



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

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

Moved to
Open Session
11/29/17

Resolution #17-1129-408

*Adoption of Employee Training Loan and Payment Agreement and Approval for Tribal Ogema
to Execute these Agreements*

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 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 by and through the Tribe's Unified Legal Department and Human Resources Director drafted a template agreement for general use within the government departments that protect the Tribe's sovereignty and interests; and

WHEREAS, the Tribal Council finds that the Employee Training Loan and Payment Agreement, created versions November 2017 or later, do not require a waiver of sovereign immunity; and

WHEREAS, the Tribal Council and Ogema find that these agreements can be expedited by establishing a template agreement and maintaining the requirement of legal review.

NOW THEREFORE IT IS RESOLVED, that the Tribal Council adopts the blanket template, "Employee Training Loan and Payment Agreement", and approves the Tribal Ogema's execution of these agreements.

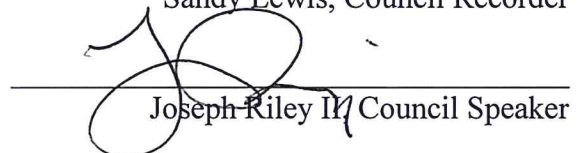
FURTHER IT IS RESOLVED, that the Unified Legal Department will continue to review all agreements to ensure no terms are changed and no Tribal Council review is required.

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, and 1 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on November 29, 2017 at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.



Sandy Lewis, Council Recorder



Joseph Riley II, Council Speaker

cc: Council Records
Tribal Ogema
Unified Legal Department