

**KIOWA TRIBE
KIOWA INDIAN COUNCIL MEETING
APRIL 6, 2024
RED BUFFALO HALL, CARNEGIE, OK
RESOLUTION NUMBER:**

DATE POSTED: FEBRUARY 21, 2024

DATE APPROVED:

SUBJECT: RESOLUTION OF THE KIOWA INDIAN COUNCIL TO APPROVE A LIMITED WAIVER OF SOVEREIGN IMMUNITY FOR THE PURPOSES ENTERING INTO AGREEMENTS WITH EMPLOYEE BENEFIT PROVIDERS

WHEREAS: At a duly called Session of the Kiowa Indian Council (“KIC”) held this 6th day of April 2024, the following Resolution and Law were adopted.

WHEREAS: the Kiowa Tribe (the “Tribe”) is organized under a constitution, duly adopted and approved by the voters of the Tribe on April 17, 2017 and approved by the U.S. Secretary of the Interior (“Secretary”)(the “Constitution”); and,

WHEREAS: the current economic environment requires employers to provide a comprehensive professional employee benefit package to recruit and retain highly qualified candidates;

WHEREAS: the Tribe desires to provide the hundreds of employees of the Tribe and its enterprises with a comprehensive employee benefits packages, including but not limited to, health, life and disability insurance, and retirement plans;

WHEREAS: Employee Benefit Plans require participating employers to enter into contracts in amounts greater than \$100,000.00 and which include dispute resolution provisions such as arbitration and waivers of sovereign immunity for enforcement of the agreement; and

WHEREAS: the Constitution requires the KIC to approve and authorize the Chairman to enter into contracts exceeding \$100,000 that require the Chairman to waive Sovereign Immunity; and,

NOW THEREFORE BE IT RESOLVED, that the KIC finds it in the best interests of the Tribe and its enterprises to offer a comprehensive professional employee benefit package which includes but is not limited to, health, life and disability insurance, and retirement plans;

NOW THEREFORE BE IT FUTHER RESOLVED, that the KIC hereby approves and authorizes the Chairman to negotiate and contract with Employee Benefit Plan providers and enter into agreements greater than \$100,000.00 and which require a limited waiver of sovereign immunity for enforcement of the employee benefit plan.

BE IT FURTHER RESOLVED that this resolution shall be the policy of the Kiowa Tribe until it is withdrawn or modified by subsequent resolution.

2024 KIOWA INDIAN COUNCIL OF THE KIOWA TRIBE

Chairperson

ATTEST:

Secretary, Kiowa Indian Council

CERTIFICATION

The foregoing resolution was duly voted upon by the 2024 Annual Kiowa Indian Council of the Kiowa Tribe; was present at the duly called Annual Kiowa Indian Council Meeting held on the 6th day of April 2024, and that the foregoing resolution was adopted by the affirmative vote:

For: ____ Opposed: ____ Abstention: __ _