

Little River Band of Ottawa Indians

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

Resolution # 05-0615-257

*Approving the Creation of the Air Quality Specialist Position and Directing
Corresponding Modifications to the Natural Resource Department Organizational Chart
as it Currently Exists*

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 Natural Resources Department of the Tribal Government has identified a need to further investigate and to create a program to address ambient air quality concerns for the 1836 Treaty Reservation Area; and

WHEREAS, on April 01, 2005, LRBOI received notification from the United States Environmental Protection Agency under Section 103 of the Clean Air Act for funding to create an ambient air quality program for the 1836 Treaty Reservation Area; and

WHEREAS, the Tribal Ogema is requesting to modify the organizational chart of the Natural Resources Department of the Tribal Government to allow for the addition of an Air Quality Specialist to address the ambient air quality concerns and to create an ambient air quality program for the 1836 Treaty Reservation Area; and

WHEREAS, the Tribal Ogema is requesting that the attached job description for the Air Quality Specialist be approved.

WHEREAS, the Tribal Council has been informed that the Air Quality Specialist position was developed and presented in November 2004 in anticipation of the approval of the Air Pollution Control Grant by the U.S. Environmental Protection Agency; and

WHEREAS, the Tribe received a notification that the Air Pollution Control Grant had been awarded by the U.S. Environmental Protection Agency on April 1, 2005; and

WHEREAS, the Tribal Council received an agenda request dated May 25, 2005 on June 1, 2005 requesting approval of the Air Quality Specialist position; and

WHEREAS, the agenda request included a May 24, 2005 memo requesting approval of the Air Quality Specialist position and a job description dated May 24, 2005; and

WHEREAS, this position was identified in November and developed in a timely manner so that a delay of approximately two and one-half months in posting and hiring for the position would not occur and allow the Tribe to meet the grant requirements; and

WHEREAS, the Tribal Council has expressed concerns regarding the job description and the ability to fill the position, as well as on-going funding for this position upon conclusion of the grant period and finds that in light of the undue delay in bringing this matter forward, the strong concerns expressed by the EPA regarding the Tribe's ability to conclude the grant, as well as the recent experience in having to return EPA grant funds, that the Tribal Council finds that it is unable to delay approval of this job description in order to fill the position and meet grant requirements; and


NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves the attached job description for the Air Quality Specialist modifying it to reflect that this position reports to the GAP Coordinator position from which it must take its direction.

IT IS FURTHER RESOLVED THAT the Tribal Council directs that the organizational chart be modified to reflect this job description and directs the amendments to the

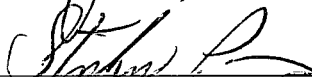
organization chart to be brought forward in accordance with the Organizational Structure Policy, #600-01:HR-09 for approval.

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 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 Council
Legal Department