



**Little River Band of Ottawa Indians**

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Resolution No. #98-1108-62

**Authorizing the Tribal Council Chairperson/Speaker and  
Council Secretary/Recorder to Execute  
Trust Agreement Providing for  
Administration of Per Capita Accounts for Minors, Incompetents and  
Incarcerated Tribal Members under the 80/20 Plan**

WHEREAS, the Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. §1300k et seq.)(hereinafter "Little River Act"); and

WHEREAS, Congress has enacted Public Law 103-143, which provides for the division of judgment funds of the Ottawa and Chippewa Indians of Michigan pursuant to dockets numbered 18-E, 58, 364, and 18-R; and

WHEREAS, the Little River Band of Ottawa Indians is the political successor to nine (9) Grand River Ottawa bands who are entitled to share in the division of such judgment funds as recognized in Public Law 105-143; and

WHEREAS, Section 5 of Public Law 105-143 required the Tribe to prepare a plan for use and distribution of the Tribe's share of the Dockets 18-E, 58 and 364 judgment funds; and

WHEREAS, the Section 2 of the Indian Tribal Judgment Funds Use or Distribution Act, 25 U.S.C. 1403, requires the Tribal Council to assure that the interests of minors and other legally incompetent persons entitled to receive any portion of the judgment funds distributed to them will be protected and preserved; and

WHEREAS, Section 3.04 of the "80/20 Distribution Plan" the requires the Tribal Council to place the per capita benefits of qualified minor, incompetent and incarcerated Tribal members in a private trust account administered pursuant to a trust agreement meeting the requirements described in the Plan; and

WHEREAS, the Tribal Council has approved the investment proposal submitted by Huntington National Bank to establish individual accounts to protect and promote the Tribe's interests and the interests of the beneficiaries of individual per capita accounts; 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 Tribal Council Chairperson/Speaker, pursuant to Article IV, Section 5 (a)(4) and Article V, Section 5(a)(3) and (8) of the Tribal Constitution, is authorized to represent the Tribe in its relations with other organizations and manage the economic affairs/enterprises of the Tribe, in a manner consistent with the Tribal Constitution and resolutions of the Tribal Council; and

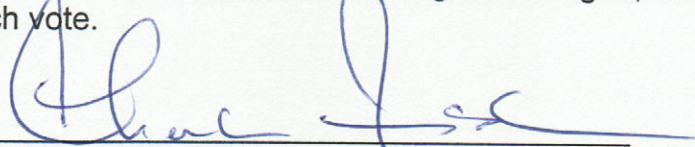
WHEREAS, the "80/20 Distribution Plan" contemplates that the Tribal Council will serve as the Trustee of the per capita accounts and the execution of a trust agreement to ensure that beneficiary's per capita accounts will be managed and administered consistent with the "80/20 Distribution Plan".

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves the Trust Agreement submitted and authorizes Chairperson/Speaker, Robert Guenthardt, to execute the Agreement on behalf the Tribe and authorizes Secretary/Recorder, Charles Fisher, to execute the Agreement on behalf of the Tribal Council of the Little River Band of Ottawa Indians;

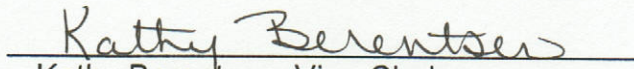
IT IS FURTHER RESOLVED THAT the Tribal Council authorizes the Tribal Chairperson/Speaker and Tribal Ogema to monitor administration and compliance with the Trust Agreement and other provisions governing the per capita trust accounts and report to the Council on a quarterly basis concerning the administration of those accounts.

**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 ABSENT, and 0 ABSTAINING, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on November 8, 1998, in Muskegon, Michigan, with a quorum being present for such vote.



Charles Fisher, Council Secretary/Recorder

  
Kathy Berentsen, Vice-Chairperson

Attest: