

Little Traverse Bay Bands of Odawa Indians

P. O. Box 246
Petoskey, Michigan 49770

231-348-3410 • FAX 231-348-2589

**RESOLUTION #021801-01
RETENTION OF RESERVE FUNDS**

Whereas the Little Traverse Bay Bands of Odawa Indians Tribal Council and LTBB Gaming Administration have a responsibility to promote a more effective means of operations for the casino; and that due to the current Cash Disbursement Agreement, entered into January, 2000, whereby available income of the casino enterprise is disbursed and distributed to retire debt, pay lease and sublease obligations and distribute to the Tribe, there are no available excess funds for the casino operation to expand, develop, invest in capital equipment, and remain competitive in the industry;

Whereas under the current Cash Disbursement Agreement, operating expenses do not include capital expenditures or reserves for operating cash for emergencies and unexpected expenses that may from time to time come up under the normal course of business;

Therefore Be It Resolved that after payment of all obligations in accordance with the Cash Disbursement Agreement including the \$50,000.00 monthly Tribal Lease Rent, by the Casino Enterprise to the Tribal Government, the Little Traverse Bay Bands of Odawa Indians Tribal Council authorizes, in accordance with the Tribal Council's powers and authorities to adopt appropriate policies and procedures, and to promote a more efficient means of operation for the gaming enterprise, the Tribal Council resolves to allocate 50% of the net income available for distribution to the Tribe, (i.e. the funds available to be deposited in the "Tribal Account") to be retained by the gaming enterprise in order to form an operating reserve for capital expenditures, and make expenditures for repair and replacement of the facility and capital equipment, necessary operating cashflow, and emergency expenditures;

Be It Further Resolved; that on December 31, 2001, the Gaming Administration shall review the casino enterprises reserve balances and cause any allocation beyond the necessary and obligated reserves to be disbursed to the Tribal Government within ten (10) days of the casino fiscal year end.

Finally Resolved that this Resolution shall not remain in effect after December 31, 2001 unless renewed by Tribal Council.

Certification

As Tribal Chairman and Tribal Secretary, the undersigned 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 18, 2001 at which a quorum was present, by a vote of 4 in favor, 2 opposed and 0 abstentions as recorded by this roll call.

	In Favor	Opposed	Abstained	Absent
George Anthony	✓	_____	_____	_____
Gerald Chingwa	✓	_____	_____	_____
Dorothy Gasco	✓	_____	_____	_____
Janet Shomin	_____	✓	_____	_____
Susan Wysocki	_____	✓	_____	_____
Alice Yellowbank	✓	_____	_____	_____

Date: 2-18-01

Gerald Chingwa, Tribal Chairman

Susan Wysocki, Tribal Secretary