

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

TRIBAL RESOLUTION # 092611-01

Providing for Amendment of Revenue Allocation Plan

WHEREAS the Little Traverse Bay Bands of Odawa Indians (the “Tribe”) conducts class III gaming as authorized by the Indian Gaming Regulatory Act of 1988 (“IGRA”);

WHEREAS IGRA does not allow “net revenues” (as defined in IGRA) of tribal gaming to be used for any purpose other than:

- (1) to fund tribal government operations or programs;
- (2) to provide for the general welfare of the Indian tribe and its members;
- (3) to promote tribal economic development;
- (4) to donate to charitable organizations; or
- (5) to help fund operations of local government agencies;

provided that those net revenues may be used to make per capita payments to members of an Indian tribe if the Indian tribe has prepared a plan to allocate revenues as provided above and the plan is approved on behalf of the Secretary of the Interior (the “Secretary”); and

WHEREAS LTBB has a Revenue Allocation Plan in place in accordance with IGRA adopted by Resolution 100503-01 and approved by the Secretary; renewed by Resolution 062704-07, approved by the Secretary September 2, 2004; amended by Resolution 100905-06, approved by the Secretary February 6, 2006; and amended by Resolution 061106-22, approved by the Secretary July 17, 2006.; and

WHEREAS the Tribe seeks to further promote the interests of its members by adjusting the per capita distribution eligibility dates in Section IV (A).

THEREFORE BE IT RESOLVED that subject to approval on behalf of the Secretary, the Revenue Allocation Plan is amended by replacing Section IV (A) with the following new Section IV (A), with all other provisions of the Plan, as amended and approved by the Secretary, to remain in full force and effect:

SECTION IV. ELIGIBILITY

A. Persons who are duly enrolled members of the Tribe under the Tribal Constitution and Enrollment Statute midnight on October 31 of each year shall be eligible to receive a per capita distribution as determined under Section III (B) to be mailed out by December 31 of each year.

FURTHER RESOLVED that the Tribe shall request approval of this Amendment on behalf of the Secretary, and shall use the Tribe's best efforts to obtain that approval; and

FINALLY RESOLVED that the Tribal Chairman is authorized and directed to promptly submit this Amendment to the proper federal officials to obtain the Secretary's approval, and to take all action reasonable and necessary to obtain that approval.

CERTIFICATION

As Tribal Council Secretary and Legislative Leader, we certify that this Resolution was duly adopted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians by phone poll conducted on September 26, 2011, by a vote of 7 in favor, 1 opposed, 0 abstentions, and 1 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Regina Gasco Bentley	X			
Aaron Otto		X		
Winnay Wemigwase	X			
John Bott	X			
Kevin Gasco	X			
Gerald V. Chingwa	X			
Melvin L. Kiogima				X
Belinda Bardwell	X			
William A. Denemy	X			

Date: 9-28-11

Regina Gasco Bentley, Secretary

Date: 9/28/11

Gerald V. Chinewa, Legislative Leader

Received by the Executive Office on 9-28-11 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: 9-28-11

Dexter McNamara, Tribal Chairperson