



## **Little River Band of Ottawa Indians**

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

### **Resolution # 04-1117-459**

#### *Adoption of Budget and Appropriations Regulations, Amendment to "Chapter 1. Purchasing and Procurement Regulation. "*

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, Revisions to Chapter 3. has been submitted for review and comment by the Comptroller General to the CFO;

WHEREAS, Revisions to Chapter 3. has been submitted for review and comment to the Ogema and Tribal Manager;

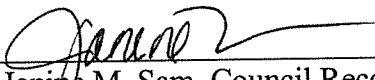
WHEREAS, the Ogema considered those recommendations made by the Comptroller General to circumvent requirements for sole source purchasing and to create a system that requires the Purchasing Supervisor to use professional judgment when determining if further bidding should be done"; and

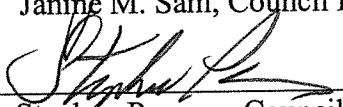
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby adopts the revisions to "Chapter 1. Purchasing and Procurement Regulation and directs the Purchasing Supervisor to present to the staff under the Ogema Operations notice and training.

IT IS FURTHER RESOLVED THAT where conflicts between "Chapter 2. Travel Regulations" and this Chapter exist, Chapter 2. shall govern.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on November 17, 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  
Legal Department

Revised:  
New Bus D

**BUDGET AND APPROPRIATION REGULATIONS**  
Regulation # R100-01:AC-03

**Chapter 3. Mileage Reimbursement Regulation**  
Regulation #R100-04: AC-03

**Section 1. Authority; Purpose**

*Purpose.* The Tribe recognizes that representatives of the Tribe may travel for business purposes while utilizing a personally owned vehicle. Accordingly, the Tribe will make efforts to provide accommodations for reimbursement of mileage to offset the costs associated with the use of a personally owned vehicle. However, the Tribe reserves the right to deny reimbursement of expenses that are considered unreasonable.

**Section 2. Definitions**

2-1. *General.* For purposes of this regulation, certain terms are defined in this section. The word "shall" is always mandatory and not merely advisory. Unless defined elsewhere, terms defined in Chapter 1 and the Budget and Appropriations Ordinance are defined for the purposes of all *Budget and Appropriations Regulations*.

**Section 3. Overall Policy**

3-1. *General Policy Statements.* The policy statements in this Section provide a foundation for all policies and procedures for a sound travel reimbursement system.

3-2. *Guidelines.* Reimbursements will be made only with proper documentation and as established in this Regulation.

3-3. *Application.* All employees, elected officials and appointed officials shall comply with the requirements of this Regulation.

3-4. *Purpose of Travel.* Travel should be for approved business purposes only and shall not be used for personal gain. Mileage cannot be claimed for staff meetings or as stated by the Tribal Manager.

3-5. *Responsibility of Traveler.* All travelers are responsible for complying with these policies and procedures and for the completion of the paperwork in order to obtain reimbursement. Mileage will be reimbursed only for miles actually driven by specific vehicles. Mileage will not be paid for trips not taken or for vehicles not driven: persons sharing a ride will not be paid mileage expenses that they did not incur.

3-6. *Type of Travel.* The easiest way to prepare a Travel Reimbursement Form is to determine which type of travel is being taken and complete the appropriate form. The type of travel and related forms are:

- a. Travel not including an overnight stay, and within 90 miles of the traveler's departure address - fill out the Travel Reimbursement Request.
- b. All other travel not including overnight stay and over 90 miles shall abide by Chapter 2, Travel Regulations requirements.

**Section 4. Procedures**

4-1. *General.* The following procedures must be used by all representatives of the Tribe when on Tribal business and utilizing a personally owned vehicle.

4-2. *Authorization.* A Mileage Reimbursement Request must be completed in full and signed by the traveler and their supervisor in order to begin the processing of the reimbursement. All incomplete forms will be returned to the traveler.

4-3. *Accounts Payable.* After the Mileage Reimbursement Request has been completed and authorized, the traveler will forward the form to Accounts Payable.

- a. All Mileage Reimbursement Request forms must be turned into Accounts Payable no later than the 5<sup>th</sup> of the month for the prior month's mileage. Any exceptions must be authorized by the Tribal Manager.

4-4. *Standard Mileage Chart.* The Standard Mileage Chart attached to these regulations shall identify the allowable mileage for the locations identified in that chart.

4-5. *Mileage rates.* Reimbursements will not exceed the mileage rate as stated in the Federal Register. The mileage rate may be amended periodically as promulgated in the Federal Register. The Purchasing and Travel Department will notify employees of changes to the mileage rate in a timely manner for the time period claimed.

4-6. *GSA and Tribally Owned Vehicles.* Employees should always request a GSA or Tribally owned vehicle, but in cases where a GSA or Tribally owned vehicle is not available a traveler may use his or her own vehicle for business.

## **Section 5. Adoption; Amendment; Repeal**

5-1. *Adoption.* This Chapter is approved by the Tribal Ogema on March 9, 2004 and approved by the Tribal Council on March 10, 2004.

a. *Amendment.* The Ogema approved amendments on November 19, 2004 and approved by the Tribal Council by resolution # \_\_\_\_\_.

5-2. *Amendment.* This Regulation may be amended by the Accounting department, in accordance with the Constitution and any rules set forth governing amendment of regulations of the Little River Band of Ottawa Indians. Provided that, any amendments must be approved or adopted in the same manner as set forth in Section 5-1.

5-3. *Severability Clause.* If any provision of this regulation or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this regulation which can be given effect without the invalid provision or application, and to this end the provision of this regulation are severable.

5-4. *Compliance.* In regards to compliance with this regulation, substantial compliance with the 'spirit' of this regulation rather than complete compliance is acceptable.

5-5. *Sovereign Immunity.* Nothing in this Regulation shall provide or be interpreted to provide a waiver of sovereign immunity from suit of the Tribe or any of its governmental officers and/or agents.

5-6. *Effective Date.* This Regulation shall take effect on March 16, 2004, *the amendments shall be effective upon approval by Tribal Council.*