



**Little River Band of Ottawa Indians**

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

moved to  
open 7/26/06

**Resolution # 05-1109-584**

*Authorizing an Encumbrance in the Amount of \$25,000.00 from  
the Professional Services Line in the Legal Department Budget for Fiscal Year 2005*

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, pursuant to Article IV, Section 7(b) of the Constitution of the Little River Band of Ottawa Indians ("Tribal Constitution"), has the power to ratify contracts negotiated on behalf of the Band; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7 (i)(2) of the Constitution, has the power to manage any funds within the exclusive control of the Tribe and to appropriate such funds for the benefit of the Tribe and its members; and

WHEREAS, the Tribe's Brownfield Program Coordinator has recommended that EC&S be retained to complete certain Phase I environmental updates which the Bureau of Indian Affairs requires in order complete the transfer of certain properties into trust; and

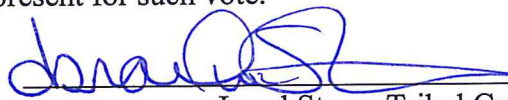
WHEREAS, the Legal Department has requested authorization to allocate \$25,000.00 from the Professional Fees line to fund work to be completed by EC&S to update Phase I environmental reports on the Great Lakes Fisheries Trust lands and Dontz Farm - B parcel to allow those properties to move into trust status as expeditiously as possible; and

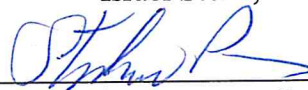
WHEREAS, the Tribal Council has reviewed the budget modification and has determined that this action requires the Tribal Council and Ogema approval in accordance with the Constitution and section 5.10(d) of the Budget and Appropriation Ordinance, #02-100-04.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves the budget modification to include authorization to expend \$25,000.00 from the Legal Department's Professional Fees line (#5205) for the purposes described above.

### 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 Closed Session of the Little River Band of Ottawa Indians Tribal Council held on November 9, 2005, at the Little River Band's Conference 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