

**RESOLUTION # 121301-01
AMENDMENT TO GAMING REVENUE ALLOCATION PLAN**

WHEREAS by Resolution 111801-06 the Tribal Council adopted a Gaming Revenue Allocation Plan which it sent to the Bureau of Indian Affairs for approval under the provisions of the Indian Gaming Regulatory Act, 25 USC § 2701 *et seq.*

WHEREAS the Plan adopted by Resolution 111801-06 did not contain a dispute resolution provision;

THEREFORE BE IT RESOLVED that the Gaming Revenue Allocation Plan adopted by Resolution 111801-06 is amended by adding the attached Section VII: Dispute Resolution Procedure.

Certification

As Tribal Chairman and Tribal Secretary, we certify that this Resolution was duly adopted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians by phone poll of the Tribal Council completed on December 13, 2001 by a vote of 6 in favor, 0 opposed, 0 abstentions, and 1 absent as recorded by this roll call.

	In Favor	Opposed	Abstained	Absent
George Anthony	<u>X</u>	_____	_____	_____
Gerald Chingwa	<u>X</u>	_____	_____	_____
Frederick Harrington, Jr.	<u>X</u>	_____	_____	_____
Beatrice Law	<u>X</u>	_____	_____	_____
Rita Shananaquet	<u>X</u>	_____	_____	_____
Janet Shomin	_____	_____	_____	<u>X</u>
Alice Yellowbank	<u>X</u>	_____	✓ _____	_____

Date: 12/13/01

Gerald V. Chingwa, Tribal Chairman

Frederick R. Harrington, Jr., Tribal Secretary

REVENUE ALLOCATION PLAN AMENDMENT

The Revenue Allocation Plan adopted by Resolution 111801-06 is amended by Resolution #121301-01 by adding the following Section VII:

SECTION VII. DISPUTE RESOLUTION PROCEDURE

A. Determination by Tribal Council. Should a dispute arise regarding the allocation of net gaming revenues of distribution the one-time per capita payment, any LTBB Tribal member with such a dispute shall make a written submission to the Tribal Council for a determination on the controversy. The submission shall include facts regarding the nature of the controversy, actions taken up to the time of the written submission and by whom, the member's request for relief and any legal or factual support for the request. The Tribal Council, by at least quorum, shall review the written submission and determine whether an allocation/distribution or denial thereof is consistent with the terms and purpose of the Plan and Section 11 (b)(3) of the Indian Gaming Regulatory Act. The Tribal Council, in making its determination, may accept written or oral evidence in support of its submissions. The Tribal Council shall inform the parties involved in the controversy in writing of its decision and the reasons supporting its decision, addressing the terms and purposes of the Plan and Section 11 (b)(3) of the Indian Gaming Regulatory Act.

B. Appeal to the Tribal Court. Any party to the controversy may appeal any decision made by the Tribal Council under Section (A) above to the Tribal Court in accordance with the Tribal Court Statute and Tribal Court Rules.

C. Scope of Dispute Resolution. The procedures listed in (A) and (B) above are not intended to provide a forum for amending the Plan. Any amendments to the Plan must be approved by official action of the Tribal Council, and by the Secretary of the Interior under Section 11 (b)(3) of the Indian Gaming Regulatory Act.