

Little River Band of Ottawa Indians

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

Resolution # 05-0601-229

Authorizes the Tribal Ogema to offer property owners adjacent to right of way where water main extension will be laid the opportunity to connect to the system at no cost at the time of construction and at market value cost any time thereafter

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 is authorized under Article IV, Section 7(a)(4) and (c) to manage the properties of the Tribe; and

WHEREAS, the Housing Commission had identified a housing project and received dedication of the property for a housing subdivision titled Aki Maadiziwin by the Tribal Council; and

WHEREAS, the Little River Casino Resort has identified a master plan and received dedication of that master plan for the Resort's property by the Tribal Council; and

WHEREAS, the Tribal Council has dedicated infrastructure in water and sewer utilities to both projects by resolution; and the Housing Commission, Housing Department and the Little River Casino Resort have identified additional long and short term needs in water utility services; and the Water Tower Project and is being developed and slated for completion by November of this year.

WHEREAS, a water main extension is needed to connect the water tower with the main pipelines that will feed water to the Aki maadiziwin subdivision and the Little River Casino and Resort. A Request for Bids was issued and responded to in a timely manner by several companies interested in laying a water main along the M-22 highway and the connector points near the Aki maadiziwin subdivision and the Little River Casino and Resort as identified and approved by the project team, and that the project team, upon opening and reviewing all bids has determined that the bid should be awarded to Kamphuis Pipeline Company; and

WHEREAS, Tribal Council in an expression of the sovereign powers of the Tribe determines that the best interests of the Tribe suggests to offer property owners adjacent to the right of way the opportunity to connect to the water main extension either at the time of construction or at a later date; and

WHEREAS, the connection cost is substantially lower at the time of construction than at a later date and the Tribe utilities department is equipped to provide the service of a water utility company for the property owners who may opt to connect to the water main; and

WHEREAS, the utility department proposes and Tribal Council approves offering the connection service at no cost to the neighbors whose properties are adjacent to the right of way where the water main extension run. Said offer may represent a cost to the Tribe in the estimated amount of \$15,000. The offer will remain open for thirty days from the date of the letter, which cannot be date later than Friday June 3, 2005. After that date, the neighbors who may be interested in connecting to the water main extension will be charge market cost for similar services; and

WHEREAS, the neighbors who qualify for this offer are those located in Orchard Highway 3243, 3317, 3335, 3359, 3387, 3429 and 3511;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Ogema to offer property owners adjacent to right of way where water main extension will be laid the opportunity to connect to the system at no cost at the time of construction and at market value cost any time thereafter.

IT IS FURTHER RESOLVED THAT, should any of the neighbors accepts the offer above, the Tribal Ogema should request a Utilities Department budget modification to fund the cost associated with this offer.

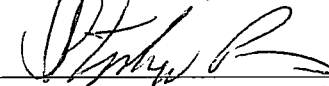
CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 FOR, 0 AGAINST, 1 ABSTAINING, 1 ABSENT, and 1 VACANT at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on June 1, 2005, at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.

Attest:



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Distribution: Council Records
Tribal Ogema
Tribal Court