

ORIGINAL



Little River Band of Ottawa Indians

1762 U.S. 31 South
Manistee MI 49660
(231) 723-8288

RESOLUTION NO. #00-0424-05

AUTHORIZING THE TRIBAL OGEMA, OR IN HIS ABSENCE, THE TRIBAL COUNCIL SPEAKER
TO EXECUTE A DEPUTATION AGREEMENT WITH THE BUREAU OF INDIAN AFFAIRS AND
AUTHORIZING SUBMISSION OF SUCH AGREEMENT FOR APPROVAL

WHEREAS, the Little River Band of Ottawa Indians is a federally recognized tribe, as reaffirmed under P.L. 103-324, enacted on September 21, 1994, with property rights secured to it under the 1836 Treaty of Washington (7 Stat. 491) and the 1855 Treaty of Detroit (11 Stat. 621); and

WHEREAS, the Little River Band of Ottawa Indians is descended from, and is the political successor to, Grand River Ottawa Bands which were signatories of the 1836 Treaty of Washington (7 Stat. 491), as reaffirmed under P.L. 103-324, enacted on September 21, 1994; and

WHEREAS, the Tribal Council has the authority to adopt laws and regulations to protect Tribal members and property pursuant to the powers vested in it by Article IV, Section 7 of the Constitution, approved July 10, 1998; and

WHEREAS, the regulation, control and prohibition of certain conduct on the Tribe's Reservation is necessary to protect the health, security and general welfare of the Tribe, its members, the general public and property on the Reservation; and

WHEREAS, the Tribal Council has, pursuant to Ordinance No. 99-400-03, adopted a Law and Order Ordinance, which incorporates the Code of Federal Regulations 25 C.F.R. Part 11, Subparts C and D, as Tribal law; and

WHEREAS, the Tribe has purchased approximately 2,150 acres of land within the Manistee Reservation, of which nearly 500 acres are, or soon will be, held in trust by the United States of America for the Little River Ottawa; and

WHEREAS, the Tribe and the Bureau of Indian Affairs presently lack sufficient personnel and resources needed to effectively police the Tribe's Reservation lands and enforce federal and Tribal laws applicable to Tribal lands, properties and persons under the jurisdiction of the Tribe; and

WHEREAS, the Tribe desires to coordinate the use of personnel and resources with other law enforcement agencies, including the Bureau of Indian Affairs, to better police the Tribe's Reservation lands and protect the public (both Indian and non-Indian) who are present on Tribal lands; and

WHEREAS, the Tribal Council has determined that it is in the best interests of its members and the general public to enter into a deputation agreement with Bureau of Indian Affairs to better protect the public's safety and welfare on Tribal lands and within the Tribe's Reservation and to

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provide a vehicle for encouraging State and local law enforcement agencies to enter into similar arrangements.

NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Ogema, or in his absence, the Tribal Council Speaker, to execute a deputation and mutual assistance agreement with the Bureau of Indian Affairs to assist the Tribe in its efforts to enforce and promote law and order and the administration of justice on Tribal lands within the Tribe's Reservation.


IT IS FURTHER RESOLVED THAT the Tribal Council hereby authorizes the Director of Public Safety, with advice and assistance from the Tribal Prosecutor, to implement and administer the terms of the Deputation Agreement, including the execution and issuance of written commissions to County law enforcement personnel and other matters under this Agreement.

IT IS FURTHER RESOLVED THAT copies of this Resolution and the Deputation Agreement shall be transmitted to representatives of the Bureau of Indian Affairs, the Field Solicitor for the Department of the Interior and the United States Attorney for the Western District of Michigan for review and approval.


Certificate of Adoption

This resolution was adopted by the Tribal Council of the Little River Band of Ottawa Indians at its Regular Session held at the Little River Band Community Center in Manistee, Michigan on April 24, 2000, by a vote of 7 in favor, 0 opposed, 2 absent, and 0 abstentions. A quorum of the Tribal Council being present for such vote.

Date: 4/24/00


Charles Fisher, Council Recorder

Attest:


Kathy Berentsen, Councilor