



Little River Band of Ottawa Indians

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

Resolution # 05-0824-418

Approval of Enrollment Commission's adoption of an amendment to its by-laws modifying the number of Commissioners necessary to establish a quorum from 4 to 3

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 II, Section 4 to establish ordinances governing membership; and

WHEREAS, the Enrollment Commission was created by the Tribal Council through adoption of the Enrollment Ordinance and delegated responsibility to manage the membership roll of the Tribe (#04-200-01, Article VI); and

WHEREAS, the Enrollment Ordinance provides that all other rules of procedure for the conduct of meetings shall be determined in accordance with any applicable Tribal Ordinances or policies governing the conduct of meetings (#04-200-01, §6.02); and

WHEREAS, the Commissions Ordinance directs the Commission to identify in its by-laws the number of commissioners required for a quorum to conduct meetings (04-150-01, §6.02(d)); and

WHEREAS, the Enrollment Commission set forth, in its resolution #EC 08-08-2005-A, adopted on August 8, 2005, its reasoning for modifying the number of commissioners required to establish a quorum as follows:

WHEREAS, since February of 2005, the Commission has functioned with two less than the number of Commissioners provided by law; of the three vacancies occurring in this time frame, only one has been filled. To date, there remains two unfilled Commission appointments; and

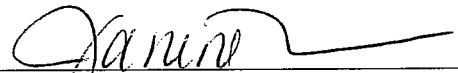
WHEREAS, the Commission fears that the number of commissioners available for establishing a quorum may not be met due to possible conflicting outside commitments and pending treatments for illness that certain commissioners will have to address; and

WHEREAS, this inability to establish a quorum will adversely affect the ability of the Commission to fulfill its lawful duties and result in unnecessary delay in completing the enrollment file review mandated by law

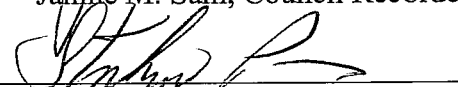
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council approves the adopted modification to the Enrollment Commission's by-laws as set forth in its resolution #EC 08-08-2005-A, amending § 4.04 of its by-laws to establish that it shall have three (3) members present, one being an officer, to make a quorum at meetings.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, 0 ABSENT, and 1 VACANT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on August 24, 2005, at the Little River Band's Conference 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