



## Little River Band of Ottawa Indians

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

### Resolution # 04-0922-380

*Re-authorization of the Adoption of Little River Casino Resort Articles of Organization  
and clarification of previously adopted resolution*

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 Tribal Council is authorized under Article IV, Section 7(f), "to create by ordinance regulatory commissions or subordinate organizations and to delegate to such organizations the power to manage the affairs and enterprises of the Little River Band, provided that no such commission or subordinate organization shall exercise powers of the Tribal Council unless they are expressly delegated by the Tribal Council;" and

WHEREAS, the Tribal Council created a Business Board which was made up of representatives of the Tribal government and the management company which will be concluded upon the conclusion of the management contract; and

WHEREAS, the Tribal Council desire to re-authorize an enterprise charter for the Little River Casino Resort and create a Board of Directors with appropriate independent authority and responsibilities; and

WHEREAS, the Tribal Council has reviewed the Little River Casino Resort Articles of Organization for the Board of Directors and has determined that they are in appropriate format and contain appropriate reporting and responsibilities delegated to the Board of Directors in order to provide sufficient support and direction for the Little River Casino Resort;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves and adopts the Articles of Organization for the Board of Directors of the Little River Casino Resort and requests the Ogema to submit appointments for approval by the Tribal Council as soon as possible so as to allow for overlap in the transition period.

IT IS FURTHER RESOLVED THAT the Board of Directors becomes effective upon appointment of three members holding the qualifications set forth in Article II, paragraph 2(b)(1-3). These positions shall hold four year terms. The remaining two appointments shall hold two year terms, and thereafter shall be filled for four year terms. The short terms identified in this sub-paragraph for the sole purposes of staggering the initial terms of office. Provided that, this section shall be deleted upon appointment of all five original members of the Board of Directors.

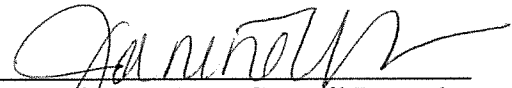
IT IS FURTHER RESOLVED THAT for the first period of operation of the Board of Directors, the compensation shall be set at \$3000 per month. This period shall begin with the appointment of the first three members of the Board of Directors holding qualification requirement positions and concludes on the last day in March, 2005. Thereafter, the compensation shall be \$2000 per month. Provided that, this section shall be deleted upon conclusion of the start-up compensation period.

IT IS FURTHER RESOLVED THAT adoption of the Articles of Organization shall become effective immediately, but shall run in concurrent, and subordinate manner to the Business Board until such time as the management contract is concluded.

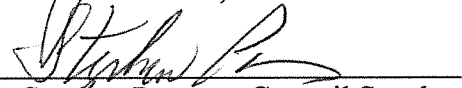
IT IS FURTHER RESOLVED THAT in the event that no members of the Board of Directors shall be approved prior to the management contract end date, or an insufficient number of members of the Board of Directors is appointed and ratified, the Business Board members, excluding the Management Contractor and his representatives, shall meet as members of the Board of Directors under these Articles of Organization until such time as three members who meet the required qualifications are appointed to the Board of Directors. The Business Board members shall choose amongst themselves who shall step down upon appointment and ratification of a member of the Board of Directors who meets the required qualifications.

**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 22, 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:

Distribution: Council Records  
Tribal Ogema  
Tribal Court