



Little River Band of Ottawa Indians

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

**Moved to
Open Session
06/20/18**

Resolution # 17-1108-379

Ratification of Crossmatch CMT Maintenance Agreement

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 is vested with the authority, under Article IV, Section 7(b), to ratify contracts to be entered into by the Tribe; and

WHEREAS, the Tribal Council has, pursuant to Gaming Commission Ordinance # 04-400-04, created a Gaming Commission and delegated to such Commission the authority to regulate all gaming activities authorized by the Tribe and to enforce all Tribal and federal laws governing the conduct of Tribally-licensed gaming activities; and

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WHEREAS, the Gaming Commission is, pursuant to Section 6.01 (d) of the Gaming Commission Ordinance #04-400-04, to conduct or cause to be conducted, background investigations of persons or business entities applying for any license; and

WHEREAS, Gaming Ordinance #10-400-01 – Section 10.04 (q) provides that all applications for licenses for Key Employees and Primary Management Officials fingerprints shall be requested. Fingerprints shall be taken by the regulatory agency and will then be forwarded to the National Indian Gaming Commission (NIGC) for processing through the Federal Bureau of Investigation (FBI) and the National Criminal Information Center to determine the applicant's criminal history, if any; and

WHEREAS, the Gaming Commission's purchased a Crossmatch Live Scan fingerprint system in 2015 and the yearly maintenance plan expires on November 30, 2017; and

WHEREAS, the purchase an additional one-year maintenance plan is necessary in order to have the support required in the event any of the components of the machine or software malfunction; and


WHEREAS, the Gaming Commission approved the agreement with Crossmatch by Resolution #GC17-1024-18 and is now requesting Tribal Council's approval.

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 Agreement with Crossmatch to provide one-year extended CMT Maintenance services to the Gaming Commission for the Livescan fingerprint machine and software.

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 Closed Session of the Little River Band of Ottawa Indians Tribal Council held on November 8, 2017, at the Government Center in Manistee, Michigan, with a quorum being present for such vote.


Ron Wittenberg, Acting Council Recorder


Sandra Lewis, Acting Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Unified Legal Department