butler (Excused-10:04 a.m.), Menihan (Unexcused-9:13 a.m.), Scott (Unexcused-9:06 a.m.)**

**TCR081723-01 of 02-Approves the Disbursement of Funds from the Economic Development Fund for the Future Development of 45 Frontage Road.** *[Vote: 6 YES (NUKS) (Butler, Cluff, Pearson, Reels, Whipple, Scott) 1*

*ABSENT (Menihan)].* **WHEREAS**, the Economic Development Committee ("EDC") is an authorized Committee of the Mashantucket Pequot Tribal Nation; and **WHEREAS**, per TCR010710-04 of 04, as clarified by TCR031110-02 of 01 and amended by TCR022218-02 of 03, the Tribal Council approved the reinstatement of the MPTN Economic Development Fund ("ED Fund"); and **WHEREAS**, per TCR022218-02 of 03. Council amended the disbursement approval process for the disbursement of said funds as follows: For total cumulative expenditures up to \$10,000.00 in a fiscal year, a resolution of the Economic Development Committee.

- For all other expenditures from the Economic Development Fund meeting the criteria set forth below, a resolution of the Tribal Council; and

**WHEREAS**, the MPTN Director of Business Development and Executive Director of Public Works has requested from the Chair of the Economic Development \$30,000.00 from the ED Fund to be used for the future development of the 45 Frontage Road (Romanella Garage) property, including a wetlands study and Real Estate easement review (*Exhibit A*). **THEREFORE, BE IT RESOLVED**, the Tribal Council hereby approves the disbursement of THIRTY THOUSAND AND NO/100 DOLLARS (\$30,000.00) from the Economic Development Fund to be used for the future development of the 45 Frontage Road (Romanella Garage) property, including a wetlands study and Real Estate easement review.



**August 2023 Resolution Posting Report for distribution to Membership**  
**On www.Pequotathome.net of Mashantucket Pequot Tribal Council**  
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**TCR081723-02 of 02-Updates the Job Descriptions for the Deputy Tribal Clerk and the Vital Statistics Specialist (Amends TCREX-062223-02 of 02).** *[Vote: 6 YES (NUKS) (Butler, Cluff, Pearson, Reels, Whipple, Scott) 1 ABSENT (Menihan)].* **WHEREAS**, pursuant to Article X of the Constitution & By-Laws, the Tribal Council has the authority and responsibility to, “do any and all acts necessary or proper to the carrying on of Mashantucket (Western) Pequot Tribe and the management of its affairs” and generally has “the full management, control and disposal of the affairs and property and funds of the Tribe, to do all matters and things which the Tribe should do”; and **WHEREAS**, TCREX-062228-02 of 02 approved of a restructure of the Tribal Clerk’s Office to create a Deputy Tribal Clerk and a Vital Statistics Specialist; and **WHEREAS**, these changes were part of ongoing Tribal Member focused succession planning efforts, such as outlined within TCR022323-02 of 05; and **WHEREAS**, part of the intention of TCREX-062228-02 of 02 was to require the hiring of a Tribal Member in the Vital Statistics Specialist position but, unfortunately, it was erroneously included in the requirement for the Deputy Tribal Clerk instead. It was also intended that the Deputy Tribal Clerk would have a higher level of signatory authority in the absence of the Tribal Clerk; and **WHEREAS**, the Tribal Council wishes to correct these errors immediately; 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**, the Tribal Council hereby approves of the revised job descriptions for the Deputy Tribal Clerk (*Exhibit A*) and the Vital Statistics Specialist (*Exhibit B*). **BE IT FINALLY RESOLVED**, Human Resources shall work with the Department to update the posting of the Vital Statistics Specialist.