Resolution #09-0812-231

Resolution to Authorize the Tribal Ogema to Execute Indian Health Services (IHS) Bemidji Area Contract involving ARRA Stimulus (Project #s BE9LR020C6 and BE9LR021C6) for structural repairs and renovations to the Tribal Health Clinic.

WHEREAS, the status of the Gaá Čhing Ziibi Daáwa Aníshinaabek (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 American Economic Recovery and Reinvestment Act of 2009 (ARRA) is working to make economic and other developmental opportunities available, including the provision of additional economic stimulus opportunities to Tribes; and

WHEREAS, based on an original letter of intent, Indian Health Services, through ARRA economic stimulus efforts, preliminarily approved the funding of renovations to the Tribal Health Clinic for Pharmacy and Dental Services in a total estimated amount of $276,000.00 (#BE9LR020C6) and another $44,573 (#BE9LR021C6) for structural repairs; and
WHEREAS, LRBOI was been informed that a formal “Tribal Resolution” to contract for ARRA Stimulus funds was required and subsequently addressed this matter with the unanimous passage of Resolution 09-0805-217 (Structural Repair Approval) and Resolution 09-0805-218 (Tribal Clinic Renovations); and

WHEREAS, the Little River Band of Ottawa Indians subsequently received related contract documents which were not contemplated in the originally the approved resolutions; and

WHEREAS, internal requirements exist that establish a need to secure Tribal Council Approval to enter into any contract that includes Tribal Ogema authorization to enter into any contract(s); and

WHEREAS, Indian Health Service has the expectation of approving the identified project funding once the Tribe returns signed contract documents; and

WHEREAS, due to these facts, it is in the best interests of the Little River Band of Ottawa Indians to secure this funding for this much needed work; and

WHEREAS, it is the further understanding of the Tribal Council that a legal review will be requested prior to contract finalization.

NOW THEREFORE BE IT RESOLVED that the Tribal Council of the Little River Band of Ottawa Indians by this resolution approves the Indian Health Services “Health Center Renovation for Pharmacy and Dental Services” project, otherwise identified as IHS Project # BE9LR020C6 as well as Project # BE0LR021C6 to address Structural Repair needs at the Tribal Health Clinic AND further authorizes the Tribal Ogema to enter into contract agreements with Indian Health Services to secure preliminarily-approved ARRA (American Recovery and Reinvestment Act of 2009, Public Law 111-5) stimulus funding in an approximate total of $320,573 to complete the identified scope of work.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with _8_ FOR, _0_ AGAINST, _0_ ABSTAINING, and _1_ ABSENT, at the Regular Session of the Little River Band of Ottawa Indians Tribal Council held on August 12, 2009 at the Little River Band’s Dome Room in Manistee, Michigan, with a quorum being present for such vote.

Janine Sam, Council Recorder

Steve Parsons, Council Speaker
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