Resolution # 09-0304-63

Approval to implement a Health Reimbursement Arrangement (HRA) through Cadillac Insurance with Advanced Benefit Solutions (ABS) to provide a pre-tax health reimbursement account for those Tribal Government Employees and elected officials who choose the opt-out provision.

WHEREAS, the status of the Gaá Čhíng Ziibi Daáwaa Anishinábe (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 held work sessions with the Tribal Government and its entities to determine the level of benefits to meet budgeted funds;

WHEREAS, each of the entities and Tribal Government has determined a level of benefits for the employees for the contract year March 2009 to February 2010;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves the implementation of an HRA through ABS for employees who opt out of regular medical coverage;
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IT IS FURTHER RESOLVED THAT nothing in the contract, nor in this resolution ratifying the contract, shall be considered an express or implied waiver of the Tribe’s sovereign immunity.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 FOR, 0 AGAINST, 0 ABSTAINING, and 3 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.

[Signature]
Loretta Beccaria, Council Recorder

[Signature]
Don Koon, Council Speaker

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