



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

Moved to
Open Session
06/20/18

Resolution # 17-1025-371

Authorization of employment contract for Prosecutor thereby confirming the appointment of the Ogema's nominee for Prosecutor.

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 3, 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 established the Office of the Prosecutor through the adoption of Ordinance #11-400-09, and

WHEREAS, the Tribal Ogema is authorized under Article VIII, Section 8.02 of the Office of the Prosecutor Ordinance, to nominate an individual for the position of Prosecutor subject to confirmation by Tribal Council Resolution, and

WHEREAS, the Tribal Ogema is authorized under Article VI, Section 5(a) to negotiate and execute contracts on behalf of the Tribe, provided such contracts are approved and ratified by the Tribal Council; and

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WHEREAS, the Tribal Ogema's is requesting the approval of the employment contract for Prosecutor and the confirmation of the Appointment of the Ogema's nominee; and

WHEREAS, the appropriation of funds for the Prosecutor is included in the annual budget; and

WHEREAS, the Legal Department has reviewed the employment contract; and

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby ratifies the employment contract and appointment of the Tribal Ogema's nominee for Prosecutor. This appointment begins immediately at the expiration of the previous Prosecutor's term.

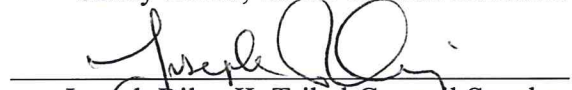
IT IS FURTHER RESOLVED THAT this employment contract sets the Prosecutor's compensation as required under Ordinance #11-400-09

IT IS FINALLY RESOLVED THAT nothing in this Resolution shall be considered a waiver of the Tribe's sovereign immunity.

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, 1 ABSTAINING, and 1 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on October 25, 2017, at the Government Center in Manistee, Michigan, with a quorum being present for such vote.


Sandy Lewis, Tribal Council Recorder


Joseph Riley II, Tribal Council Speaker

Attest:

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Tribal Ogema
Human Resources