Resolution # 09-0826-245

Approval of Supplemental Appropriation 2009-14 - 3rd QTR of Funds for
Training in the Amount of $14,000.00

WHEREAS, the status of the Gaad Čhing Ziibi Daawaa Anishinaabek (Little River Band of Ottawa Indians) 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, the Tribal Council is authorized under Article IV, Section 7(l) to take action, not inconsistent with the Constitution or Federal law, which is necessary and proper to carry out the sovereign powers of the Tribe; and

WHEREAS, the Tribal Council adopted Gaming Commission Ordinance # 04-400-04 which created a Gaming Commission and delegated to such Commission the authority to regulate all gaming activities authorized by the Tribe and to enforce all Tribal and federal laws governing the conduct of Tribally licensed gaming activities; and

WHEREAS, the Gaming Commission is required by Section 6.02 (g) of the Gaming Commission Ordinance #04-400-04), to arrange for training of Gaming Commissioners, Gaming Commission employees and others in areas relating to the regulation of gaming; and
WHEREAS, training of newly appointed Gaming Commissioners is necessary to ensure they know and understand their lawful duties and responsibilities; and

WHEREAS, training is necessary for existing Commissioners and staff members which assists the Gaming Commission as a whole in protecting the assets of the Tribe; and

WHEREAS, the Gross Gaming Revenue Tax Ordinance #09-100-05 requires proceeds from the gross gaming revenue tax be used as the top priority to fund all regulatory cost incurred by the Tribal Gaming Commission ("Regulatory Agency").

WHEREAS, funds were budgeted for this line item in the Gaming Commission’s proposed budget as well as the Gaming Commission Departmental budgets which were submitted to Tribal Council for approval and the funds for training was cut completely during the budget approval process; and

WHEREAS, the Gaming Commission has determined it needs to have additional funds appropriated to meet its required responsibilities as follows:

**Gaming Commission Budget**

Program: #1020-100

Training Amount: $4,000.00

G/L Account: #5202

Sub Account: #527

**Gaming Commission – Administrative, Licensing, and Internal Audit**

Program: #1030-121

Training Amount: $5,000.00

G/L Account: #5801

**Gaming Commission – Compliance**

Program: #1030-155

Training Amount: $5,000.00

G/L Account: #5801

WHEREAS, the Tribal Council has received a Certification of Availability of Funds, #2009-018, from the Accounting Department signed by the Controller; and
WHEREAS, the appropriation of funds from the Gross Gaming Revenue Tax Fund will require a modification of the Operating Budget for Fiscal Year 2009, which was approved on December 17, 2008.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves a budget appropriation from the Gross Gaming Revenue Tax Fund in the total amount of $14,000.00 transferring $4,000.00 to program number 1020-100 line item 5202 (Tribal Activities), $5,000.00 to program number 1030-121 line item 5801 (Training), and $5,000.00 to program number 1030-155 line item 5801 (Training) to cover the cost of the Gaming Commissioners and its staff to attend off site training for the remainder of 2009 calendar year.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 5 FOR, 2 AGAINST, 0 ABSTAINING, and 2 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on August 26, 2009, at the Little River Band’s Dome Room in Manistee, Michigan, with a quorum being present for such vote.

Janine M. Sam, Council Recorder

Stephen Parsons, Council Speaker

Attest:
Presentation of Resolution Budget Modification to Tribal Ogema:

Pursuant to Article V, Section 5(a)(6) and Section 5(c) of the Tribal Constitution, the foregoing Resolution # 09-0826-245, modifying the Operating Budget for Fiscal Year 2009 as set forth in Resolution #08-1217-435, which been presented to the Tribal Ogema by the Tribal Council Recorder for his/her approval.

Date delivered to Tribal Ogema: 8/27/09

Signature of Council Recorder: 

Action by the Tribal Ogema: ☑ Approved ☐ Disapproved (attach comments)

Date: 8-28-09

Signature of Ogema: [Signature]

Distribution: Council Records
Tribal Ogema
Accounting