



LITTLE RIVER BAND OF OTTAWA INDIANS

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Resolution # 01-1121-05

Adoption of Emergency Action Affecting the Membership and Terms of the Gaming Commission For a Six Month Period

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.); 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 Tribal Council is authorized under Article IV, Section 7(f) to create regulatory commissions with the power to manage the affairs and enterprises of the Tribe; and

WHEREAS, the Tribal Council has adopted the Gaming Ordinance, # 97-400-01, which creates a Gaming Commission to regulate and provide oversight of the gaming operations; and

WHEREAS, the Gaming Commission was made up of five members appointed for four year terms, *Gaming Ordinance, sec. 4.01 and 4.02*; and

WHEREAS, Gaming Commissions must have a background investigation as well as identification of conflicts of interest which include employment within the gaming operations, *Gaming Ordinance, sec. 4.04 and 4.05*; and

WHEREAS, the Gaming Commission had two vacancies as of July 12, 2001 which allowed the Gaming Commission to meet with a quorum; and

WHEREAS, the Gaming Commission now has four vacancies resulting from two recent resignations; and

WHEREAS, the Tribal Ogema and Tribal Council have been unable to identify applicants and ratify appointments for members on the Gaming Commission in sufficient numbers and with speed to fill the membership of the Gaming Commission in order for it to meet; and

WHEREAS, it is important that the Gaming Commission meet in order to make licensing decisions, review activities presented by the Surveillance Department, licensing applications, as well as audits and other reports regarding the gaming operations; and

WHEREAS, while the Gaming Commission support offices will continue to operate and carry out the daily responsibilities of oversight of gaming operations but have no decision making body which can respond to or direct those activities; and

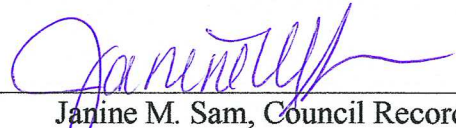
WHEREAS, recognizing the importance of the activities of the Gaming Commission, the Tribal Council has determined that it is necessary to re-establish a quorum for the Gaming Commission by taking emergency actions to provide for a short term correction which allows for a long term decision to be made in a reasonable and time manner;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby amends the Gaming Ordinance, # 97-400-01, Section 4 by amending all references to five members to reference three members, and the quorum of three members to a quorum of two members; and

IT IS FURTHER RESOLVED THAT the Tribal Council hereby adopts this emergency action for six months during which time long term solutions shall be crafted and presented.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 1 AGAINST, 1 ABSENT, and 0 ABSTAINING, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held at the Little River Band Community Center on November 21, 2001, with a quorum being present for such vote.



Janine M. Sam, Council Recorder



Attest: Steve Parsons, Council Speaker