



**Little River Band of Ottawa Indians**

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

**Resolution # 08-0625-186**

*Repealing Elders' Assistance Program Ordinance, Number 05-700-02, Effective Immediately and Rescinding Resolution Number 05-0824-411*

WHEREAS, the Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. ' 1300k et seq.); and

WHEREAS, the Tribe adopted a 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 vested with the authority, 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 (i)(2), to manage any funds within the exclusive control of the Little River Band and to appropriate those funds for the benefit of the Tribe and its members; and

WHEREAS, the Tribal Council adopted the Elders' Assistance Program ordinance, #05-700-02, Ordinance #07-700-07, on August 24, 2005 by Resolution Number 05-0824-411; and

WHEREAS, the Tribal Council has identified that the majority of Tribal members would prefer to receive per capita payments and has taken all necessary actions to establish a Tribal per capita program; and

WHEREAS, the Tribal Council adopted the Administrative Procedures Act - Ordinances which identifies processes by which ordinances may be adopted, amended, or repealed, and which also identifies processes by which emergency amendments may be authorized; and

WHEREAS, Section 2.03 of the Administrative Procedures Act, Ordinance Number 04-100-07, provides that requires that prior to repeal of an Ordinance, Tribal Council shall post a Notice of the Intent to Repeal the ordinance two weeks prior to such action in the Tribal buildings; and

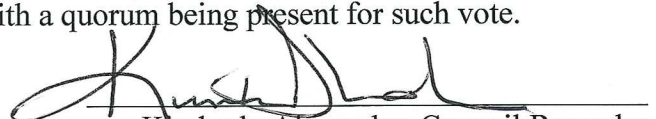
WHEREAS, such Notice of Intent was posted at the Tribal buildings from June 11 2008 to June 25, 2008.

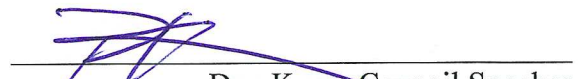
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby repeals, under authority of the Administrative Procedures Act - Ordinances, the Elders' assistance Program Ordinance, #05-700-02, and such repeal to be effective immediately.

IT IS FURTHER RESOLVED THAT Resolution Number 05-0824-411 is rescinded.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on June 25, 2008, at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.

  
\_\_\_\_\_  
Kimberly Alexander, Council Recorder

  
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Don Koon, Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema  
Tribal Court