



Little River Band of Ottawa Indians

2608 Government Center Drive

Manistee, MI 49660

(231) 723-8288

Resolution #18-0411-115

Approval of Supplemental Appropriation 2018-07-2nd QTR to fund legal representation for Tribal Council in the Ogema-Stone v. Tribal Council case in the amount of \$30,000

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 has received a Certification of Availability of Funds, #2018-007, from the Accounting Department signed by the Chief Financial Officer; and

WHEREAS, the appropriation of funds from the General Fund will require a modification of the Operating Budget for Fiscal Year 2018, which was approved on November 29, 2017.



NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves a modification to the Operating Budget for the Tribal Government for Fiscal Year 2018 to include an appropriation of \$30,000 from the Tribe's unrestricted fund balance to fund legal representation for Tribal Council in the Tribal Ogema and Stone v. Tribal Council case.

IT IS FURTHER RESOLVED THAT this supplemental appropriation shall be allocated in the 2nd quarter.

Program #1020-100-5205 - Tribal Council \$30,000

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 FOR, 1 AGAINST, 0 ABSTAINING, and 2 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on April 11, 2018, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.

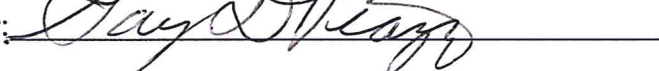

Gary Di Piazza, Acting Council Recorder

Sandra Lewis, Acting Council Speaker

Attest:

Presentation of Resolution Budget Modification to Tribal Ogema:

Pursuant to Article V, Section 5(a)(6) and Section 5(c) of the Tribal Constitution, the foregoing Resolution #18-0411-115, modifying the Operating Budget for Fiscal Year 2018 as set forth in Resolution #17-1129-416, which has been presented to the Tribal Ogema by the Tribal Council Recorder for his/her approval.

Date delivered to Tribal Ogema: April 25, 2018

Signature of Acting Council Recorder: 

Action by the Tribal Ogema: ☐ Approved ☐ Disapproved (attach comments)

Date: _____

Signature of Ogema: _____

Distribution: Council Records Tribal Ogema Tribal Court Accounting Department



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

Resolution #18-0425-122

*Approving Override of Tribal Ogema's Disapproval of Supplemental Appropriation
2018-07-2nd QTR*

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 legislative powers of the Little River Band of Ottawa Indians is vested in the Tribal Council by Article IV of the Constitution; 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 by the adoption of resolutions and ordinances; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(e) to employ legal counsel, subject to approval by the Secretary of the Interior as long as approval is required; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(i)(2) to manage any funds within the exclusive control of the Tribe and to appropriate such funds for the benefit of its members; and

WHEREAS, the executive powers of the Little River Band are vested in the Tribal Ogema by Article V of the Constitution; and

WHEREAS, the Tribal Ogema is authorized by Article V, Section 5(a)(1) to enforce and execute the laws, ordinances and resolutions of the Tribal Council, consistent with the Constitution; and

WHEREAS, the Tribal Ogema is authorized by Article V, Section 5(a)(6) to have veto power over actions of the Tribal Council modifying the Tribal Budget or appropriations items; and

WHEREAS, the Tribal Ogema's veto or disapproval of a modification of the Tribal budget by Tribal Council may be reconsidered and reinstated by Tribal Council on the affirmative vote of six of the nine members; and

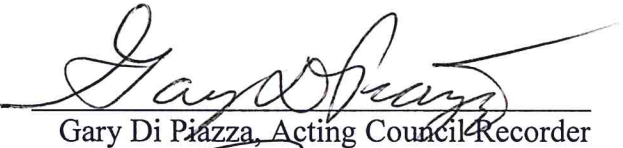
WHEREAS, the Tribal Council by adoption of Resolution #18-0411-115 adopted Supplemental Appropriation 2018-07-2nd QTR; and

WHEREAS, the Tribal Ogema timely returned notice of his disapproval of SA 2018-07-2nd QTR.

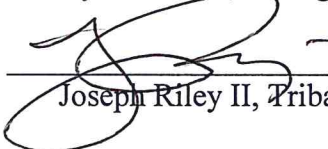
NOW THEREFORE IT IS RESOLVED, that Tribal Council reconsiders and again approves Supplemental Appropriation 2018-07-2nd QTR.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 FOR, 0 AGAINST, 0 ABSTAINING, and 3 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on April 25, 2018, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.



Gary Di Piazza, Acting Council Recorder



Joseph Riley II, Tribal Council Speaker

Attest:

Distribution: Council Records
 Tribal Ogema
 Legal Department
 Accounting Department