



Little River Band of Ottawa Indians

PO Box 314
Manistee MI 49660-0314
(616) 723-8288

RESOLUTION NO. #99-1120-02

RATIFYING CONSULTING CONTRACT WITH LEXICON FOR WORK RELATING TO U.S. v. MICHIGAN

WHEREAS, the Little River Band of Ottawa Indians is a federally recognized tribe, as reaffirmed under P.L. 103-324, enacted on September 21, 1994, with property rights secured to it under the 1836 Treaty of Washington (7 Stat. 491) and the 1855 Treaty of Detroit (11 Stat. 621); and

WHEREAS, the Little River Band of Ottawa Indians is descended from, and is the political successor to, Grand River Ottawa Bands which were signatories of the 1836 Treaty of Washington (7 Stat. 491), as reaffirmed under P.L. 103-324, enacted on September 21, 1994; and

WHEREAS, the Little River Band of Ottawa Indians reserved certain rights to hunt, fish, trap and gather natural resources from the lands and waters in those portions of Michigan which were ceded under the 1836 Treaty. These treaty based rights were confirmed, in part, by United States v. Michigan, 471 F.Supp 192 (W.D. Mich. 1979); *affirmed*, 653 F.2d 277 (6th Cir. 1981); *certiorari denied*, 454 U.S. 1124, 102 S.Ct. 971 (1981), and reaffirmed by P.L. 103-324 section 5, and are protected by the United States Constitution (Art. 1, §8, cl. 3 and Art. 6, cl. 2); and

WHEREAS, the maintenance and preservation of the Tribe's treaty rights, including the reserved right to fish on the Great Lakes is a critical priority of the Tribe; and

WHEREAS, it is the responsibility of the Tribal Council to protect Tribal members and Tribal property; and

WHEREAS, the Tribe desires to enter into a letter agreement with Lexicon to perform tasks related to the provision of expert testimony in U.S. v. Michigan; and

WHEREAS, representatives of Bay Mills Indian Community, Sault Ste Marie Tribe of Chippewa Indians and Little River have negotiated a letter agreement with Lexicon for the above work; and

WHEREAS, under the specific terms of a Consulting Agreement, including the total payments due from the three Tribes to Lexicon for fees and expenses will be separately negotiated and ratified by Tribal Council; and

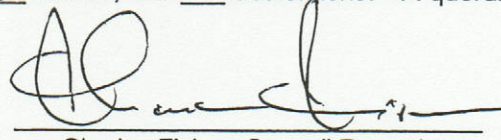
WHEREAS, the Tribal Council finds the terms of such agreement to be in the best interests of the Tribe.

NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby ratifies the letter agreement between the Bay Mills Indian Community, Little River Band of Ottawa Indians, Sault Ste Marie Tribe of Chippewa Indians and Professor Richard Bishop, and executed by Tribal Council Speaker, Joan Spalding.

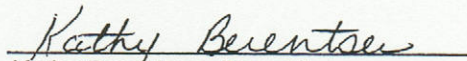
Certificate of Adoption

This resolution was adopted by the Tribal Council of the Little River Band of Ottawa Indians at its Regular Session held at the Tribal Community Center in Manistee, Michigan on November 20, 1999, by a vote of 6 in favor, 0 opposed, 3 absent, and 0 abstentions. A quorum of the Tribal Council being present for such vote.

Date: 11/20/99


Charles Fisher, Council Recorder

Attest:


Kathy Berentsen, Councilor