



LITTLE RIVER BAND OF OTTAWA INDIANS

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Resolution #01-1219-19

Authorizing the Construction Management Team to Initiate a Purchase Order with Steel Tank and Fabricating in the total amount of \$15,668.75 (an amount that includes tax and freight) for the Hydropneumatic (Pressure) Tank, a critical component in the community water system, per the recommendations of Gosling Czubak and John Anderson, Indian Health Services.

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 to "exercise the inherent powers of the Little River Band by establishing laws and through the enactment of ordinances and adoptions of resolutions not inconsistent with this Constitution...to promote, protect and provide for public health, peace, morals, education and general welfare of the Little River Band and its members; 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, the Tribe has entered into an agreement with Indian Health Services for design and consultation services for the Community Water System, through John Anderson, and has secured a recommendation for the above equipment from the consultant; and

WHEREAS, the Tribe has, pursuant to Resolution No. #01-0110-03, created a Construction Management Team to manage the construction of the Permanent Casino-Resort project; and

WHEREAS, the Tribe has secured financing for the Community Water System as an element in the tax exempt financing agreement the tribe has with Miller-Schroeder; and

WHEREAS, the equipment specified is a critical element in the overall viability of the Community Water System; and

WHEREAS, the equipment specified has approximately a ten-week lead time (as required for its customized construction); and

WHEREAS, pursuant to Article IV, Section 7 (i)(2) of the Tribal Constitution, the Tribal Council is authorized to manage funds within the exclusive control of the Band, pursuant to appropriations or budgets authorized by the Tribal Council; and

WHEREAS, the Construction Management Team and the Owner's Representative have reviewed this consideration in its entirety and are also recommending the purchase of the hydropneumatic tank as specified (and as documented in this resolution's attachments) and which will be provided by the owner and installed by the contractor.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves the initiation of the related purchase order with Steel Tank & Fabricating in the amount of \$15,668.75 and authorizes the Construction Management Team to execute payment for the hydropneumatic tank as specified.

IT IS FURTHER RESOLVED THAT the Tribal Council authorizes payment for the above equipment through the tax-exempt loan that secures financing for the Water and Wastewater Treatment components of the overall casino expansion project.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 0 AGAINST, 2 ABSENT, and 0 ABSTAINING, at an Emergency Session of the Little River Band of Ottawa Indians Tribal Council held at the Little River Band Community Center on December 21, 2001, with a quorum being present for such vote.


Council Recorder


Attest: Council Speaker