

Committee: Full Council  
Date: 04-14-08 Committee Date: 4-14-08

Author: Carol Wyatt, CNE  
Sponsor: Councilor Cara Cowan Watts

**RESOLUTION NO. 33-08**

## **COUNCIL OF THE CHEROKEE NATION**

### **A RESOLUTION AUTHORIZING CHEROKEE NATION ENTERPRISES, LLC OR CHEROKEE NATION BUSINESSES, LLC TO SUBMIT A GRANT APPLICATION TO THE UNITED STATES DEPARTMENT OF ENERGY**

**WHEREAS**, The Cherokee Nation since time immemorial has exercised the sovereign rights of self-government in behalf of the Cherokee people;

**WHEREAS**, the Cherokee Nation is a federally-recognized Indian Nation with a historic and continual government-to-government relationship with the United States of America;

**WHEREAS**, the Cherokee Nation encourages economic development and acknowledges renewable energy resources are necessary to prevent land and air pollution as an alternative to the use of fossil fuels.

**BE IT RESOLVED BY THE CHEROKEE NATION**, that the Council of the Cherokee Nation hereby authorizes the Chief Executive Officer of either Cherokee Nation Enterprises, LLC or Cherokee Nation Businesses, LLC, as their Boards of Directors see fit, to apply for grant funding from the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, for Renewable Energy Deployment in Indian Country, including contracting with any consultants or contractors required to perform the above duties and any equipment which may be leased or purchased. The proposed project is to be located on Cherokee Nation's Chilocco property in Sections 27 and 28, Township 29N, Range 2E, Kay County, Oklahoma. Said land is held in trust for Cherokee Nation by the Bureau of Indian Affairs; the land is generally and currently utilized as crop land; and

**BE IT FURTHER RESOLVED BY THE CHEROKEE NATION**, that the Council of the Cherokee Nation acknowledges that the subject grant application requires a 50% match by the awardee. The time period anticipated for placing the project in service is estimated to be approximately eighteen (18) months to three (3) years from execution of a Power Purchase Agreement. The Council of the Cherokee Nation further authorizes commitment of resources, including the land on which the project is proposed for construction, assets which may be currently owned by, or granted to CNE/CNB by a "partnering entity", for example Kay Electric Cooperative, or other in-kind services or assets, and financial contributions that may result from the company's cash reserves or from financing, in a value of 50% of the grant award, up to \$500,000; and

**BE IT FINALLY RESOLVED BY THE CHEROKEE NATION**, that the Council of the Cherokee Nation authorizes the grant application to the U.S. Department of Energy, Office of

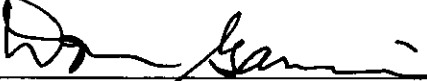
Energy Efficiency and Renewable Energy for Renewable Energy Deployment in Indian Country,  
subject to approval by the appropriate Board of Directors.

### CERTIFICATION

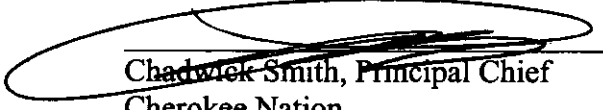
The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 14<sup>th</sup> day of April, 2008, having 17 members present, constituting a quorum, by the vote of 17 yea; 0 nay; 0 abstaining.

  
Meredith A. Frailey, Speaker  
Council of the Cherokee Nation


ATTEST:

  
Don Garvin, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 17TH day of APRIL, 2008.

  
Chadwick Smith, Principal Chief  
Cherokee Nation

ATTEST:

  
Melanie Knight, Secretary of State  
Cherokee Nation