



Little River Band of Ottawa Indians

2608 Government Center Drive

Manistee, MI 49660

(231) 723-8288

Resolution # 17-

Authorizing minimum of 40 hours of work at the office attending Tribal Council meetings for Tribal Council Members to receive full compensation, and superseding and clarifying Resolution Numbers 15-0415-115, 13-0424-085, 11-420-132, 09-0415-99, 07-0321-147, 05-0511-197, and 03-0419-100 governing compensation for Tribal Council

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 6(e), of the Constitution to determine its own rules of procedure for meetings of the Tribal Council; and

WHEREAS, Article X, Section 3 of the Constitution sets forth the reasons for which a Tribal Council Member or the Ogema may be removed from office; and

WHEREAS, the Tribal Council Meeting Procedures Ordinance, No. 06-100-02, identifies work sessions as Tribal Council meetings at Section 4.04; and

WHEREAS, Article IX of the Tribal Council Meeting Procedures Ordinance, No. 06-100-02, identifies and clarifies the reasons for which a Tribal Council Member may be removed from office; and

WHEREAS, Section 9.02(a) of the Tribal Council Meeting Procedures Ordinance provides that a Tribal Council Member may be removed for malfeasance in office, which includes, but is not limited to, unjust performance; and

WHEREAS, the Tribal Council identified the compensation levels for the Speaker, Recorder and Councilors by resolution # 03-0419-100; and

WHEREAS, the Tribal Council continued the compensation under Resolution # 05-0511-197, #07-0321-147, #09-0415-99, #11-0420-132, #13-0424-085 and 15-0415-115; and

WHEREAS, the Tribal Council holds work sessions daily, and the subjects of those work sessions are of great importance to the Tribe and Tribal Members and require the attention and attendance of all Tribal Council Members; and

WHEREAS, The Tribal Council believes that attendance at daily work session meetings by all Tribal Council members is part of the procedure required in order that the issues raised at those meetings may be fully discussed and that the attention of the full Council may be focused on those issues; and

WHEREAS, the Tribal Council believes it would be in the best interests of the Tribe to require 40 hour minimum work week to be at the Tribal Council offices located at 2608 Government Center Drive, Manistee, MI or Muskegon Office Located at 1101 West Hackley, Muskegon, Mi, in order to attend and participate in Tribal Council work session meetings and attend to other office matters; and

WHEREAS, the Tribal Council believes it is necessary to establish that in the event a Tribal Council Member fails to attend work session meetings and perform other office duties for a minimum of 40 hours per week at the Tribal Council offices located at 2608 Government Center Drive, Manistee, MI, Muskegon Office Located at 1101 West Hackley, Muskegon, Mi, then his or her compensation shall be adjusted accordingly to reflect only those hours actually spent in the office; and

WHEREAS, the Tribal Council Recorder will be responsible for tallying the number of hours worked by Tribal Council members; and

WHEREAS, the Tribal Council recognizes that Tribal Council Members are required to travel from time to time on legitimate Tribal business, and will allow for legitimate travel time to substitute for attendance at office meetings when those hours are submitted to the Tribal Council Recorder for tallying; and

WHEREAS, the Tribal Council believes that the importance of requiring all Council Members to perform 40 hours of work per week at the Tribal Council offices located at 2608 Government Center Drive, Manistee, MI, Muskegon Office Located at 1101 West Hackley, Muskegon, Mi, is so great that a failure to adhere to this requirement for four consecutive weeks will be grounds for removal from Tribal Council.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the continued application of Tribal Council compensation with the superseding and clarifying change that a minimum of 40 hours of work per week attending meetings and fulfilling other duties at the Tribal Council offices must be performed in order to receive full compensation.

NOW THEREFORE IT IS FURTHER RESOLVED THAT if a Tribal Council member does not fulfill the 40 hour minimum in any single week, his or her wages will be diminished to cover only the number of hours actually worked at the Tribal Council offices.

NOW THEREFORE IT IS FURTHER RESOLVED THAT if a Tribal Council member fails to fulfill the requirement of office attendance for a minimum of 40 hours per week for four consecutive weeks, this will be grounds for removal from Council.

NOW THEREFORE IT IS FURTHER RESOLVED THAT this Resolution clarifies and supersedes Resolution Numbers 15-0415-115, 13-0424-085, 11-0420-132, 09-0415-99, 07-0321-147, 05-0511-197 and 03-0419-100 which govern compensation for Tribal Council.

IT IS FINALLY RESOLVED THAT the Tribal Council directs that this resolution shall continue in effect unless specifically amended or rescinded by subsequent resolution adopted by the Tribal Council.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with _ FOR, _ AGAINST, _ ABSTAINING, and _ ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on

2017, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.

Joseph Riley II, Council Recorder

Virgil Johnson, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
HR Department Accounting Department