



## Little River Band of Ottawa Indians

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

### Resolution # 05-1102-562

#### *Approval Of Payment For One Time Distribution Of Tribal Funds For Tax Relief Payment Of 2005 As A Result Of Tribal Distribution To Members*

WHEREAS, the status of the *Gaa' Čhing 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 Tribe adopted Ordinance #02-700-04 – Membership Assistance Program Ordinance which created the Community Wellbeing and Support Program which provides for a cash payments to be made to Members participating in the Tribe's annual survey; and

WHEREAS, the Tribe has identified that these payments will require the Tribe to issue an Internal Revenue Service Form 1099-MISC to the Members receiving funds for participating in the Community Wellbeing and Support Program during 2005 and pay appropriate levels of taxes on the income to the Federal Government and in certain instances State Governments; and

WHEREAS, the Tribal Council has determined that it wanted Members to receive the full amount of payment to be utilized by the recipients of the payments which provide for health, safety and welfare needs; and

WHEREAS, the payment of associated taxes on these funds has reduced the amounts that Tribal Council has determined to be an appropriate level of payments to Members for completing and filing the survey which provides important information to the Tribe for the purposes of developing programs, and where the payments provide for health, safety and welfare needs of the Members; and

WHEREAS, the Tribal Council finds that adult Members are the hardest hit by the taxable consequences of the survey payment, and have the responsibility for providing food, shelter, clothing and other family needs, whether as a individual, parent, elder, and other adult commitments;


NOW THEREFORE IT IS RESOLVED THAT the Tribal Council has determined that in order to appropriately and fairly eliminate any tax consequences for payment of Community Wellbeing and Support Program payments that an additional payment of \$600.00 is appropriate to offset any taxes adult Members may incur as a result of the Community Wellbeing and Support Payments.

IT IS FURTHER RESOLVED THAT the Tribal Council directs that a payment be made to all members 18 years of age and older on or before June 8, 2005, who have completed the required survey and that this payment shall be made by December 6, 2005.

**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 Session of the Little River Band of Ottawa Indians Tribal Council held on November 2, 2005, at the Little River Band's Dome 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