

Little River Band of Ottawa Indians
375 River Street
Manistee, MI 49660
(231) 723-8288

Resolution # 09-1014-300

Permanent Adoption of Amendments to the Muschigon Construction Company Ordinance

- WHEREAS, the status of the *Gaá Čhing Ziibi 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)(2) of the Constitution, 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 is authorized under Article IV, Section (a) of the Constitution, to exercise the inherent powers of the Band by establishing laws through the enactment of ordinances and adoption of resolutions; and
- WHEREAS, the Tribal Council adopted the Administrative Procedures Act – Ordinance #04-100-07, on November 10, 2004; and
- WHEREAS, Article V of the Administrative Procedures Act sets forth the procedures for adopting an Ordinance on an emergency basis; and
- WHEREAS, the Tribal Council adopted emergency amendments to the Muschigon Construction Company Ordinance on September 2, 2009, in accordance with Article V of the Administrative Procedures Act; and


WHEREAS, the emergency amendments to the Muschigon Construction Company Ordinance were posted for public comment from September 2, 2009 through October 8, 2009, and no comments were received; and

WHEREAS, the Tribal Council has reviewed the revisions and believes it is appropriate and in the best interests of the Tribe to adopt the emergency amendments to the Muschigon Construction Company Ordinance on a permanent basis.

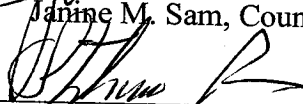
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby permanently adopts, under authority of the Administrative Procedures Act – Ordinances, the amendments to the Muschigon Constructoin Company Ordinance, Ordinance #05-800-04, a copy of which is attached to this Resolution and incorporated herein.

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, 1 and ABSENT at a regular session of the Little River Band of Ottawa Indians Tribal Council held on October 14, 2009, at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Muschigon Construction Company
Accounting