

**TO APPROVE ALLOCATION OF FUNDS FOR THE REPAIR AND REMEDIATION COSTS OF THE  
GEOTHERMAL DEFECTS AT THE DURANT REGIONAL MEDICAL CLINIC**

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**IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION**

**RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL**

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**A COUNCIL BILL**

**TO APPROVE** an allocation of Five Million Seven Hundred Thousand Dollars and 00/100 (\$5,700,00.00) for the repair and remediation of the geothermal defects at the Durant Regional Medical Center.

**WHEREAS**, substantial construction, installation and design defects were found at the Durant Regional Medical Center ( the “DRMC”);

**WHEREAS**, the Choctaw Nation of Oklahoma has since filed a lawsuit against parties for the construction and design defect found at the DRMC;

**WHEREAS**, the Choctaw Nation of Oklahoma has ongoing litigation against responsible parties for defects found at the DRMC;

**WHEREAS**, repairs and remediation is needed at the DRMC to continue to provide healthcare for tribal members and associates and these repairs must be completed as soon as possible and cannot await the resolution of the lawsuit;

**WHEREAS**, there is currently a lawsuit for both claims of geothermal defects and the foundation defects;

**WHEREAS**, the current estimated costs of the geothermal repairs, subject to change, is Five Million Seven Hundred Thousand Dollars and 00/100 (\$5,700,000.00) (the “Geothermal Remediation Costs”);

**WHEREAS**, the Choctaw Nation Health Service Authority is requesting that the Geothermal Remediation Costs be allocated from the Health Service Authority Health Carry-Over funds (the “Health Carry-Over Funds”);

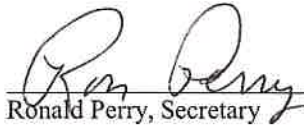
**WHEREAS**, if the Nation makes any recovery for the damages it incurs at the conclusion of litigation or settlement of the claims, after attorneys fees and expenses, said balance of funds should be reimbursed to said Health Carry-Over Funds; and

**WHEREAS**, the Tribal Council of the Choctaw Nation of Oklahoma finds it is in the best interest of the Nation to approve the allocation of Five Million Seven Hundred Thousand Dollars (\$5,700,000) for Geothermal Remediation Costs.

**THEREFORE BE IT ENACTED** by the Tribal Council of the Choctaw Nation of Oklahoma that this Bill be cited as approval to allocate Five Million Seven Hundred Thousand Dollars and 00/100 from the Choctaw Nation Health Service Authority Carry-Over funds for the repair and remediation of the geothermal defects at the Durant Regional Medical Center.

**CERTIFICATION**

*I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that eleven (11) members answered roll call and that a quorum was present by telephone, video conference, and in-person at the Special Session of the Tribal Council at Durant, Oklahoma on April 16, 2021. I further certify that the foregoing Council Bill CB- 58 -21 was adopted at such meeting by the affirmative vote of eleven ( 11 ) members, zero ( 0 ) negative votes, and zero ( 0 ) abstaining.*



Ronald Perry, Secretary  
Choctaw Nation Tribal Council



Thomas Williston, Speaker  
Choctaw Nation Tribal Council



Gary Batton, Chief  
Choctaw Nation of Oklahoma

Date 4-19-21