

**Little River Band of Ottawa Indians
2608 Government Center Drive
Manistee, MI 49660
(231) 723-8288**

Resolution #14-0326-088

Authorizing the Operation Transfer of \$ 83,725 to Fund Costs Associated with Discontinuing Operations of Muschigon Construction Company, LLC

WHEREAS, the status of the *Gaá Čhíng 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) 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 Tribal Council approved Ordinance #05-800-04 – Muschigon Construction Company Ordinance for the purpose of opening and operating a construction company and defining the purpose and responsibilities of the company; and

WHEREAS, Muschigon Construction Company, LLC has performed several construction projects for the Tribal Government and Casino since its inception which have provided the needed cash flow for operations; and

WHEREAS, the Tribal Council and Casino Board of Directors have determined that there is not going to be any significant construction projects taking place during fiscal years 2014 and 2015; and

WHEREAS, the management of Muschigon Construction Company, LLC has been unsuccessful during the past seven months of securing projects necessary to generate cash flow for the company's continued operations

WHEREAS, the Tribal Ogema, who has the Constitutional duty pursuant to Article 5, Section 5(a)(8) to manage economic affairs, enterprises, property (both real and personal) and other interest of the Tribe, consistent with ordinances and resolutions enacted by the Tribal Council, has deemed it in the best interests of the Band to dissolve and wind down the affairs of Muschigon Construction Company LLC.

WHEREAS, the Tribal Accounting Department has recommended that an operating transfer of funds totaling \$83,725.00 to Muschigon's operating account is required to appropriately wind down Muschigon's affairs associated with its dissolution.

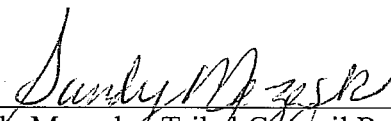
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves an operating transfer of funds to Muschigon Construction Company, LLC in the amount of \$83,725 to be utilized for the payment of final bills associated with the dissolution of the company.

IT IS FURTHER RESOLVED THAT the Accounting Department shall report the use of the funds transferred upon payment of final obligations of Muschigon Construction Company, LLC; once all business matters have been resolved and a Liquidator has been appointed

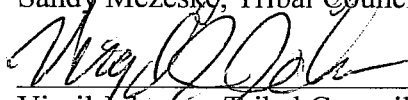
IT IS FINALLY RESOLVED THAT the management of Muschigon Construction Company, LLC shall have no authority to direct any funds for any purpose other than those obligations necessary to dissolve the company.

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 March 26, 2014 at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.



Sandy Mezeske, Tribal Council Recorder



Virgil Johnson, Tribal Council Speaker

Distribution: Council Records
Tribal Ogema
Accounting Department