



Little River Band of Ottawa Indians

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

Resolution # 03-1001-326

Ratification of Netlink Business Solutions Maintenance Agreement; Authorization for the Ogema to Sign Such Contract; and Authorization of Limited Waiver of Sovereign Immunity for Arbitration Purposes

WHEREAS, the status of the *Gaá Čhíng Ziibi Dadwaa 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 Purchasing Manager has negotiated a contract with Netlink Business Solutions to provide maintenance services for the copier machine recently purchased for use at the East Lake Building; and

WHEREAS, the contract has been reviewed by the Legislative Legal Department Tribal Attorney and that such contract contains appropriate language to meet the requirements set forth in the Arbitration Ordinance regarding arbitration clauses and limited waivers of sovereign immunity; and

WHEREAS, the contract has been presented to the Ogema for review and approval prior to submission to the Tribal Council; and

WHEREAS, the Tribal Council has determined that the importance of maintaining the copier equipment purchased for long term use by a Tribal program is of sufficient weight so as to warrant a limited waiver of sovereign immunity;

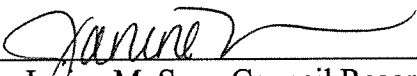
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby ratifies the Maintenance Agreement with Netlink Business Solutions and authorizes the Ogema to enter into the contract.

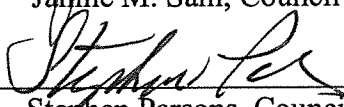
IT IS FURTHER RESOLVED THAT the Tribal Council hereby authorizes a limited waiver of sovereign immunity of the Tribe to the extent set forth in paragraph 14 of Maintenance Agreement and as identified in the Arbitration Ordinance, # 01-300-02 of the Little River Band of Ottawa Indians.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 5 FOR, 3 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on October 1, 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