

Little River Band of Ottawa Indians

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

Resolution # 05-0615-245

Adoption of Development Committee - 2005 Resort Expansion Act on an Emergency Basis

WHEREAS, the Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. §1300k et seq.); and

WHEREAS, the Tribe adopted a 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 vested with the authority, 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 vested with the responsibility to manage any funds within the exclusive control of the Little River Band and to appropriate funds for the benefit of the Tribe and its members, *Article IV, Section 7(i)(2)*; and

WHEREAS, the vested authority to manage Tribal funds shall be in accordance with resolutions authorizing appropriations or budgets, or in accordance with ordinances adopted by the Tribal Council, *Id.*; and

WHEREAS, the Tribal Council is vested with the authority to borrow money on behalf of the Tribe, *Article IV, Section 7(i)(4)*; and

WHEREAS, the Tribal Council created the Tribally chartered enterprise the Little River Casino Resort and delegated authority to conduct business activities related to the purposes for which it was created, Resolution # 04-0728-313; and

WHEREAS, the Tribal Council authorizes the borrowing of funds to finance the Expansion Project regarding the Little River Casino Resort, Resolution # 04-0526-228; and

WHEREAS, the loan authorizes persons to sign draw requests which authorize the creation of increasing amounts of borrowed funds and subsequent loan for the purposes of making payments related to the Expansion Project; and

WHEREAS, the ongoing creation of obligations to pay the construction expenses and transfer of such loan finds to the Resort requires the creation of a Special Committee of the Tribal Council for the purposes of managing the borrowed funds and transferring such funds to the Resort, *Article IV, Section 7(f)*; and

WHEREAS, that the Ogema has a role, under Article V, Section 5(a)(1 and 2), to enforce and execute the laws of the Tribe and to oversee and manage the Tribal government in accordance with the laws, resolutions and motions adopted by Tribal Council which the Tribal Council wishes to recognize by inclusion of the Ogema on the Special Committee of Tribal Council; and

WHEREAS, the Tribal Council adopted the Administrative Procedures Act - Ordinances which identifies processes by which ordinances may be adopted, amended, or repealed, and which also identifies processes by which emergency amendments may be authorized;

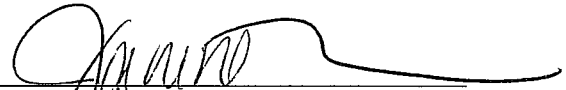
WHEREAS, the Tribal Council finds that emergency adoption of the ordinance will allow the 2005 Resort Expansion Project to be managed in a clear and consistent manner and clarifies the authority of the Development Committee;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby adopts, under authority of Article V of the Administrative Procedures Act - Ordinances, the Development Committee - 2005 Resort Expansion Act which shall be effective for a six month period or until permanent amendments can be presented for Public Comment and permanently adopted.

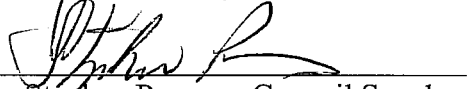
IT IS FURTHER RESOLVED THAT the Tribal Council directs that the amendments be posted for Public Comment.

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, 2 ABSTAINING, and 1 VACANT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on June 15, 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
Legal Department