



**Little River Band of Ottawa Indians**  
**Tribal Council**  
2608 Government Center Drive  
Manistee, MI 49660  
(231) 723-8288

**Resolution #16-0810-225**

*Resolution Approving the Tribal Wage Rate Ordinance #16-550-03*

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 by Article IV, Section 7(a)(1) 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 Tribe and its members; and

WHEREAS, 40 U.S.C. 3142(a) allows Tribes to author and enforce their own Tribal Wage Rate Ordinances to avoid the application of Davis-Bacon wages in certain circumstances; and

WHEREAS, the Tribal Council believes utilizing a Tribal Wage Rate in lieu of Davis Bacon wages, will allow funds used to build Tribal infrastructure to be more effectively spent; and

WHEREAS, the Tribal Wage Rate Ordinance was twice presented to the Construction Task Force to allow the Task Force to ask questions and make suggestions; and


WHEREAS, Tribal Council held two work sessions open to the public to discuss and obtain feedback about the proposed Tribal Wage Rate Ordinance; and

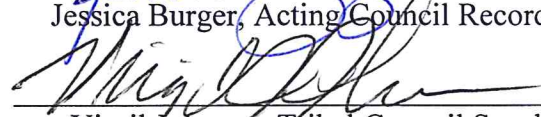
WHEREAS, the proposed Tribal Wage Rate Ordinance was publicly posted for 30 days to allow for the public to comment on the proposed legislation; and

NOW THEREFORE IT IS RESOLVED, the Tribal Council adopts the Tribal Wage Rate Ordinance in whole.

**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, and 2 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on August 10, 2016, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.

  
\_\_\_\_\_  
Jessica Burger, Acting Council Recorder

  
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Virgil Johnson, Tribal Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema  
Unified Legal Department