



Little River Band of Ottawa Indians

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

Resolution # 05-1109-579

Rejection of FY2006 Budget Proposal

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 Constitution directs the Ogema to present a budget for approval to the Tribal Council, that if the Tribal Council rejects the budget, that the Ogema may override that rejection, and finally, that the Tribal Council may override the action of the Ogema, *cf. Article IV, Section 7(I) and Article V, Section 5(a(5) and (c)*; and

WHEREAS, the Tribal Council adopted the Budget and Appropriations Ordinance which identified deadlines and public review requirements regarding the development and presentation of the budget; and

WHEREAS, the Tribal Council approved the Little River Casino Resort Expansion Project (*Expansion Project*) in order to develop the Resort to meet the current and future needs of the Resort to remain competitive in the gaming industry; and

WHEREAS, the Tribal Council ratified, and the Ogema endorsed, a Loan Agreement to finance the Expansion Project and upon which the Tribal Council has agreed to repayment periods and repayment amounts; and

WHEREAS, the Tribal Council and Ogema received a 'Tribal Budget Impact' analysis that was presented on July 28, 2005 at a business meeting at the Little River Casino Resort from the consulting Chief Financial Officer that was created to identify when and how the loans entered into will be repaid, and the Tribal Council has identified that the Tribe has effectively committed to a stable budget based on gaming revenues in the amount of \$23 million; and

WHEREAS, the Ogema presented, on September 15, 2005, a draft budget for FY2006 review by the Tribal Council which was based on a gaming revenue amount of \$29,935,890 and a total budget of \$44,965,951; and

WHEREAS, the Tribal Council forwarded comments to the Ogema on September 28, 2005, which identified recommendations for amendment, reduction, as well as presented questions regarding the FY2006 Budget; and

WHEREAS, the Ogema presented the final FY2006 Budget on October 31, 2005, which is based on a gaming revenue amount of \$29,935,890 and a total budget of \$45,600,849; and

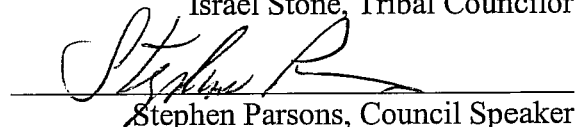
WHEREAS, the Tribal Council has reviewed the final FY2006 Budget submission by the Ogema and has determined that it does not meet the needs of the Tribe in that it does not adequately address the long term loan repayment commitments the Tribe has made; and

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians, under authority of Article IV, Section 7(i)(1 and 2) and as required under Article V, Section 5(c), hereby rejects the FY2006 Budget as presented on October 31, 2005.

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 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