Resolution # 09-1216-355

Adopting the Fiscal Year 2010 Tribal Government Operations Budget identified as Document #3, Submitted by the Tribal Ogema Approving as the Final Budget

WHEREAS, the status of the Gaá Čhjing Ziibi Daáwaa Aníšhinaábeek (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(i)(1) to approve the annual budget presented by the Ogema; and

WHEREAS, the Tribal Council adopted a Revenue Allocation Plan by adopting Resolution #08-0123-20, which sets forth the funding allowances to be dedicated to specific governmental purposes as well as authorizing a Per Capita Distribution for the Tribal Adult Citizens; and

WHEREAS, the Tribal Ogema presented a budget on December 02, 2009 after considering the economic impact of the Tribe’s funding sources for 2010 and reducing the budget in accordance with planned funding sources; and
Resolution # 09-1216-355
Page 2 of 3

WHEREAS, the Tribal Ogema and Tribal Council agree that the Budget submission for FY 2010 must include funds for a Restructuring Initiative, but have not reached a final determination regarding the end result of that Restructure Initiative, therefore allowances must be included in the allocations for Government Operations and Programs, Tribal Economic Development and Investment, and General Welfare areas of the Budget; and

WHEREAS, the Ogema and Tribal Council agree to remove and re-categorize all funding for salary/wages, fringe benefits and costs associated with the new positions identified by the Ogema including: Division Leaders-total of 3 positions, Strategic Planner, BIA Roads Coordinator, Staff Attorney and Sergeant, from their current allocations within those areas identified by Section 4, Section 5 and Section 6 of the Government Budget according to the RAP into a new separate allocation titled Restructuring Initiative Reserve within those same allocations identified by Section 4, Section 5 and Section 6 of the RAP; and

WHEREAS, the Tribal Council and Ogema agree that the new positions of Physician Assistant and Housing Maintenance identified within the FY 2010 Government Budget will remain as funded positions within the areas identified as submitted in the budget; and

WHEREAS, the Ogema therefore submits the FY 2010 Little River Band of Ottawa Indians Tribal Government Budget-Document #3, for consideration and approval of the Little River Band Tribal Council.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians accepts the budget submission from the Tribal Ogema titled Document #3, including all department and division individual budgets as presented.

IT IS FURTHER RESOLVED THAT the approval of the Fiscal Year 2010 Tribal Government Operations Budget does not imply or authorize expenditures where additional authorizations or appropriation of funds are required with the exception of the following:

- Charitable contributions shall be one tenth of one per cent (.1%) of the gaming distribution as specified in the Revenue Allocation Plan regardless of the amount budgeted for such contributions.
- Per capita distributions shall be forty per cent (40%) of the gaming distribution as specified in the Revenue Allocation Plan regardless of the amount budgeted for such Per capita distributions.

Adoption of the Fiscal Year 2010 Tribal Government Operations Budget does not approve the posting or hiring of personnel not currently included within the Tribe's approved organization chart, and further does not authorize adjustments to salary levels, or entering into contracts without appropriate authorization. The approval of the budget is the approval of the proposed expenditures subject to any additional approvals as provided for in Tribal Ordinances and Regulations.
Resolution # 09-1216-355
Page 3 of 3

IT IS FURTHER RESOLVED THAT the Tribal Ogema, through the Accounting/Finance Department shall identify the amount of funds remaining from the FY 2009 Fiscal Year Government Operations Budget that remain unspent, for deposit in investment accounts. Or in the alternative, if there are no remaining unspent allocations, that the Finance Department prepare a report to that effect, no later than February 15, 2010.

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, _1_ ABSENT, and _1_ VACANT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on December 16, 2009, at the Little River Band’s Dome Room in Manistee, Michigan, with a quorum being present for such vote.

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Accounting