



Little River Band of Ottawa Indians

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

Resolution # 04-0623-268

*Authorizing Execution of a Contract with Continental Mapping Consultants
and Consenting the Jurisdiction of the Commercial Division of the Tribal Court
to Resolve Disputes under that Agreement*

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, pursuant to Article IV, Section 5 (a)(4) and Article V, Section 5(a)(3) and (8) of the Tribal Constitution, the Tribal Ogema, or in his/her absence, the Tribal Council Speaker, is authorized to represent the Tribe in its relations with other organizations and manage the economic affairs/enterprises of the Tribe, in a manner consistent with the Tribal Constitution and resolutions of the Tribal Council; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7 (b) of the Constitution, has the power to authorize and ratify agreements and contracts negotiated by the Tribal Ogema; and

WHEREAS, the Tribe has a need for specialized environmental consulting services to complete work specified in the Tribe's General Assistance Grant with U.S.E.P.A.; and

WHEREAS, the Tribe's Environmental Planner has identified the firm, Continental Mapping Consultants, as having particularized expertise and experience conducting the type of work necessary to meet the Tribe's needs; and

WHEREAS, the Tribal Ogema has presented a proposed Contract documents with Continental Mapping Consultants for aerial photography, mapping and environmental consulting services required.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the execution of an agreement with Continental Mapping Consultants for aerial photography, mapping and consulting services as described in the firm's contract proposal and authorizes the expenditure of funds not to exceed \$38,335.00 in fees and expenses in support of that work.

IT IS FURTHER RESOLVED THAT in approving the agreement with Continental Mapping Consultants, the Tribal Council consents to participate in mediation efforts to attempt resolve disputes that may arise under that agreement and consents to the jurisdiction of the Commercial Division of the Tribal Court to resolve disputes with Continental Mapping Consultants that cannot be resolved through mediation.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 0 AGAINST, 0 ABSTAINING, and 2 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on June 23, 2004, at the Little River Band's Conference Room in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Attest:

Distribution: Council Record
Tribal Ogema
cc: Natural Resource Department
Legal Department
Continental Mapping Consultants