



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

**Resolution #21-0424-106**

*Approving Contract Between Little River Casino Resort and  
Newport Group, Inc. Restating Resort 401k plan*

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 16.04. of the Gaming Enterprise(s) Oversight Act of 2010 provides contracts in excess of \$250,000.00 or contracts with any vendor that exceed \$250,000 within a rolling eighteen (18) month period shall require Tribal Council approval; and

WHEREAS, the Tribal Council of the Little River Band of Ottawa Indians has been presented with a contract between Little River Casino Resort and Newport Group, Inc. restating the Little River Casino Resort 401(k) Plan.

NOW THEREFORE IT IS RESOLVED that Little River Casino Resort 401(k) Plan effective January 1, 2021 (the "Plan"), presented to Tribal Council is hereby approved and adopted and that the General Manager of the Little River Casino Resort is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan documents.

IT IS FURTHER RESOLVED that the Tribal Council hereby approves and adopts the Participant Loan Program attached hereto, effective January 1, 2021, as an addendum to the Plan, designed and intended to comply with the Department of Labor Regulations.


IT IS FINALLY RESOLVED that the appropriate officers are authorized, empowered and directed to do all acts and things necessary or desirable to effectuate actions authorized herein.

#### **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 April 24, 2021, via ZOOM, 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