



Little River Band of Ottawa Indians
375 River Street
Manistee, Michigan 49660
(231) 723-8288

Resolution # 09-0409-89

*Authorizing Release of Judgment Fund Monies Held in Trust
For Certain Minors Reaching the Age of Majority in
March 2009*

WHEREAS, the status of the *Gaa Ching Ziibi Daawaa Anishinaabek* (Little River Band of Ottawa Indian) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) to provide for the Public health, peace, morals, education and general welfare of the Little River Band and Its members; and

WHEREAS, Congress has enacted Public Law 105-143, which provides for the division of judgment funds of the Ottawa and Chippewa Indians of Michigan pursuant to dockets numbered 18-E, 58, 364, and 18-R; and

WHEREAS, Section 5 of Public Law 105-143 required the Tribe to prepare a plan for use and distribution of the Tribe's share of the Dockets 18-E, 58 and 364 judgment funds; and

WHEREAS, the Section 2 of the Indian Tribal Judgment Funds Use or Distribution Act, 25 U.S.C. 1403, requires the Tribal Council to assure that the interests of minors and other legally incompetent persons entitled to receive any portion of the judgment funds distributed to them will be protected and preserved; and

WHEREAS, Section 3.04 of the "80/20 Distribution Plan" requires the Tribal Council to place the Judgment Fund Monies of qualified minor, incompetent and incarcerated Tribal members in a private trust account administered pursuant to a trust agreement meeting the requirements described in the Plan; and

WHEREAS, the Tribal Council has established the individual Judgment Fund accounts for minors in Huntington National Bank pursuant to a Trust Agreement approved by the Tribal Council and Ordinance No. 98-200-04; and

WHEREAS, the terms of the Section 3.06(a) of the 80/20 Plan and Section 6.05 of Ordinance No. 98-200-04 requires the Tribal Council to approve the release of funds held in trust for minors at such time as the minor reaches the age of 18; and

WHEREAS, the Tribal Council has received a list of persons, for whom minors' trust accounts were established, who have reached the age of 18 and whose requests for release of funds have been verified by the Enrollment Officer.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves the release of all assets accumulated in the trust account established at Huntington National Bank for the following Tribal members

Austin Glen Hyma

Tiffany Lynette Aldrich

IT IS FINALLY RESOLVED THAT the Tribal Council authorizes the Tribal Council Recorder to forward a copy of this Resolution to Huntington National Banks, and to prepare all documentation necessary to disburse the funds held in trust for such Tribal members as expeditiously as possible.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 FOR, 0 AGAINST, 0 ABSTAINING, and 3 ABSENT, at an Emergency Session of the Little River Band of Ottawa Indians Tribal Council held on April 9, 2009 at the Little River Band's Conference Room, in Manistee, Michigan, with a quorum being present for such vote.



Kimberly Alexander, Council Recorder



Don Koon, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Legal Department