Resolution # 09-0304-50

Approval of Supplemental Appropriation 2009-1 -1st QTR to Fund Costs Associated with Restoring the Tribal Government Work Week to 40 Hours for Affected Employees and Elected Officials, the Cost of a Salary Survey for all Tribal Government Positions, and a plan for Reductions to the FY 2010 Budget if Necessary in the Amount of $1,104,579.81

WHEREAS, the status of the Gaá Čhing Ziíbi Daáwaa Aníshinaábek (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 has received a Certification of Availability of Funds, #2009-002, from the Accounting Department signed by the Director of Finance; 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.
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves an appropriation to the Operating Budget for the Tribal Government for Fiscal Year 2009 to include an appropriation of $1,104,579.81 from the General Fund – Gaming Proceeds to fund costs associated with the following:

- Restore hours for affected employees and elected officials to 40 hours to week effective beginning the week of March 16, 2009 in the amount of $954,579.81
- Have a comprehensive salary survey conducted of all Tribal Government positions conducted to determine the appropriateness of the salaries that Tribal employees currently in relation to those positions in Federal, State and local Governments in the amount of $50,000.00.
- Have an independent review of departmental sizes, need, benefit, and contribution to the overall mission of the Tribal Government conducted to determine areas of potential reductions, if necessary, for use during the formulation of the FY 2010 budget in the amount of $100,000.00.

IT IS FURTHER RESOLVED THAT this supplemental appropriation shall be allocated in the 1st quarter as follows:

All Funds, All Programs – Acct. # 5000 – Salaries and Wages and Acct. # 5100 – Payroll Taxes as appropriate to restore funding for payroll to 40 hours per week in the amount of $954,579.81.

Fund # 1020 – Legislative Branch, Program # 100 – Tribal Council, Acct. # 5205 – Professional Fees, $50,000.00 for funding of a salary survey.

Fund # 1020 – Legislative Branch, Program # 100 – Tribal Council, Acct. # 5205 – Professional Fees, $100,000.00 for funding of a review of the Tribal Government.

IT IS ADDITIONALLY RESOLVED THAT no supplemental funding may be utilized for the payment of retroactive salaries or wages nor may be utilized for payment of overtime incurred during the remainder of the current year.

IT IS FINALLY RESOLVED THAT the Tribal Council shall receive a report from the Chief Financial Officer detailing where supplemental funding was applies by fund and program number that relates to the restoration of funding for the salary and wage and in addition to the payroll tax accounts upon completion by the Finance Department.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with _6_ FOR, _1_ AGAINST, _0_ ABSTAINING, _2_ ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on March 4, 2009 at the Little River Band’s Dome Room in Manistee, Michigan, with a quorum being present for such vote.
Resolution #09-0304-50
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Loretta Beccaria, Council Recorder

Don Koon, Council Speaker

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 #09-0304-50, modifying the Operating Budget for Fiscal Year 2009 as set forth in Resolution #08-1217-435, has been presented to the Tribal Ogema by the Tribal Council Recorder for his/her approval.

Date delivered to Tribal Ogema: 3-5-09

Signature of Council Recorder: Loretta Beccaria

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

Date: 3-5-09

Signature of Ogema: [Signature]

Distribution: Council Records
Tribal Ogema
Tribal Court
Accounting