



Little River Band of Ottawa Indians

2608 Government Center Drive

Manistee, MI 49660

(231) 723-8288

Resolution #17-0208-051

Creation of a Restricted Account for Capital Replacement Reserve

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 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, pursuant to Article IV, Section 7 (i)(2) of the Constitution, has the power to manage any funds within the exclusive control of the Tribe and to appropriate such funds for the benefit of the Tribe and its members; and

WHEREAS, the Ogema and Tribal Council have recognized the need to restrict funds for future capital replacement needs of the Tribe; and

WHEREAS, the Ogema and Tribal Council acknowledges the receipt of Ramah Navajo Chapter; et al v. Jewell Settlement Agreement in the amount of \$1,491,474.12; and

WHEREAS, the Tribal Ogema and Tribal Council have determined that the Ramah Navajo Chapter; et al v. Jewell Settlement Agreement funds received by the Tribe should be used to fund the restricted Capital Replacement Reserve; and


WHEREAS, the Tribal Ogema and Tribal Council have determined the amount of funding for the restricted Capital Replacement Reserve to be \$1,491,474.12; and

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes that funding in the amount of \$1,491,474.12 be placed in a restricted account for the purpose of a Capital Replacement Reserve ; and

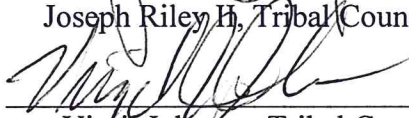
IT IS FURTHER RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians must approve by resolution any use of the Capital Replacement Reserve restricted funds.

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, 0 ABSENT, and 1 VACANT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on February 8, 2017, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.



Joseph Riley H, Tribal Council Recorder



Virgil Johnson, Tribal Council Speaker

Attest:

Distribution: Tribal Council
Tribal Ogema
Tribal Court
Commerce Department