

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

**Moved to  
Open Session  
05/22/19**

**Resolution #19-0522-126**

*Approving Retail License & Permit Application Between  
Little River Casino Resort and Michigan Department of Licensing and Regulatory Affairs*

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) of the Constitution 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 empowered by Article IV, Section 7(a) of the Constitution to establish laws through the enactment of ordinances and adoption of resolutions; and

WHEREAS, the Tribal Council is empowered by Article IV, Section 7(f) of the Constitution of the Tribe to create subordinate organizations and to delegate to such organizations the power to manage the enterprises of the Tribe; and

WHEREAS, the Tribal Council adopted the Gaming Enterprise(s) Oversight Act of 2010, Ordinance #10-800-03, by Tribal Council Resolution on January 11, 2017; and

WHEREAS, Section 16.07 of the Gaming Enterprise(s) Oversight Act of 2010 states “the Oversight Task Force shall not have the power to enter into or approve any contracts for legal counsel or construction contracts, nor may the Board enter into any form of contract or agreement or initiate negotiations with any municipality, nation, Indian Tribe, state or body politic, without approval of the Tribal Council”; and

WHEREAS, the Tribal Council of the Little River Band of Ottawa Indians has been presented with a retailer license and permit application between Little River Casino Resort and the Michigan Department of Licensing and Regulatory Affairs; and

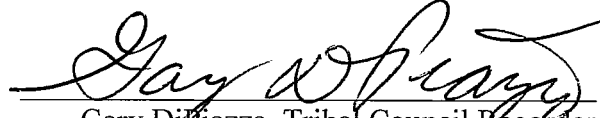
WHEREAS, the Liquor Control Ordinance, Ordinance #98-400-02, Section 1.06(d) currently states that: “Nothing in this Ordinance shall be construed as a consent by the Tribe to the jurisdiction of the State of Michigan or any of its courts or subordinate political subdivisions or municipalities within the Reservation over any activity arising under or related to the subject of this Ordinance nor shall anything in this Ordinance constitute an express or implied waiver of the sovereign immunity of the Tribe”; and

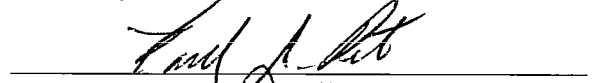
WHEREAS, the Tribal Council of the Little River Band of Ottawa Indians is aware the State of Michigan may require regulatory jurisdiction related to liquor sales in the Little River Trading Post. A resolution approving regulatory jurisdiction of liquor sales in the Little River Trading Post shall be submitted to the Tribal Council of the Little River Band of Ottawa Indians upon request by the State of Michigan.

NOW THEREFORE IT IS RESOLVED that The Tribal Council of the Little River Band of Ottawa Indians hereby approves the retailer license and permit application between the Little River Casino Resort and the Michigan Department of Licensing and Regulatory Affairs and authorizes execution by the Resort’s General Manager.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by The Little River Band of Ottawa Indians Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Closed Session Meeting of the Little River Band of Ottawa Indians Tribal Council held on May 22, 2019 at the Little River Band's Government Center in Manistee Michigan, with a quorum being present for such vote.

  
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Gary DiPiazza, Tribal Council Recorder

  
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Ron Pete, Tribal Council Speaker

Attest:

Distribution: Tribal Council  
Tribal Ogema  
Oversight Task Force Records  
LRCR General Manager