



Little River Band of Ottawa Indians

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

Resolution # 05-1109-578

Authorization to Contract with Consumers Energy to install an electric line extension to provide service therein to link the water tower to a local transformer.

WHEREAS, the status of the *Gaa Ching Ziibi Daawaa Anishinaabek* (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 IV, Section 7 (a)(4) and (c) to manage the properties of the Tribe; and

WHEREAS, the Housing Commission had identified a housing project and received dedication of the property for a housing subdivision titled Aki Maadiziwin by the Tribal Council; and

WHEREAS, the Little River Casino Resort and Tribal Council have identified a master plan for the Resort property; and

WHEREAS, the Tribal Council has dedicated infrastructure in water and sewer utilities to both projects by resolution; and the Housing Commission, Housing Department and the Little River Casino Resort have identified additional long and short term needs in water utility services; and the Water Tower Project and is being developed and slated for completion by November of this year; and

WHEREAS, the project is near completion and an electric line extension is needed to provide the service therein to link the water tower to a local transformer, the services contracted fall with the scope of the work needed to bring to a completion of the water tower and water main projects; and

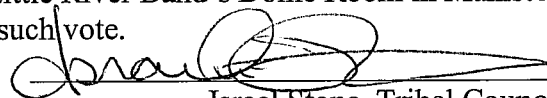
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Ogema to contract with Consumers Energy to run the additional electrical lines to the water tower, in the amount of \$1,548.50, to be funded through the RHED grant.

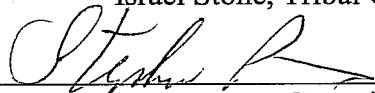
IT IS FURTHER RESOLVED THAT the Tribal Council authorizes a limited waiver of sovereign immunity for the purposes of consenting to be sued in its Tribal Court system, and limited to the funds identified as current block grant funds, and special revenue funds.

IT IS FINALLY RESOLVED THAT the Tribal Council identifies that no general revenue funds have been, or will be , appropriated for purpose of support of the contract or project as is fully funded through block grant revenue.

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, 0 ABSTAINING, 2 ABSENT, and 1 VACANT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on November 9, 2005, at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.


Israel Stone, Tribal Councilor


Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court