



MILLE LACS BAND OF CHIPPEWA INDIANS  
*Legislative Branch of Tribal Government*

RESOLUTION 04-04-107-91

A RESOLUTION ADOPTING A TEMPORARY NET ALLOCATION SCHEDULE AND LEGISLATIVE APPROPRIATION FOR BAND REVENUES DERIVED FROM THE GRAND CASINO MILLE LACS.

- WHEREAS, the Band Assembly is empowered and required, pursuant to Band Statutes 1202-MLC-16, §7 and 1201-MLC-16A§3.2 (v) to enact a net revenue allocation schedule for the distribution of profits from any business conducted by the Corporate Commission or wholly owned subsidiary of the Corporation; and
- WHEREAS, the Nay Ah Shing Gaming Corporation (dba Grand Casinos Mille Lacs) is a wholly owned subsidiary of the Corporate Commission; and,
- WHEREAS, for purposes of this resolution Net Revenues shall be defined as the gross revenue of the Grand Casino-Mille Lacs less any operational expenses contained in a budget developed in accord with §5.7 of the Management Agreement; and,
- WHEREAS, it is imperative that the Band Assembly adopt an initial temporary Net Revenue Allocation Schedule to guide the Band and avoid waste until such time the Band may gather community input and adopt a more permanent Net Revenue Allocation Schedule based on that community input; and,
- WHEREAS, the Band assembly has determined that the enactment of the following temporary Net Revenue Allocation Schedule and Legislative Appropriation is in the best interest of the Mille Lacs Band of Chippewa Indians.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly, the Chief Executive, and the Commissioners shall develop an organized plan to effectively gather community input on how best to utilize Band gaming revenues to be used in formulating a more permanent Net Revenue Allocation Schedule.

BE IT FURTHER RESOLVED, that the Band Assembly enacts the following temporary Net Revenue Allocation Schedule and specifically appropriates the monthly net revenues from the Nay Ah Shing Grand Casino Corporation (dba Grand Casinos Mille Lacs) according to the following schedule:

- (1) First, to the Grand Casino Management Company (MGC) an amount sufficient to pay the MGC management fee as defined in section 7 of the Management Agreement entered into between the Corporate Commission and the MGC.
- (2) Next, any amount necessary to repay any loan, mortgage, or other debts legitimately incurred by the business to whoever may be owed such a sum.
- (3) Next, to specially designated fund an amount necessary to repay debt incurred from the sale of tax-exempt government bonds for the purposes of reservation based capital improvements, infrastructural upgrades, and other essential government functions.

(4) Next, a sufficient amount, if any, determined to be necessary to reinvest into the business for its expansion and improvement. Any such amounts must be specifically approved by the Band Assembly in a separately passed resolution.

(5) Any remaining funds shall be distributed accord to the following formula:

(a) To an investment savings fund, to be prudently invested to build a long term savings and investment fund for the Band until such time as the Band, in accord with applicable Band law, determines to utilize some of the funds:

15% of the first \$100,000; 23% of the second \$100,000;  
30% of the third \$100,000; and 40% of any remaining  
amount.

(b) To a land reacquisition fund, to be prudently invested until such time as the Band, in accord with applicable law, determines to utilize some of the fund to acquire land:

15% of the first \$100,000; 25% of the second \$100,000;  
30% of the third \$100,000; and 30% of any remaining  
amount.

(c) To the Corporate Commission to fund the Corporate Commission administrative and operational budget, (Such amount shall not, on an annual basis exceed the amount contained in the Corporate Commission Budget which is attached hereto and approved herein and subject to modification from time to time as deemed necessary by the Band Assembly), and to be prudently invest the money until such time as the Band, in accord with applicable law, determines to invest some of the funds into economic development endeavors:

16% of the first \$100,000; 25% of the second d\$10,000; 30% of the third \$100,000; and 30% of any remaining amount.

(d) To the Administrative Policy Board, to be distributed to the following programs in an amount equal to or substantially equal to the following formula:

(i) Housing/Elderly Housing	5% of the first \$100,000; 2.5% of the second \$100,000 1% of the third \$100,000
(ii) Day Care	5% of the first \$100,000; 2.5% of the second \$100,000 1% of the third \$100,000
(iii) Environment/ Natural Resources	5% of the first \$100,000; 2.5% of the second \$100,000 1% of the third \$100,000

(iv) Public Works	5% of the first \$100,000; 2.5% of the second \$100,000 1% of the third \$100,000
(v) Government Development	5% of the first \$100,000; 2.5% of the second \$100,000 1% of the third \$100,000
(vi) General Government	5% of the first \$100,000; 2.5% of the second \$100,000 1% of the third \$100,000
(vii) Education	5% of the first \$100,000; 2.5% of the second \$100,000 1% of the third \$100,000
(viii) Human Services	5% of the first \$100,000; 2.5% of the second \$100,000 1% of the third \$100,000
(ix) Law Enforcement	5% of the first \$100,000; 2.5% of the second \$100,000 1% of the third \$100,000
(x) Court	5% of the first \$100,000; 2.5% of the second \$100,000 1% of the third \$100,000
(xi) Pow Wow	2% of the first \$100,000 1% of the second \$100,000
(xii) Community Donation	2% of the first \$100,000 1% of the second \$100,000

These amounts shall be distributed in accord with the following procedures:

1. The program or department seeking funds in accord with the net revenue allocation schedule shall submit to the Administrative Policy Board an application containing the following information:
  - (a) An overall program or department budget detailing how casino revenues will be used within that budget.
  - (b) Documentation that alternative sources of funding have been exhausted and/or that casino revenues will be used to leverage significant dollars from other sources.
  - (c) Special circumstances which justify the funding.
2. The Administrative Policy Board will then negotiate the request with the program or department seeking funds to arrive at a prudent, yet fair and equitable amount of funding. The Administrative Policy Board should require that the money will be used equitably through the three districts. The Administrative Policy Board will also enact a set of evaluation criteria designed

to determine to what extent the money was expended in accord with the budget and plan and, generally, how effectively the program or department has expended its money.

3. The amount of funding for each program or department arrived at in Step 3, shall be put in the form of a detailed budget and submitted to the Band Assembly as a request for a specific appropriation of money.
4. The Band Assembly shall act on each request for a specific appropriation,
5. The Administrative Policy Board shall conduct the evaluation described in Step 3 for each program or department that receives funds through these procedures.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of Legislators being present held on the 20th day of August, 1991, at Vineland, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the hand of the Speaker of Assembly to be affixed to this resolution.

  
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David G. Matrious, Speaker of Assembly

In concurrence with the action of the Speaker of Assembly, we, the Administrative Policy Board hereunto recommend to set the hand of the Chief Executive to this resolution.

  
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Marge Anderson, Chief Executive

OFFICIAL SEAL OF THE BAND