



Little River Band of Ottawa Indians

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

Moved to
Open Session
06/20/18

Resolution # 17-1206-421

Ratification of Contract for 2018-2019 with the Law Office of Richard G. McGee, LLC

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 previous contract terms agreed to by the Tribal Council allowed for a one-year renewal of contract with the Law Office of Richard G. McGee's and the contract was reviewed by the Unified Legal Department; 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 has a need for outside legal counsel to assist the Gaming Commission in drafting regulations, policies and procedures, and to represent the Gaming Commission with matters where there is a perception of a conflict of interest for the Unified Legal Department to provide the same legal assistance or if assistance is requested by the Gaming Commission after consulting with the Tribe's Unified Legal Department; and

WHEREAS, the Gaming Commission believes it is imperative that they retain legal counsel experienced in Indian gaming regulatory matters and Human Resource matters and continues to be very satisfied with the services provided them by the Law Office of Richard G. McGee, LLC; and

WHEREAS, the Gaming Commission approved the 2018-2019 contract with the Law Office of Richard G. McGee, LLC by Resolution #GC17-1121-22; and


WHEREAS, the Gaming Commission is requesting Tribal Council's approval of the Special Counsel Attorney Contract for 2018-2019 and approval of the expenditure of budgeted funds for the professional services and associated expenses.

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 the Law Office of Richard G. McGee, LLC to provide legal services to the Gaming Commission and approves the billable fees for professional services and expense as per the contract.

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 December 6, 2017, at the Government Center in Manistee, Michigan, with a quorum being present for such vote.


Gary DiPiazza, Acting Council Recorder


Sandy Lewis, Acting Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Unified Legal Department