

Little River Band of Ottawa Indians

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

Resolution # 05-0525-220

Approving a Budget Modification to Reflect Termination of Budgetary Authorization Under Resolution #05-0112-10 and Returning Unexpended Funds Authorized for Tribal Ogema Legal Expenses Under the Resolution to the General Fund Unrestricted Reserves

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, pursuant to Article IV, Section 7 (i)(2) of the Constitution, has the power to manage any funds within the exclusive control of the Tribe and to appropriate such funds for the benefit of the Tribe and its members; and

WHEREAS, the Tribal Council previously approved Resolution #05-0112-10, re-authorizing the expenditure of \$190,000 for legal fees (\$90,000 for Tribal Council and \$100,000 for the Tribal Ogema), which amounts were originally authorized in Resolutions #04-1006-397 and #04-1020-421, for the limited purpose of funding litigation expenses incurred by the Tribal Council and Tribal Ogema in connection with Tribal Court Case #04154GC; and

WHEREAS, Case #04154GC was dismissed by the Tribal Court on March 21, 2005, thus resulting in the conclusion of the purposes for which the expenditure of funds last authorized by Resolution #05-0112-10 were made; and

WHEREAS, the Consulting Chief Financial Officer has requested a final accounting of fees and retainer balances, which final accounting has been received; and

WHEREAS, the total amount of funds expended from the Tribal Ogema's portion of the funds was \$36,254.25; and

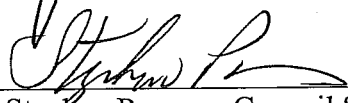
WHEREAS, in as much as the purpose for the supplemental appropriation last authorized in Resolution #05-0112-10 has ended, the balance of funds appropriated for that purpose should be returned to the General Unrestricted Reserves of the tribal government.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves a budget modification to reflect the termination of the circumstances warranting the authorization for the appropriation for fiscal year 2005 from the total of \$100,000, which was appropriated to the Tribal Ogema Budget (1000-102-100-5205) contained in Resolution #05-0112-10 and directs that the balance of unexpended funds in the amount of \$63,745.75 be transferred from the Tribal Ogema budget to the General Unrestricted Reserves of the tribal government.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 0 AGAINST, 1 ABSTAINING, and 1 VACANT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on May 25, at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.


Jarine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Attest:

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 # 05-0525-220, modifying the Operating Budget for Fiscal Year 2005 as set forth in Resolution #04-1215-510, has been presented to the Tribal Ogema by the Tribal Council Recorder for his/her approval.

Date delivered to Tribal Ogema: 5-20-05

Signature of Council Recorder: 

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

Date: 6/1/05

Signature of Ogema: 

Distribution: Council Records
Tribal Ogema
Tribal Court
Legal Department
Accounting Department