Resolution # 09-0311-65

Approval of Budget Modification (MB-2009 #08) for the Aki Maadiziwin Community Center Project in the amount of $475,000.00

WHEREAS, the status of the Gaad Čching Ziibi Daawaa Anishinabe (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 determined that modification to the budget shall be sequentially numbered in the following manner – “MB-Fiscal Year-Modification #” – which shall be numbered when adopted by Tribal Council; and

WHEREAS, the Tribal Council has approved the fiscal year 2009 Department of Commerce Budget; and

WHEREAS, the Operating Budget for fiscal year 2009 for the Department of Commerce included an amount of funding set aside in the capital outlay specifically designated to fund the match required from Little River Band, as well as the amount to complete the project; and

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WHEREAS, this Resolution now comes forth to appropriately allocate reserve funding, and is not the result of a revenue shortage or lack of appropriate planning by the Department Director, and no additional funding is required to meet the obligations entered into by the Tribe, provided the project continues on schedule; and

WHEREAS, the Department of Commerce Director has proposed a modification to the Operating budget for the department, and obtained appropriate approval from the Ogema to request final approval of such modification from the Tribal Council.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby modifies the FY2008 Budget as follows:

From: Commerce Department, Program # 1000-164-6100 Amount $475,000.00

To: Aki Maadiziwin Community Center Project -breakdown as follows:
$25,000.00 reserved and dedicated as Tribal Match Funds and
$450,000.00 reserved and dedicated to final project costs in excess of grant funds.

IT IS FURTHER RESOLVED THAT this Budget Modification appropriation shall be allocated in the First (1st) quarter of Fiscal Year 2009.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 FOR, 2 AGAINST, 0 ABSTAINING, 1 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on March 11, 2009, at the Little River Band’s Dome Room in Manistee, Michigan, with a quorum being present for such vote.

[Signature]
Kimberly Alexander, Council Recorder

[Signature]
Don Koon, Council Speaker

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Attest:
Presentation of Resolution for Budget Modification to Tribal Ogema:

Pursuant to Article V, Section 5(a)(6) and Section 5(c) of the Tribal Constitution, the foregoing Resolution # 09-0311-65, 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: 3/12/09
Signature of Council Recorder: [Signature]

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

Date: 3/12/09
Signature of Ogema: [Signature]

Distribution:
Council Records
Tribal Ogema
Accounting Department

Distribution: Tribal Ogema
Tribal Council
Budget Coordinator