

**LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS**

**7500 Odawa Circle**

**Harbor Springs, MI 49740**

**TRIBAL RESOLUTION # 091621- 01**

Authorization of the *Odawa Casino Resort COVID-19 Employee Compensation Fund*, in the amount of \$1,472,800.00 to come from American Rescue Plan Act (“ARP”) funds

**WHEREAS** the Waganakising Odawak Nation, known as the Little Traverse Bay Bands of Odawa Indians, and its citizens are vested with inherent sovereignty and rights of 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 are 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 is governed by a Tribal Constitution adopted by the citizens of the Tribe on February 1, 2005;

**WHEREAS** on March 11, 2021, the United States enacted the American Rescue Plan Act of 2021, also called the COVID-19 Stimulus Package or American Rescue Plan, Pub L. No. 117-2;

**WHEREAS** the Tribe received American Rescue Plan Act (“ARP”) funds. These funds may be used for COVID-19 response and prevention to cover costs from March 11, 2021 incurred through December 31, 2024, in particular to prevent COVID-19 spread through safety measures needed in dense worksites, and public;

**WHEREAS** the Odawa Casino Resort requires “Team members” be removed from the schedule for a minimum of fourteen (14) days if any of the following occur: 1) a Team member test positive for COVID-19, 2) a Team member who reside in the same household as someone who has tested positive for COVID-19, or 3) a Team Member experiencing any of the symptoms related to COVID-19 and additionally has a temperature of 100 degrees Fahrenheit or higher;

**WHEREAS** the Odawa Casino Resort requires “Team members” be removed from the schedule for a minimum of 3 days if any of the following occur: 1) a Team Member who had a temperature reading of 100 degrees Fahrenheit or higher without any other symptoms, 2) Team Member who became sick during their shift, 3) Team Members who were experiencing symptoms related to COVID-19 but tested negative;

**WHEREAS** Odawa Casino Resort requires that if twenty-five percent (25%) or more of the work force is removed from the schedule as a result of testing positive for COVID-19 as outlined, Odawa Casino will close its doors to the general public for a minimum of forty-eight (48) hours.

**WHEREAS** when the Odawa Casino Resort requires “Team members” be removed from the schedule for a minimum of fourteen (14) days or three (3) days, or when the Odawa Casino closes, Team members are not compensated;

**WHEREAS** the Odawa Casino Resort has two-hundred and sixty-eight (268) non-exempt employees that do not have the option of “working from home” and will not be paid when they are removed from the schedule including: Dealers, Slot Attendants, Housekeepers, Cage Main-bank positions;

**WHEREAS** the Odawa Casino Resort has forty-four (44) exempt employees that do not have the option of “working from home” and will not be paid when they are removed from the schedule including such positions as: AV Technicians, Surveillance Lead Operators, Staff Accountants, Benefits Coordinators;

**WHEREAS** a *COVID-19 Employee Compensation Fund* is an allowable use of the American Rescue Plan Act (“ARP”) funds according to the Department of Treasury, 31 CFR Part 35, Coronavirus State and Local Fiscal Recovery Funds.

**THEREFORE, BE IT RESOLVED**, that the Little Traverse Bay Bands of Odawa Indians Tribal Council authorizes and approves the allocation of funds in the amount of \$1,472,800.00 to the Odawa Casino Resort for the purpose of funding the *COVID-19 Employee Compensation Fund*, for team members who are removed from the schedule because of COVID-19 or a COVID-19 related closure of the Odawa Casino to cover costs, from March 11, 2021 through December 31, 2024, to come from American Rescue Plan Act (“ARP”) funds.

**FURTHER, BE IT RESOLVED**, that the Odawa Casino Resort shall administer such funds as appropriated by Tribal Council.

**CERTIFICATION**

As the Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Tribal 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 September 16, 2021 at which a quorum was present, by a vote of 6 in favor, 1 opposed, 2 abstentions, and 0 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Fred Kiogima	X			
Tamara Kiogima	X			
William Ortiz	X			
Aaron Otto			X	
Melissa Pamp	X			
Marty Van De Car			X	
Marcella Reyes	X			
Leroy Shomin		X		
Emily Proctor	X			

Date: 09/20/2021 Emily Proctor  
Emily Proctor, Legislative Leader

Date: 09/20/2021 Marcella R. Reyes  
Marcella R. Reyes, Tribal Council Secretary

Received by the Executive Office on 9/20/2021 by [Signature]

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: 9-23-2021 Regina Gasco-Bentley  
Regina Gasco Bentley, Tribal Chairperson

Received from the Executive on 9.27.2021 by [Signature]