



## Little River Band of Ottawa Indians

2608 Government Center Drive  
Manistee, MI 49660  
(231) 723-8288

Moved to  
Open Session  
03/23/16

### Resolution # 16-0323-092

#### *Approving Tribal Ogema's Execution of a Business Associate Agreement and a Terms of Agreement for Affiliates document for the Parents as Teachers program*

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 legislative powers of the Tribe are vested in the Tribal Council according to Article IV, Section 1 of the Constitution; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) and (2) to exercise the inherent powers of the Tribe by establishing laws through the enactment of ordinances and adoption of resolutions to govern the conduct of Tribal Members and others within the Tribe's jurisdiction and to promote, protect and 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 authorized by Article IV, Section 7(b) to authorize and ratify agreements and contracts negotiated by the Tribal Ogema on behalf of the Little River Band with political subdivisions or private parties on all matters within the authority of the Tribal Council; and

WHEREAS, the executive powers of the Tribe are vested in the Tribal Ogema according to Article V, Section 1 of the Constitution; and

WHEREAS, the Tribal Ogema is authorized to consult, negotiate and execute agreements and contracts on behalf of the Little River Band with governments, political subdivisions and private parties subject to authorization and ratification by Tribal Council.

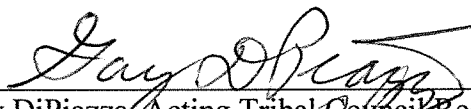
WHEREAS, the Tribal Ogema, through the Family Services Department, has consulted with the Parents as Teachers National Center, Inc.

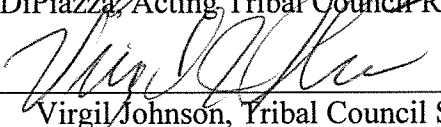
NOW THEREFORE IT IS RESOLVED, that the Tribal Council approves the Tribal Ogema's execution of a Business Associate Agreement and a Terms of Agreement for Affiliates document for the Parents as Teachers program.

IT IS FURTHER RESOLVED, that nothing about this letter of agreement that shall be construed to waive the Tribe's sovereign immunity from any action by any party or private individual, nor shall it operate to create a cause of action against the Tribe.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on March 23, 2016, at the Government Center in Manistee, Michigan, with a quorum being present for such vote.

  
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Gary DiPiazza, Acting Tribal Council Recorder

  
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Virgil Johnson, Tribal Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema  
Family Services Department  
Legal Department