



Little River Band of Ottawa Indians

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

Resolution No. #00-1248-20-06

**Appropriating \$152,000.00 from Casino Expansion Account (Prog. #404)
to Fund Geotechnical, Engineering and Preliminary Design Work
for the Wastewater Treatment Plant**

WHEREAS, the Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. §1300k et seq.)(hereafter "Little River Act"); and

WHEREAS, the Tribe is entitled to the protections and benefits accorded federally-recognized Indian tribes under federal law, including those under the Indian Gaming Regulatory Act of 1988 (25 U.S.C. §2701 et seq.)(hereinafter "IGRA"), which permits Indian tribes to operate Class II and III gaming activities on lands held in trust for the Tribe; and

WHEREAS, the Tribe has determined that the development of the permanent casino/resort facilities is in the best, long-term interests of the Tribe and its members; and

WHEREAS, casino/resort facilities will include: expanded casino floor, "back of the house", offices, restaurants, hotel, and RV Park; and

WHEREAS, the Tribe is also proceeding with planning and development work associated with the housing development proposed for the former "Dontz Farm" properties; and

WHEREAS, the Tribe has determined that the development of community wastewater treatment plant is in the best, long-term interests of the Tribe and its members; and

WHEREAS, a Strategic Plan for Construction of the Community Water/Wastewater Facilities (hereafter the "Strategic Plan") has been prepared by Indian Health Services Consultant Engineer, Jonathan Anderson, P.E.; and

WHEREAS, the Tribal Core Group, in consultation with Indian Health Services engineer, Jonathan Anderson, P.E., have recommended a Scope of Work and contract with VEC Engineering, PLLC, to complete necessary geotechnical studies and project plans and specifications needed to complete the design and construction of those facilities within the time constraints identified in the Strategic Plan; and

WHEREAS, authorization of that contract requires a commitment of funds to cover the cost associated with that engineering and design work; and

WHEREAS, the Tribe adopted a 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, pursuant to Article IV, 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 has, pursuant to Resolution No. #00-1111-06, appropriated \$8 Million Dollars in General Funds to be used in connection with development activities required to complete the permanent casino/resort project; and

WHEREAS, the terms of Resolution No. #00-1218-06, require any allocation or use of funds under that appropriation to be approved by Resolution of the Tribal Council; and

WHEREAS, completion of the scope of work described in the VEC Engineering contract is a necessary component of the permanent casino/resort project.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves the allocation of \$152,000.00 from the Casino Expansion Account (Program #404) to cover the obligations incurred under the consulting agreement with VEC Engineering, PLLC.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with ____ FOR, ____ AGAINST, ____ ABSENT, and ____ ABSTAINING, at a Regular Session of the Little River Band of Ottawa Indians' Tribal Council held at the Little River Band Community Center on December 18, 2000, in Manistee, Michigan, with a quorum being present for such vote.

Charles Fisher, Council Recorder

Attest:

Joan Spalding, Council Speaker

Presentation of Resolution Budget Modification and Appropriating Tribal Funds to Tribal Ogema:

Pursuant to Article V, Section 5(a)(6) and Section 5(c) of the Tribal Constitution, the foregoing Resolution modifying the Operating Budget for the Tribal Government for Fiscal Year 2000 and appropriating Tribal funds has been presented to the Tribal Ogema by the Tribal Council Recorder for his/her approval.

Date delivered to Tribal Ogema: _____

Signature of Council Recorder: _____

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

Date: _____

Signature of Ogema: _____

Distribution: Tribal Council Records
Tribal Court
Tribal Ogema/Accounting Department
Legal Department