



Little River Band of Ottawa Indians

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

Resolution # 13-0731-229

Ratification of Bio-Tech Agronomics, Inc. Contract and Rescinding Resolution # 13-0626-187

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 is vested with the authority, under Article IV, Section 7(b), to ratify contracts to be entered into by the Tribe; and

WHEREAS, the Tribal Council has received a contract from Biotech Agronomics, Inc, to remove the bio-solids at the Wastewater Treatment Plant for the sum of \$.0425 per gallon, 260,000 gallons, \$11,050 per removal year

WHEREAS, this contract also includes provisions for payment of analysis fees of \$1059,

WHEREAS, the contract has been reviewed, edited and approved by the Law Offices of Sonosky, Chambers, Sache, Endreson, & Perry; and

WHEREAS, the contractor refused to sign the contract wrote by the Law Offices of Sonosky, Chambers, Sache, Endreson, and Perry; and

WHEREAS, Resolution #13-0626-187 must be rescinded; and

WHEREAS, Sean Cahill with approval of Kimberly McGrath did review the revised contract done by Bio-Tech Agronomics; and

WHEREAS, this contract is approved for signature, and

WHEREAS, nothing in this Contract shall be construed to be a waiver of the sovereign immunity of the Little River Band of Ottawa Indians or any of its subordinate enterprises or entities and

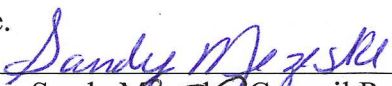
WHEREAS, Venue for any dispute arising out of this Contract shall be the Little River Band of Ottawa Indians Tribal Court. This Contract, and any disputes arising out of this Contract, shall be governed by the laws of the Little River Band of Ottawa Indians.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Ogema to execute the Agreement with Bio-Tech Agronomics incorporating the contents of this resolution.

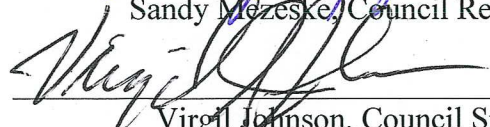
NOW THEREFORE IT IS FURTHER RESOLVED THAT Resolution # 13-0626-187 must be rescinded.

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 Closed Session of the Little River Band of Ottawa Indians Tribal Council held on July 31, 2013, at the Little River Band's Conference Room in Manistee, Michigan, with a quorum being present for such vote.



Sandy Mezeske, Council Recorder



Virgil Johnson, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court