



Little River Band of Ottawa Indians

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

Resolution # 04-0310-116

Budget Modification for Legislative Legal Department in the Amount of \$64,000 for Professional Fees Line

WHEREAS, the status of the *Gaá Čhing 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 presented Fiscal Year 2004 budget to the Tribal Council for approval which identified proposed funding allocations to programs of the Tribe; and

WHEREAS, the Tribal Council approved Fiscal Year 2004 budget by resolution # 03-1217-424; and

WHEREAS, the Fiscal Year 2004 budget was ratified by the Ogema on December 23, 2003; and

WHEREAS, the Legislative Legal Department identified specific expenditures of professional fees based on existing contracts and estimated expenditures; and

WHEREAS, the estimated expenditures of a contract entered into was underestimated by approximately \$3500.00, and additional professional services contracts have been authorized by the Tribal Council; and

WHEREAS, the Legislative Legal Department is requesting a budget modification to reallocate \$64,000 in the Professional Fees line to cover the proposed new contracts and excess expenditures under existing contracts which are currently identified in the category in Professional Fees under 'US v. Michigan - Emergency';

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves the Budget Modification in the amount of \$64,000 to be allocated to the Legislative Legal Department, Program # 1000-109, Line # 5205, and modifies the budget narrative in the following manner.

Drummond Woodsum & MacMahon contracts

1. \$32,000 - Legal Services to Address Future Gaming

This contract will provide an analysis of potential actions the Tribe may taken in the event of a negative outcome in the TOMAC v. State of Michigan litigation. This is proposed as either a joint agreement with Little Traverse Bay Bands, or to be taken up alone by the Tribe.

2. \$32,000 - Employment Law Consultation

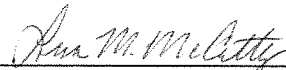
This contract is a supplemental contract to the original contract to provide a legal analysis of the impact of federal law on the Tribe's employment activities. This amount also includes the underestimated, and under-budgeted, amount from the original contract in the amount of \$3419.10. The supplemental contract is estimated to be approximately \$25,000. The additional funding will offset unexpected costs that may be in excess of the estimated amount.

3. \$64,000 - Reducing US v. Michigan - Emergency

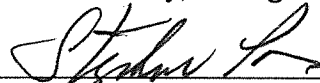
The allocation of \$200,000 to this activity will be reduced by \$64,000.

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 March 10, 2004, at the Little River Band's Downtown Offices in Manistee, Michigan, with a quorum being present for such vote.



Lisa M. McCatty, Acting Council Recorder



Stephen Parsons, Council Speaker

Attest:

Presentation of Resolution Budget Modification to Tribal Ogema:

Pursuant to Article V, Section 5(a)(6) and Section 5(c) of the Tribal Constitution, the foregoing Resolution modifying the Operating Budget for Fiscal Year 2004 as set forth in Resolution #03-1217-424, has been presented to the Tribal Ogema by the Tribal Council Recorder for his/her approval.

Date delivered to Tribal Ogema: 3/15/04

Signature of Council Recorder: *Ann M. McLetty*

Action by the Tribal Ogema: Approved Disapproved (attach comments)

Date: 3/19/04

Signature of Ogema: *[Signature]*

Distribution: Council Records
Tribal Ogema
Tribal Court