



## Little River Band of Ottawa Indians

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

Moved to  
Open Session  
4/22/20

### Resolution # 20-0422-109

*Approval and Authorization of the Ogema to sign the Memorandum of Agreement (MOA)  
with the Michigan Department of Transportation (MDOT) for the US-31/M-22  
Roundabout Project*

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 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 Tribe 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 Tribe has received a Tribal Transportation Program (TTP) Safety Funds Grant in the amount of \$883,000.00 to utilize in the construction of a roundabout at the intersection of US-31 & M-22; and

WHEREAS, MDOT has committed its share of funding sufficient to complete the roundabout project, and is responsible for the overall performance of the roundabout project: and

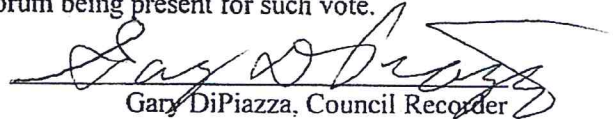
WHEREAS, both Tribal Council & the Ogema have determined that it is in the Tribe's best interest to enter into the Memorandum of Agreement (MOA) with MDOT to establish a mechanism for the Tribe to participate with MDOT in the performance and funding of the roundabout project.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council authorizes the Ogema to sign the MOA with MDOT and designates the LRBOI BIA Roads/Planning Coordinator as the internal Tribal Official to represent the Tribe in the implementation of the MOA.

IT IS FURTHER RESOLVED THAT nothing in this resolution or in the acceptance of the MOA with MDOT shall result in a waiver of the Tribe's sovereign immunity.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSTAINING, and 0 ABSENT at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on April 22, 2020, via teleconference, with a quorum being present for such vote.

  
Gary DiPiazza, Council Recorder

  
Ron Pete, Council Speaker

Attest:

Distribution: Tribal Council  
Tribal Ogema  
Purchasing Office