



## Little River Band of Ottawa Indians

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

### Resolution # 05-1015-520

*Rescinding Resolutions # 05-0518-213 and # 05-0622-288*

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 adopted resolution # 05-0518-213 which authorized the Ogema to enter into a contract with Thomas Battice to remove three trap nets currently placed in Lake Michigan and not being tended; and

WHEREAS, the Tribal Council adopted resolution # 05-0622-288 which authorized the Ogema to enter into a contract with Thomas Battice to remove six trap nets currently placed in Lake Michigan and not being tended; and

WHEREAS, the Tribal Council was under the belief that emergency action was needed to remove the nets as a result of a potentially dangerous situation occurring as a result of at least one of the nets drifting towards an intake pipe managed by a local government for public facilities; and

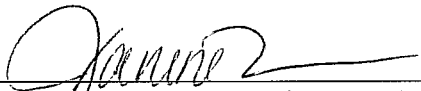
WHEREAS, the Tribal Council authorized the execution of the contract on June 22, 2005, and to date, no action has been taken to remove the nets, which continue to pose a threat, continue to drift, and continue to deteriorate; and

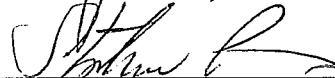
WHEREAS, the Tribal Council finds that entering into this contract is no longer in the best interests of the Tribe, and that such contract has not been entered into by both parties as of the date of adoption of this resolution;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby rescinds Resolutions # 05-0518-213 and # 05-0622-288 which authorized and ratified a contract that has not yet been entered into, and under which work has not yet begun.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 0 AGAINST, 0 ABSTAINING, 1 ABSENT, and 1 VACANT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on October 15, 2005, at the Little River Band's Conference Room in Manistee, Michigan, with a quorum being present for such vote.

  
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Janine M. Sam, Council Recorder

  
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Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema  
Tribal Court