



Little River Band of Ottawa Indians

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

Resolution # 05-1109-580

Allocation of Tribal Funds - Tribal Revenue, Gross Gaming Tax Revenue, Program Revenue, and Grant Funds - for Fiscal Year 2006

WHEREAS, the status of the *Gaá 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 Tribal Council is vested with the authority, under Article IV, Section 7(i)(2), "to manage any funds within the exclusive control of the Little River Band and to appropriate these funds for the benefit of the Tribe and its members;" and

WHEREAS, the Tribal Council received a budget from the Ogema submitted in accordance with the submission requirements in Articles IV and V of the Constitution, and as required under the Budget and Appropriations Ordinance on October 31, 2005; and

WHEREAS, the Tribal Council reviewed the budget and has adopted Resolution # 05-1109-579, *Rejection of FY2006 Budget Proposal*, and forwarded that resolution to the Ogema; and

WHEREAS, the Tribal Council has determined that compliance with the 'Tribal Budget Impact' analysis that was presented on July 28, 2005, at a business meeting at the Little River Casino Resort by the consulting Chief Financial Officer which commits the Tribe to a stable budget based on gaming revenues in the amount of \$23 million is necessary in order to meet loan payment agreements; and

WHEREAS, the Tribal Council has reviewed the FY2003 through FY2005 budgets and identified the percentages of Tribal gaming revenues and Gross Gaming Tax revenue allocated in each of those budgets to the Tribal Court, Ogema and Tribal Council and has identified percentages of allocations to each of those offices; and

WHEREAS, the Tribal Council desires to budget funds in accordance with out agreements and as identified in analysis of prior budgets and projected revenue streams;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby sets for the following allocation amounts in dollar figures, which shall be utilized by the Tribal Court, Ogema and Tribal Council to create their respective budgets. The percentages of funds allocated shall be for reference purposes only.

<i>Office</i>	<i>Percentage/Funds Tribal Revenues</i>	<i>Percentage/Funds Gross Gaming Tax</i>
Tribal Court	2.39% or \$550,250	0% or \$0
Ogema	82.83% or \$19,050,900	15.77% or \$347,105
Tribal Council	14.78% or \$3,399,400	84.23% or \$2,852,895

IT IS FURTHER RESOLVED THAT the Tribal Council declares the following activities shall be related to each office.

Tribal Court - all activities related to Appellate Judges, Tribal Court Judges, Court Administration and Peacemaking.

Ogema - all activities not listed in Tribal Court or Tribal Council.

Tribal Council - Tribal Council (which includes Comptroller General office, and Commission and Committee expenses); Legislative Legal Department; Surveillance; Gaming-Compliance; and Gaming-Administrative, Licensing and Internal Audit.

IT IS FURTHER RESOLVED THAT 'Tribal revenues' is defined as net gaming revenues distributed to the Tribe and, and shall be limited to the \$23,000,000 budget projection, regardless of the amount actually received.

a. Tribal revenues in the amount allocated shall be maintained in a restricted account developed for this purpose until released by specific resolution of the Tribal Council. The Accounting Department shall forward notice that such an account exists, or that the account is being created and authorization is being requested.

b. Tribal revenues in excess of the amount allocated shall be maintained in a restricted account developed for this purpose until released by specific resolution of the Tribal Council. The Accounting Department shall forward notice that such an account exists, or that the account is being created and authorization is being requested.

IT IS FURTHER RESOLVED THAT 'Gross gaming tax revenues' is defined as those revenues generated through the Gross Gaming Revenue Tax Ordinance and shall be maintained in a restricted account developed for this purpose until released by specific resolution of the Tribal Council. The Accounting Department shall forward notice that such an account exists, or that the account is being created and authorization is being requested.

IT IS FURTHER RESOLVED THAT 'Program revenue' is defined as those revenues generated through fees, filing charges, fines, activity charges, program revenue shall be placed within the budget of the generating program and shall offset Tribal funds, or gross gaming tax funds. Program revenues in excess of the amount allocated shall be maintained in a restricted account developed for this purpose until released by specific resolution of the Tribal Council. The Accounting Department shall forward notice that such an account exists, or that the account is being created and authorization is being requested.

IT IS FURTHER RESOLVED THAT 'Grant funds' are defined as those funds received from third parties and allocated for specific purposes as identified in grant agreements. Grant funds shall be allocated as agreed upon, and matching funds shall be allocated as agreed upon.

IT IS FINALLY RESOLVED THAT the following budget deadlines set forth.

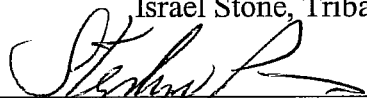
1. Tribal Court and Tribal Council shall forward to the Ogema proposed budgets for FY2006, based on the allocations in this resolution by November 30, 2005, for consolidation with the Ogema offices proposed FY2006 Budget.
2. The Ogema is directed to present to the Tribal Council the proposed consolidated FY2006 Budget, no later than December 9, 2005.
3. The Tribal Council shall act on the proposed FY2006 Budget at the meeting scheduled for December 14, 2005.
4. The Ogema shall act on the proposed FY2006 Budget on or before December 21, 2005.
5. If necessary, the Tribal Council shall act on the Ogema's response at a meeting scheduled for December 21, 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 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