



Little River Band of Ottawa Indians

375 River Street
Manistee MI 49660

Resolution # 03-0924-306

*Ratification of Contract with AKT Peerless Environmental Services and
Authorization for the Ogema to Execute Such Contract*

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 Tribe has been awarded a grant under the United States EPA Brownfield Pilot Project which requires engaging a firm to conduct the technical environmental review of the identified parcels; and

WHEREAS, the Tribe and the City of Manistee have agreed to jointly manage these projects through information sharing, a joint task force, and other means; and

WHEREAS, the Tribal Council has been presented a contract for the purposes of engaging AKT Peerless Environmental Services to conduct the environmental review; and

WHEREAS, the contract contains the Tribe's standard form Arbitration Agreement as Attachment A which requires the Tribal Council to authorize arbitration under the Tribe's Arbitration Ordinance, # 01-300-02, under section 4.03; and

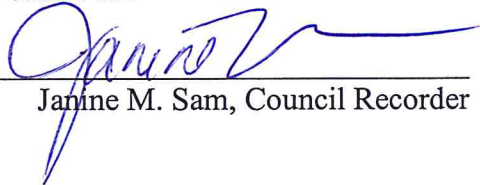
WHEREAS, the Tribal Council has determined that the importance of engaging a firm to conduct the environmental review is of sufficient weight so as to warrant a limited waiver of sovereign immunity;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby ratifies the contract with AKT Peerless Environmental Services and authorizes the Ogema to enter into the contract.

IT IS FURTHER RESOLVED THAT the Tribal Council hereby authorizes a limited waiver of sovereign immunity of the Tribe to the extent set forth in Attachment A, 'Arbitration Agreement', and as identified in the Arbitration Ordinance, # 01-300-02 of the Little River Band of Ottawa Indians.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 FOR, 1 AGAINST, 0 ABSTAINING, and 2 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on September 24, 2003, at the Little River Band's Downtown Offices in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder

Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Legal Department
Grants Department
Natural Resources Department