

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS
7500 Odawa Circle
Harbor Springs, MI 49740

TRIBAL RESOLUTION # 082006-04

Protection of Tribal Assets Accumulated with Savings in lieu of
Payments to the State of Michigan for Gaming Exclusivity

- WHEREAS** the Waganakising Odawak is a nation of citizens with inherent sovereignty and right to self-governance and;
- 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) and;
- WHEREAS** the Little Traverse Bay Bands of Odawa Indians Tribal Council is the elected legislative body of the Tribe with budgetary authority;
- WHEREAS** the Little Traverse Bay Bands of Odawa Indians has ceased making payments to the State of Michigan for exclusivity in gaming when the State violated the exclusivity with its own activities;
- WHEREAS** the Tribe has accumulated significant funds that shall not be used until resolution of the exclusivity clause in court action taken by the State;
- WHEREAS** the funds saved in lieu of Payments to the State of Michigan for Gaming Exclusivity are in separate accounting funds that are not budgeted for spending or needed for construction or operation of the new casino in accordance with the plans presented to Council by the Executive;

THEREFORE, BE IT RESOLVED that all funds accumulated in lieu of Payments to the State of Michigan for Gaming Exclusivity shall continue to be held until court action comes to final settlement of this matter and,

FINALLY BE IT RESOLVED, that all funds accumulated in lieu of Payments to the State of Michigan for Gaming Exclusivity shall be restricted from spending until budgeted and approved by Tribal Council.

CERTIFICATION

As Tribal Council 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 August 20, 2006 at which a quorum was present, by a vote of 8 in favor, 0 opposed, 0 abstentions, and 1 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Regina Gasco Bentley	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Fred Harrington, Jr.	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Dexter McNamara	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Mary Roberts	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Rita Shananaquet	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Alice Yellowbank	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Shirley Oldman	<u> </u>	<u> </u>	<u> </u>	<u>X</u>
Melvin L. Kiogima	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Beatrice A. Law	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Date: _____

Beatrice A. Law, Legislative Leader

Date: _____

Melvin L. Kiogima, Secretary

Received by the Executive Office on _____ by _____

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: _____

Frank Ettawageshik, Tribal Chairperson