



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

**Moved to
Open Session
02/24/21**

Resolution #20-0617-174

Approving the Little River Casino Resort Conditional License Application and Application for and Transfer of Ownership of the State of Michigan Liquor License for the Little River Trading Post from the Little River Band of Ottawa Indians to the Little River Casino Resort

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 by Article IV, Section 7(a)(1) and (2) to establish laws through the enactment of ordinances and adoption of resolutions to govern the conduct of Tribal Members and others within the Tribe's jurisdiction and to provide for the public health, peace, morals, education and general welfare of the Tribe and its members; and

WHEREAS, the Tribal Council is authorized by Article IV, Section 7(b) to authorize and ratify agreements and contracts negotiated by the Tribal Ogema on behalf of the Little River Band with political subdivisions or private parties on all matters within the authority of the Tribal Council; and

WHEREAS, the Tribal Council of the Little River Band of Ottawa Indians has been

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presented with a Conditional License Application and a Transfer Retailer License and Permit Application between the Little River Band of Ottawa Indians, the 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 Michigan Department of Licensing and Regulatory of affairs issued the Specially Designated Distributor Licenses L-000423943 to the Little River Band of Ottawa Indians; and

NOW THEREFORE IT IS RESOLVED that the Tribal Council of the Little River Band of Ottawa Indians hereby approves the Little River Casino Resort Conditional License Application and application for and transfer of Ownership of the State of Michigan Liquor License SDD License L-000423943 for the Little River Trading Post from the Little River Band of Ottawa Indians to the Little River Casino Resort and all that entails and authorizes execution by the Resort's General Manager to submit said documents.

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 7 FOR, 1 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Closed Session Meeting of the Little River Band of Ottawa Indians Tribal Council held on June 17, 2020 via teleconference with a quorum being present for such vote.


Gary DiPiazza, Tribal Council Recorder


Ronald Pete, Tribal Council Speaker

Attest:

Distribution: Tribal Council
Tribal Ogema
LRCR General Manager