



Little River Band of Ottawa Indians
2608 Government Center Drive
Manistee, MI 49660
(231) 723-8288

Resolution #15-0121-014

Approval and Authorization of the Ogema to sign the Michigan Department of Transportation (MDOT) Performance Resolution for Tribal Governments

WHEREAS, the status of the *Gaá Čhing 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 Tribe 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 Tribe is constructing a sewer system along a portion of US-31 in Manistee Township which will run along a MDOT Right of Way; and

WHEREAS, a Performance Resolution is required by MDOT for purposes of issuing to a sovereign tribal government an "Individual Permit for Use of State Trunkline Right of Way," or an "Annual Application and Permit for Miscellaneous Operations Within State Trunkline Right of Way," and


WHEREAS, both Tribal Council & the Ogema have determined that it is in the Tribe's best interest to enter into the Performance Resolution for Tribal Governments with MDOT.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council authorizes the Ogema to sign the Performance Resolution for Tribal Governments and designates the LRBOI BIA Roads/Planning Coordinator as the internal Tribal Official that can apply for the permits covered by this performance resolution.

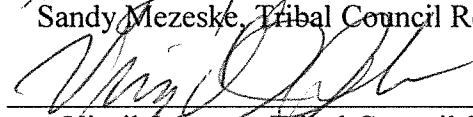
IT IS FURTHER RESOLVED THAT nothing in this resolution or in the acceptance of the Performance Resolution for Tribal Governments with MDOT shall result in a waiver of the Tribe's sovereign immunity.

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 Regular Session of the Little River Band of Ottawa Indians Tribal Council held on January 21, 2015, at the Little River Band Government Center in Manistee, Michigan, with a quorum being present for such vote.



Sandy Mezeske, Tribal Council Recorder



Virgil Johnson, Tribal Council Speaker

Attest:

Distribution: Tribal Council
Tribal Ogema
Purchasing Office