



WAGANAKISING ODAWAK
LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS
LEGISLATIVE BRANCH
7500 ODAWA CIRCLE
HARBOR SPRINGS, MI 49740



EFFECTIVE DATE

According to LTBB Constitution – Article VII, (D) 1. They (Resolutions and Statutes) shall be deemed enacted if not expressly vetoed by the Executive within thirty (30) days of submission.

Tribal Resolution # 022218-02: “Appropriation of Funds for the Legal Fund-Reservation Boundary in the amount of \$1.5 million and restrict an additional \$1 million for a Reservation contingency, including post litigation support” was submitted to the Executive on February 23, 2018. The Executive did not sign or expressly veto within 30 days from submission to the Executive Branch. Therefore, Tribal Resolution # 022218-02: Appropriation of Funds for the Legal Fund-Reservation Boundary in the amount of \$1.5 million and restrict an additional \$1 million for a Reservation contingency, including post litigation support is deemed enacted on March 24, 2018 per LTBB Constitution.

Date: 03/27/18

Linda Gokee

Administrative Assistant
Legislative Branch/Tribal Council
Little Traverse Bay Bands of Odawa Indians
7500 Odawa Circle
Harbor Springs, MI 49740

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TRIBAL RESOLUTION 022218-02

Appropriation of Funds for the Legal Fund-Reservation Boundary in the amount of \$1.5 million and restrict an additional \$1 million for a Reservation Litigation contingency, including post litigation support.

WHEREAS the Waganakising Odawak Nation, known as the Little Traverse Bay Bands of Odawa Indians, and its citizens are vested with inherent sovereignty and right to self-governance;

WHEREAS the Little Traverse Bay Bands of Odawa Indians is a federally recognized Indian Tribe under Public Law 103-324, and is a party to numerous Treaties with the United States the most recent of which being the Treaty of Washington of March 28, 1836 (7 Stat. 491) and the Treaty of Detroit of 1855 (11 Stat. 621);

WHEREAS the Little Traverse Bay Bands of Odawa Indians Constitution recognizes that as a Tribe *"We will work together in a constructive, cooperative spirit to preserve and protect our lands, resources and Treaty Rights, and the right to an education and a decent standard of living for all our people."*;

WHEREAS the territory of the Little Traverse Bay Bands of Odawa Indians shall encompass all lands and waters within the Reservation as defined in Article III of the Tribal Constitution: *"Unless otherwise specified in this Constitution "Reservation" means all lands within the boundaries of the reservations for the Little Traverse Bay Bands of Odawa Indians as set out in Article I, paragraphs third and fourth of the Treaty of 1855, 11 Stat. 621, plus any lands set out in Articles Second and Third of the Treaty of March 28, 1836, 7 Stat. 491, . . ."*

Tribal Resolution Appropriation of Funds for the Legal Fund- Reservation Boundary

Secretary Kiogima 

WHEREAS the Little Traverse Bay Bands of Odawa Indians retained Hogen Adams PLLC, in April of 2015, to file a complaint in the U.S. District Court for the Western District of Michigan against the State of Michigan to obtain a declaratory judgment recognizing the historic Little Traverse Reservation—as established by Executive Orders of 1855 and the 1855 “Treaty with the Ottawa and Chippewa”—and declaring that all lands within the Little Traverse Reservation are Indian country under Federal law, and enjoining the State from its improper exercises of authority within the Reservation;

WHEREAS in accordance with the Court’s schedule, there has been an exchange of Expert Witness Reports (six for the Tribe and six for the Defendants); and discovery, including depositions of all expert witnesses, will continue through May, 2018 with a date for trial set for the late 2018 or early 2019.


THEREFORE BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians Tribal Council authorizes and appropriates funding to the Enjinaaknegeng – Legal Fund-Reservation Boundary in the amount of \$1.5 million to cover expenses associated with litigation, and post litigation support, to come from the General Fund-Fund Balance; and restrict an additional \$1 million General Fund, Fund Balance for Legal Fund- Reservation Boundary for a Reservation Litigation contingency, including post litigation support.

FURTHER BE IT RESOLVED that any remaining balance of the Legal Reservation Boundary fund as the end of the Reservation Litigation, including post litigation support, will be returned to the general fund.

FINALLY BE IT RESOLVED that in accordance with the Constitution the Executive Branch shall administer such funds as appropriated by Tribal Council.

CERTIFICATION

Tribal Resolution Appropriation of Funds for the Legal Fund- Reservation Boundary

Secretary Kiogima 

As Legislative Leader and Tribal Council Secretary, we certify that this Resolution was duly adopted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on February 22, 2018 at which a quorum was present, by a vote of 8 in favor, 1 opposed, 0 abstentions, and 0 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Frank Bernard	X			
David Harrington	X			
Dexter McNamara	X			
Emily Proctor	X			
Julie Shananaquet	X			
Shanna Wemigwase		X		
Marcella R. Reyes	X			
Tamara Kiogima	X			
Fred Harrington, Jr.	X			

Date: 02.22.18 _____
 Legislative Leader, Fred Harrington

Date: 02-22-18 _____
 Secretary, Tamara Kiogima

Received by the Executive Office on 02/28/18 by R/D

Pursuant to Article VII, Section D, Subsection 1 of the Little Traverse Bay Bands of Odawa Indians Constitution adopted on February 1, 2005 the Executive concurs in this action of the Tribal Council.

Date: _____
 Regina Gasco Bentley, Tribal Chairperson

Tribal Resolution Appropriation of Funds for the Legal Fund- Reservation Boundary

Secretary Kiogima 