



Little River Band of Ottawa Indians

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

Resolution # 04-0825-347

Designation of Budget Modification funding for Legal Department Budget - Professional Fees, Training, Salary, Fringe, and Other Expenditures

WHEREAS, the status of the *Gaá Čhing Ziibi Daáwaa Anišhinaábek* (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 Tribal Council adopted the FY2004 Budget by resolution # 03-1217-424; and

WHEREAS, the Legal Department had identified sufficient funding for the Fiscal Year which has been affected by legal matters facing the Tribe in the six months and resulted in a need to identify supplemental funding; and

WHEREAS, the General Counsel - Legislative has identified areas in need of supplemental funding involving Professional Fees, Small Equipment, Travel/Training, Salary and related Fringe;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians approved the budget modification in the total amount of \$275,250.00 by resolution # 04-0825-346 and hereby allocates the funding as follows, and approves the related budget narratives for those budget modifications.

\$104,000 Returning funds to the U.S. v. Michigan Emergency Fund which were temporarily re-assigned pending availability of supplemental funds

\$171,250 \$30,000 - New Contract - Kanji & Katzen - Compact Issues Legal Opinion Follow-up, potential related litigation matters

\$20,000 - New Contract - Drummond Woodsum & MacMahon - Compact Issues Legal Opinion Follow-up, potential related litigation matters

\$4000 - Miller Johnson Cummisky & Snell - 401(k) legal filing matters, previously approved contract which was unbudgeted

\$7250 - Andrews Cultural Resources - THPO Report, previously approved contract which was unbudgeted

\$10,000 - Calcutt Cunningham - Previously approved invoices which were unbudgeted

\$100,000 - Unexpected Professional Agreements - these are unidentified contracts which may arise during the fiscal year. Funds are accessed and allocated with approval by resolutions only.

\$6000 Other Expenditures - Two new computers for personnel, replacing two existing monitors.


\$6000 Training/Travel - unexpected increased travel needs based on lobbying activities occurring at State level, as well as increased joint Tribal meetings

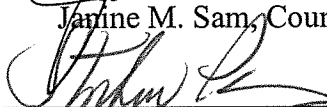
\$55,000 Salary - this will cover the remainder of the fiscal year for the two proposed positions which are not covered by the existing vacant attorney position

\$22,000 Fringe - this is the related fringe at the current calculated fringe rate.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 5 FOR, 3 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on August 25, 2004, at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.



 Janine M. Sam, 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: _____ Aug 27, 04 _____

Signature of Council Recorder: _____ Janine M. Sam _____

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

Date: _____ 8/27/04 _____

Signature of Ogema: _____ [Signature] _____

Distribution: Council Records
Tribal Ogema
Tribal Court