

Little River Band of Ottawa Indians

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

Resolution # 03-1029-362

*Authorizing Purchase of Insurance Program from Madigan/Pingatore Insurance Agency
for Tribal Government Operations for the Period
October 31, 2003 thru October 30, 2004*

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Anishinaábek* (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, pursuant to Article IV, 7(i)(2) of the Constitution, has the power to manage any funds within the exclusive control of the Tribe and to appropriate such funds for the benefit of the Tribe and its members; and

WHEREAS, the Tribal Council has previously authorized the Tribal Ogema to execute a proposal from Madigan/Pingatore Insurance Agency to provide comprehensive insurance coverage for the Tribe's government operations, including property, vehicles, general liability and specialized risk areas associated with Tribal government operations; and

WHEREAS, the Band's Legal Department, in consultation with a Risk Manager, has prepared insurance specifications and directed the Band's insurance agent, Madigan/Pingatore Insurance Agency ("Madigan/Pingatore"), to solicit quotes from qualified insurance companies; and

WHEREAS, Madigan/Pingatore has presented a proposal and quote to secure insurance coverage for most of the types and in the amounts requested by the Band's representatives for the period October 31, 2003 through October 30, 2004, for an estimated premium of \$115,000.00; and

WHEREAS, the Tribal Council understands that Madigan/Pingatore will be presenting quotes for additional insurance, which addresses Directors and Officers, including Employment Practices Liability Insurance and that the premium for that endorsement will be allocated between the Tribal Government Operations and Little River Casino Resort; and

WHEREAS, the Tribal Council has determined that, given the Tribal government's need for insurance coverage for critical areas, the fact that Madigan/Pingatore has substantial experience securing appropriate insurance coverage for Tribal governments the Tribal Council believes that sole source contacting through Madigan/Pingatore is appropriate in this circumstance.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby execution of a purchase order with Madigan/Pingatore Insurance Agency to bind insurance coverage for the Tribal Government for the period October 31, 2003 through October 30, 2004.

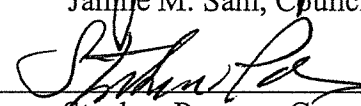
IT IS FURTHER RESOLVED THAT the Tribal Council directs that the necessary invoice for this insurance coverage be brought forward with a request for a supplemental appropriation to cover the cost of insurance during the balance of Fiscal Year 2003 and that the premium costs for Fiscal Year 2004 be incorporated into the Budget Proposal for Fiscal Year 2004.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on October 29, 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 Record
Tribal Ogema
Accounting Department
Legal Department
Madigan/Pingatore Insurance