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WHEREAS, the status of the Gaă Čhing Ziibii 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 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 is authorized under Article IV, Section 7(l) to take action, not inconsistent with the Constitution or Federal law, which is necessary and proper to carry out the sovereign powers of the Tribe; and

WHEREAS, the Tribal Council approved Gaming Commission Ordinance #04-400-04 creating a Gaming Commission as the regulatory agency delegated the authority and responsibility to regulate all gaming activities authorized by the Tribe and to enforce all Tribal and federal laws governing the conduct of Tribally licensed gaming activities; and

WHEREAS, in accordance with Article VII 7.01 of the Gaming Commission Ordinance#04-400-04 the Gaming Commission is responsible for having independent audits conducted of all gaming enterprises on an annual basis; and
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WHEREAS, the contract with McGladrey & Pullen, LLC has expired and bids were solicited from nine auditing firms where only two provided proposals and one of them being Joseph Eve & Company and the other being McGladrey & Pullen, LLC; and

WHEREAS, the proposals were reviewed and the Gaming Commission determined that it was in the best interest to utilize the auditing services of Joseph Eve & Company as they came in with the lowest bid price for each audit year, they specialize in providing auditing services to Indian organizations, and McGladrey and Pullen, LLC has been utilized by the Gaming Commission for the past 6 years; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7(b) of the Constitution of the Little River Band of Ottawa Indians (the Band’s "Constitution"), has the power to authorize contracts; and

WHEREAS, the Tribe has negotiated an engagement letter with Joseph Eve & Company to perform the annual audit of Financial Statements and Internal Controls required by Federal law for the periods ending December 31, 2009, 2010, and 2011; and

WHEREAS, the Gaming Commission approved the engagement letter with Joseph Eve & Company at the September 15, 2009 Gaming Commission meeting and now is presenting the agreement to the Tribal Council for ratification.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Ogema to execute the engagement letter for Joseph Eve & Company to complete an audit of the Financial Statements and Internal Controls of Little River Casino Resort for the periods ending December 31, 2009, 2010, and 2011.

IT IS FURTHER RESOLVED THAT the Tribal Council approve establishment of an encumbrance in 2010, 2011, and 2012 out of Program #1030-121, Account #5205 each of these audit years for Joseph Eve & Company for services rendered and direct expenses.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 1 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on September 30, 2009 at the Little River Band’s Downtown Offices in Manistee, Michigan, with a quorum being present for such vote.

Attest:

Janine M. Sam, Council Recorder

Stephen Parsons, Council Speaker