

**Little River Band of Ottawa Indians**

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

**Resolution # 03-0326-82**

*Conclusion of Gwiidookadaadimi for Fiscal Year 2001 Payments - Corrected*

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Aníshinaábek* (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; 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(a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council recognized that in late 2001 many members had experienced economic difficulties resulting for recent stock market and national activities; and

WHEREAS, the Tribal Council adopted resolution # 01-1205-08, *Gwiidookadaadimi for Fiscal Year 2001* which approved a \$350 payment to be made to all members that was paid from interest income; and

WHEREAS, the Tribal Council directed that minors and applicants payments be deposited into group trust accounts and that upon either reaching age 18 or approval of an application, the member was to receive the \$350 payment plus interest; and

WHEREAS, during the remainder of 2001 and the course of 2002, no accounts were created and no identification of interest income was maintained as directed by the resolution by the Chief Financial Officer; and

WHEREAS, during the remainder of 2001 and the course of 2002 the Tribal Council made numerous requests to have identified the procedure for payment of the trust account funds to the members which did not have responses which identified either accounts or procedures; and

WHEREAS, the Tribal Council has determined that payment of the funds remains an obligation of the Tribe to its members and given the extent of delays and the inability to create the appropriate trust accounts and processes that disbursement of the remaining minor accounts is in the best interest of the Tribe and the member; and

WHEREAS, the Tribal Council has determined that creation of the "Application Trust Fund" is still necessary as there approximately 59 individuals awaiting determinations regarding their applications for enrollment which remain delayed as a result of the auditing process; and

WHEREAS, the Tribal Council adopted resolution # 03-0212-38, *Conclusion of Gwiidookadaadimi for Fiscal Year 2001 Payments*, which was intended to provide sufficient preparation time for the Enrollment Department and the Accounting Department to prepare the final payments for mailing; and

WHEREAS, the Enrollment Department failed to provide clear information regarding the addresses for the members identified resolution # 03-0212-38 from which the Accounting Department could accurately identify the addresses for those members requiring checks; and

WHEREAS, this caused an unavoidable delay in processing the payments for mailing thus resulting in inaccurate interest income calculations; and

WHEREAS, the Tribal Council desires to conclude these payments in a timely manner;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby amends resolution # 03-0212-38 to recalculate the interest rate for each individual payment as -

1. *Minor Payments* -

a. \$350 Gwiidookadaadimi Payment.

b. Accrued interest based on an interest rate of 2% calculated from December 19, 2001 until March 31, 2003.

365 days/.02 interest = 18250 factor

444 minors x \$350 = \$155,400

$(\$155,400 \times 439) / 18250 \text{ factor} = \$3738.16 \text{ interest accrued}$

$\$3738.16 / 444 \text{ members} = \$8.42 \text{ individual interest accrued}$

$\$350 + \$8.42 = \$358.42 \text{ to each minor}$



2. *Unpaid Member Payments -*

- a. \$350 Gwiidookadaadimi Payment.
- b. Accrued interest based on an interest rate of 2% calculated from December 19, 2001 until March 31, 2003.

$365 \text{ days} / .02 \text{ interest} = 18250 \text{ factor}$

$49 \text{ adult members unpaid} \times \$350 = \$17,150$

$(\$17,150 \times 439) / 18250 \text{ factor} = \$412.54 \text{ interest accrued}$

$\$412.54 / 49 \text{ members} = \$8.42 \text{ individual interest accrued}$

$\$350 + \$8.42 = \$358.42 \text{ to each unpaid adult member}$

3. *Applicant Payments -*

$365 \text{ days} / .02 \text{ interest} = 18250 \text{ factor}$

$59 \text{ applicants} \times \$350 = \$20,650$

$(\$20,650 \times 439 \text{ days}) / 18250 \text{ factor} = \$496.73 \text{ interest accrued}$

$\$496.73 / 59 \text{ applicants} = \$8.42 \text{ individual interest}$

$\$350 + \$8.42 = \$358.42 \text{ base payment, plus interest accrued thereafter, when paid out.}$

IT IS FURTHER RESOLVED THAT the Tribal Council hereby directs that the final payment shall be disbursed on, or around, April 2, 2003 and that, upon adoption, the Tribal Council Recorder shall promptly forward this resolution to the Tribal Ogema and Chief Financial Officer.

IT IS FURTHER RESOLVED THAT the Tribal Council hereby attaches the list of names and addresses of individuals who shall receive this final payment. All names with undeliverable addresses or lacking addresses shall automatically be placed on the list to be placed for Public Notice as required in resolution # 03-0212-38. This list shall also be promptly forwarded by electronic mail to the Chief Financial Officer upon adoption of this resolution.


IT IS FURTHER RESOLVED THAT the Tribal Council hereby directs the Tribal Ogema and Accounting Department to include within the public notice requirements the Tribal newspaper. Such notice shall be posted in the newsletter being published reasonably close to June 9, 2003.

IT IS FURTHER RESOLVED THAT the Tribal Council hereby directs that unpaid funds identified in resolution # 03-0212-38, Resolve # 1, subsection 3, shall be re-allocated to the payment of the increased interest as identified in this resolution.

**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, 1 ABSTAINING, and 1 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on March 26, 2003, at the Little River Band's Community Center in Manistee, Michigan, with a quorum being present for such vote.

  
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Janine M. Sam, Council Recorder

  
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Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema  
Tribal Court  
Legal Department