



## **Little River Band of Ottawa Indians**

**375 River Street  
Manistee MI 49660  
(231) 723-8288**

Resolution No. #02-0417-09

**Authorizing the Tribal Ogema, or in the absence of, the Tribal Council Speaker  
to Execute of a Trap Net Vessel Equipment Lease/Option to Purchase Agreement  
with Charles Matson to Facilitate Implementation of the Band's  
Treaty-reserved Commercial Fishing Rights**

- WHEREAS, the Band'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.)(hereinafter "Little River Act"); and
- WHEREAS, the Band 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, pursuant to Article IV, Section 5 (a)(4) and Article V, Section 5(a)(3) and (8) of the Band's Constitution, the Tribal Ogema, or in the absence of, the Tribal Council Speaker, is authorized to represent the Band and manage the economic affairs/enterprises of the Band, in a manner consistent with the Band's Constitution and resolutions of the Tribal Council; and
- WHEREAS, the Tribal Council, pursuant to Article IV, Section 7 (b) of the Constitution, has the power to authorize and ratify agreements and contracts negotiated by the Tribal Ogema; and
- WHEREAS, the terms of the Consent Decree entered in United States v Michigan are intended to facilitate the Band's to use settlement funds to assist Band members enter the commercial fishery in waters near the Band's Reservation; and
- WHEREAS, the Tribal Council, pursuant to Resolution No. #02-~~0306-01~~<sup>0417</sup>, did approve establishment of a Commercial Fishing Education, Training and Development Program and appropriated funds to be used to retain consultants to train Band members in the operation of trap net fishing operations; and

WHEREAS, in furtherance of those budgeted purposes, a Trap Net Vessel Equipment Lease/Option to Purchase has been negotiated in consultation with the Band's Legal Department and Natural Resource Commission, under which the Band would lease a trap net vessel and equipment belonging to Mr. Matson to be used in connection with a Consulting Agreement with Mr. Matson for use by Band members participating in the Commercial Fishing Education, Training and Development Program; and

WHEREAS, the Natural Resource Commission is recommending approval of the Trap Net Vessel Equipment Lease/Option to Purchase Agreement, dated April 12, 2002, and the Tribal Council desires to authorize execution of that agreement.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Ogema, or in the absence of, the Tribal Council Speaker to execute a Trap Net Vessel Equipment Lease/Option to Purchase with Charles Matson to secure use of the trap net vessel "Cierra" and related equipment under the terms and conditions described in the proposed agreement, dated April 12, 2002.

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 Session of the Little River Band of Ottawa Indians' Tribal Council held at the Little River Band Downtown Offices on April 17, 2002, in Manistee, Michigan, with a quorum being present for such vote.

  
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Janine M. Sam, Council Recorder

Attest:

  
\_\_\_\_\_  
Stephen Parsons, Council Speaker

Distribution: Council Records  
Tribal Court  
Accounting Dept.  
Natural Resource Commission  
Charles Matson

SERVING KENT, LAKE, MANISTEE, MASON, MUSKEGON, NEWAYGO,  
OCEANA, OTTAWA AND WEXFORD COUNTIES  
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