

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

TRIBAL RESOLUTION # 051922- 01

**To Restrict \$2,500,000 of the Reserved Account Set Aside by Tribal Resolution # 071218-01
for Land Acquisition for Hunting and Exercising Treaty Rights, Housing, Services and
Economic Development**

WHEREAS the Waganakising Odawak, known in English as Little Traverse Bay Bands of Odawa Indians is a nation of citizens with inherent sovereignty and right to self-governance;

WHEREAS the Little Traverse Bay Bands of Odawa Indians ("LTBB") 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);

WHEREAS in 2018 Tribe and Wells Fargo entered into an amendment to their Amended and Restated Loan Agreement of March 28, 2017. The 2018 Amendment requires the Tribe to keep Free Play Assessments in the Free Play Reserve Account for the amount accumulated for the past three calendar years. The 2018 Amendment says that "to the extent that the amounts on deposit in the Free Play Reserve Account exceed the Three-Year Free Play Amount calculated as of the most recent fiscal year end, the Borrower may withdraw such excess amount from the Free Play Reserve Account and utilize such amount for such purposes as may be authorized by the Tribal Council or otherwise permitted by Applicable Law;

WHEREAS the current balance as of May 10, 2022 of the Free Play set aside by Tribal Resolution # 071218-01 that exceeds three years is approximately three million, six hundred ninety-three thousand, seven hundred thirty-four dollars (\$3,693,734.00);

WHEREAS each year the Odawa Casino Resort transmit between two hundred thousand dollars (\$200,000.00) and six hundred and fifty thousand dollars (\$650,000.00) to the Tribal government;

WHEREAS in 1994, a hearing was held before the Committee on Indian Affairs in the United States Senate on Senate Bills S. 1066 and S. 1357, *To Reaffirm and Clarify the Federal Relationships of the Little Traverse Bay Bands of Odawa Indians*, in the testimony of Shirley M. Oldman, she stated the following: *In order to continue these cultures and traditions of the Odawa People, we need the existence of tribal land base. In treaty negotiations with the Federal Government, the maintaining of a tribal land base was always the highest priority of our Tribe;*

WHEREAS the priority of maintain a tribal land base still exists today. Land acquisition is needed to continue the Tribe's culture and traditions and also to meet the needs of the Tribal Citizens for hunting and exercising Treaty rights, housing, services and economic development.

THEREFORE, BE IT RESOLVED THAT the Little Traverse Bay Bands of Odawa Indians restricts \$2,500,000 of the amount set aside by Tribal Resolution # 071218-01 for land acquisition for culture and traditions, hunting and exercising Treaty rights, housing, services and economic development.

FURTHER BE IT RESOLVED THAT the transferred of funds to the Tribal Government under Tribal Resolution # 071218-01, Free Play Reserve Account, that exceeds the Three-Year Free Play Amount calculated as of the most recent fiscal year end annual, shall be restricted for the sole purpose of land acquisition for hunting and exercising Treaty rights, housing, services and economic development.

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 May 19, 2022 at which a quorum was present, by a vote of 7 in favor, 0 opposed, 0 abstentions, and 2 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			
Leroy Shomin				X
Marcella R. Reyes	X			
Emily Proctor	X			

Date: 05/19/2022

Emily Proctor
Emily Proctor, Legislative Leader

Date: 05/19/2022

Marcella R. Reyes
Marcella R. Reyes, Tribal Council Secretary

Received by the Executive Office on 5-19-2022 by Lakota Worthington

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: 5-25-2022

Regina Gasco Bentley
Regina Gasco Bentley, Tribal Chairperson

Received from the Executive on

05.26.2022 by Pinde Raker