



WAGANAKISING ODAWAK
LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS
LEGISLATIVE BRANCH
7500 ODAWA CIRCLE
HARBOR SPRINGS, MI 49740



EFFECTIVE DATE

According to LTBB Constitution – Article VII, (D) 1. They (Statutes and Resolutions) shall be deemed enacted if not expressly vetoed by the Executive within thirty (30) days of submission.

TRIBAL RESOLUTION TO RESTRICT AND APPROPRIATE \$1,627,168.83 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 was submitted to the Executive on October 14, 2022. The Executive did not sign and failed to expressly veto within 30-days from submission to the Executive Branch. Therefore, ***Tribal Resolution # 101322-01 To Restrict and Appropriate \$1,627,168.83 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*** is deemed enacted on November 14, 2022 per LTBB Constitution.

November 17, 2022

Linda Gokee

Linda Gokee

Legislative Administrative Assistant
Legislative Branch/Tribal Council

**Little Traverse Bay Bands of Odawa Indians
7500 Odawa Circle
Harbor Springs, MI 49740**

TRIBAL RESOLUTION# 101322- 01

To Restrict and Appropriate \$1,627,168.83 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** LTBB continues to maintain the Free Play Reserve Account protocol although not required under the current PNC loan which paid off the Wells Fargo loan;
- WHEREAS** the current balance as of October 12, 2022 of the Free Play set aside by Tribal Resolution # 071218-01 that exceeds three years is approximately \$2,543,483.54;
- WHEREAS** each year the Odawa Casino Resort transmit between \$200,000.00 and \$650,000.00 to the Tribal government for the Free Play Reserve Account;
- 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 and the Little River Band of Ottawa 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 maintaining 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

1. the Little Traverse Bay Bands of Odawa Indians restricts \$1,627,168.83 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;
2. the transferred funds to the Tribal Government under Tribal Resolution# 071218-01, Free Play Reserve Account, that exceed the Three-Year Free Play Amount calculated as of the most recent fiscal year end annually, shall be restricted for the sole purpose of land acquisition for hunting and exercising Treaty rights, housing, services and economic development;
3. to expedite land purchases the funds restricted under this Resolution are appropriated for new land acquisitions; and
4. this Resolution repeals and replaces Tribal Resolution 051922-01.

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 October 13, 2022 at which a quorum was present, by a vote of 5 in favor, 0 opposed, 0 abstentions, and 3 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			
VACANT				
Leroy Shomin	X			
Marcella R. Reyes	X			
Emily Proctor				X

Date: 10/14/2022

Emily Proctor
Emily Proctor, Legislative Leader

Date: 10/14/2022

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

Received by the Executive Office on 10/14/2022 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: _____

Regina Gasco Bentley, Tribal Chairperson

Received from the Executive on _____ by _____