



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

**Moved to
Open Session
12/04/19**

Resolution # 19-1204-326

Adopting the Documents for the Tribal Government Flexible Spending Account Plan for Calendar Year 2020 and Authorizing Tribal Ogema to Execute Supporting Documents

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 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, through the Human Resources Department has consulted and caused to be created the Cafeteria Plan Documents for the Flexible Spending Plan for Tribal Government Employees; and

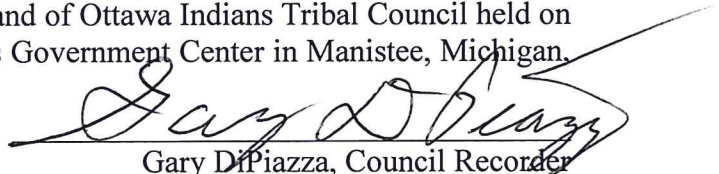
WHEREAS, Plan Documents require adoption by Tribal Council Resolution to have effect and the supplemental participation agreement requires approval and signature by an authorized representative of the employer.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians adopts the Cafeteria Plan Documents and that the form of Cafeteria Plan including a Health Flexible Spending Account (excluding any carryover) and Dependent Care Flexible Spending Account effective 01/01/2020, presented to this meeting is hereby approved and adopted and that an authorized representative of the Employer is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

IT IS FURTHER RESOLVED THAT attached hereto as Exhibits A and B, respectively, are true copies of Little Rive Band of Ottawa Indians Flexible Spending Plan Cafeteria Plan, and the Summary Plan Description approved and adopted in this resolution.

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 Closed Session of the Little River Band of Ottawa Indians Tribal Council held on December 4, 2019, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.


Gary DiPiazza, Council Recorder


Ron Pete, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema