



Little River Band of Ottawa Indians

2608 Government Center Drive

Manistee, MI 49660

(231) 723-8288

Resolution #21-0929-228

Approving Tribal Ogema's Execution of Medicaid Non-Federal Share Public Funding Agreement

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 Tribal Council has received the Medicaid Non-Federal Share Public Funding Agreement; and

WHEREAS, the agreement has been reviewed by the Unified Legal Department; and

WHEREAS, nothing the agreement includes a limited waiver of the sovereign immunity of the Little River Band of Ottawa Indians for claims related to payment share obligations; and

WHEREAS, Venue for any litigation or enforcement of dispute resolution arising out of this agreement shall the Michigan Court of Claims, if the Tribe is filing or a Michigan State court of competent jurisdiction, if the state is filing a claim. This agreement, and any disputes arising out of this agreement, shall be governed by the laws of the state of Michigan; and

WHEREAS the tribal share of the technical costs has been agreed to be paid initially by the Little Traverse Bay Band with equal payment from each of the tribes to Little Traverse Bay Band to cover each tribe's share.

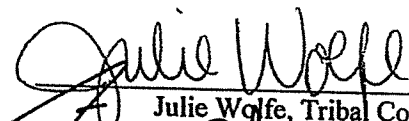
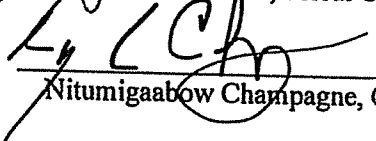
NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Ogema to execute Medicaid Non-Federal Share Public Funding Agreement.

IT IS FURTHER RESOLVED THAT the Tribal Council authorizes the payment to Little Traverse Bay Band to cover the calculated equal tribal share which is currently estimated around \$12,000.00.

IT IS FINALLY RESOLVED THAT the Tribal Ogema and Pharmacy staff may fill out the necessary Tribal Entity Attestation identified as Appendix A to the agreement as necessary to participate

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 Special Session of the Little River Band of Ottawa Indians Tribal Council held on September 29, 2021, via ZOOM, with a quorum being present for such vote.


Julie Wolfe, Tribal Council Recorder

Nitumigaabow Champagne, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema