



Little River Band of Ottawa Indians

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

Resolution # 04-1201-478

*Overriding the Veto of Resolution #04-1120-471 - Budget Modification Regarding
Funding for Tribal Manager Position*

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 has reviewed the operations of the Tribal government and the Ogema's responsibilities under the Constitution, and by adoption of resolution #04-1120-471 determined that the position of Tribal Manager was a duplication of the responsibilities of the Ogema that the Ogema should be conducting; and

WHEREAS, the Tribal Council adopted resolution #04-1120-471 which amended the operating budget for Fiscal Year 2004 by removing funding for the duplication position of Tribal Manager as authorized by Article IV, Section 7(i)(1) of the Constitution which may be subject to the veto of the Ogema; and

WHEREAS, the Tribal Council has received the veto of the Ogema regarding resolution #04-1120-471 and has determined, as authorized by Article V, Section 5(c), by adoption of this resolution by at least 6 of the 9 Tribal Councilors to override the Ogema's veto as an action in the best interests of the Tribe;


NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby overrides the Ogema's veto of 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*, and directs the Ogema to sign the document, resolution #04-1120-471, notwithstanding his objections and implement the resolution immediately.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on December 1, 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