



## Little River Band of Ottawa Indians

2608 Government Center Drive

Manistee, MI 49660

(231) 723-8288

Moved to  
Open Session  
02/18/15

### Resolution # 15-0218-037

*Approval of ceiling amount for fiscal year 2015 for legal services provided by Ziontz, Chestnut, Varnell, Berley & Slonim for services related to Rights Protection*

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 under Article IV, Section 7(e) to employ legal counsel, subject to approval by the Secretary where approval is required by federal law; and

WHEREAS, the Tribe entered into a contract for legal services with the law firm Ziontz, Chestnut, Varnell, Berley & Slonim in 2003; and

WHEREAS, an addendum to that contract was executed on February 27, 2007; and

WHEREAS, Paragraph 3 of the Addendum provides that the maximum amount of fees to be charged by the firm shall not exceed an amount to be determined by Tribal Council resolution each calendar year until the contract is terminated; and

WHEREAS, Paragraph 4 of the Addendum provides that reimbursements for expenses shall also be included in the amount approved by Tribal Council resolution each calendar year until the contract is terminated; and

WHEREAS, funding is available and budgeted within fund 4031, GL 5205, Natural Resources Budget in the amount of \$7,660.00 for professional services.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby determines that payments to the law firm Ziontz, Chestnut, Varnell, Berley and Slonim shall not exceed \$7,660.00 in total for fees and expenses combined.


IT IS FURTHER RESOLVED THAT fees or expenses for services in excess of \$7,660.00 will not be paid without appropriate budget modification approval by Tribal Council on request from the Natural Resources Department.

IT IS FURTHER RESOLVED, that outstanding bills received by the Natural Resources Department for the calendar year 2014 shall be immediately forwarded to the Accounting Department for processing.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 2 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on February 18, 2015, at the Government Center in Manistee, Michigan, with a quorum being present for such vote.

  
\_\_\_\_\_  
Sandy Mezeske, Council Recorder

  
\_\_\_\_\_  
Virgil Johnson, Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema  
Chief Financial Officer  
Director – Natural Resources Department  
Legal Departments