Resolution #14-1112-360

Adopting the Fiscal Year 2015 Tribal Government Operations Budget Submitted by the Tribal Ogema

WHEREAS, the status of the Gaă Čhing Ziibi Daawaa Anišhinaábeek (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 is authorized under Article IV, Section 7(i)(1) to approve the annual budget presented by the Ogema; and

WHEREAS, the Tribal Council met with department directors and Executive staff to review individual budgets where several critical issues were identified; and

WHEREAS, the Tribal Council sent a letter to the Ogema dated October 27, 2014 summarizing those issues; and

WHEREAS, the Tribal Ogema responded with a revised budget to Tribal Council on November 3, 2014; and

WHEREAS, the revised budget addresses those critical issues.
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council hereby approves the Fiscal Year 2015 Tribal Government Operations Budget.

IT IS FURTHER RESOLVED THAT the Executive staff assess the impact of the Federal Employee Health Benefit (FEHB) plan on the tribal clinic and present to Tribal Council the estimated effect on the 2015 budget from additional costs and additional third party billing.

IT IS FURTHER RESOLVED THAT the approval of the Fiscal Year 2015 Tribal Government Operations Budget does not imply or authorize expenditures where additional authorizations or appropriation of funds are required with the exception of the following:

- Charitable contributions shall be one tenth of one per cent (.1%) of the gaming distribution as specified in the Revenue Allocation Plan regardless of the amount budgeted for such contributions.

- Per capita distributions shall be forty per cent (40%) of the gaming distribution as specified in the Revenue Allocation Plan regardless of the amount budgeted for such per capita distributions.

IT IS FURTHER RESOLVED THAT the Tribal Council’s action to adopt the Fiscal Year 2015 Tribal Government Operations Budget does not approve the posting of or the hiring of personnel not identified in the approved budget; further it does not authorize adjustments to salary levels, or entering into contracts without appropriate authorization and Tribal Council Resolution. The approval of the budget is the approval of the proposed expenditures subject to any additional approvals as provided for in Tribal Ordinances and Regulations.

IT IS FURTHER RESOLVED THAT the Tribal Ogema, Chief Judge, Tribal Council Speaker, Prosecutor and the Election Board shall recommend to Tribal Council the amount of funds to be carried over to 2015 and a request to use the unexpended funds in their respective budgets no later than March 31, 2015 in accordance with Section 6.07 of the Budget and Appropriations Act of 2013.

IT IS FINALLY RESOLVED THAT in the event that the Ogema exercises his veto of the 2015 Government Operations Budget adopted by Tribal Council, the Tribal Council shall be required to take subsequent action during the time lines contained in the Tribal Constitution and the Budget and Appropriations Act of 2013 to either: 1) override the veto of the Ogema; 2) accept the budget; or 3) adopt a continuing resolution in accordance with Section 5.14 of the Budget and Appropriations Act of 2013 to provide adequate funding to ensure that the operations of the Tribal Government are not interrupted pending a resolution adopting the final Government Operations Budget for Fiscal Year 2015.
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 12, 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

Attest:
Presentation of Resolution Adopting Fiscal Year 2015 Tribal Government Operations Budget to Tribal Ogema:

Pursuant to Article V, Section 5(a)(6) and Section 5(c) of the Tribal Constitution, the foregoing Resolution #14-1112-360 approving the Government Operating Budget for Fiscal Year 2015 as provided for in the Little River Band of Ottawa Indians Tribal Constitution, has been presented to the Tribal Ogema by the Tribal Council Recorder for his/her approval.

Date delivered to Tribal Ogema: November 13, 2014

Signature of Council Recorder: Sandy Mezeske

Action by the Tribal Ogema: ___ Approved ___ Disapproved (attach comments)

Date: 11/12/14

Signature of Ogema: [Signature]

Distribution: Council Records
Tribal Ogema
Tribal Court
Accounting