



## Little River Band of Ottawa Indians

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

### Resolution # 04-0728-313

*Re-Authorizing the Chartering of a Tribal Enterprise to be Known As "Little River Casino Resort" and Re-Authorizing Use of the Tribal Seal in Connection with Such Tribal Enterprise*

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 Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; 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 Tribe is entitled to the protections and benefits accorded federally-recognized Indian tribes under federal law, including those under the Indian Gaming Regulatory Act of 1988 (25 U.S.C. 2701 et seq.) ("*IGRA*"), which permits Indian tribes to operate Class II and Class III gaming activities on lands held in trust for the Tribe; and

WHEREAS, the Tribe has determined that the establishment and operation of a Class II tribal gaming enterprise under the *IGRA* will assist the Tribe generate the revenues needed to establish an effective tribal government, provide necessary employment opportunities services for tribal members and promote tribal self sufficiency; and

WHEREAS, the Tribe and the State of Michigan have entered into a Tribal-State Gaming Compact ("*Compact*") providing for the conduct of Class III gaming activities by the Tribe on its Reservation Lands in Manistee County, which Compact was approved by Resolution of the Michigan Legislature and approved by the Assistant Secretary-Indian Affairs; and

WHEREAS, the Elders of the Tribe have recommended that the Tribe's gaming enterprise be conducted and do business under the name "Little River Casino Resort" which has been authorized under resolution # 99-0314-07; and

WHEREAS, the management contract terminates in mid-September 2004 and the Tribe is beginning the finalization of process to begin management of the Little River Casino Resort; and

WHEREAS, the Tribal Council has determined that re-authorization of the enterprise charter of the Little River Casino Resort as the prior documents were integrated with the Management Agreement that was then in place;

NOW THEREFOR IT IS RESOLVED THAT the Tribal Council, acting under its inherent sovereign governmental authority under Article IV, Section 7(a) of the Constitution, and in accordance with the federal policies enumerated in IGRA, hereby re-authorizes the chartering of Little River Casino Resort, as a distinct instrumentality created, wholly-owned and controlled by the Tribe, for the purpose of operating a Class II and Class III gaming resort on the Tribe's Reservation.

IT IS FURTHER RESOLVED THAT Little River Casino Resort shall be located on the Tribe's Reservation lands located in the NE1/4 of Section 28 in Township 22 North, Range 16 West in Manistee County, Michigan, as described on the Master Site Plan approved for such enterprise.

IT IS FURTHER RESOLVED THAT the seal of Little River Casino Resort shall be the Tribal Seal of the Little River Band of Ottawa Indians, but shall include the words "an enterprise of the Little River Band of Ottawa Indians." The seal of Little River Casino Resort may be used in connection with advertising and marketing of Little River Casino Resort approved by the Board of Directors.

IT IS FURTHER RESOLVED THAT the revenues of Little River Casino Resort shall be audited annually and that copies of those audits shall be provided to the Tribal Gaming Commission, the Tribal Council and the National Indian Gaming commission.

IT IS FURTHER RESOLVED THAT Little River Casino Resort shall comply with all Internal Revenue Service reporting and filing requirements applicable to the operations of the enterprise.

IT IS FURTHER RESOLVED THAT all net revenues from Little River Casino Resort distributed to the Tribe shall be used solely for the purposes stated in the Gaming Ordinance.

IT IS FURTHER RESOLVED THAT all contracts for the lease or purchase of gaming supplies, equipment, services or concessions in excess of \$25,000.00 annually, except contracts for professional, legal and accounting services, shall be subject to the annual audit described above.

IT IS FURTHER RESOLVED THAT the construction and maintenance of Little River Casino Resort facilities and the operation of those facilities shall be conducted in a manner which adequately protects the environment and the public health and safety, and in accordance with the mitigation required by the National Indian Gaming Commission.

IT IS FURTHER RESOLVED THAT all primary management officials and key employees proposed for employment at Little River Casino Resort shall have passed background checks and obtained the appropriate licenses required by the Gaming Commission prior to the commencement of gaming operations in the facilities.

IT IS FURTHER RESOLVED THAT the General Manager for Little River Casino Resort shall have obtained the appropriate gaming facility license required by the Gaming Commission prior to commencement of gaming operations in the facilities.

IT IS FURTHER RESOLVED THAT Little River Casino Resort shall pay such fees to the National Indian Gaming Commission as federal law may require.


IT IS FURTHER RESOLVED THAT Little River Casino Resort shall comply with the terms of the Tribal-State Gaming Compact entered into with the State of Michigan with respect to all Class III gaming activities conducted at its facilities.

IT IS FINALLY RESOLVED THAT this re-authorized enterprise charter shall be effective on September 12, 2004 at 12:00 a.m. and shall supersede the prior enterprise charter at that time.

**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 Session of the Little River Band of Ottawa Indians Tribal Council held on July 28, 2004, at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.

  
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Israel Stone, Tribal Councilor

  
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Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema  
Tribal Court