Resolution #14-1119-370

Approval of Special Counsel Attorney Contract with the
Law Office of Richard G. McGee, LLC
Thru Year Ending December 31, 2015

WHEREAS, the status of the Gaá Čhíibí Daáwaa Anišinaábe (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 3, 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(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 has, pursuant to Gaming Commission Ordinance No. # 04-400-04, created a Gaming Commission and delegated to such Commission the authority 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, the Gaming Commission has identified a need for outside legal counsel to assist the Gaming Commission in drafting regulations, policies and procedures, and to represent the Gaming Commission with matters where there is a perception of a conflict of interest for the Legislative Legal Department to provide the same legal assistance; and
WHEREAS, the Gaming Commission previously engaged with the Law Office of Richard G. McGee to provide legal services to the Gaming Commission and the Gaming Commission was satisfied with the services provided by Mr. McGee; and

WHEREAS, the Gaming Commission has determined it is imperative that they have legal counsel experienced in Indian gaming regulatory matters and Human Resource matters; and therefore a contract was negotiated with the Law Office of Richard G. McGee, LLC; and

WHEREAS, the Gaming Commission approved a Special Counsel Attorney Contract with the Law Office of Richard G. McGee, LLC by Resolution #GC14-1104-23 through Fiscal Year 2015; and

WHEREAS, the Gaming Commission is requesting Tribal Council’s approval of the Special Counsel Attorney Contract and approval of the expenditure of budgeted funds for the professional services and associated expenses.

NOW THEREFORE IT IS RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby approves a Special Counsel Attorney Contract with the Law Office of Richard G. McGee, LLC to provide legal services to the Gaming Commission and approves the ceiling of billable fees for professional services in the amount of $50,000.00 for 2015 and expenses not to exceed $5,000.00 and to be encumbered from Gaming Commission approved budget 1030-121-5205.

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 Closed Session of the Little River Band of Ottawa Indians Tribal Council held on November 19, 2014 at the Little River Band’s Conference Room in Manistee, Michigan, with a quorum being present for such vote.

Sandy Mczeske, Council Recorder

Virgil Johnson, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema