



**Little River Band of Ottawa Indians**

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

**Resolution # 04-0901-351**

*Approving Supplemental Appropriation for Legal Assistance Program in the amount of \$11,958.71 from the General Fund*

WHEREAS, the Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, Stat. 2156 (25 U.S.C., 1300k et seq.); 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, pursuant to Article IV, Section 7(a) of the Constitution, has the power to provide for the general welfare of the Tribe and its members; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7 (i)(2) of the Constitution, has the power to manage any funds within the exclusive control of the Tribe and to appropriate such funds for the benefit of the Tribe and its members; and

WHEREAS, the Tribal Council has authorized the engagement of Nancy A. Kida, P.C., to provide limited legal services to Tribal members through the Little River Band Legal Assistance Program; and

WHEREAS, the agreement between the Tribe and Nancy A. Kida P.C. in April 2003 allocated funds for legal services through December 2004; and

WHEREAS, the funds allocated in the agreement were underutilized in 2003 by \$8,365.41 for services and \$1,693.30 for expenses; and

WHEREAS, the demand for services in 2004 supports the increase of the 2004 allocation by the amount underutilized in 2003; and

WHEREAS, the Legal Assistance Program needs a laptop computer and portable printer in order to effectively provide home visits to Elders for preparation of legal documents; and

WHEREAS, the Little River Band of Ottawa Indians MIS department has received a quote of \$1,900.00 for purchase of a laptop computer, printer and related accessories; and

WHEREAS, the Tribe desires to support the Legal Assistance Program at a level that will provide necessary legal services to Tribal members and equipment for the program;

WHEREAS, the Attorney Kida and the Ogema have negotiated an amendment to the April 2004 contract to allow for the above-mentioned increases in allocations for legal services and expenses and an addition for computer equipment; and

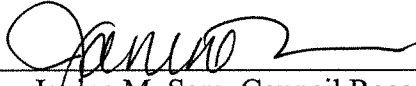
WHEREAS, the Tribal Ogema is requesting a supplemental appropriation in the amount of \$11,958.71 to be allocated as follows: (1) \$1,900.00 for purchase of a laptop computer and printer, which would become the property of the Tribe, for the use of the Legal Assistance Program; (2) \$8,365.41 for additional attorney fees and \$1,693.30 for additional expenses for the 2004 allocation in the April 2003 agreement between the Tribe and Nancy A. Kida, P.C.; and

WHEREAS, a supplemental appropriation of \$11,958.71 for this purpose will require a Modification of the Operating Budget for Fiscal Year 2004, which was approved on December 17, 2003.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River and of Ottawa Indians hereby approves a modification to the Operating Budget for the Tribal Government for of \$11,958.71 from the Unrestricted General Fund Account to be transferred to the Tribal Ogema's Budget – Professional Fees line item (1000-102-5205) to be used and allocated for Legal Assistance Program attorney fees, expenses and a laptop computer.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 FOR, 2 AGAINST, 1 ABSTAINING, and 0 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on September 1, 2004, at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.

  
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Janine M. Sam, Council Recorder

  
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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 #04-1217-424, has been presented to the Tribal Ogema by the Tribal Council Recorder for his approval.

Date delivered to Tribal Ogema: Sept 9, 04

Signature of Council Recorder: [Signature]

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

Date: 9/9/04

Signature of Ogema: [Signature]

Distribution: Council Records  
Tribal Ogema  
Nancy A. Kida, P.C.  
Accounting Department