



**Little River Band of Ottawa Indians
Tribal Council**

2608 Government Center Drive
Manistee, MI 49660
(231) 723-8288

Resolution #15-1202-362

Rescinding Resolution #15-0808-236 and Extending the Appointments of Jamie Friedel and Marcella Leusby to the Housing Commission to Terms Ending September 20, 2019

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 legislative powers of the Tribe are vested in the Tribal Council according to Article IV, Section 1 of the Constitution; and

WHEREAS, the Tribal Council is authorized by Article IV, Section 7(a)(1) and (2) to exercise the inherent powers of the Tribe by establishing laws through the enactment of ordinances and adoption of resolutions to govern the conduct of Tribal Members and others within the Tribe's jurisdiction and to promote, protect and provide for the public health, peace, morals, education and general welfare of the Tribe and its members; and

WHEREAS, the Tribal Council is authorized by Article IV, Section 7(f) to create by ordinance regulatory commissions or subordinate organizations and to delegate to such organizations the power to manage the affairs and enterprises of the Little River Band; and

WHEREAS, the Tribal Council is authorized by Article VI, Section 7(g) to establish rules and procedures to regulate all meetings of regulatory commissions or subordinate organizations created by ordinance; and

WHEREAS, the Tribal Council is authorized by Article VI, Section 7(h) to approve appointments to regulatory commission created by ordinance; and

WHEREAS, the executive powers of the Tribe are vested in the Tribal Ogema according to Article V, Section 1 of the Constitution; and

WHEREAS, the Tribal Ogema is authorized by Article V, Section 5(a)(4) to appoint members to regulatory commissions with the approval of Tribal Council; and

WHEREAS, pursuant to its Constitutional powers, the Tribal Council set rules and procedures for all regulatory commissions by adoption of the Commissions Ordinance, Ordinance #04-0150-01; and

WHEREAS, pursuant to its Constitutional powers, the Tribal Council created the Tribe's Housing Commission by adoption of the Housing Commission Ordinance, Ordinance 04-700-041, for the purpose of regulating the Tribe's housing activities; and

WHEREAS, pursuant to his Constitutional powers, the Tribal Ogema recommended Jamie Friedel and Marcella Leusby to the Housing Commission by request for approval remainder terms to the Tribal Council on July 31, 2014; and

WHEREAS, pursuant to its Constitutional powers, the Tribal Council approved the appointments; and

WHEREAS, seats to be filled were in fact newly created seats by adoption of Tribal Council Resolution #14-0514-148, which adopted amendments to the Housing Commission Ordinance to increase the seats from three to five; and

WHEREAS, the Housing Commission Ordinance, Section 4.03(a) provides that terms of office shall be four years; and

WHEREAS, the amendments adopted by the Tribal Council in Resolution #14-0514-148 operated to create two seats on the Housing Commission with terms to run until September 20, 2019; and

WHEREAS, the appointments of Marcella Leusby and Jamie Friedel were erroneously approved to last until September 20, 2018; and

WHEREAS, the Tribal Council attempted to adjust the terms of Marcella Leusby and Jamie Friedel to extend to September 20, 2019, however, an administrative error resulted in the resolution saying September 20, 2018.

NOW THEREFORE IT IS RESOLVED, that the appointments of Marcelle Leusby and Jamie Friedel to the Housing Commission shall be for the full terms of office and shall be effective until September 20, 2019, subject to all other provisions of Tribal law regarding service on commissions.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on December 2, 2015, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.

Gary Di Piazza, Acting Council Recorder

Joseph Riley II, Acting Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Housing Commission
Legal Department