



Little River Band of Ottawa Indians

2608 Government Center Drive
Manistee, MI 49660

Resolution #21-0522-126

Approval of Budget Modification MB-2021-24; amending the Indian Community Development Block Grant (ICDBG) Food Distribution Center Construction Budget, Program #4149 by decreasing in the amount of \$32,500

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, pursuant to Article IV, Section 7 (i)(2) of the Constitution, has the power to manage any funds within the exclusive control of the Tribe and to appropriate such funds for the benefit of the Tribe and its members; and

WHEREAS, the Tribal Council approved Resolution #20-1125-343, which adopted the FY2021 Tribal Government Operations Budget; and

WHEREAS, in accordance with Article VI, Section 6.05(a) of the Budget and Appropriations

Act of 2013; Ordinance #13-100-04, the Tribal Council must approve the re-allocation of funds within a program budget that exceeds 10% of the total original program budget; and

WHEREAS, the LRBOI Grant Department on behalf of the Food Distribution Department, requested of the Shakopee Mdewakanton Sioux Community (SMSC) a response to allow reuse of the discovered overpayment toward the original project or return of the over payment (as stated in the accompanying documents of this resolution); and


WHEREAS, the (SMSC) has requested the return of the over payment.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves a modification to the Operating Budget for the Tribal Government for Fiscal Year 2021 in order to return the over payment of \$32,500 by the Shakopee Mdewakanton Sioux Community (SMSC) as follows:


Decrease Program #4149-000 GL Acct. #6100 by \$32,500

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 0 AGAINST, 0 ABSTAINING, and 2 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on May 22, 2021, via ZOOM, with a quorum being present for such vote.



Gary Di Piazza, Tribal Council Recorder



Ronald Pete, Tribal Council Speaker

Resolution #21-0522-126

MB-2021-24

Page 3 of 3

Attest:

Presentation of Resolution for Budget Modification to Tribal Ogema:

Pursuant to Article V, Section 5(a)(6) and Section 5(c) of the Tribal Constitution, the foregoing Resolution #21-0522-126, modifying the Operating Budget for Fiscal Year 2021 as set forth in Resolution #20-1125-343 has been presented to the Tribal Ogema by the Tribal Council Recorder for his/her approval.

Date delivered to Tribal Ogema: May 26, 2021

Signature of Council Recorder: [Signature]

Action by the Tribal Ogema: ___ Approved ___ Disapproved (attach comments)

Date: 5-26-2021

Signature of Ogema: [Signature]

Distribution: Council Records
Tribal Ogema
Accounting Department