

Little River Band of Ottawa Indians

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

Resolution # 05-1116-594

*Approval of Cost of Living Adjustments for Tribal Government Employees
Effective September 2005*

WHEREAS, the status of the *Gaá Čhing Ziibi Daáwaa Aniřhinaábek* (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's status as a federally-recognized Indian tribe was reaffirmed and on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribal Council pursuant to Article IV, Section 7(a) of the Constitution, has the power to provide for the general welfare of the Tribe and its members; 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, Section 4.6 of the LRBOI Personnel Manual requires that the cost of living increases be authorized by the Tribal Council; and

WHEREAS, the Tribal Ogema has presented a request for the application and payment of a cost of living increase for Tribal Government Employees; and

WHEREAS, the Tribal Ogema has presented calculations for the COLA which identifies a COLA increase of 1.99% based on the change since the last calculation which was based on the January 1, 2005 index; and

WHEREAS, the Tribal Ogema has identified that funding for the COLA costs exist within the Tribal budget and no additional funds are necessary to make this payment; and

WHEREAS, the Tribal Ogema has identified that the COLA should be scheduled to be paid with the November 30, 2005 payroll; and

WHEREAS, the Tribal Council has reviewed the COLA presentation by the Tribal Ogema and has determined it is an appropriate action to be taken.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves the application and payment of a cost of living increase of 1.99% for Tribal Government Employees for September 2005 to be retroactively applied back to September 1, 2005 and to be paid on November 30, 2005.

IT IS FURTHER RESOLVED THAT Tribal Government Employees include any staff person employed by the Little River Band, regardless of the branch of government that they are employed in.

IT IS FURTHER RESOLVED THAT the Tribal Council directs that the COLA shall not apply to the Ogema in accordance with Resolution # 03-0419-101, *Establishing the Compensation for the Ogema*.

IT IS FURTHER RESOLVED THAT, in accordance with Resolution # 03-0419-100, *Establishing the Compensation for Tribal Council*, and Resolution # 05-0511-197, *Continuing the Compensation for the Tribal Council Established by Resolution # 03-0419-100*, the Tribal Council directs that the COLA shall not apply to the Tribal Council.

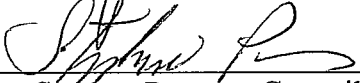
IT IS FINALLY RESOLVED THAT, in accordance with Resolution # 05-0720-326, *Re-Affirming the Compensation for Judicial Officers Previously Set by Resolution # 00-1220-12*, the Tribal Council directs that the COLA shall not apply to the Tribal Court.

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 16, 2005, at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Accounting