

CHAIRMAN
Marshall Pierite
VICE CHAIRMAN
Marshall Ray Sampson, Sr.
SECRETARY-TREASURER
Beverly C. Rachal
COUNCIL MEMBERS
James Craig, III
Bobby Pierite, Sr.
Harold Pierite, Sr.
Rudolph Wambsgans III



**Tunica-Biloxi Tribal Council
Multi-Purpose – CERC Building
Thursday, March 25, 2021
Business Meeting Minutes**

- A. Call Meeting to Order**
Meeting was called to order by Vice-Chairman, Marshall Ray Sampson, Sr. at 11:21 a.m.
- B. Prayer**
*Prayer was led by Council Member, Bobby Pierite, Sr.
Moment of Silence taken for tribal elder, Kenneth Jackson, and family.*
- C. Roll Call**
Roll call was conducted by Secretary Treasurer, Beverly Rachal.

Council present:

In chambers: Vice Chairman, Marshall Sampson Sr., Secretary Treasurer, Beverly Rachal; Council Member, Rudolph Wambsgans, III; Council Member, Bobby Pierite Sr.; Council Member, Harold Pierite, Sr.

Conference: Chairman, Marshall Pierite; Council Member, James Craig, III

Staff present:

In chambers: Administrator, Tim Martin; CFO, Clarence Brown, III; Fran O'Neal, Attorney.

Conference: Brenda Lintinger, Minor's Trust Program Director

- D. Meetings**
1. 10:30- Brenda Lintinger and Fran O'Neal
 2. 11:00- Clarence Brown, III, CFO
 3. 12:00- Lunch

4. 2:00- Ray Martin, Charlie Galbraith, Arlinda Locklear, and Sarah Walters (Executive Session)

E. Approval of Agenda

Tim Martin made suggested amendment to Agenda:

Clarence Brown, III, CFO moved to 11:00 to follow Brenda Lintinger at 10:30 and continue flow of agenda, thereafter.

Motion made by Council Member, Bobby Pierite, Sr., to approve agenda including amended schedule of meetings, seconded by Secretary Treasurer, Beverly Rachal.

Motion carries unanimously.

F. Reading and Approval of Minutes

Secretary Treasurer, Beverly Rachal provided to the council the meeting minutes from 3/11/21 and proposed the approval be tabled while they are being revised.

Motion made by Secretary Treasurer, Beverly Rachal to table approval of 3/11/2021 minutes, seconded by Council Member, Bobby Pierite, Sr.

Motion carries unanimously.

G. Old Business

1. Minor Trust: Presentation by Brenda Lintinger and Fran O'Neal, Attorney

FINAL DECISIONS BY COUNCIL:

- i. Motion made by Council Member, Rudolph Wambsgans, III to approve the official name of Tribe in the MTD: Tunica-Biloxi Indian Tribe of Louisiana, seconded by Council Member, Harold Pierite Sr.

Motion carries unanimously.

- ii. Motion made by Council Member, Rudolph Wambsgans, III to approve chain of inheritance to include adults, seconded by Council Member, Harold Pierite, Sr.

Motion carries unanimously.

- iii. Motion made by Council Member, Rudolph Wambsgans, III to deny the modification of distributions from \$20k to \$15k, seconded by Council Member, Harold Pierite, Sr.

Motion carries unanimously.

- iv. Motion made by Council Member, Rudolph Wambsgans, III to approve the new threshold floor to \$20k, seconded by Council Member, Harold Pierite, Sr.

Motion Carries unanimously.

- v. Motion made by Council Member, Rudolph Wambsgans, III to approve Financial Education Sessions semi-annually, seconded by Council Member, Harold Pierite Sr.

Motion carries unanimously.

- vi. Motion made by Council Member, Rudolph Wambsgans, III to approve no parental permission for adult beneficiaries when accessing their trust, seconded by Council Member, Harold Pierite Sr.

Motion carries unanimously.

- vii. Motion made by Council Member, Rudolph Wambsgans, III to approve, parents' income not included for adult beneficiary requests (age 18), seconded by Council Member, Harold Pierite Sr.

Motion carries unanimously.

- viii. Motion made by Council Member, Rudolph Wambsgans, III to approve, retaining charitable contribution language, seconded by Council Member, Harold Pierite, Sr.

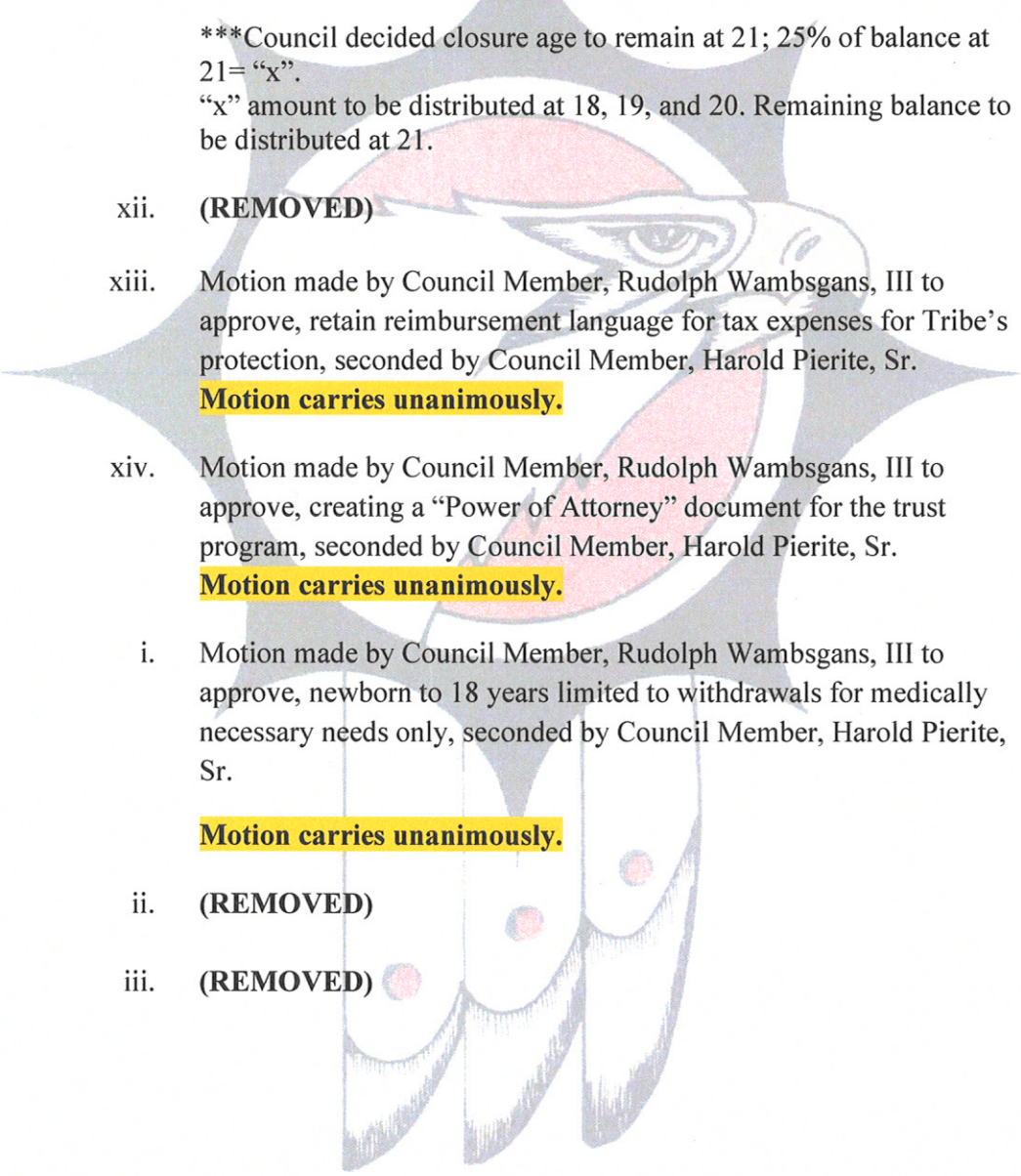
Motion carries unanimously.

- ix. Motion made by Council Member, Rudolph Wambsgans, III to approve, delegation to parents for tax preparation on minor's accounts and then obligation defaults to Tribal Council if not done, seconded by Council Member, Harold Pierite, Sr.

Motion carries unanimously.

- x. Motion made by Council Member, Rudolph Wambsgans, III to approve, create "beneficiary" form for adult beneficiaries to execute upon turning 18 years, seconded by Council Member, Harold Pierite, Sr.

Motion carries unanimously.

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- xi. Motion made by Council Member, Rudolph Wambsgans, III to deny, closure age from 21 to 25 with 50% distribution at 21, balance at 25, seconded by Council Member, Harold Pierite, Sr.

Motion carries unanimously.

***Council decided closure age to remain at 21; 25% of balance at 21= "x".

"x" amount to be distributed at 18, 19, and 20. Remaining balance to be distributed at 21.

- xii. **(REMOVED)**

- xiii. Motion made by Council Member, Rudolph Wambsgans, III to approve, retain reimbursement language for tax expenses for Tribe's protection, seconded by Council Member, Harold Pierite, Sr.

Motion carries unanimously.

- xiv. Motion made by Council Member, Rudolph Wambsgans, III to approve, creating a "Power of Attorney" document for the trust program, seconded by Council Member, Harold Pierite, Sr.

Motion carries unanimously.

- i. Motion made by Council Member, Rudolph Wambsgans, III to approve, newborn to 18 years limited to withdrawals for medically necessary needs only, seconded by Council Member, Harold Pierite, Sr.

Motion carries unanimously.

- ii. **(REMOVED)**

- iii. **(REMOVED)**

H. New Business

1. February 2021 Financial Statements, Internally Prepared, presented by Chief Financial Officer, Clarence Brown, III.

CFO Brown presented financial reports to Council and general discussions were held.

Motion made by Council Member, Harold Pierite, Sr. to approve 02/2021 internally prepared financials, seconded by Council Member, Bobby Pierite, Sr.

Motion carries unanimously.

2. Tribal Council Retreat presented by Administrator, Tim Martin

Tribal Administrator presented some information detailing the Tribal Council Retreat recommendation and general discussions were held amongst the council.

Vice-Chairman Sampson asked for comments and discussion on the recommendation.

Council instructed Administrator to obtain a quote for consideration.

I. Executive Session

Meeting recessed at 3:15 p.m. for executive session.

Court reporter was dismissed for the day.

J. Closed Executive Session

No further discussions were held post executive session.

K. Adjournment

Meeting adjourned at 3:50 pm.

(Certification on following page.)

2021 and that the foregoing Resolution was duly approved
 favor, 0 opposed, and 0 abstaining.

of August 2021.

Mark R. ...
 Chairman

Beverly C. ...
 Secretary/Treasurer

Dated this 5th day of August 2021.

Attest:


Chairman/Vice-Chairman


Secretary/Treasurer

CHAIRMAN
Marshall Pierite
VICE CHAIRMAN
Marshall R. Sampson, Sr.
SECRETARY-TREASURER
Beverly C. Rachal
COUNCIL MEMBERS
James Craig, III
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Harold Pierite, Sr.
Rudolph H. Wambsgans, III



TRUST MEMORANDUM – 2021-03-22-#3 For Council Meeting on 3/25/2021

TO: Tribal Council
Cc: Tim Martin
Fran O'Neal
Clarence Brown

FROM: Brenda Lintinger, Trust Director

RE: Final Decisions requiring formal action by Tribal Council for updates to the Master Trust Document

Greetings,

This communication was sent a couple of weeks ago in anticipation of a Council meeting on 3/11/21. However, that meeting was postponed until 3/25/21. This memo and the attached listing of Council actions with a complementary PPT is being sent again as a reminder to the Council about the upcoming discussion and to allow each of you time to review the information and be fully prepared to take final actions on these points. Once the Council does that, Fran will be able to create the draft MTD, the 3rd Amended & Restated version of this document that primarily governs the Trust Program of the Tunica-Biloxi Indian Tribe of Louisiana for final approval by the Council Members.

The attached listing contains items that were approved by the Tribal Council during their meeting on Thursday, February 11, 2021, with myself and Fran O'Neal of the Laborde Law Firm.

Items # 1, 4, 5, 6, 7, 8, 10, 13, 14, and 15, were approved by a vote or by general consensus with no objections.

Items # 2, 3, 9, 11, and 12, still require a Tribal Council decision.

I have included all the items in this list for clarity and recall, and I would like for the Council to conduct a vote on the entire list to minimize confusion in the future when anyone tries to research actions associated with this updated version of the MTD.

If there are any items that the Council does not wish to approve or authorize, we can simply strike them from the list and have a vote conducted on the remaining items. The Power Point presentation highlights the issues that require action, and it has some charts and graphs to facilitate our discussion.

Thanks, sincerely!!

Brenda W. Lintinger

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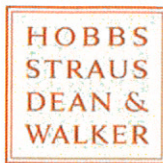
bwlintinger@tunica.org



Final Decisions from Council RE: MTD revisions, v.2: Council Meeting 3-25-2021

1. Official name of the tribe for the MTD? Tunica-Biloxi Indian Tribe of LA. YES.
2. Chain of inheritance: does the Council want to retain the parents in the line of inheritance? Keep in mind, these funds are meant for tribal minors, not tribal adults, per the Revenue Distribution/Allocation Plan approved by the BIA. YES or NO?
3. There was some conversation about modifying the distribution plan so we could limit disbursements to \$15K and get more funds flowing to the lower end of tribal minors, but that is not allowed under the RDP...you cannot break up a class. The RDP specifically and particularly allows for the designation of this 'class' of per capita recipients. YES or NO? (Has to be NO.)
4. The new threshold floor is \$20K with a goal to get all minors up to \$20K, if at all possible, in the Tribe's current and future economic environments. YES.
5. Financial Education Sessions: minimum of semi-annual sessions; goal of quarterly sessions. YES.
6. Adult beneficiaries do not need their parents'/guardian's permission to access their trust if over the age of 18. YES.
7. Parents'/legal guardian's income should not be considered if a beneficiary is over 18 and applies to access his/her trust. YES.
8. Retain the language allowing for charitable contributions by a trust if beneficial to that trust, from a tax perspective. YES.
9. Tax preparation: delegate to families IF they desire to do so. HOWEVER, they must submit a copy of the minor's tax return to the tribe. Why? IGRA, tribe's obligation to protect and preserve. We need to be sure the parents are filing in order to protect the beneficiaries in the future as they close out their accounts. YES or NO?
10. Draft Beneficiary Form for an adult beneficiary to declare who will inherit their trust if they pass between ages of 18-21, or will it be 18-25? YES.
11. Does Council want to raise the closure age to 25, allowing for a 50% distribution of a trust at age 21, and then the balance to be distributed upon reaching the age of 25? YES or NO?

12. If the Council approves the delayed closure, what is an adult beneficiary able to do between 18 & 25?
- a. Can they access remaining funds for a...
 - i. home purchase,
 - ii. a vehicle purchase,
 - iii. educational pursuits (accredited programs), etc. YES or NO?
 - b. Should there be any restrictions, b/c if not, what's the point of establishing a higher closure date if they are allowed to tap the trust with no limits in the interim? YES or NO?
13. Retain language in Section 7.14.a, allowing the Settlor to be reimbursed for any tax payment it makes on behalf of a trust. YES.
14. Draft 'Tribal Power of Attorney' document to be used for purposes set forth in the revised MTD. (Or for any other legal matter within the tribe where a POA is called for.) YES.
15. Trust Accounts for Minors from the time of enrollment up to 18yrs of age will be restricted from making any distributions other than for medical needs of the beneficiary. YES.
16. OTHER POINTS/QUESTIONS/STIPULATIONS?



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MEMORANDUM

TO: Tim Martin

FROM: Greg Smith

RE: Structure and Timing for Tunica-Biloxi Council Governance Workshop

DATE: April 1, 2021

In follow up to our conversations about the structure and timing of a governance workshop with the Tunica-Biloxi Tribal Council, I would propose a three-part approach that would allow for more discussion and for the development of the ideas and concepts the Council would like to address. In my experience, it is hard to work through and develop strategies to address major issues in just one session.

Set forth below are the three elements of my proposal:

Initial Calls. When I have led similar workshops in the past, I have found it very useful to talk to the participants individually in advance of the group meeting to identify their areas of interest or concern. This allows me to prepare better, build rapport, develop appropriate materials, and tailor the workshop to the Council's actual needs. **These calls could begin immediately and would likely span a week or two. Total time: approximately 10 hours.**

Virtual Session(s). In my experience, you can only work through the issues effectively if there is more than one session, which allows the participants to become educated and to think through what they have heard and discussed, and then come back with more developed views. Also, because I do not wish to travel until I have received the COVID vaccine, this is a way to engage in important preliminary conversations before a longer in-person session. **Virtual sessions could begin any time after the calls have been completed, so likely late March or early April.**

In-Person Meeting. I hope to have received the vaccine by the end of April, so I would tentatively **propose an in-person session by mid-May. Total time: for both virtual and in-person, approximately 20 hours.**

Follow-Up. After the meeting, I would provide a written report with recommendations if appropriate. **Total time: approximately 10 hours.**

Compensation. I propose a flat rate of \$16,000 plus travel and related expenses (this is based on 40 hours x \$400/hour).

Of course, I want to accommodate the Council to the maximum extent possible and am happy to discuss and revise this approach as needed.

Thank you for considering me for this session.