



Little River Band of Ottawa Indians

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

Resolution # 05-1012-511

Amending the Budget to Remove Funds for Expenditures Related to Blue Buffalo Consulting, Inc., Duane Hopkins, Prohibiting Further Expenditures, and Directing a Final Accounting Be Brought Forward to Authorize Funding for Final Invoice

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Anířhinaábek* (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 adopted four Resolutions (# 05-0817-397 through 400) which identified errors, inaction, inaccuracies and other deficiencies in the Blue Buffalo Consulting, Inc., Duane Hopkins, activities and directed the Ogema to report on the failure of the consultant to meet the goals and objectives in the contract; and

WHEREAS, the Ogema responded to the Tribal Council by identifying that he did not have legal counsel in which to conduct such a review and report to the Tribal Council, and no further action has been reported to the Tribal Council regarding these matters; and

WHEREAS, the Tribe has paid to Blue Buffalo Consulting, Inc., Duane Hopkins, approximately \$194,000 through September 9, 2005; and

WHEREAS, since the date of engagement, Blue Buffalo Consulting, Inc., Duane Hopkins, has been paid approximately \$660,000; and

WHEREAS, the Tribe has not yet been able to conclude its audit reporting, has been unduly delayed in its reporting time line, has had to resubmit a re-audited statement, and is not prepared to begin the remaining audit activities as a result of a failure to place the appropriate emphasis on these reporting requirements;

WHEREAS, the Tribal Council finds that continuation of this contract is no longer in the best interests of the Tribe and no longer meets the needs of the Tribe in regards to consulting services;

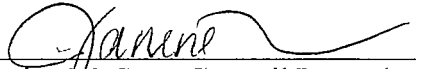
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians, under the authority granted in Article IV, Section 7(i), to manage the funds of the Tribe for the benefit of the members and the Tribe, hereby directs the Ogema to amend the budget for FY2005 to remove all remaining funds for professional services allocated to Blue Buffalo Consulting, Inc., Duane Hopkins, from any location within the FY2005 Budget and return such funds to the Restricted Funds account.

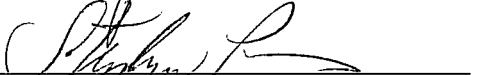
IT IS FURTHER RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians under the authority granted in Article IV, Section 7(i), to manage the funds of the Tribe for the benefit of the members and the Tribe, hereby directs the Ogema to provide notice to Blue Buffalo Consulting, Inc., Duane Hopkins, that funding is no longer available for this contract and that the final invoice should be submitted for payment upon receipt of such notice, and to forward a request for supplemental appropriations for that amount to the Tribal Council for authorization of appropriate funds.

IT IS FURTHER RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians under the authority granted in Article IV, Section 7(i), to manage the funds of the Tribe for the benefit of the members and the Tribe, hereby directs the Ogema to provide the final invoice and all related calculations regarding that final invoice to the Tribal Council with a request for supplemental appropriation in order to make such payments.

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 October 12, 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


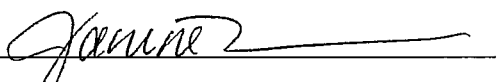
Stephen Parsons, Council Speaker

Attest:

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 # 05-1012-511, 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: 10/13/05

Signature of Council Recorder: 

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

Date: _____

Signature of Ogema: _____

Distribution: Council Records
Tribal Ogema
Tribal Court