

**Little River Band of Ottawa Indians**

2608 Government Center Drive

 Manistee, MI 49660

 (231) 723-8288

 **Resolution # 16-1019-318**

*Ratification of Performance Resolution for Tribal Governments*

WHEREAS, the status of the *Gaá Čhíng Ziíbi Daáwaa Aníšhinaábek* (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 Tribe adopted amendments to the Constitution on July 11, 2016 which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; 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 Gaming Enterprise Oversight Act of 2010 Ordinance #10-800-03, Section 6.02 states that the "General Manager shall not have the power to enter into or approve any contracts for legal counsel or construction contracts, nor may the General Manager enter into any form of contract or agreement or initiate negotiations with any municipality, nation, Indian Tribe, state or body politic, without the approval of the Tribal Council;" and

WHEREAS, the Performance Resolution between the Michigan Department of Transportation and the Little River Casino Resort constitutes an agreement with the State of Michigan; and

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WHEREAS, the Performance Resolution is required by the Michigan Department of

Transportation for purposes of issuing to a sovereign tribal government an "Individual Permit for use of State Trunkline Right of Way."

WHEREAS, the contract has been reviewed by the Unified Legal Department; and

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 Performance Resolution for Tribal Governments incorporating the contents of this resolution.

 **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 October 19, 2016, at the Government Center in Manistee, Michigan, with a quorum being present for such vote.

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Joseph Riley II, Council Recorder

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 Virgil Johnson, Council Speaker

Attest:

Distribution: Council Records

 Tribal Ogema