Resolution # 09-1118-316

Establishing the Commercial, Residential, Low Income and Septage Receiving User Rates for FY2010

WHEREAS, the status of the Gad Ching Ziibi Daawaa Anishinaabek (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 Utility Department by Section 6.06 of the Utility Ordinance #01-500-05 does set fees; and

WHEREAS, the fees and fines shall remain unchanged at; residential rate of $7.50 per EDU and $4.00 per thousand gallons, low income residential base rate of $5.00 per EDU and $2.50 per thousand gallons used, commercial rates will remain unchanged at of $30.64 per EDU base rate and $5.29 per thousand gallons used; and

WHEREAS, septic haulers current fees of $.06 per gallon until they reach 500,000 gallons for the year at that time they will be eligible for a $.01 discount; when they reach the 750,000 gallons they will then be eligible for an additional $.01 discount for the remainder of the year will remain unchanged; and
WHEREAS, the fee schedule was posted for public comment for thirty days;

WHEREAS, a meeting for public comment was held, October 15, 2009

IT IS THEREFORE RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians approves the fee schedule set by the Utility Department until December 31, 2010

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.

Jaimie M. Sam, Council Recorder
Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Utility Department