



**Little River Band of Ottawa Indians**

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

moved to  
open  
1-21-04

**Resolution # 03-0618-182**

*Approval to Make Payment in Excess of Authorizations in Membership Assistance Program Ordinance to Bob's Roofing Co.*

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 adopted the Membership Assistance Program Ordinance, #02-700-04, which created the Home Repair Program, Section 6; and

WHEREAS, the Home Repair Program set a \$7500 maximum benefit over a two year period; and

WHEREAS, an application to repair a roof for which bids were received and Bob's Roofing Co. was awarded the contract in the amount of \$4737.00; and

WHEREAS, Bob's Roofing Co. was paid a deposit of \$2368.50 by check #27371; and

WHEREAS, during the project, Bob's Roofing Co. identified additional hidden damage that needed to be repaired in order to complete the original project that resulted in \$5416.13 in additional costs; and

WHEREAS, the additional costs were approved by the Membership Assistance Program Director resulting in an obligation of \$2653.13 in excess of the program's expenditure authorization; and

WHEREAS, Bob's Roofing Co. completed the construction project and has submitted invoices for \$2368.50 for the remainder of the original contract and \$5416.13 for the added project costs; and

WHEREAS, the Ogema is not authorized to expend funds that were the result of unauthorized action by a Tribal employee; and

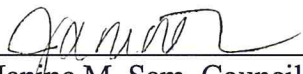
WHEREAS, the Tribal Council has determined that since the work has been completed and the vendor acted under the belief that the Tribal employee had an ability to enter into such an obligation;


NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Ogema to authorize this expenditure to pay a vendor for completed work that was authorized in violation of Tribal law by the Membership Assistance Program Director.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 5 FOR, 0 AGAINST, 1 ABSTAINING, and 3 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on June 18, 2003, at the Little River Band's Downtown Offices in Manistee, Michigan, with a quorum being present for such vote.

Attest:

  
\_\_\_\_\_  
Janine M. Sam, Council Recorder

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

Distribution: Council Records  
Tribal Ogema  
Tribal Court  
Legal Department