

Little River Band of Ottawa Indians

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

Resolution # 02-0911-08

Adoption of a Certification of Execution Form as an Addition to the Form of Tribal Council Resolution(s)

WHEREAS, the Little River Band of Ottawa Indians has a long and proud history as a Nation which pre-dates the establishment of the government of the United States of America; and

WHEREAS, the Little River Band of Ottawa Indians was a signatory of the Treaty of Washington of March 28, 1836, and the Treaty of Detroit of July 31, 1855, with the United States of America; and

WHEREAS, the Little River Band of Ottawa Indians' status as a federally-recognized Tribe was reaffirmed by the United States Congress in 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 of the Membership, and subsequent approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribal Membership vested the Legislative Powers of the Little River Band in the Tribal Council, according to Article IV, Section 7, of the Tribal Constitution; and

WHEREAS, the Tribal Council is authorized to act only by Ordinance, Resolution or Motion, in accordance with Article IV, Sections 6 and 7; and

WHEREAS, the Tribal Membership vested the Executive Powers of the Little River Band in the Tribal Ogema, according to Article V, Section 1, of the Tribal Constitution; and

WHEREAS, the Executive Powers of the Tribal Ogema are defined by Article V, Section 5 of the Tribal Constitution, and said Powers are subject to the laws, resolution, and ordinances of the Tribal Council; and

WHEREAS, the Tribal Council has taken action(s) by Resolution(s) that promote, protect and provide for public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council desires to ensure that the actions initiated are carried forward and completed in a timely manner, as the Council has reviewed prior actions by Resolution dating back to 2001 and found that execution of said actions has not yet been completed or implemented; and

WHEREAS, the Tribal Council and Tribal Ogema have a joint responsibility to the Tribe and its Members for administering the Governance of the Little River Band; and

WHEREAS, the Tribal Ogema relies on the support of Executive Staff and other subparts of Tribal Government to assist in the execution of the laws, ordinances, and resolution enacted by the Tribal Council.

NOW THEREFORE BE IT RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians adopts the *Certification of Execution Form* to be included as a portion of each resolution of the Tribal Council as follows:

CERTIFICATION OF EXECUTION

At a _____ Session of the Little River Band of Ottawa Indians Tribal Council held at the _____ on _____, 200__, with a quorum being present for such vote, the Tribal Council adopted Resolution # _____.

By my signature, I certify that an original of said Resolution was delivered to the Tribal Ogema for Execution in accordance with Article V, Section 5, (Sub.__) of the Little River Band of Ottawa Indians Tribal Constitution.

Date delivered to Ogema: _____ Time: _____

Signature of Recorder: _____

Acknowledgement of Receipt by Tribal Ogema: _____

Manner of Execution determined by Tribal Ogema:

☐ Copy of Resolution forwarded to Personnel/Department, with instructions for Execution (written instructions attached):

Name

Title

☐ Creation of New Regulation or Executive Order Regulation/Executive Order Number:

☐ Expected date of completion: _____

☐ Other: _____

☐ Ogema requires additional information from the Tribal Council in order to complete Execution as follows:

Returned to Tribal Council for further action on: _____

Date: _____

Signature of Ogema _____

(End of form)

IT IS FURTHER RESOLVED THAT the Tribal Council directs that this form be included on all Resolution of the Tribal Council following the *Certification of Adoption* portion of each Resolution, as a separate page of each Resolution, for completion by the Tribal Council Recorder and Tribal Ogema.

IT IS FURTHER RESOLVED THAT the Tribal Council requires that each resolution be delivered to the Tribal Ogema, and that the Tribal Council Recorder is responsible to sign and certify the delivery date and time for each resolution, including indication of the number for each individual Resolution on the *Certification of Execution Form*.

IT IS FURTHER RESOLVED THAT the Tribal Ogema shall sign the Acknowledgement of Receipt for each Resolution delivered, and will complete the Manner of Execution portion of the *Certification of Execution Form*, and will return the Original of each Form to the Tribal Council Recorder's Office, within seven (7) business days of delivery date. In similar, fashion to the form completed for Budget Modification/Supplemental Appropriation Resolutions requiring the Ogema's signature.

IT IS FURTHER RESOLVED THAT the Tribal Ogema, upon completion the *Certification of Execution Form*, shall forward to the Tribal Council Recorder's office additional attachments as may be required, including but not limited to:

- a. Written instructions to Staff
- b. Executive Order(s)
- c. Regulation(s)
- d. Request for Additional Information
- e. Other written documentation/attachment as indicated

Such attachments will be delivered with the Original Form when available, but no later than three (3) business days following the date of issue of said attachments by the Tribal Ogema.

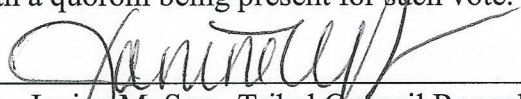
IT IS FURTHER RESOLVED THAT in the event that the Ogema requires additional information from the Tribal Council to complete the execution of a Resolution , the Ogema will indicate as such on the form, including the detailed clarification requested, and return the form to the Tribal Council Recorder for placement on the Agenda of the next Regularly scheduled Council meeting for further action by the Tribal Council, following seven (7) business days of delivery date.

IT IS FURTHER RESOLVED THAT the Tribal Council intends that this *Certification of Execution Form* be utilized until such time as this Resolution is repealed or amended, or subsequent legislation or regulation is enacted by the Tribal Council that supercedes this action.


IT IS FINALLY RESOLVED THAT the Tribal Council sets the effective date to be September 11, 2002, at 5:00 p.m., for this action, and requires that each resolution adopted following this date and time include this form, for immediate implementation.

CERTIFICATION OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 For, 3 Against, 0 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 September 11, 2002, with a quorum being present for such vote.



Janine M. Sam, Tribal Council Recorder



Stephen Parsons, Tribal Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Legal Department