



Little River Band of Ottawa Indians

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

RESOLUTION NO. #02-0612-04

Ratifying the Appointment of Eugene Zeller as Tribal Prosecutor

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 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, Section 7(b) and (e) of the Constitution of the Little River Band of Ottawa Indians ("Tribal Constitution"), has the power to authorize and ratify agreements and employ legal counsel on behalf of the Band; and

WHEREAS, the Tribal Ogema, pursuant to Article V, Section 5(a) of the Constitution, is authorized to negotiate and execute contracts on behalf of the Band, provided such contracts are approved and ratified by the Tribal Council; and

WHEREAS, the Tribal Ogema, pursuant to Article V, Section 5(a)(1) of the Constitution, has the power to enforce and execute the laws, ordinances and resolutions of the Band; and

WHEREAS, the Tribal Ogema has, pursuant to Executive Order No. 060402-01, appointed Eugene Zeller as Tribal Prosecutor and, subject to ratification of that appointment by the Tribal Council, delegated certain powers and responsibilities to the Tribal Prosecutor; and

WHEREAS, the Tribal Council finds that ratification of that appointment and recognition of the powers and responsibilities delegated to the Tribal Prosecutor is in the best interests of the Tribe.


NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby ratifies appointment of Eugene Zeller as the Tribal Prosecutor for a three (3) year period beginning on June 3, 2002.

IT IS FURTHER RESOLVED THAT the Tribal Council authorizes the powers and responsibilities delegated to the Tribal Prosecutor by Executive Order No. 060402-01, until such time as the Order is expressly repealed by the Tribal Ogema or the Tribal Council adopts by ordinance delegation of powers and authorities that will supercede the terms of the Executive Order.

Certificate of Adoption

This resolution was adopted by the Tribal Council of the Little River Band of Ottawa Indians at a Regular Session of the Tribal Council held at the Little River Band Community Center in Manistee, Michigan on June 12, 2002, by a vote of 7 FOR, 0 AGAINST, 0 ABSTAINING, and 2 ABSENT. A quorum of the Tribal Council being present for such vote.

Date: June 12, 2002


Janine M. Sam, Council Recorder

Attest:


Stephen Parsons, Council Speaker

Distribution: Council Records
Tribal Ogema
Tribal Court
Legal Department
Public Safety Department
Eugene Zeller