

Little River Band of Ottawa Indians

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

Resolution # 05-0216-70

*Authorizing Execution of Amendment to the Professional
Services Agreement with Northern Environmental Technologies, Inc.
for Sturgeon Habitat Restoration Work*

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, did approve a Professional Services Agreement with Northern Environmental Technologies, Inc., dated January 19, 2004, for work related to the stream-side rearing facility for Lake Sturgeon; and

WHEREAS, the Conservation Department has requested a proposal from Northern Environmental to complete work related to sturgeon habitat restoration on the Big Manistee River to improve spawning habitat for lake sturgeon; and

WHEREAS, the Conservation Department's Inland Fisheries Biologist has, in consultation with the Tribal Ogema, negotiated an Amendment to the January 19, 2004 Professional Services Agreement with Northern Environmental for the work requested by the Department; and

WHEREAS, the Tribal Council, pursuant to Article IV, Sections 7 (e) and (b) of the Constitution, has the power to authorize and ratify agreements and contracts with private parties.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians authorizes execution of the attached Amendment to the Professional Services Agreement with Northern Environmental Technologies, Inc. for sturgeon habitat restoration work as described in Northern Environmental's December 10, 2004 Proposal.

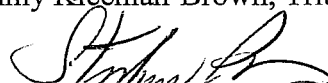
IT IS FURTHER RESOLVED THAT the Tribal Council affirms that the terms of the Amendment approved by this resolution shall be subject to the dispute resolution provisions contained in the January 19, 2004 Professional Services Agreement.

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 February 16, 2005, at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.



Tammy Kleeman-Brown, Tribal Councilor



Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court