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Little River Band of Ottawa Indians

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

Resolution # 04-0211-62

Grant of Funds to Levi Stone for the Specific Purpose of Making Repairs to Cierra

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 Ogema has identified that commercial fishing is an activity that the Tribe must pursue in a reasonable and purposeful manner; and

WHEREAS, the Ogema has identified a commercial fisherman with the appropriate licenses to manage the trap net vessel owned by the Tribe and has entered into lease agreements with the commercial fisherman regarding the boat and related equipment; and

WHEREAS, the Ogema has identified that the boat requires certain repairs to be seaworthy that are more appropriately conducted by the Captain and lessor but have been identified as the responsibility of the Tribe as lessee; and

WHEREAS, the Ogema has presented a proposal to the Tribal Council to allocate funds to the Captain of the vessel which also identify restrictions as to their use, as well as auditing of the use of the funds by the Tribe; and

WHEREAS, the Tribal Council has been briefed regarding the proposal presented in this resolution has determined that this process contains the appropriate checks and balances to verify the use of the funds, as well as to expedite the repairs to the vessel;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Ogema to obtain a debit card through National City Bank in the name of Levi Stone in the amount of \$12,000 to be utilized for the specific purpose of making repairs to the vessel Cierra as follows:

- a. Repair and/or replacement of the clutches, approximately \$3000 per clutch;
- b. Repair and/or replacement of the props, approximately \$1600 per prop;
- c. Repair and/or replacement of the gas tank, approximately \$500; and
- d. The remainder to be utilized for miscellaneous expenses directly related to the repair of the above items.

IT IS FURTHER RESOLVED THAT the Tribal Council ratifies the attached agreement regarding the use of the funds, the issuance of the debit card, and the responsibility to repay any unapproved expenditures.

IT IS FURTHER RESOLVED THAT the Tribal Council hereby directs that no funds shall be utilized for any purpose other than that set forth above, that the Ogema shall identify a representative of the Tribe to receive the monthly statements and to review those statements for appropriateness of expenditures, to meet with Levi Stone, Captain, to verify disputed expenses and obtain appropriate reimbursement, and to receive the debit card at the conclusion of the repairs, reconcile the account, and close the account.

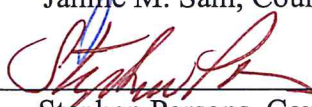
IT IS FURTHER RESOLVED, that the Tribal Council hereby directs that the account shall be opened on behalf of the Tribe, and that the funds expended are the responsibility of the Tribe and expended on behalf of the Tribe in order to manage the repairs of the vessel, and that upon conclusion of the repairs, all unexpended funds are to be transferred to Program # 4023-000, Acct # 5301.

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, 1 ABSTAINING, and 1 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on February 11, 2004, 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