



**Little River Band of Ottawa Indians  
Tribal Council**

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

Moved to  
Open Session  
06/07/17

**Resolution #17-0111-008**

*Adopting the Documents for the Tribal Government Flexible Spending Account Plan for  
Calendar Year 2017 and Authorizing Tribal Ogema to Execute Supporting Documents*

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 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 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, 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 Tribe 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 Tribe with governments, political subdivisions and private parties, subject to authorization and ratification by Tribal Council; and

WHEREAS, the Tribal Ogema, through the Human Resources Department has consulted and caused to be created the Cafeteria Plan Documents for the Flexible Spending Plan for Tribal Government Employees; and

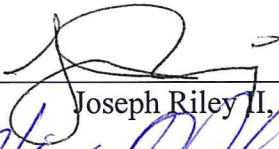
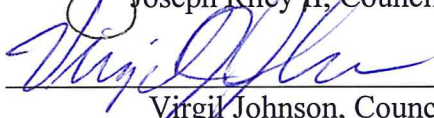
WHEREAS, Plan Documents require adoption by Tribal Council Resolution to have effect and the supplemental participation agreement requires approval and signature by an authorized representative of the Employer.

NOW THEREFORE IT IS RESOLVED, that the Tribal Council adopts the Cafeteria Plan Documents and that the form of Cafeteria Plan including a Health Flexible Spending Account (excluding any carryover) and Dependent Care Flexible Spending Account effective 01/01/2017, presented to this meeting is hereby approved and adopted and that an authorized representative of the Employer is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

IT IS FURTHER RESOLVED THAT the Tribal Ogema is approved as the authorized representative to sign and certify documents related to the Cafeteria Plan.

#### **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, 1 ABSENT, and 1 VACANT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on January 11, 2017 at the Government Center in Manistee, Michigan, with a quorum being present for such vote.

  
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Joseph Riley II, Council Recorder  
  
\_\_\_\_\_  
Virgil Johnson, Council Speaker

cc: Council Records  
Tribal Ogema