



Little River Band of Ottawa Indians

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

Resolution #04-1120-471

Amending the Budget to Remove Funding for the Position of Tribal Manager and to Move Funds to the General Fund of the Tribe

WHEREAS, the Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. §1300k et seq.); and

WHEREAS, the Tribe adopted a 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(i)(2) to manage any funds within the exclusive control of the Tribe and to appropriate these funds for the benefit of the Tribe and its members; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(i)(1) "to adopt, approve or amend the annual budget presented by the Tribal Ogema and to authorize the expenditure of funds in accordance with such budgets;" and

WHEREAS, the Tribal Council has determined that the Constitutional responsibilities of the Ogema include the management of the operations of the Tribal government and should no longer be delegated to an employee; and

WHEREAS, the Tribal Council has determined that the employment of a Tribal Manager is a duplication of the decision making and implementation responsibilities of the Ogema; and

WHEREAS, the Tribal Council has determined that the Ogema requires assistance in carrying out the duties and responsibilities of the office and should be afforded a Manager Assistant; and

WHEREAS, the Tribal Council has determined that to continue to maintain the position of Tribal Manager results in a drain on Tribal funding which takes funding from the membership, and results in an unnecessary duplication of responsibilities.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby directs that the Operating Budget for Fiscal Year 2004 is hereby amended by removing funding for the position of Tribal Manager, and directs the budgeted funds for the Tribal Manager to be transferred from the Tribal Administration Program to the General Fund of the Tribe and to prohibit the re-allocation of any funding within that Program Budget to any functional activities associated with the Tribal Manager position.

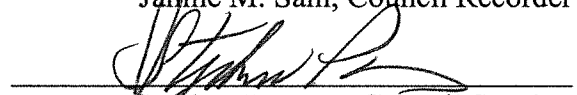
IT IS FURTHER RESOLVED THAT the Tribal Council directs the Tribal Ogema to take any personnel actions necessary to assure that no Tribal funds are, in any way, obligated toward budgeted functions related to the Tribal Manager position following earlier of: (a) the date the Tribal Ogema's executes this Resolution approving of this Budget Modification; (b) seven (7) after the date this Resolution is submitted to the Tribal Ogema if he does not disapprove of this Budget Modification within that seven (7) day period; or (c) the effective date of any subsequent Resolution overriding the Tribal Ogema's disapproval of this Budget Modification.

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 November 20, 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

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 #04-1120-471, has been presented to the Tribal Ogema by the Tribal Council Recorder for his/her approval.

Date delivered to Tribal Ogema:

11-20-04 delivered to Office Following
meeting

Signature of Council Recorder:

[Signature]

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

Date: 12/07/04

Signature of Ogema:

[Signature]

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