Resolution # 09-1216-358

Provisional Approval of Little River Casino Resort Annual Budget for FY2010
and Continuing Resolution Providing Allocation of
First Month Operational Expenditures for January 2010

WHEREAS, the status of the Gaá Čhing Ziibi Daáwaa Aníšinaábek (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 become effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribal adopted amendments to the Constitution on April 26, 2004, which become 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 adopted the enterprise charters creating the Little River Casino Resort and identified assets related thereto; and

WHEREAS, the Tribal Council adopted the Resort Board of Directors Act of 2005, which created a Board of Directors with responsibility for oversight and direction regarding the Little River Casino Resort; and

WHEREAS, the Tribal Council, under section 5.03(a) of the Resort Board of Directors Act of 2005, is responsible for approving the Annual Budget; and
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WHEREAS, the Board of Directors presented and annual operating budget for 2010 to the Tribal Ogema for approval; and

WHEREAS, the Ogema has forwarded the Little River Casino Resort annual operating budget to the Tribal Council; and

WHEREAS, the Tribal Council was not provided sufficient time to review the entire Budget as submitted, as the original submission was not compliant with the Board Of Directors Act of 2005, requiring the inclusion of the Capital Expenditures for 2010; and

WHEREAS, the Tribal Ogema and Tribal Council desire to ensure that operations at the Little River Casino Resort are not interrupted as a result of the Tribal Council’s inability to act to approve the Little River Casino Resort Annual Budget for FY 2010 as submitted.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby provisionally accepts the Little River Casino Resort Annual Budget for 2010, but does not grant its full approval of the Budget as Submitted.

IT IS FURTHER RESOLVED THAT the Tribal Council hereby authorizes expenditures in accordance with the FY 2010 Little River Casino and Resort Budget as submitted for those routine operational expenses included for the month of January 2010.

IT IS FURTHER RESOLVED that the Tribal Council hereby restricts any expenditures to be paid for under the Capital Expenditure Budget as submitted. Provided that, any Capital Expenditures planned during the month of January 2010 and approved by the Board of Directors must be submitted for approval of the Tribal Council, pending permanent authorization of the Little River Casino Resort Annual Budget for 2010.

IT IS FURTHER RESOLVED THAT the Tribal Council hereby directs that work session be scheduled no later than January 15, 2010, for the purpose of reviewing the entire budget as submitted, and receive any additional justification necessary to support the budget as filed for approval.

IT IS FINALLY RESOLVED THAT the Tribal Council must authorize a final FY 2010 Budget for Little River Casino and Resort no later than January 27, 2010.
CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was fully presented and adopted by the Tribal Council with _4_ FOR, _3_ AGAINST, _0_ ABSTAINING, _1_ ABSENT, and _1_ VACANT at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on December 16, 2009, at the Little River Band’s Conference 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 Adopting Fiscal Year 2010 Little River Casino Resort Budget to Tribal Ogema:

Pursuant to Article V, Section 5(a)(6) and Section 5(c) of the Tribal Constitution, the foregoing Resolution # 09-1216-358, approving the Little River Casino Resort Budget for Fiscal Year 2010 as provided for in the Little River Band of Ottawa Indians Tribal Constitution, has been presented to the Tribal Ogema by the Tribal Council Recorder for his/her approval.

Date delivered to Tribal Ogema: __12/17/09_

Signature of Council Recorder: __Janine Sam__

Action by the Tribal Ogema: _Approved_ _Disapproved (attach comments)_

Date: __12-18-09__

Signature of Ogema: __River S. Renard__

Distribution: Council Records
  Tribal Ogema
  Tribal Court, Little River Casino Resort – Board of Directors