Resolution # 09-0603-145

Approval of Supplemental Appropriation 2009-7 -2nd QTR for Extension to Authorize Set-Aside of $20,000.00 to Provide Reward for Information Leading to Recovery of Body and Arrest and Conviction of Person(s) Responsible

WHEREAS, the status of the Gaá Čhíng Ziibi Daáwaa Anišchinaábek (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)(2), to manage the funds of the Tribe and to appropriate such funds for the benefit of the membership; and

WHEREAS, the Tribal Council approved Resolution #08-0409-101, which approved Authorizing Set-Aside of $20,000.00 to Provide Reward for Information Leading to Recovery of Body and Arrest and Conviction of Person(s) Responsible; and

WHEREAS, the Resolution stated that the Tribal Council would agree that the Little River Band of Ottawa Indians will offer a $20,000.00 reward for information that directly leads to (1) retrieving Ms. Reffitt’s brother’s body; (2) the arrest of the individual(s) responsible; and (3) conviction of the individual(s) responsible; and
WHEREAS, the Tribal Council has received a Certification of Availability of Funds, #2009-009, from the Accounting Department signed by the Chief Financial Officer; and

WHEREAS, the appropriation of funds from the General Fund will require a modification of the Operating Budget for Fiscal Year 2009, which was approved on December 17, 2008; and

WHEREAS, the Tribal Council has been informed that this case is getting closer to closure and that the reward money may be instrumental in solving this case.

NOW THEREFORE IT IS RESOLVED THAT, the Tribal Council has written receipt of an agreement from Carol Reffitt and Tribal Council shall set aside $20,000 to be used to fund a reward for information leading to: (1) retrieving Ms. Reffitt’s brother’s body; (2) the arrest of the individual(s) responsible; and (3) the conviction of the individual(s) responsible.

IT IS FURTHER RESOLVED THAT the funds shall remain restricted for a period of one year, which can be extended if Tribal Council deems that adequate process has been made.

IT IS FURTHER RESOLVED THAT any and all information regarding the offer or the payment of the reward shall identify that the reward is offered by the Little River Band of Ottawa Indians.

IT IS FURTHER RESOLVED THAT Carol Reffitt shall inform the Tribal Council of any and all progress in writing on a monthly basis.

IT IS FINALLY RESOLVED THAT Tribal Council may rescind the Resolution at any time in the event it receives reliable information that no crime was committed in connection with the disappearance and/or death of Ms. Reffitt’s brother.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR _1AGAINST, 0 ABSTAINING, and _1 ABSENT at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on June 3, 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:
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 # 09-0603-145, modifying the Operating Budget for Fiscal Year 2009 as set forth in Resolution #08-1217-435, which has been presented to the Tribal Ogema by the Tribal Council Recorder for his/her approval.

Date delivered to Tribal Ogema: 6-3-09

Signature of Council Recorder: 

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

Date: 6-3-09

Signature of Ogema: 

Distribution: Tribal Ogema
Tribal Council
Tribal Court
Public Safety