

Little River Band of Ottawa Indians

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

Resolution # 05-0504-183

Approving Emergency Amendments to the Tribal Council Meeting Procedures Ordinance to Include Deadlines Regarding Signing and Delivering Resolutions and Directing the Amendments to be Posted for Public Comment

WHEREAS, the status of the *Gaá Čhing 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 adopted the Tribal Council Meeting Procedures Ordinance in accordance with Article IV, Section 6(e) of the Constitution; and

WHEREAS, the Tribal Council has identified that time lines for submission of Resolutions for action should be better identified; and

WHEREAS, the Tribal Council has adopted the Administrative Procedures Act - Ordinance which identifies procedures for the adoption and amendment of Ordinances, including emergency action; and

WHEREAS, the Tribal Council has determined that failure to timely present resolutions has resulted in the Ogema identifying that there is insufficient time to take action in accordance with resolutions, and has resulted in confusion in regards to when resolutions will be submitted and/or returned where deadlines are set within resolutions; and

WHEREAS, the Tribal Council has determined that failure to set clear time lines for signing and presenting resolutions may result in injury to the Tribe through the inability to identify or engage contracting, programming, and budgeting needs of the Tribe; and

WHEREAS, the Tribal Council has determined that this emergency action is necessary and authorized in accordance with the Administrative Procedures Act - Ordinances, Article V;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby adopts the following amendments to the Tribal Council Meeting Procedures Ordinance on an emergency basis for six months and directs the amended ordinance be posted for Public Comment.

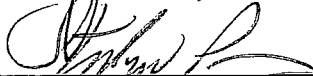
7.06. *Presentation of Resolutions.* The Recorder shall have resolutions prepared and signed no later than noon two days following the meeting in which the resolution was adopted. Further, resolutions shall be forwarded to the Ogema no later than two days following the meeting in which they were adopted.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 FOR, 3 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on May 4, 2005, 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