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

Resolution # 09-0923-269

Ratification of Contract and Approval of a Limited Waiver of Sovereign Immunity for Claims or Suits to be Brought in Tribal Court

WHEREAS, the status of the Gaá Čhing Zilbi Daáwaa Anišíhinaábek (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 Enrollment Department has presented a contract for approval to provide support for enrollment database software; and

WHEREAS, the Ogema has reviewed the contract and approved its submission to Tribal Council; and

WHEREAS, the contract contains an agreement to be bound by the laws of the Tribe; and
WHEREAS, the contract contains an agreement to have claims and disputes to be brought in Tribal Court;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby ratifies the contract with T.E.A.M.S. to provide software support for the Tribe’s enrollment database.

IT IS FURTHER RESOLVED THAT the Tribal Council, as vested with authority under Article XI of the Tribe’s Constitution, authorizes a limited waiver of sovereign immunity for the purposes identified in paragraph 14 of the Agreement, which allows enforcement of rights, duties and obligations created under the Agreement in the Little River Band Tribal Court.

IT IS FINALLY RESOLVED THAT this contract is ratified by Resolution #09-0923-269 and the terms of the resolution are incorporated herein.

IT IS FINALLY RESOLVED THAT the Tribal Council hereby authorizes these funds to be taken from Program # 1000-149, account # 5303 (License Fees and Permits) for the purpose of providing software support for the Tribe’s enrollment database.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held September 23, 2009, at the Little River Band’s Conference Room in Manistee, Michigan, with a quorum being present for such vote.

[Signature]
Janine M. Sam, Council Recorder

[Signature]
Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court