Resolution #09-1118-310

Technical Correction to Resolution # 09-1007-281 That Approved a Modification to the Operating Budget MB2009-36 in the Amount of $101,895

WHEREAS, the status of the Gaά Čhing Ziibi Daawaa Anišhinaābek (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, pursuant to Article IV, Section 7 (i)(2) of the Constitution, has the power to manage any funds within the exclusive control of the Tribe and to appropriate such funds for the benefit of the Tribe and its members; and

WHEREAS, the Tribe is authorized to contract for federal funds under the authority of the Indian Self-Determination and Education Assistance Act (P.L. 93-638, as amended) and to implement and administer services for its members; and

WHEREAS, the acceptance of grant funds from the USDA will require a modification of the Operating Budget for Fiscal Year 2009;
WHEREAS, the Ogema, through the Department of Grants and Contracts submitted a Resolution to the Tribal Council that resulted in the acceptance of said grant funds that contained errors including: an identification of a wrong funding source on page 2, as well as an omission for indirect cost funding allocation in the budget modification resulting in an error that cannot be corrected by internal accounting mechanisms; and

WHEREAS, the errors contained within Resolution #09-1007-281 impact the internal operations within the Accounting Department and Commodities department, but do not impact the original intention of the Tribe or Tribal Council in authorizing the grant or the acceptance of grant funds; and

WHEREAS, the Tribal Council desires to correct the technical errors to enable the two affected departments to correctly record and utilize the grant funds in accordance with the purposes the Grant was awarded by the United States Department of Agriculture.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes budget modification #MB 2009-36 to be corrected within the Tribal Government financial processes for Fiscal Year 2009 to include grant funds in the amount of $101,895. The grant funds are identified and shall be allocated as follows:

Program #4267

<table>
<thead>
<tr>
<th>G.L. #</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>#5000</td>
<td>Salaries</td>
<td>$39,894</td>
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<tr>
<td>#5130</td>
<td>Employee Insurance</td>
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<tr>
<td>#5205</td>
<td>Professional Fees</td>
<td>$700</td>
</tr>
<tr>
<td>#5601</td>
<td>Small Equipment &amp; Furniture</td>
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<tr>
<td>#5602</td>
<td>Supplies</td>
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<tr>
<td>#5802</td>
<td>Travel</td>
<td>$7,800</td>
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<tr>
<td>#6000</td>
<td>Utilities</td>
<td>$6,000</td>
</tr>
<tr>
<td>#7004</td>
<td>Indirect Cost Expense</td>
<td>$24,016</td>
</tr>
</tbody>
</table>

Total: $101,895

IT IS FURTHER RESOLVED THAT any reference to the Michigan Department of Community Health within the original adopting Resolution #09-1007-281 is hereby Stricken.

IT IS FINALLY RESOLVED THAT all Government Records with respect to the Application and Acceptance of Grant Funds from the USDA for the Little River Band Food Distribution Program must include both the original resolution authorizing the acceptance of grant funds #09-1007-281, and this clarifying resolution to accurately reflect the action authorized for MB2009-36.
CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with _8_ FOR, _0_ AGAINST, _0_ ABSTAINING, and _1_ ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on November 18, 2009 at the Little River Band’s Dome Room in Manistee, Michigan, with a quorum being present for such vote.

[Signature]
Janine M. Sam, Council Recorder

[Signature]
Stephen Parsons, Council Speaker

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 # 09-1118-310, 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: 11-20-09

Signature of Council Recorder: [Signature]

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

Date: 11-20-09

Signature of Ogema: [Signature]

Distribution:
Council Records
Tribal Ogema
Accounting Department – Attn Tammy Bowen