



Little River Band of Ottawa Indians

375 River Street
Manistee MI 49660

Resolution # 09-1202-340

Reauthorizing the Governmental Center Project Task Force empowered to oversee the design, development and construction management process for the new Governmental Center-Amending Attendance Requirement

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 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 authorized to establish subordinate bodies and to delegate decision-making authority to such bodies in accordance with Article IV, Section 7(f); and

WHEREAS, The Ogema and Tribal Council have approved for efforts to proceed in the planning and development of a new governmental center, in order to consolidate existing Tribal governmental functions and services onto one site, thereby providing for savings in operation and maintenance costs, and to provide for improved service delivery for Tribal members; and

WHEREAS, pursuant to Resolution # 09-0603-151, the Ogema and Tribal Council have approved the issuance of a Request for Proposal to advertise for an architectural firm to be responsible for the design and development of a new governmental center; and

WHEREAS, pursuant to Resolution #09-0617-169, the Tribal Council created the Task Force purpose, set forth membership, and defined attendance guidelines; and

WHEREAS, pursuant to Resolution # 09-0916-265, the Tribal Council removed two members of the Task Force due to attendance requirement issues as mandated by the Resolution creating the body; and

WHEREAS, the Tribal Council finds that the limitations on excused absences, i.e. only for a business related travel purpose, is restrictive to the point that the Task Force will inevitably lose additional members who are absent for valid reasons other than travel; and

WHEREAS, the Tribal Council has determined that the "excused absence" limitation should be redefined to allow other circumstances to justify a valid excused absence that does not pose the risk of removal to the members of the Task Force; and

WHEREAS, the Ogema and Tribal Council desire that the body, known as the Governmental Center Project Task Force, remain empowered with all project management and decision-making authority necessary to facilitate the planning and development of a new governmental center.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council does hereby reaffirm the Governmental Center Project Task Force with the authority to recruit and select an architectural firm, provide direction to the architectural firm during the design and development process, as well as be empowered with all necessary project management and decision-making authority during the subsequent construction process for a new governmental center. Provided that there is adequate funding, financing or financial resources in place, duly approved by Tribal Council, to complete any construction process authorized by the Task Force.

IT IS FURTHER RESOLVED THAT the Tribal Council does appoint as voting members the following individuals to serve on the Governmental Center Project Task Force specific to the government center project:

Virgil Johnson

Patricia Ruiter

Robert Whiteloon

Candace Chapman

Larry Romanelli and/or his designee

IT IS FURTHER RESOLVED THAT the Tribal Council does hereby grant all necessary authority and management, including the budget, work authorization orders, and decision-making responsibilities with respect to the construction process for the new governmental center to the Governmental Center Project Task Force, subject to the limitation noted in the first RESOLVED with respect to financial resources.

IT IS FURTHER RESOLVED THAT this subordinate body, the Governmental Center Project Task Force, shall be required to establish a quorum and to act by motion and roll call vote, with majority vote prevailing, on any matter that comes for approval or action of the Task Force.

IT IS FURTHER RESOLVED THAT the delegation of authority and conveyance of decision-making authority for the Governmental Center Project Task Force shall remain in effect until the Tribal Council takes official action to dissolve the Task Force.

IT IS FURTHER RESOLVED THAT Resolution # 09-0610-154 approved on June 10, 2009 and Resolution #09-0617-169 are hereby rescinded.

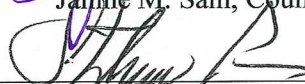
IT IS FINALLY RESOLVED THAT Committee member attendance is mandated. Absences may be excused in the event of business related travel, or for any other valid reason as determined by a majority vote of the Committee. The Committee must document approval of an excused absence in the permanent record of the Task Force. A Committee member that misses three meetings due to matters that are not business travel related or have not been excused by the remaining members of the Committee and recorded by the Task Force may be removed from the Task Force. Such removal shall be by 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 5 FOR, 0 AGAINST, 1 ABSTAINING, and 3 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on December 2, 2009 at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.



Jarline M. Sam, Council Recorder



Stephen Parsons, Council Speaker

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