

WAGANAKISING ODAWA



TRIBAL CODE of LAW

TITLE XVIII. POST CONSTITUTION RESOLUTIONS, Chapter 6. GENERAL APPLICATION

2023 – Version 10.2

WAGANAKISING ODAWA TRIBAL CODE of LAW

TABLE OF CONTENTS

Chapter 6.	General Application.....	1
18.601	TO LICENSE THE TRIBAL ELDERS ASSOCIATION TO USE THE TRIBAL LOGO	1
18.602	THE LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS TRIBAL COUNCIL REQUESTS THE UNIVERSITY OF MICHIGAN DISPOSITION ALL REMAINS AND FUNERARY OBJECTS IDENTIFIED AS “NATIVE AMERICAN” OR “UNAFFILIATED/UNIDENTIFIABLE HUMAN REMAINS” AND TURN CUSTODY OF SAID REMAINS OVER TO THE LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS	1
18.603	NOTICE OF FIREARM PROHIBITION AND CONCURRENT JURISDICTION	1
18.604	ESTABLISHMENT AND AUTHORITY OF THE LEGISLATIVE/EXECUTIVE TEAM.....	2
18.605	REQUEST FOR TRIBAL NAME PROCLAMATION ON THE 2010 CENSUS LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS PROCLAMATION THAT THE LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS BE DENOTED AS “LTBB” ON THE 2010 CENSUS....	2
18.606	APPROVAL OF FY 2010 TRIBAL TRANSPORTATION IMPROVEMENT PROGRAM	3
18.607	LONG RANGE TRANSPORTATION PLAN FY2010	3
18.608	INDIAN RESERVATION ROADS INVENTORY ADDITIONS FY2010	4
18.609	AUTHORIZATION FOR STANDARD CONSTRUCTION AND DESIGN CONTRACTS	4
18.610	TRIBAL COUNCIL CONSENTS TO AND AUTHORIZES THE TRIBAL CHAIR AND TRIBAL TREASURER TO SIGN NECESSARY DOCUMENT IN CONJUNCTION WITH THE BOND RESTRUCTURING	5
18.611	AUTHORIZES LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS TRIBAL PARTICIPATION IN A NATIONWIDE ELDER NEEDS	5

	ASSESSMENT	5
18.612	MIEA DELEGATE APPOINTMENT	6
18.613	AUTHORIZATION OF ACTION IN NOVEMBER 21, 2010 CONFIDENTIAL MEMO	6
18.614	NCAI DELEGATION	6
18.615	FUNDING FOR BABY VERONICA CASE	6
18.616	FUNDING FOR YOUTH TO ATTEND UNITY MEETING	7
18.617	TO ESTABLISH AN AD-HOC VIOLENCE AGAINST WOMEN ACT / TRIBAL LAW AND ORDER ACT COMMITTEE	7
18.618	MICHIGAN INDIAN ELDERS ASSOCIATION DELEGATE APPOINTMENT.....	8
18.619	DESIGNATING THE SECOND MONDAY OF OCTOBER AS NATIVE AMERICAN DOMESTIC VIOLENCE AWARENESS DAY	8
18.620	AMENDMENT TO THE LEGISLATIVE BRANCH OPERATIONS GOVERNMENTAL EMPLOYEE PERSONNEL POLICIES HANDBOOK.	9
18.621	FUNDING FOR WAGANAKISING ODAWAK STATUTE 2014-013 TRIBAL HISTORIC PRESERVATION OFFICE PROTECTION AND MANAGEMENT OF ARCHAEOLOGICAL, HISTORICAL AND CULTURAL PROPERTIES AND CULTURAL RESOURCES	10
18.622	AMENDMENT TO THE LEGISLATIVE BRANCH OPERATIONS GOVERNMENTAL EMPLOYEE PERSONNEL POLICIES HANDBOOK	11
18.623	DECOMMISSION AND SAFE REMOVAL OF PIPELINE RUNNING UNDER THE STRAITS OF MACKINAC	13
18.624	AD-HOC VIOLENCE AGAINST WOMEN ACT / TRIBAL LAW AND ORDER ACT COMMITTEE	14
18.625	TO ESTABLISH A MICHIGAN TRIBAL SEX OFFENDER REGISTRATION AND NOTIFICATION ACT (SORNA) COALITION ...	17
18.626	ODAWA CASINO RESORT FIVE YEAR STRATEGIC PLAN DELEGATION OF AUTHORITY	18
18.627	MICHIGAN ELDER ASSOCIATION DELEGATE APPOINTMENT	19
18.628	AMENDMENT TO THE LEGISLATIVE BRANCH OPERATIONS GOVERNMENTAL EMPLOYEE PERSONNEL POLICIES HANDBOOK;	

	SECTION B, LEAVES OF ABSENCE	20
18.629	AD-HOC VIOLENCE AGAINST WOMEN ACT REGULATIONS COMMITTEE.....	21
18.630(11.16)(a)	AMENDMENT TO THE LEGISLATIVE BRANCH OPERATIONS GOVERNMENTAL EMPLOYEE PERSONNEL POLICIES HANDBOOK SECTION II. EMPLOYEE BENEFITS & COMPENSATION PROGRAM	22
18.631(8.15)(a)	APPROPRIATION FOR NATURAL RESOURCES DEPARTMENT (NRD) TREE PURCHASE IN THE AMOUNT OF \$943.00.....	24
18.632(1.06)(a)	POSSESSION OF FIREARMS	24
	<i>Codification Note: Repealed and Replaced by TRIBAL RESOLUTION #090302-03 @</i>	
	18.667(9.20)(a)	24
18.633(4.06)(a)	WOMEN WORKING FOR THE TRIBE SHALL BE TREATED EQUALLY AND SHALL NOT BE REQUIRED TO DRESS IN A MORE REVEALING MANNER THAN A MAN IN THE SAME JOB	24
18.634(4.06)(b)	PROHIBITING POLICIES THAT DISCRIMINATE AGAINST TRIBAL MEMBERS WITH LONG HAIR.....	25
18.635(4.06)(c)	APPROVAL OF FOUR DIRECTIONS VIDEO CONTENT	25
18.636(4.06)(d)	PROHIBITING EMPLOYMENT POLICIES THAT DISCRIMINATE AGAINST TRIBAL CITIZENS.....	26
18.637(4.06)(e)	RESOLUTION FOR FUNDING TRAVEL TO NCAI MID-YEAR AND 63RD ANNUAL CONVENTION FOR NCAI YOUTH DELEGATES AND CHAPERONES.....	27
18.638(5.06)(a)	APPROVAL OF POLICY FOR MANAGEMENT OF CAPITAL PROJECT FUNDS.....	28
18.639 (6.06)(a)	OPPOSITION TO KENNECOTT MINERALS PROPOSED SULFIDE ORE MINE	28
18.640(6.06)(b)	PROVIDING FOR AMENDMENT OF REVENUE ALLOCATION PLAN.....	30
18.641(8.06)(a)	HONORING LEWIS STEPHEN ADAMS SR.	32
18.642(9.17)(a)	APPROVAL OF FY 2018 – FY 2021 TRIBAL TRANSPORTATION IMPROVEMENT PLAN	33
18.643(9.17)(b)	IN OPPOSITION TO THE PROPOSED GRAHAM-CASSIDY-HELLER- JOHNSON LEGISLATION	34

18.644(11.17)(a)	IN SUPPORT OF “WE ARE ALL IN” AT THE U.S. CLIMATE ACTION CENTER AND AT THE UN CLIMATE TALKS (COP23).....	35
18.645(11.17)(b)	REPEAL OF TRIBAL RESOLUTION #042907-02 LEGISLATIVE BRANCH OPERATIONS GOVERNMENTAL EMPLOYEE PERSONNEL POLICIES HANDBOOK.....	36
18.646(11.17)(c)	REMOVAL OF ENBRIDGE LINE 5 FROM UNDER THE STRAITS OF MACKINAC	36
18.647(2.18)(a)	SUPPORT OF CORA’S PL 93-638 CONTRACT.....	38
18.648(2.18)(a)	MICHIGAN INDIAN ELDERS ASSOCIATION DELEGATE APPOINTMENT.....	38
18.649(6.18)(a)	OPPOSITION TO THE RESTRUCTURING OF THE BUREAU OF INDIAN AFFAIRS REGIONAL OFFICE AND LOCAL AGENCY	39
18.650(6.18)(a)	OPPOSITION TO THE "ZERO-TOLERANCE" IMMIGRATION POLICY OF SEPARATING FAMILIES	40
18.651(6.18)(a)	MORATORIUM ON THE PURCHASE AND SALE OF NESTLE BOTTLED WATER PRODUCTS	41
18.652(6.18)(a)	SUPPORT FOR MICHIGAN INDIAN LEGAL SERVICES’ BUREAU OF JUSTICE ASSISTANCE GRANT.....	42
18.653(10.18)(a)	SECURED CENTRALIZED DATA STORAGE SYSTEM.....	44
18.654(10.18)(b)	OPPOSITION OF THE STATE OF MICHIGAN’S AGREEMENT WITH ENBRIDGE ABOUT LINE 5.....	44
18.655(10.18)(c)	PAID TIME-OFF FOR ELECTIONS.....	45
18.656(11.18)(a)	SUPPORT FOR PROPOSED TIMBER SALES ON LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS TRUST LANDS.....	46
18.657(12.18)(a)	SUPPORT FOR CHIPPEWA OTTAWA RESOURCE AUTHORITY LITIGATION SUPPORT REQUEST FOR FY 2019	47
18.658(2.19)(a)	OPPOSITION TO NOMINATION AND CONFIRMATION OF ERIC MILLER TO THE NINTH CIRCUIT COURT OF APPEALS	48
18.659(3.19)(a)	MICHIGAN INDIAN ELDERS ASSOCIATION DELEGATE APPOINTMENT.....	50
18.660(4.19)(a)	DESIGNATION OF MAY 5 TH AS A DAY OF AWARENESS FOR MISSING AND MURDERED NATIVE WOMEN AND GIRLS.....	51
18.661(8.19)(a)	PROMOTION OF A LIVING WAGE	51
18.662(10.19)(a)	CLARIFICATION OF TRIBAL RESOLUTION #082219-01	

	PROMOTION OF A LIVING WAGE	53
18.663(10.19)(b)	AD-HOC INSURANCE COMMITTEE.....	56
18.664(10.19)(c)	TO REDUCE AND ELIMINATE THE USE OF PLASTIC STRAWS AND EXPANDED POLYSTYRENE PRODUCTS.....	57
18.665(5.20)(a)	TRIBAL COUNCIL MEETING PROTOCOL DURING STATE OF EMERGENCY	59
18.666(7.20)(a)	DESIGNATION OF PRIMARY MANAGEMENT OFFICIAL FOR INTERNET GAMING OPERATIONS.....	60
18.667(9.20)(a)	POSSESSION OF FIREARMS	62
18.668(1.21)(a)	TO PROTECT THE STRAITS OF MACKINAC AS A “TRADITIONAL CULTURAL PROPERTY SITE	63
18.669(6.21)(a)	DECLARING A CLIMATE EMERGENCY AND CLIMATE CHANGE ACTION PLAN	65
18.670(6.21)(b)	AD-HOC ECONOMIC DEVELOPMENT ADMINISTRATION GRANT COMMITTEE	66
18.671(10.21)(a)	TO RECOGNIZE “INDIGENOUS PEOPLES DAY” AS A TRIBAL HOLIDAY	67
18.672(3.22)(a)	AUTHORIZATION TO ENROLL IN THE MICHIGAN BALANCE OF STATE CONTINUUM OF CARE NETWORK.....	68
18.673(5.22)(a)	PROTECT OUR ANISHINAABE KWEWOK, AND AWARENESS FOR MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS	69
18.674(5.22)(b)	TRIBAL COUNCIL LIMITED RESUMPTION OF IN-PERSON MEETINGS.....	71
18.675(7.22)(a)	SUPPORT OF MITLEA TRIBAL LAW ENFORCEMENT INITIATIVE PRESENTATION TO MCOLES.....	73
18.676(9.22)(a)	TO APPOINT STEVEN OTTO AND DEBRA SMITHKEY-BROWNE AS DELEGATES FOR THE MICHIGAN INDIAN ELDERS ASSOCIATION.....	76
18.677(1.23)(a)	CROOKED TREE WELLNESS CLINIC SERVICES TO NON- BENEFICIARIES	76
18.678(3.23)(a)	DESIGNATION OF AN ALTERNATE DELEGATE TO THE MICHIGAN INDIAN ELDERS ASSOCIATION	77
18.679(3.23)(a)	APPROVAL BY THE LITTLE TRAVERSE BAY BANDS OF	

**ODAWA INDIANS TO ESTABLISH MEMBERSHIP IN THE MIDWEST
TRIBAL ENERGY RESOURCES ASSOCIATION (MTERA) 78**

Chapter 6. General Application

18.601 TO LICENSE THE TRIBAL ELDERS ASSOCIATION TO USE THE TRIBAL LOGO

A. **THEREFORE, BE IT RESOLVED** the Tribal Elders Association is licensed to use the Tribal logo for garments and fund raising activities.

(Source: TRIBAL RESOLUTION # 030809-01)

18.602 THE LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS TRIBAL COUNCIL REQUESTS THE UNIVERSITY OF MICHIGAN DISPOSITION ALL REMAINS AND FUNERARY OBJECTS IDENTIFIED AS “NATIVE AMERICAN” OR “UNAFFILIATED/UNIDENTIFIABLE HUMAN REMAINS” AND TURN CUSTODY OF SAID REMAINS OVER TO THE LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS

A. **THEREFORE, BE IT RESOLVED** that the Little Traverse Bay Bands of Odawa Indians Tribal Council requests the University of Michigan disposition all remains and funerary objects identified as “Native American” or “unaffiliated/unidentifiable human remains” and turn custody of said remains over to the Little Travers Bay Band of Odawa Indians.

(Source: TRIBAL RESOLUTION # 071209-10)

18.603 NOTICE OF FIREARM PROHIBITION AND CONCURRENT JURISDICTION

A. **THEREFORE, BE IT RESOLVED**, that Little Traverse Bay Bands of Odawa Indians Tribal Council requires the Natural Resources Department to place the following language conspicuously on the application for *On/Off Reservation LTBB Hunting/Fishing License*: **“If you are prohibited from owning, possessing or using a firearm under State or Federal Law this license does not protect you from prosecution under State or Federal Law.”**

(Source: TRIBAL RESOLUTION # 080909-09)

18.604 ESTABLISHMENT AND AUTHORITY OF THE LEGISLATIVE/EXECUTIVE TEAM

A. THEREFORE, BE IT RESOLVED that the Tribal Council establishes and directs a “Legislative/Executive Team” to negotiate the restructuring of the notes with the bondholders, provided that any action concerning the bonds or restructuring of debt will be brought back to the Tribal Council by said team for approval prior to the action taken.

B. FURTHER BE IT RESOLVED that the Team shall consist of the Legislative Leader, Treasurer, and Secretary and Legislative Services Attorney, Tribal Chair, Tribal CFO, OCR Director of Finance, General Counsel, Tribal Citizen Fred Harrington and any other individuals designated by the Legislative/Executive Team and any other Tribal Council members that desire to participate.

C. FURTHER BE IT RESOLVED that the Team shall provide updates to the Tribal Council at each of its regularly scheduled meetings.

D. FINALLY BE IT RESOLVED that communication with representative of *Oppenheimer & Co., Inc., Fredrick Peebles & Morgan*, Bond Lenders or the *Ad Hoc Committee of Lenders* will be made through the “Executive/Legislative Team” regarding the bond unless authorized otherwise by Tribal Council. Communications from the aforementioned shall be sent to both the General Counsel and the Legislative Services Attorney to be forwarded to the Team.

(Source: TRIBAL RESOLUTION # 092709-01)

18.605 REQUEST FOR TRIBAL NAME PROCLAMATION ON THE 2010 CENSUS LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS PROCLAMATION THAT THE LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS BE DENOTED AS “LTBB” ON THE 2010 CENSUS

A. THEREFORE BE IT RESOLVED that the Tribal Council of the Little Traverse Bay Bands of Odawa Indians PROCLAIM the **Little Traverse Bay Bands of Odawa Indians** for

purposes of the 2010 Census form be denoted as the following: “**LTBB**” in order to ensure a full and accurate count of “Tribal Members” in 2010.

B. BE IT FURTHER RESOLVED, the **Little Traverse Bay Bands of Odawa Indians** will inform and promote to its tribal members, citizen, and descendants the accepted acronym or shortened version of the “**LTBB**”.

C. FURTHER RESOLVED, that Tribal Chairman Ken Harrington, Vice Chairman Dexter McNamara, Tribal Administrator Albert Colby Jr., or another designee from the Tribal Chairman is authorized to execute any documents necessary to fulfill the request to the Census Bureau to identify the **Little Traverse Bay Bands of Odawa Indians** as the “**LTBB**” acronym and shortened version on the Census 2010 decennial form.

(Source: TRIBAL RESOLUTION # 012410-08)

18.606 APPROVAL OF FY 2010 TRIBAL TRANSPORTATION IMPROVEMENT PROGRAM

A. THEREFORE, BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians approves the priorities as indicated in the FY 2010 Tribal Transportation Improvement Program. (see attachment A: Tribal Transportation Improvement Program (TTIP) Summary for FY 2009-2013 and attachment B: TTIP FY 2010)

B. BE IT FURTHER RESOLVED, that the Tribe’s Chairperson is authorized to sign all documents and agreements necessary to facilitate the FY 2010 Tribal Transportation Improvement Program.

(Source: TRIBAL RESOLUTION # 030710-01)

18.607 LONG RANGE TRANSPORTATION PLAN FY2010

A. THEREFORE, BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians

approves the updated priorities and projects as indicated in the LTBB Long Range Transportation Plan (see attachment A: LTBB Long Range Transportation Plan 2010).

B. BE IT FURTHER RESOLVED, that the Tribe's Chairperson is authorized to sign all documents and agreements necessary to facilitate the FY 2010 Long Range Transportation Plan program.

(Source: TRIBAL RESOLUTION # 030710-02)

18.608 INDIAN RESERVATION ROADS INVENTORY ADDITIONS FY2010

A. THEREFORE, BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians approves the updated and additional roads to the Indian Roads Inventory (IRR). (see attachment A: LTBB IRR Inventory Additions FY 2010)

B. BE IT FURTHER RESOLVED, that the Tribe's Chairperson is authorized to sign all documents and agreements necessary to facilitate the Indian Reservation Roads Inventory.

(Source: TRIBAL RESOLUTION # 030710-03)

18.609 AUTHORIZATION FOR STANDARD CONSTRUCTION AND DESIGN CONTRACTS

A. THEREFORE BE IT RESOLVED that when entering into construction or design contracts for projects for which any necessary Tribal Council approvals or authorization have already been obtained, the Executive Branch is authorized to use standard AIA or EJCDC documents, as modified to fit the specific projects, without further Tribal Council action. Such contracts may include dispute resolution provisions so long as LTBB Tribal Court is the sole jurisdiction for hearing disputes, or for enforcing mediation or arbitration decisions. If the project is located on trust land, standard contract language that references "a court of competent jurisdiction" is acceptable. Construction and design contracts cannot include waivers of sovereign immunity in other jurisdictions without express separate Tribal Council authorization.

(Source: TRIBAL RESOLUTION # 042510-01)

18.610 TRIBAL COUNCIL CONSENTS TO AND AUTHORIZES THE TRIBAL CHAIR AND TRIBAL TREASURER TO SIGN NECESSARY DOCUMENT IN CONJUNCTION WITH THE BOND RESTRUCTURING

A. THEREFORE, BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians Tribal Council consents to and authorizes the Tribal Chair and the Tribal Treasurer to sign, by and on behalf of the Tribe, the necessary documents to effectuate the bond restructuring, provided that such documents have prior approval by Tribal Council.

(Source: TRIBAL RESOLUTION # 062710-01)

18.611 AUTHORIZES LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS TRIBAL PARTICIPATION IN A NATIONWIDE ELDER NEEDS ASSESSMENT

A. THEREFORE BE IT RESOLVED that the Tribal Council of the Little Traverse Bay Bands of Odawa Indians hereby authorizes participation in the most current *Identifying Our Needs: A Survey of Elders*. The Tribal Council grants permission to the North Dakota, Alaska, and Hawaii National Resource Centers on Native Aging to use all collected needs assessment information in aggregate format for the purpose of disseminating state, regional, and national results from analyses of the data.

B. BE IT FURTHER RESOLVED that specific information collected within the boundaries of the Little Traverse Bay Bands of Odawa Indians belongs to the Little Traverse Bay Bands of Odawa Indians and may not be released in any form to individuals, agencies, or organizations without tribal authorization.

C. FINALLY, BE IT RESOLVED that Tribal Chairman Ken Harrington, Vice Chairman Dexter McNamara, or Tribal Administrator Albert Colby Jr., or another designee from the Tribal Chairman is authorized to execute any documents necessary to participate in the national needs assessment.

(Source: TRIBAL RESOLUTION # 071110-02)

18.612 MIEA DELEGATE APPOINTMENT

A. THEREFORE BE IT RESOLVED that William Denemy and Beatrice Law are appointed as delegates and Alice Yellowbank as an alternate delegate to represent LTBB with the Michigan Indian Elders Association until a successor is appointed.

(Source: TRIBAL RESOLUTION # 082210-01)

18.613 AUTHORIZATION OF ACTION IN NOVEMBER 21, 2010 CONFIDENTIAL MEMO

A. THEREFORE BE IT RESOLVED that the Tribal Council authorizes the actions as set out in the Confidential Memo dated November 21, 2010 from General Counsel James A. Bransky.

(Source: TRIBAL RESOLUTION # 112110-01)

18.614 NCAI DELEGATION

A. THEREFORE BE IT RESOLVED that the Tribal Council, which is the official governing body of LTBB, hereby authorizes Vice-Chair Julie Shananaquet, who through her ambassadorial role for the Tribe shall represent the Tribe as official delegate to NCAI 68th Annual Convention, October 30-November 4, 2011, Portland Oregon.

B. FINALLY, BE IT RESOLVED this Resolution shall be null and void and be considered repealed after the date of November 5, 2011 or at the conclusion of the NCAI 68th Annual Convention whichever comes first.

(Source: TRIBAL RESOLUTION # 102311-01)

18.615 FUNDING FOR BABY VERONICA CASE

A. THEREFORE BE IT RESOLVED that Tribal Council through its Constitutional duty “authorizes the appropriation” of \$10,000.00 from prior year funds for donations to NICWA and NARF to aid in the coordination of the amicus briefs for baby Veronica case and the Tribal Chairman shall administer his oversight authority to the extent necessary to ensure the administration of such funds.

(Source: TRIBAL RESOLUTION # 042113-02)

18.616 FUNDING FOR YOUTH TO ATTEND UNITY MEETING

A. THEREFORE BE IT RESOLVED that Tribal Council through its Constitutional duty “authorizes the appropriation” of \$25,000 from prior year funds for the purpose of LTBB youth travel to the UNITY conference 2013 and Tribal Chairman shall administer his oversight authority to the extent necessary to ensure the administration of such funds.

(Source: TRIBAL RESOLUTION # 042113-03)

18.617 TO ESTABLISH AN AD-HOC VIOLENCE AGAINST WOMEN ACT / TRIBAL LAW AND ORDER ACT COMMITTEE

A. WHEREAS The Committee will involve individuals from the Legislative, Executive and Judiciary Branches of Tribal government along with the Prosecutor’s Office in order to fully develop the laws, enforcement and services of VAWA and TOLA and make recommendations to the Tribal Chair, Tribal Council and Chief Judge and has identified the following Committee members:

B. THEREFORE BE IT RESOLVED that the Tribal Council approved the Ad-hoc VAWA/TOLA Committee that is comprised of Tribal Administrator, Communications Coordinator, Elders Coordinator or Designee, Executive Assistant to the Chairman, Human Services Director and Victim Advocate, Chief of Police and Designated Officer, Natural Resources Director and Chief Conservation Officer, Probation Domestic Violence Coordinator, Health Director or Designee, Substance Abuse/Mental Health Director and/or Designee, Youth

Coordinator or Designee, Chief Judge or Designee, Court Administrator or Designee, Legal Executive Assistant, Legislative Services Attorney, Tribal Councilor(s) and Prosecutor or Designee.

C. THEREFORE FURTHER BE IT RESOLVED that the Committee will make recommendations to the Tribal Chair, Tribal Council and Chief Judge based on their findings.

D. FINALLY BE IT RESOLVED that the work group shall be dissolved either upon the completion of the assessment and implementation of VAWA/TOLA or at the end of April 2015.

(Source: TRIBAL RESOLUTION # 060913-01)

18.618 MICHIGAN INDIAN ELDERS ASSOCIATION DELEGATE APPOINTMENT

A. WHEREAS the Michigan Indian Elders Association requires the delegates to be appointed by their Tribal Council by resolution;

B. THEREFORE BE IT RESOLVED that Richard Wemigwase and Emily Harrington are appointed as delegates and Janice Shackelford as an alternate delegate to represent LTBB with the Michigan Indian Elders Association until a successor is appointed.

(Source: TRIBAL RESOLUTION # 062313-01)

18.619 DESIGNATING THE SECOND MONDAY OF OCTOBER AS NATIVE AMERICAN DOMESTIC VIOLENCE AWARENESS DAY

A. WHEREAS Domestic Violence is a serious and pervasive public health, human rights, and social justice issue affecting one in four (25%) women nationally. The impact of domestic violence is devastating. A family's home becomes a place of fear, hopelessness, and desperation when a woman is battered by her partner or a child witnesses the abuse of his mother. An estimated 103,389 domestic violence cases were reported in the state of Michigan in 2003. Far too many families in Michigan and around the nation are affected by domestic violence; and

B. WHEREAS No one is more vulnerable than Native American women for the national statistics show two in five (40%) will be affected by domestic violence in their life time. Victims of domestic violence suffer in silence not knowing where to turn, with little guidance, and/or support. Sadly, this tragedy does not just affect adults; and

C. WHEREAS The exposure to violence in the home, even when a child is not directly injured, can contribute to behavioral, social and emotional problems. Children who experience violence are at a higher risk for failure in school, emotional and substance abuse disorders, and are more likely to perpetuate the cycle of violence themselves later in life; and

D. WHEREAS Ending domestic violence will require the collaborative efforts of everyone, including law enforcement, criminal justice system, public health officials, and community members. It will require that everyone communicate a universal message that violence of any nature, and especially domestic violence, is unacceptable; and

E. WHEREAS We call upon all organizations, both tribal and non-tribal; law enforcement, health officials, and community members to speak out against sexual assault and support local efforts in Indian Country to help victims find the healing they seek;

F. THEREFORE, BE IT RESOLVED that the second Monday of October is declared Native American Domestic Violence Awareness Day. We recognize all domestic violence victims and those who serve them during the entire month of October and stand united in our commitment to end all forms of domestic violence in our Tribe.

(Source: TRIBAL RESOLUTION # 092213-01)

18.620 AMENDMENT TO THE LEGISLATIVE BRANCH OPERATIONS GOVERNMENTAL EMPLOYEE PERSONNEL POLICIES HANDBOOK

A. WHEREAS Tribal Council passed a Tribal Resolution #042907-02, approving the Waganakising Odawak Legislative Branch Operations Governmental Employee Personnel Policies Handbook;

B. WHEREAS Tribal Resolution #042907-02 was received by the Executive on May 2, 2007, and with no action being taken by the Executive became enacted and has the force of law as of June, 2, 2007;

C. WHEREAS within the Handbook, Section IV. EMPLOYEE DEVELOPMENT & ENHANCEMENT, B. ANNUAL MONETARY COMPENSATION: *The amount of annual monetary compensation increase will be determined by the regionally adjusted COLA (Cost of Living Allowance) as of December 31st of the previous year with a minimum increase per year of 4% and a maximum increase per year of 8%. . . .*

D. THEREFORE, BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians Tribal Council amends the Waganakising Odawak Legislative Branch Operations Governmental Employee Personnel Policies Handbook, Section IV. EMPLOYEE DEVELOPMENT & ENHANCEMENT, B. ANNUAL MONETARY COMPENSATION, to read as follows: *“The amount of annual monetary compensation increase will be determined by the regionally adjusted COLA (Cost of Living Allowance) as of December 31st of the previous year with a minimum increase per year of 1.5% and a maximum increase per year of 8%”* and authorizes the Executive Tribal Chairman to administer his oversight authority to the extent necessary to ensure the administration of such amendment.

(Source: TRIBAL RESOLUTION #122213-02)

18.621 FUNDING FOR WAGANAKISING ODAWAK STATUTE 2014-013 TRIBAL HISTORIC PRESERVATION OFFICE PROTECTION AND MANAGEMENT OF ARCHAEOLOGICAL, HISTORICAL AND CULTURAL PROPERTIES AND CULTURAL RESOURCES

A. WHEREAS Waganakising Odawak Statute 2014-013 THPO was signed into law on October 23, 2014;

B. WHEREAS Funding is needed to fund the Tribal Historic Preservation office for contractual services and expenses;

C. WHEREAS In accordance with Waganakising Odawak Statute 2008-004 Process for Appropriations of Supplemental Funding, the Appropriations and Finance Committee approves and recommendations by phone poll that Tribal Council transfers funds from the Executive FY2015 Budget to the Legislative Budget in the amount of \$40,000 and additionally there is a need for appropriate supplemental funding in the amount of \$20,000 for expenses to come from Prior Period Funds.

D. THEREFORE BE IT RESOLVED Tribal Council rescinds Tribal Resolution #042113-01 Funding for Waganakising Odawak Statute 2014-013 Tribal Historic Preservation Office of Protection and Management; and appropriates by transfer of funds in the amount of \$40,000.00 from Executive FY2015 Budget to the Legislative FY2015 Budget to implement Waganakising Odawak Statute 2014-013 and supplements the funding for expenses in the amount of \$20,000.00 to be appropriated from Prior Period Funds.

E. FINALLY BE IT RESOLVED That the Tribal Chairperson shall administer their oversight authority to the extent necessary to ensure the administration of such funds.

(Source: TRIBAL RESOLUTION #010815-01)

18.622 AMENDMENT TO THE LEGISLATIVE BRANCH OPERATIONS GOVERNMENTAL EMPLOYEE PERSONNEL POLICIES HANDBOOK

A. WHEREAS the Waganakising Odawak Nation, known as the Little Traverse Bay Bands of Odawa Indians, and its citizens are vested with inherent sovereignty and right to self-governance;

B. WHEREAS the Little Traverse Bay Bands of Odawa Indians (“LTBB” or “Tribe”) 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);

C. WHEREAS the Little Traverse Bay Bands of Odawa Indians Tribal Council has the authority to approve negotiations involving the tribe according to the LTBB Constitution,

Article VII, Section D (23);

D. WHEREAS Tribal Council passed Tribal Resolution #042907-02, approving the Waganakising Odawak Legislative Branch Operations Governmental Employee Personnel Policies Handbook;

E. WHEREAS Tribal Resolution #042907-02 was received by the Executive on May 2, 2007, and with no action being taken by the Executive, became enacted and has the force of law effective June 2, 2007;

F. WHEREAS within the Handbook, Section IV. EMPLOYEE DEVELOPMENT & ENHANCEMENT, B. ANNUAL MONETARY COMPENSATION: *The amount of annual monetary compensation increase will be determined by the regionally adjusted COLA (Cost of Living Allowance) as of December 31st of the previous year with a minimum increase per year of 4% and a maximum increase per year of 8%. . . .*

G. THEREFORE, BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians Tribal Council amends the Waganakising Odawak Legislative Branch Operations Governmental Employee Personnel Policies Handbook, Section IV. EMPLOYEE DEVELOPMENT & ENHANCEMENT, B. ANNUAL MONETARY COMPENSATION, to read as follows: *“The amount of annual monetary compensation increase will be at the rate of 1.5% per year.”*

H. BE IT FURTHER RESOLVED, that the Little Traverse Bay Bands Legislative Branch hereby adjusts COLA to reflect the same rate of increase as Executive Branch Employees, Judicial Branch Employees and Gaming Regulatory Employees.

I. BE IT FURTHER RESOLVED, All LTBB Government Employee handbooks shall adopt an annual COLA rate of 1.5%, effective January 1, 2015.

(Source: TRIBAL RESOLUTION #012215-03)

18.623 DECOMMISSION AND SAFE REMOVAL OF PIPELINE RUNNING UNDER

THE STRAITS OF MACKINAC

- A. WHEREAS** Tribal citizens have harvested fish in the Great Lakes for subsistence and commercial purposes since time immemorial. The Tribe’s right of subsistence and commercial fishing reserved in Article 13 of the 1836 Treaty is of central cultural, social and economic significance to LTBB and its citizens, and the Tribe strives to protect the quality of the environment for future generations. The Preamble to the Constitution says “We will work together in a constructive, cooperative spirit to preserve and protect our lands, resources and Treaty Rights”;
- B. WHEREAS** LTBB is a party to the case of *United States v. Michigan*, 2:73-CIV-26 (WD MI) in which the Tribe’s fishing rights in the 1836 Treaty ceded portions of the Great Lakes were upheld, and it is a signatory to the 2000 Consent Decree entered in that case. The Straits of Mackinac lie at the heart of the Great Lakes waters ceded in the 1836 Treaty;
- C. WHEREAS** a network of petroleum product and natural gas pipelines of various ages and dubious integrity exist in the Great Lakes, including some that may be transporting diluted bitumen, as evidenced by the spill that occurred from an Enbridge Inc. pipeline in the Kalamazoo River watershed in 2010;
- D. WHEREAS** the Enbridge Inc. Line 5 extends through the 1836 Treaty ceded lands and waters of Michigan and beneath the Straits of Mackinac in an especially sensitive and vulnerable area;
- E. WHEREAS** the physical properties of diluted bitumen derived from tar sands petroleum deposits and any heavy petroleum products that sink in water are exceptionally difficult to remediate when spilled in fresh water, and a spill of any petroleum products, heavy or otherwise, transported through Line 5 through the Straits of Mackinac would cause vast irreparable damage to the Treaty fishery;
- F. WHEREAS** the 2010 Kalamazoo River spill starkly demonstrates the inherent danger of transporting petroleum products through pipelines under fresh water;

G. WHEREAS the fact that the Straits of Mackinac freeze over for about 4 months per year make adequate year round monitoring of Line 5, or clean-up of a winter spill, impossible;

H. THEREFORE BE IT RESOLVED that to honor the Tribe's duty to protect the natural environment and its Great Lakes Treaty fishing rights, the portion of Enbridge Inc.'s Line 5 running under the Straits of Mackinac must be decommissioned and safely removed as soon as possible.

(Source: TRIBAL RESOLUTION #030515-01)

18.624 AD-HOC VIOLENCE AGAINST WOMEN ACT / TRIBAL LAW AND ORDER ACT COMMITTEE

A. WHEREAS the Little Traverse Bay Bands of Odawa Indians recently passed the Domestic Violence Statute which includes provisions for limited criminal jurisdiction over non-Indians for domestic violence offenses;

B. WHEREAS in order to properly implement the Domestic Violence Statute, the committee will need to review, revise or draft additional Statutes, such as, Adult Welfare Protection, Victim's Rights, Personal Protection Orders, Criminal Law, and other supporting Statutes and policies;

C. WHEREAS the committee will also need to continue to assess the potential of implementing the criteria for exercising the jurisdictions of TLOA;

D. WHEREAS the committee will also need to continue to assess and incorporate rights and services for victims of crimes and persons who have committed Domestic Violence crimes or related crimes;

E. WHEREAS the Committee will involve individuals from the Legislative, Executive and Judiciary Branches of Tribal government along with the Prosecutor's Office in order to fully develop the laws and policies and make recommendations to the Tribal Chair, Tribal Council and Chief Judge and has identified the following Committee members:

See table below.

EXECUTIVE	
Administration	Tribal Administrator
Communications	Coordinator
Elders	Coordinator or Designee
Executive Offices	Executive Assistant to the Chairman
Grants	Grant Writer
Human Services	Director and Victim Advocate
Law Enforcement	Chief of Police and Designated Officer
Health Department	Director or Designee
Substance Abuse/Mental Health	Director and/or Designee
Youth	Coordinator or Designee
Housing	Director and/or Designee

JUDICIAL	
Tribal Court	Chief Judge or Designee
Tribal Court	Court Administrator or Designee
Probation	Domestic Violence Coordinator

LEGISLATIVE	
Legal Department	Executive Assistant
Legislative Services	Attorney
Tribal Council	Tribal Councilors

PROSECUTOR	
Prosecutor's Office	Prosecutor or Designee

F. THEREFORE BE IT RESOLVED that the Tribal Council approves the Ad-hoc VAWA/TLOA Committee that is comprised of Tribal Administrator, Communications

Coordinator, Elders Coordinator or Designee, Executive Assistant to the Chairman, Human Services Director and Victim Advocate, Chief of Police and Designated Officer, Housing Director or Designee, Probation Domestic Violence Coordinator, Health Director of Designee, Substance Abuse/Mental Health Director and/or Designee, Youth Coordinator or Designee, Chief Judge or Designee, Court Administrator or Designee, Legal Executive Assistant, Legislative Services Attorney, Tribal Councilors and Prosecutor or Designee.

G. THEREFORE FURTHER BE IT RESOLVED that the Committee will make recommendations to the Tribal Chair, Tribal Council and Chief Judge based on their findings.

H. THEREFORE FURTHER BE IT RESOLVED that the Committee will make recommendations to the Tribal Chair, Tribal Council and Chief Judge based on their findings.

I. FINALLY BE IT RESOLVED that the work group shall serve at the pleasure of Tribal Council and may be dissolved upon motion of Tribal Council.

(Source: TRIBAL RESOLUTION #040915-01)

18.625 TO ESTABLISH A MICHIGAN TRIBAL SEX OFFENDER REGISTRATION AND NOTIFICATION ACT (SORNA) COALITION

A. WHEREAS a Michigan Tribal SORNA Collaboration Meeting was held on March 6, 2015 and consisted of SORNA Point of Contacts, Law Enforcement, Probation Officers, Prosecutors, and Attorneys where the attendees agreed to meet on an annual basis;

B. WHEREAS the Coalition of attendees will continue to address the future efforts of SORNA substantial implementation by sharing information and supporting each Tribe through collaboration and networking;

C. WHEREAS there are grants available from the U.S. Department of Justice to assist the Tribal Coalition with substantial implementation;

D. WHEREAS the Coalition of attendees has an interest in applying certain funding to

substantiate the offender re-entry program and victim and offender treatment programs to diminish recidivism by way of applying Traditional Peacemaking and Cultural practices;

E. WHEREAS the Traditional Indigenous Justice Practices, such as Peacemaking and Talking Circles helps to reestablish a spiritual, physical, and emotional and intellectual balance that benefits the impacted individuals and addresses the needs of the entire community.

F. THEREFORE BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians officially supports the establishment of a Michigan Tribal SORNA Coalition to build a strong foundation to address the collaborative efforts in reference to SORNA requirements.

G. FINALLY BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians officially requests the support of the other Michigan Tribes and Coalition attendees to establish a Michigan Tribal SORNA Coalition.

(Source: TRIBAL RESOLUTION #060415-01)

18.626 ODAWA CASINO RESORT FIVE YEAR STRATEGIC PLAN DELEGATION OF AUTHORITY

A. WHEREAS the Little Traverse Bay Bands of Odawa Indians has approved a Five Year Strategic Plan for Odawa Casino Resort;

B. WHEREAS in order to implement and execute the plan a number of administrative tasks will need to be accomplished, such as contacting and setting up appointments, meeting with representatives, providing notice to various entities, sending correspondences, transmitting press releases, and responding to inquiries;

C. WHEREAS the Odawa Casino Resort General Manager has the expertise to carry-out these administrative tasks in order to execute and implement the five (5) year strategic plan;

D. WHEREAS as official representatives of the Tribe, the Tribal Chair and/or Tribal Councilors and Gaming Enterprise Board shall be notified of any meeting set between the

Odawa Casino Resort General Manager and other governmental officials.

E. THEREFORE BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians approves and authorizes the Odawa Casino Resort General Manager and/or designee to carry-out such administrative tasks that are necessary to execute and administer the Odawa Casino Resort's five (5) year strategic plan, and will notify the Tribal Council, the Tribal Chair and the Gaming Enterprise Board of any meetings that involve any governmental representative or official.

F. FURTHER BE IT RESOLVED that the Tribal Chair along with one or two Councilors are approved and authorized to attend any meetings set up with other governmental officials and the Odawa Casino Resort General Manager and/or designee.

G. FURTHER BE IT RESOLVED that any agreements with governmental entities shall not be binding until approved by Tribal Council.

H. FINALLY BE IT RESOLVED that the Odawa Casino Resort General Manager on a monthly basis shall report to the Gaming Enterprise Board, such administrative tasks that are being carried-out to execute and administer the Odawa Casino Resort's five (5) year strategic plan.

(Source: TRIBAL RESOLUTION # 061815-02)

18.627 MICHIGAN ELDER ASSOCIATION DELEGATE APPOINTMENT

A. WHEREAS the Little Traverse Bay Bands of Odawa Indians Tribal Council is the elected governing body of the tribe;

B. WHEREAS the LTBB Elders desire to continue representing LTBB at meetings of the Michigan Indian Elders Association;

C. WHEREAS the LTBB Elders have by nomination and secret ballot appointed Richard Wemigwase, and John Kawegoma as delegates and Emily Harrington as alternate Delegate;

D. WHEREAS: the Michigan Indian Elders Association requires the delegates to be appointed by their Tribal Council by resolution;

E. THEREFORE BE IT RESOLVED that Richard Wemigwase and John Kawegoma are appointed as delegates, and Emily Harrington as an alternate delegate to represent LTBB with the Michigan Indian Elders Association until a successor is appointed.

(Source: TRIBAL RESOLUTION #091715-01)

18.628 AMENDMENT TO THE LEGISLATIVE BRANCH OPERATIONS GOVERNMENTAL EMPLOYEE PERSONNEL POLICIES HANDBOOK; SECTION B, LEAVES OF ABSENCE

A. WHEREAS the Little Traverse Bay Bands of Odawa Indians Tribal Council has the authority to approve negotiations involving the tribe according to the LTBB Constitution, Article VII, Section D (23);

B. WHEREAS Tribal Council passed Tribal Resolution #042907-02, approving the Waganakising Odawak Legislative Branch Operations Governmental Employee Personnel Policies Handbook;

C. WHEREAS Tribal Resolution #042907-02 was received by the Executive on May 2, 2007, and with no action being taken by the Executive, became enacted and has the force of law effective June 2, 2007;

D. WHEREAS Within the Legislative Branch Operations Governmental Employee Personnel Policies Handbook, Section II. EMPLOYEE BENEFITS & COMPENSATION PROGRAM, B. LEAVES OF ABSENCE, 3. Educational Leave, Fitness Leave and Professional Development Leave states with in it: “This benefit is provided to improve job skills

pertinent to Tribal employment” and “All classes must be job related”;

E. WHEREAS Tribal Council concurs with Little Traverse Bay Bands of Odawa Indians tribal governmental Human Resources Department’s understanding that educational leave time may be utilized for current or potential future jobs proposition.

F. THEREFORE, BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians Tribal Council amends the Waganakising Odawak Legislative Branch Operations Governmental Employee Personnel Policies Handbook, Section II. EMPLOYEE BENEFITS & COMPENSATION PROGRAM, B. LEAVES OF ABSENCE, 3. Educational Leave, Fitness Leave and Professional Development Leave; to now read as follows: Full-time employees, after completing their probationary period may attend classes up to four (4) hours per week during work hours. Verification of enrollment is required (i.e. semester curriculum) and is contingent upon the Legislative Leader or Legislative Office Managers approval. A maximum of four (4) hours per week of either or a combination of Educational Leave, Professional Development and Fitness Leave is available to employees.

(Source: TRIBAL RESOLUTION # 012116-01)

18.629 AD-HOC VIOLENCE AGAINST WOMEN ACT REGULATIONS COMMITTEE

A. WHEREAS the Little Traverse Bay Bands of Odawa Indians recently passed the Domestic Violence Statute which includes provisions for limited criminal jurisdiction over non-Indians for domestic violence offenses;

B. WHEREAS in order to properly implement the Domestic Violence Statute, the committee will need to draft regulations for the Personal Protection Orders Statute and other such supporting regulations and policies for the Adult Welfare Protection, Victim’s Rights, , Criminal Law Statutes;

C. WHEREAS in order to properly implement the Domestic Violence Statute, the committee will need to draft regulations for the Personal Protection Orders Statute and other such supporting regulations and policies for the Adult Welfare Protection, Victim’s Rights, ,

Criminal Law Statutes;

D. WHEREAS in order to properly implement the Domestic Violence Statute, the committee will need to draft regulations for the Personal Protection Orders Statute and other such supporting regulations and policies for the Adult Welfare Protection, Victim’s Rights, , Criminal Law Statutes;

E. WHEREAS the Committee will involve individuals from the Legislative, Executive and Judiciary Branches of Tribal government along with the Prosecutor’s Office in order to fully develop the regulations and policies and make recommendations to the Tribal Chair, Tribal Council and Chief Judge and has identified the following Committee members: Human Services Director and Advocates, Prosecutor and Advocate, Tribal Court Administrator, Domestic Court Docket Project Coordinator, Probation Domestic Violence Coordinator, Law Enforcement, Tribal Councilors and Legislative Services Attorney.

F. THEREFORE BE IT RESOLVED that the Tribal Council approves the Ad-hoc VAWA Regulations Committee that is comprised of Human Services Director and Victim Advocate, Chief of Police and Designated Officer, Court Administrator, Domestic Court Docket Project Coordinator, Probation Domestic Violence Coordinator, Legislative Services Attorney, Tribal Councilors Law and Harrington and Prosecutor and Victims Advocate.

G. THEREFORE FURTHER BE IT RESOLVED that the Committee will make recommendations to the Tribal Chair, Tribal Council and Chief Judge based on their findings.

H. FINALLY BE IT RESOLVED that the Committee shall serve at the pleasure of Tribal Council and may be dissolved upon motion of Tribal Council.

(Source: TRIBAL RESOLUTION # 021816-04)

18.630(11.16)(a) AMENDMENT TO THE LEGISLATIVE BRANCH OPERATIONS GOVERNMENTAL EMPLOYEE PERSONNEL POLICIES HANDBOOK SECTION II. EMPLOYEE BENEFITS & COMPENSATION PROGRAM

A. WHEREAS Tribal Resolution #042907-02 was adopted on May 2, 2007, approving the Legislative Branch Operations Governmental Employee Personnel Policies Handbook;

B. WHEREAS The Handbook states in Section II. EMPLOYEE BENEFITS & COMPENSATION PROGRAM Section A.1. a) Little Traverse Bay Bands of Odawa Indians Health Insurance Plan provides eligible employees and their dependents access to medical, dental, and vision care insurance benefits. Eligible employees may participate in the Health Insurance Plan. If both husband and wife work for LTBBOI Legislative Offices or Governmental Offices, only one Blue Cross/Blue Shield plan will be issued; and in Section A. 8. b) The 401(k) Savings Plan allows employees to elect how much salary they want to contribute, up to the plan maximum. LTBBOI contributes an additional matching amount up to a maximum of 3% of gross income;

C. WHEREAS LTBB Tribal Council recognizes that the Tribal Government currently contracts with Priority Health and not Blue Cross/Blue Shield for the employee health care insurance plan;

D. WHEREAS On October 24, 2016 the LTBB Executive has issued Executive Directive 35-10242016-01 Update of Employee Government Benefits providing effective January 1, 2017 the 401(k) match will be 5% for Tribal Government Employees, as historically LTBB staff has 401(k) balances falling well below the benchmarks for their age groups.

E. THEREFORE BE IT RESOLVED that the LTBB Tribal Council amends the Legislative Branch Operations Governmental Employee Personnel Policies Handbook to read as follows: Section II. EMPLOYEE BENEFITS & COMPENSATION PROGRAM, A.1. a) “Little Traverse Bay Bands of Odawa Indians health insurance plan provides eligible employees and their dependents access to medical, dental, and vision care insurance benefits. Eligible employees may participate in the health insurance plan. If both spouses work for LTBB Tribal Government, only one LTBB health insurance plan will be issued”; and in A. 8. b) “The 401(k) Savings Plan allows employees to elect how much salary they want to contribute, up to the plan maximum. LTBB contributes an additional matching amount up to a maximum of 5% of gross income.”

(Source: TRIBAL RESOLUTION #110316-01)

18.631(8.15)(a) APPROPRIATION FOR NATURAL RESOURCES DEPARTMENT (NRD) TREE PURCHASE IN THE AMOUNT OF \$943.00

WHEREAS the LTBB Natural Resources Department developed a plan for remediation of tree cutting that occurred on its Cross Village trust property. The NRD’s remediation plan included payment of \$943.00 from the neighboring land owner for purchase of replacement trees and shrubs, which payment has been received by the Tribe;

A. THEREFORE BE IT RESOLVED that the Tribal Council appropriates \$943.00 to the Natural Resources Department for the purpose of purchasing trees and other plants for the Cross Village trust property.

(Source: TRIBAL RESOLUTION #080615-02)

18.632(1.06)(a) POSSESSION OF FIREARMS

Codification Note: Repealed and Replaced by TRIBAL RESOLUTION #090302-03 @

18.667(9.20)(a)

(Source: TRIBAL RESOLUTION #010806-01)

18.633(4.06)(a) WOMEN WORKING FOR THE TRIBE SHALL BE TREATED EQUALLY AND SHALL NOT BE REQUIRED TO DRESS IN A MORE REVEALING MANNER THAN A MAN IN THE SAME JOB

A. WHEREAS the Little Traverse Bay Bands of Odawa Indians Tribal Council is the elected legislative body of the Tribe;

B. WHEREAS the Tribal Council respects women as the givers of life and supports equality for women in the work place;

C. THEREFORE, BE IT RESOLVED that women working for the Little Traverse Bay Bands of Odawa Indians in any capacity or enterprise shall not be required to meet any working conditions that are different than men in the same work environment and shall never be required to dress in a more revealing manner than a man in the same position and that policies that discriminate against women or force women to dress in a more revealing manner than a man in the same position shall be deemed illegal and unenforceable.

(Source: TRIBAL RESOLUTION #040906-02)

18.634(4.06)(b) PROHIBITING POLICIES THAT DISCRIMINATE AGAINST TRIBAL MEMBERS WITH LONG HAIR

A. WHEREAS the Little Traverse Bay Bands of Odawa Indians Tribal Council is the elected legislative body of the Tribe;

B. WHEREAS the Little Traverse Bay Bands of Odawa Indians Tribal Council recognizes long hair as both traditional and religious practice of many Tribal Members;

C. WHEREAS the Little Traverse Bay Bands of Odawa Indians Tribal Council recognizes the economic necessity of Tribal Members to have good employment without sacrificing tradition, culture or religion;

D. THEREFORE, BE IT RESOLVED that policies that interfere with Tribal Member employment opportunities due to tradition, culture or religion and reasonable outward displays of these beliefs such as long hair or wearing an Odawa traditional, cultural or religious symbol, within the Tribal Government and the Tribe's enterprises shall be deemed illegal and unenforceable and in direct conflict with the Indian Preference in Employment.

(Source: TRIBAL RESOLUTION #040906-04)

18.635(04.06)(c) APPROVAL OF FOUR DIRECTIONS VIDEO CONTENT

A. WHEREAS the government operating budget for fiscal year 2005 included an appropriation for the Four Directions video project, and Resolution 12180510 authorized carry-over of those funds into subsequent years until the projects are completed;

B. WHEREAS the Tribal Council reviewed a draft of the Four Directions video at its work session on April 8, 2006;

C. THEREFORE BE IT RESOLVED the Tribal Council of the Little Traverse Bay Bands of Odawa Indians approves the content of the Four Directions video as shown at its work session on April 8, 2006.

(Source: TRIBAL RESOLUTION #040906-05)

18.636(4.06)(d) PROHIBITING EMPLOYMENT POLICIES THAT DISCRIMINATE AGAINST TRIBAL CITIZENS

A. WHEREAS the Little Traverse Bay Bands of Odawa Indians Tribal Council is the elected legislative body of the Tribe;

B. WHEREAS the Little Traverse Bay Bands of Odawa Indians Tribal Council recognizes many Tribal Citizens are not the body type, hair length or physically the best fit to fill many positions the Tribe is developing due to outside influences;

C. WHEREAS the Little Traverse Bay Bands of Odawa Indians Tribal Council recognizes that many Tribal Citizens are missing teeth and would like them but need jobs with benefits to be able to afford teeth;

D. WHEREAS the Little Traverse Bay Bands of Odawa Indians Tribal Council recognizes Tribal Citizens need jobs and should have priority in hiring in accordance with the Tribe's Indian Preference Statute;

E. THEREFORE, BE IT RESOLVED that policies that interfere with Tribal Citizen employment opportunities within the Tribal Government and the Tribe's enterprises based upon

height, weight, age, sex, physical appearance, or missing teeth shall be deemed illegal and unenforceable and in direct conflict with the Indian Preference in Employment.

(Source: TRIBAL RESOLUTION #040906-06)

18.637(4.06)(e) RESOLUTION FOR FUNDING TRAVEL TO NCAI MID-YEAR AND 63RD ANNUAL CONVENTION FOR NCAI YOUTH DELEGATES AND CHAPERONES

- A. WHEREAS** the LTBB actively supports and retains a voting membership with the National Congress of American Indians (“NCAI”);

- B. WHEREAS** the Tribal Council supported the NCAI Youth Commission approving a travel budget for 4 Little Traverse Bay Bands of Odawa Indian student representatives with 2 Little Traverse Bay Bands of Odawa Indians Chaperones to the NCAI 61st Annual Convention in Ft. Lauderdale in 2004;

- C. WHEREAS** “promote with special care the health, educational and economic interests of all the people, especially our children...” is the second directive principal in the Constitution of the Waganakising Odawak;

- D. WHEREAS** as future leaders, LTBB Youth need to be educated in leadership and national tribal concerns in order to gain an understanding of the issues they will face as leaders in our local, Tribal, and National Communities;

- E. WHEREAS** the NCAI Youth Commission purposes to enhance leadership skills among Tribal youth, and to provide an opportunity to acquire knowledge from NCAI and Tribal Leaders;

- F. THEREFORE BE IT RESOLVED** the Little Traverse Bay Bands of Odawa Indians Tribal Council authorizes a 2006 NCAI Youth Delegation of 4 LTBB student representatives and 2 LTBB chaperones to attend NCAI Mid-Year Conference in Sault Ste. Marie and NCAI 63rd

Annual Convention in Sacramento, CA;

G. BE IT ALSO RESOLVED that Tribal Council appropriates an additional sum of \$18,000 for NCAI Youth Delegate FY2006 travel to come from prior year fund balance;

H. BE IT FINALLY RESOLVED: that the Tribal Council approves budget modification to FY 2006 TGO-Chairman 1107-xx.

(Source: TRIBAL RESOLUTION #040906-08)

18.638(5.06)(a) APPROVAL OF POLICY FOR MANAGEMENT OF CAPITAL PROJECT FUNDS

A. WHEREAS The Tribal Constitution in Article VII(D)(2) delegates to the Tribal Council the power “to Approve or disapprove policies, resolutions and regulations presented from the Executive branch;”

B. WHEREAS the Tribal Council reviewed the “Policy for Management of Capital Projects Capital Project Funds” presented by the Executive in the Executive Report to the Tribal Council dated May 7, 2006;

C. THEREFORE, BE IT RESOLVED that Tribal Council approves the “Policy for Management of Capital Projects Capital Project Funds” presented by the Executive in the Executive Report to the Tribal Council dated May 7, 2006 effective immediately.

(Source: TRIBAL RESOLUTION #050706-09)

18.639(6.06)(a) OPPOSITION TO KENNECOTT MINERALS PROPOSED SULFIDE ORE MINE

A. WHEREAS The Kennecott Minerals Company has applied for permits to mine a sulfide ore deposit in the headwaters of the Salmon Trout River and Yellow Dog River, and

- B. WHEREAS** These Rivers are tributaries to Lake Superior, which could ultimately receive pollutants from any mining by Kennecott, and
- C. WHEREAS** Lake Superior is hydrologically connected to Lake Michigan and Reservation Waters of the Little Traverse Bay Bands of Odawa Indians, and
- D. WHEREAS** The Tribe is concerned about sulfide mineral mining because sulfide ore, when exposed to air and water, can cause acid mine drainage, and
- E. WHEREAS** The devastating effects of acid mine drainage on aquatic and terrestrial ecosystems are well documented and understood, and pose an unacceptable risk to the fishery resources of Lake Superior and its tributaries and other Great Lakes, and
- F. WHEREAS** Due to the environmental impacts, sulfide mining poses numerous risks to tribal life ways and resources upon which all tribes rely to sustain their culture, and
- G. WHEREAS** Kennecott has also engaged in exploratory drilling within the boundaries of the Keweenaw Bay Indian Community’s L’Anse Reservation, and
- H. WHEREAS** the potential exists that Kennecott could engage in exploratory drilling within the boundaries of other tribes, including the Little Traverse Bay Bands of Odawa Indians reservation boundaries.
- I. THEREFORE, BE IT RESOLVED,** that the Little Traverse Bay Bands of Odawa Indians shares the conviction of the Keweenaw Bay Indian Community that sulfide mining, and in particular the mine proposed by Kennecott Mineral Company, poses unacceptable risks to the water-rich environment of the Yellow Dog Plains.
- J. FURTHER RESOLVED,** that the Little Traverse Bay Bands of Odawa Indians recognizes the potential environmental impacts associated with the proposed Kennecott mine including the long term environmental impact on the Lake Superior watershed and the watersheds of other Great Lakes.

K. FURTHER RESOLVED, that the Little Traverse Bay Bands of Odawa Indians recognize that a decision to allow Sulfide mine in the headwaters of the Salmon Trout River and Yellow Dog River will set a precedent for decisions related to sulfide mining operations in the State of Michigan.

L. FINALLY BE IT RESOLVED, that the Little Traverse Bay Bands of Odawa Indians supports the Keweenaw Bay Indian Community in its opposition to sulfide mining within the boundaries of its Reservation.

(Source: TRIBAL RESOLUTION #061106-10)

18.640(6.06)(b) PROVIDING FOR AMENDMENT OF REVENUE ALLOCATION PLAN

A. 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”);

B. 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”);

C. WHEREAS by Resolution # 100503-01, as amended by Resolution # 110203-01, the Tribal Council of the Tribe approved a Revenue Allocation Plan for the Tribe, which was approved by the Secretary in accordance with IGRA, by Resolution 062704-07 the Tribal Council kept that Plan in place for subsequent years, which was approved on behalf of the Secretary, and by Resolution 100905-06 Tribal Council amended the definition of “Distributable Net Revenues” in the Plan, which amendment was also approved on behalf of the Secretary;

D. WHEREAS the Tribe seeks to further promote the interests of its minors;

E. THEREFORE BE IT RESOLVED that subject to approval on behalf of the Secretary, the Revenue Allocation Plan is amended by replacing Section VII with the following new Section VII:

SECTION VII. ATTACHMENT

The funds distributed to Tribal members under this Plan shall not be subject to attachment to satisfy any lien, judgment or any other debt, except for enforcement of child support orders entered in the LTBB Tribal Court. Such orders include those entered in original LTBB Tribal Court actions and orders entered by the Tribal Court granting full faith and credit to support orders from other jurisdictions after filing in, and review by, the LTBB Tribal Court.

F. 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;

G. 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.

(Source: TRIBAL RESOLUTION #061106-22)

18.641(8.06)(a) HONORING LEWIS STEPHEN ADAMS SR.

- A. WHEREAS** the Little Traverse Bay Bands of Odawa Indians Tribal Council is the elected legislative body of the Tribe;
- B. WHEREAS** Lewis Stephen Adams Sr, Wyaudtnoong (Little Detroit), born 6/22/1922 married Doris Amelia Kishigo 7/25/1946 and walked on 1/27/1964;
- C. WHEREAS** As a young man Lewis was winner of the 1937 National Soap Box Derby at Akron Ohio and later went on to win local notoriety as a Golden Gloves Boxer;
- D. WHEREAS** Lewis served honorably in the United States Marine Corp from 1942 to 1946 seeing action on the volcanic island of Iwo Jima;
- E. WHEREAS** As a veteran he was Commander of AMVETS Post 50 (an all Indian post), he organized toy collection repairs and delivery for the Indian Orphanage in Marquette and was a friend of Ira Hayes;
- F. WHEREAS** He started the Little Traverse Indian Club of Harbor Springs and helped organize the last Hiawatha Pageant in Ottawa Stadium;
- G. WHEREAS** Lewis's reputation as a community leader prompted a request from Governor Williams of Michigan for a Traditional Blessing and Ceremony for the Mackinaw Bridge that was rapidly nearing completion;
- H. WHEREAS** 1955 on top of the northern tower of the Mackinaw Bridge Lewis performed a Pipe Ceremony and prayed for the blessings of Gicthi-Manitou and the safe completion of the bridge.
- I. THEREFORE, BE IT RESOLVED** that the Little Traverse Bay Bands of Odawa Indians Tribal Council posthumously bestows upon Lewis Stephen Adams Sr. its greatest honors and accolades, and thanks Lewis and his family for their many contributions to our community

and recognizes the 50th anniversary of the Mackinaw Bridges construction, Labor Day 2006, as Lewis Stephen Adams Sr. Day.

(Source: TRIBAL RESOLUTION #080606-05)

18.642(9.17)(a) APPROVAL OF FY 2018 – FY 2021 TRIBAL TRANSPORTATION IMPROVEMENT PLAN

- A. WHEREAS** the Little Traverse Bay Bands of *Odawa* Indians Tribal Council is the elected legislative body of the Tribe;

- B. WHEREAS** the Tribe wishes to ensure the future of the local transportation system for the benefit of its members;

- C. WHEREAS** the Tribal Council has determined there is a need for road improvements within the reservation area;

- D. WHEREAS** there are funds available through the Bureau of Indian Affairs for a program of services which will meet those needs as identified annually by the Tribal Council;

- E. WHEREAS** under the Tribal Transportation Program, LTBB has updated the Tribe’s Indian Reservation Roads Inventory and the Long-Range Transportation Plan;

- F. WHEREAS** the Bureau of Indian Affairs, Indian Reservation Roads Program has provided the Tribe with an opportunity to indicate its 2018 – 2021 Transportation project priorities.

- G. THEREFORE BE IT RESOLVED** that the Little Traverse Bay Bands of Odawa Indians Tribal Council approves the priorities and projects indicated in the attached Tribal Transportation Improvement Plan (TTIP) for 2018 – 2021.

H. FURTHER RESOLVED, that the LTBB Tribal Chair, Tribal Vice Chair, Tribal Administrator, or another designee from the Tribal Chair is authorized to execute any documents necessary to apply for, receive, and administer funds under the contract.

(Source: TRIBAL RESOLUTION #092817-01)

18.643(9.17(b) IN OPPOSITION TO THE PROPOSED GRAHAM-CASSIDY-HELLER-JOHNSON LEGISLATION

A. WHEREAS The *Federal trust responsibility* emanates from the unique relationship between the United States and Indians in which the *Federal* Government undertook the obligation to insure the survival of Indian tribes. "*The federal Indian trust responsibility is a legal obligation under which the United States "has charged itself with moral obligations of the highest responsibility and trust" toward Indian tribes* (Seminole Nation v. United States, 1942)";

B. WHEREAS The proposed Graham-Cassidy-Heller-Johnson legislation would violate the federal trust responsibility by shifting federal dollars to the states and not directly to tribes;

C. WHEREAS It is important that federal government maintain the current structure of providing for Indian Health Care dollars directly to the Tribes, by following the Snyder Act of 1921 (25 USC 13) and the permanent reauthorization of the Indian Health Care Improvement Act [enacted in 2010 as part of the Patient Protection and Affordable Care Act (P.L. 111-148)] that provided for specific legislative authority for Congress to appropriate funds specifically for the health care of Indian people.

D. THEREFORE BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians Tribal Council opposed to the Proposed Graham-Cassidy-Heller-Johnson legislation and the potential impact to Tribes.

E. FINALLY BE IT RESOLVED that in accordance with the Constitution, the Executive Branch shall submit a copy of this Resolution to the appropriated Congressional Offices and federal officials.

(Source: TRIBAL RESOLUTION #092817-04)

18.644(11.17(a) IN SUPPORT OF “WE ARE ALL IN” AT THE U.S. CLIMATE ACTION CENTER AND AT THE UN CLIMATE TALKS (COP23)

A. WHEREAS “ *IN THE WAYS OF OUR ANCESTORS*, to perpetuate our way of life for future generations, we the Little Traverse Bay Bands of Odawa Indians, called in our own language the *WAGANAKISING ODAWAK*, a sovereign, self-governing people who follow the Anishinaabe Traditions, Heritage, and Cultural Values, set forth within this Constitution the foundation of our governance.

B. WHEREAS *We will work together in a constructive, cooperative spirit to preserve and protect our lands resources and Treaty Rights, ... In keeping faith with our Ancestors, we shall preserve our Heritage while adapting to the present world around us...*”

C. WHEREAS The Little Traverse Bay Bands of Odawa Indians has set its own emission reduction targets and has adopt its own strategies for reaching them by passing Tribal Resolution #051505-01 in which the Tribe committed to increase it percentage of total energy from renewable energy sources by 25%;

D. WHEREAS Tribal Government, Odawa Casino Resort and staff have been active in working to reduce emission of green-house gases and become more energy efficient by building housing that are environment friendly, replacing watt bulbs with LED bulbs in all governmental building, and the Odawa Casino resort was able to reduce its energy use by 3.38 percent 2016 and 1.4 million kWh of electricity and more than 26,000 MMBTU of natural gas by the end of 2015;

E. THEREFORE BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians Tribal Council support “*We are All In*” at the U.S. Climate Action Center and at the UN climate talks (COP23) to be held in Bonn.

(Source TRIBAL RESOLUTION #110917-03)

**18.645(11.17)(b) REPEAL OF TRIBAL RESOLUTION #042907-02
LEGISLATIVE BRANCH OPERATIONS GOVERNMENTAL EMPLOYEE
PERSONNEL POLICIES HANDBOOK**

A. WHEREAS Tribal Resolution #042907-02 was adopted on May 2, 2007, approving the Legislative Branch Operations Governmental Employee Personnel Policies Handbook;

B. WHEREAS the Legislative Branch Operations Governmental Employee Personnel Policies Handbook that passed in 2007, as amended, no longer reflects current law, and is in need of replacing;

C. WHEREAS Tribal Council has updated the Legislative Branch Operations Governmental Employee Personnel Policies Handbook that now reflects current law;

D. WHEREAS according to WOS 2015-019, Administrative Procedures Act, Tribal Council is authorized to use a “Legislative Directive” for operation of the Legislative Branch.

E. WHEREAS on November 9, 2017 Tribal Council passed a Legislative Directive that approves the updated Legislative Branch Operations Governmental Employee Personnel Policies Handbook.

F. THEREFORE BE IT RESOLVED that Tribal Resolution #042907-02 Legislative Branch Operations Governmental Employee Personnel Policies Handbook is repealed along with any other Tribal Resolutions that amended the 2007 Legislative Branch Operations Governmental Employee Personnel Policies Handbook.

(Source: TRIBAL RESOLUTION #110917-02)

**18.646(11.17)(c) REMOVAL OF ENBRIDGE LINE 5 FROM UNDER THE
STRAITS OF MACKINAC**

- A. **WHEREAS** the Little Traverse Bay Bands of Odawa Indians Tribal Council is the elected Legislative body of the Tribe;
- B. **WHEREAS** Tribal citizens have harvested fish in the Great Lakes for subsistence and commercial purposes since time immemorial. The Tribe’s right of subsistence and commercial fishing, reserved in Article 13 of the 1836 Treaty, is of central cultural, social and economic significance to LTBB and its citizens, and the Tribe strives to protect the quality of the environment for future generations. The Preamble to the Constitution says “We will work together in a constructive, cooperative spirit to preserve and protect our lands, resources and Treaty Rights”;
- C. **WHEREAS** LTBB is a party to the case of *United States v. Michigan*, 2:73-CIV-26 (WD MI) in which the Tribe’s fishing rights in the 1836 Treaty ceded portions of the Great Lakes were upheld, and it is a signatory to the 2000 Consent Decree entered in that case. The Straits of Mackinac lie at the heart of the Great Lakes waters ceded in the 1836 Treaty;
- D. **WHEREAS** the Little Traverse Bay Bands of Odawa Indians enacted Tribal Resolution 030515-01 Decommission and Safe Removal of Pipeline Running under the Straits of Mackinac;
- E. **WHEREAS** on November 27, 2017 the State of Michigan’s Governor Snyder signed a new agreement with Enbridge Energy Partners, without consulting LTBB or any other Tribes, that contemplates building a new tunnel under the Straits of Mackinac to house Line 5;
- F. **WHEREAS** the Tribe opposes any attempts to construct a tunnel under the Straits of Mackinac in lieu of decommissioning Line 5, and believes the measures laid out in the Michigan-Enbridge agreement are grossly inadequate to protect the Great Lakes;
- G. **THEREFORE, BE IT RESOLVED** that to honor the Tribe’s duty to protect the natural environment and its Great Lakes Treaty fishing rights, the Little Traverse Bay Bands of Odawa Indians reiterates its call to immediately decommission and safely remove the portion of Enbridge’s Line 5 running under the Straits of Mackinac.

(Source: TRIBAL RESOLUTION #113017-01)

18.647(2.18)(a) SUPPORT OF CORA’S PL 93-638 CONTRACT

- A. WHEREAS** LTBB is a member of the Chippewa Ottawa Resource Authority (CORA);
- B. WHEREAS** the member Tribes of CORA have reserved hunting, fishing and gathering rights in the lands and waters ceded by the Treaty of March 28, 1836 (7 Stat. 491);
- C. WHEREAS** CORA has been authorized by its member Tribes to contract with the Bureau of Indian Affairs pursuant to P.L. 93-638, as amended, to administer certain Great Lakes fishery management and protections functions;
- D. WHEREAS** the member Tribes of CORA have thereby expressed their support and participation in CORA’s budgetary process and receipt of federal funding.
- E. THEREFORE BE IT RESOLVED** that the Little Traverse Bay Bands of Odawa Indians affirms that the Chippewa Ottawa Resource Authority has been delegated authority by this Tribe, along with the four other member Tribes of the organization, to contract with the Bureau of Indian Affairs pursuant to P.L. 93-638 to administer and implement Great Lakes fishery management and protection functions for FY 2017 in the amount of \$120,276.00.

FURTHER RESOLVED that CORA is authorized to contract with the Bureau of Indian Affairs pursuant to P.L. 93-638 for these functions for FY 2018.

FINALLY RESOLVED that this authorization and support is based on the foundational documents of the Chippewa Ottawa Resource Authority, contained in Appendices A and B of the August 7, 2000 Consent Decree entered in *United States, et al. v. State of Michigan*.

(Source: TRIBAL RESOLUTION #020818-01)

18.648(2.18)(a) MICHIGAN INDIAN ELDERS ASSOCIATION DELEGATE APPOINTMENT

- A. WHEREAS** the Little Traverse Bay Bands of Odawa Indians Tribal Council is the elected governing body of the Tribe;
- B. WHEREAS** the LTBB Elders desire to continue representing LTBB at meetings of the Michigan Indian Elders Association;
- C. WHEREAS** the LTBB Elders have by nomination and secret ballot appointed Richard Wemigwase and Julie Shananaquet as delegates and Joann Carey as alternate delegate;
- D. WHEREAS** the Michigan Indian Elders Association requires the delegates to be appointed by their Tribal Council by resolution;
- E. THEREFORE BE IT RESOLVED** that Richard Wemigwase and Julie Shananaquet are appointed as delegates and Joann Carey as an alternate delegate to represent LTBB with the Michigan Indian Elders Association until a successor is appointed.

(Source: TRIBAL RESOLUTION # 020818-03)

18.649(6.18)(a) OPPOSITION TO THE RESTRUCTURING OF THE BUREAU OF INDIAN AFFAIRS REGIONAL OFFICE AND LOCAL AGENCY

- A. WHEREAS** Little Traverse Bay Bands of Odawa Indians requests that the Department of the Interior work with Indian Nations on a government-to-government basis and include consultation with all Indian Nations on matters that affect Indian Homelands, including the reorganization of Department of Interior;
- B. WHEREAS** the Bureau of Indian Affairs Midwest Region provides funding and support to thirty-six (36) federally recognized Indian tribes located in the states of Minnesota, Wisconsin, Michigan and Iowa and the Michigan Agency is located in Sault Ste. Marie, Michigan;

C. **WHEREAS** there are twelve federally recognized tribes in Michigan, five are located in the Upper Peninsula and seven Tribes in the lower Peninsula, there is only one Tribe in Indiana which is the Pokagon Band of Potawatomi Indians that is located in both Michigan and Indiana;

D. **WHEREAS** there are no federally recognized tribes in Ohio;

E. **WHEREAS** the Michigan Tribes have been effectively served by the Regional office and the Michigan local agency and see no reason for a change to the current setup;

F. **WHEREAS** as members of the Midwest Alliance of Sovereign Tribes, (MAST) that was founded in 1996, and represents the thirty-five sovereign tribal nations of Minnesota, Wisconsin, Iowa, and Michigan, we have established a good working relationship with the other regional Tribes and we see no advantage in the making of a new BIA region.

G. **THEREFORE, BE IT RESOLVED**, that Little Traverse Bay Bands of Odawa Indians requests that Bureau of Indian Affairs Midwest Region continue to serve the twelve (12) federally recognized tribes in Michigan and that the Michigan local agency continues to be accessible to all of the Tribes in Michigan.

H. **FURTHER BE IT RESOLVED** this resolution shall be the policy of Little Traverse Bay Bands of Odawa Indians until it is withdrawn or modified by subsequent resolution.

(Source: TRIBAL RESOLUTION #061218-01)

18.650(6.18)(a) OPPOSITION TO THE "ZERO-TOLERANCE" IMMIGRATION POLICY OF SEPARATING FAMILIES

A. **WHEREAS** many of the families apprehended at the border come from Central America fleeing gang violence and poverty and seeking asylum in the United States;

B. **WHEREAS** the Trump administration has introduced a "zero-tolerance" immigration policy calling for the prosecution of all individuals who illegally enter the United States that

includes the forced separation of children from their migrant parents when they cross the border;

C. WHEREAS there is no law mandating the separation of families;

D. WHEREAS At least 2,342 children were separated from their parents between May 5, 2018 and June 9, 2018, as a result of the policy.

E. WHEREAS Ravina Shamdasani, a spokeswoman for the Office of the United Nations High Commissioner for Human Rights stated “The U.S. should immediately halt this practice of separating families and stop criminalizing what should at most be an administrative offense — that of irregular entry or stay in the U.S.”;

F. WHEREAS on June 21, 2018, President Donald Trump signed an executive order to temporarily stop family separations at the border, but the President’s zero tolerance policy toward illegal entry will remained intact.

G. THEREFORE, BE IT RESOLVED, that Little Traverse Bay Bands of Odawa Indians vehemently oppose the current "zero-tolerance" immigration policy that includes forcibly separating children from their parents.

H. FURTHER BE IT RESOLVED and we respectfully request that this policy be revised so that these migrant children and their parents do not have to suffer detrimental trauma that follows when families are forcibly torn apart.

(Source: TRIBAL RESOLUTION #062818-01)

18.651(6.18)(a) MORATORIUM ON THE PURCHASE AND SALE OF NESTLE BOTTLED WATER PRODUCTS

A. WHEREAS the Little Traverse Bay Bands of Odawa Indians (LTBB) is governed by a Tribal Constitution adopted by the Tribal Citizens on February 1, 2005;

B. WHEREAS groundwater is considered sacred and is a cultural resource of the LTBB Tribe and its Tribal Citizens;

C. WHEREAS LTBB disagrees with the Michigan Department of Environmental Quality (MDEQ) decision, April 2, 2018, that approved Nestle Waters North America Inc. (Nestle) a permit to increase its groundwater withdrawal from a well located in Osceola County, northwest of Ewart;

D. WHEREAS the permit allows Nestle to increase the water withdrawal rate at White Pine Springs well No. 101 from 250 to 400 gallons-per-minute;

E. WHEREAS Nestlé sold \$7.7 billion worth of bottle water worldwide, with more than \$343 million coming from Michigan, where the company bottles *Ice Mountain Natural Spring Water* and *Pure Life*.

F. THEREFORE, BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians (LTBB) orders a moratorium on the purchase and sale of Nestle bottled water products, *Ice Mountain Natural Spring Water* and *Pure Life*, at any LTBB owned and operated facility; or any LTBB sponsored event; and further urges its Tribal Citizens to similarly boycott Nestle bottled water products.

(Source: TRIBAL RESOLUTION #062818-03)

**18.652(6.18)(a) SUPPORT FOR MICHIGAN INDIAN LEGAL SERVICES’
BUREAU OF JUSTICE ASSISTANCE GRANT**

A. 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;

B. 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);

C. WHEREAS the Little Traverse Bay Bands of Odawa Indians has a compelling interest to enhance access to civil legal assistance services for its citizens and to enhance criminal defense counsel services at Tribal criminal proceedings for them;

D. WHEREAS the Bureau of Justice Assistance (BJA) as a component of the United States Department of Justice has announced a grant opportunity under the BJA Tribal Civil and Criminal Legal Assistance Grants, Training, and Technical Assistance Fiscal Year 2018 Competitive Grant to support civil and criminal legal assistance to low-income individuals, through nonprofit organizations who are experienced in providing legal assistance services to eligible individuals pursuant to federal poverty guidelines, federally recognized Indian tribes, or tribal justice systems.

E. THEREFORE BE IT RESOLVED THAT:

1. the Little Traverse Bay Bands of Odawa Indians supports the submission of application under the BJA TCCLA grant by the Michigan Indian Legal Services (MILS) through its collaborator Montana Legal Services Association to strengthen civil and criminal legal assistance to low-income members, including but not limited to public defender services, civil legal assistance addressing collateral consequences of conviction and arrest, and supporting annual veterans' clinics;
2. the Little Traverse Bay Bands of Odawa Indians authorizes MILS to implement the project of civil and criminal legal assistance within the boundary of the Reservation;
3. Montana Legal Services Association will be the lead agency in the submission of this application and will assume full responsibility for the fiscal integrity as well as program development and implementation of this application; and
4. the Tribal Chairperson and designees are delegated the authority and responsibility to forward this resolution to the appropriate officials and to sign all documents necessary to effect this action.

(Source: TRIBAL RESOLUTION #062818-05)

18.653(10.18)(a) SECURED CENTRALIZED DATA STORAGE SYSTEM

A. WHEREAS since the early 1990's the Tribe has sent out a number of surveys to collect data;

B. WHEREAS the surveys ask our Tribal Citizens questions on health, housing, substance abuse, and general welfare;

C. WHEREAS this data from the surveys is important and vital for historical statistics and trends and should be kept in a safe and centralized location for future use.

D. WHEREAS this data from the surveys is important and vital for historical statistics and trends and should be kept in a safe and centralized location for future use.

E. NOW THEREFORE BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians Tribal Council does hereby require all Tribal branches of government and departments to work with the Executive Department of Management Information Systems to transfer data collected from our Tribal Citizens to be stored for future use.

F. FURTHER BE IT RESOLVED the Executive Department of Management Information Systems shall set up a secured centralized data storage system and backup system that can store survey data for future use.

(Source: TRIBAL RESOLUTION #101118-01)

18.654(10.18)(b) OPPOSITION OF THE STATE OF MICHIGAN'S AGREEMENT WITH ENBRIDGE ABOUT LINE 5

A. WHEREAS The Little Traverse Bay Bands is a member of the Chippewa Ottawa Resource Authority (CORA); and

B. WHEREAS The member Tribes of CORA have reserved hunting, fishing and gathering rights in the lands and waters ceded by the Treaty of March 28, 1836 (7 Stat. 491); and

C. WHEREAS Because of the dangerous nature of oil and gas pipelines, Enbridge’s poor safety record, and the location Line 5 on, near, and over water important to the ecosystems that support the hunting, fishing, and gathering rights; and

D. WHEREAS The State of Michigan did not consult with tribes about this decision before it was made. They simply informed the tribes about it; and

E. WHEREAS The impact that the tunnel construction and operation will have on the surrounding ecosystems has not been assessed; and

F. WHEREAS The State of Michigan acknowledges the risk posed by Line 5 to Michigan’s ecosystems, yet building a tunnel only addresses one segment of that pipeline; and

G. WHEREAS Managing the operations of the proposed utilities tunnel is outside the original purpose of the Mackinaw Bridge Authority.

H. THEREFORE BE IT RESOLVED, LTBB opposes the agreement that includes the construction of a utilities tunnel under the Straits of Mackinac and an allowance for Enbridge to continue to use Line 5. Building a utilities tunnel and assigning the management of the tunnel to the Mackinac Bridge Authority is not an adequate solution to mitigate the risk posed by the operation of Line 5. The only adequate solution is to decommission and safely remove all segments of Line 5.

(Source: TRIBAL RESOLUTION #102718-01)

18.655(10.18)(c) PAID TIME-OFF FOR ELECTIONS

A. WHEREAS the Little Traverse Bay Bands of Odawa Indians Tribal Constitution provides: **Purpose, Fundamental Rights.** *We, the Little Traverse Bay Bands of Odawa Indians, speak through this document to assert that we are a distinct nation of Anishinaabek of North*

America that possess the right to: self-determination; freely determine our political status; freely pursue our economic, social, religious and cultural development, and determine our membership, without external interference. These same rights and principles the Little Traverse Bay Bands of Odawa Indians acknowledge to be inherent among other peoples, nations and governments throughout the world. We recognize their sovereignty and pledge to maintain relations with those peoples, nations and governments who acknowledge those same fundamental human rights and principles, and who recognize the sovereignty of the Little Traverse Bay Bands of Odawa Indians;

B. WHEREAS voting in Tribal Elections is a fundamental privilege and right of a Little Traverse Bay Bands of Odawa Indians Tribal Citizen;

C. WHEREAS the Tribe encourages all of its employees to exercise their right to vote in all elections, Tribal, state and federal.

D. NOW THEREFORE BE IT RESOLVED That the Little Traverse Bay Bands of Odawa Indians Tribal Council does hereby require all Tribal branches of government and Tribally owned enterprises or business allow employees and Tribal Citizens leave without loss of compensation during polling hours in order to vote in Tribal, state and federal elections, including special elections and primaries.

(Source: TRIBAL RESOLUTION #102718-04)

18.656(11.18)(a) SUPPORT FOR PROPOSED TIMBER SALES ON LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS TRUST LANDS

A. WHEREAS the Tribe has established a Natural Resources Department (NRD) which has been tasked with the management of natural resources on Tribal Trust land;

WHEREAS the Natural Resources Department has recommended timber sale at the LTBB

B. Tribal Government Campus (sale unit #1 at 7500 Odawa Circle, Harbor Springs in Little Traverse Township, Michigan) in order to decrease the risk of wildfire and to reduce the dominance of non-native tree species and promote the healthy growth of fire resilient native tree

species;

C. WHEREAS the timber sales will provide for the management of the forest by harvesting designated trees using sound silvicultural practices;

D. THEREFORE, BE IT RESOLVED

1. that the Little Traverse Bay Bands of Odawa Indians authorizes the sale of timber on the above-listed timber sale units and authorizes the Tribal Chair, Vice Chair, Direct Services Administrator or another designee from the Tribal Chair to sign contract(s) or other documents necessary to implement timber sales on the above-listed sale units for and on behalf of the Tribe.

2. that any profits from said timber sales will be granted to the Natural Resources Department for tree planting and restoration at the Tribal Government Campus (sale unit #1).

(Source: Tribal Resolution #110818-01)

18.657(12.18)(a) SUPPORT FOR CHIPPEWA OTTAWA RESOURCE AUTHORITY LITIGATION SUPPORT REQUEST FOR FY 2019

A. WHEREAS Tribal citizens have harvested fish in the Great Lakes for subsistence and commercial purposes since time immemorial. The Tribe's right of subsistence and commercial fishing reserved in Article 13 of the 1836 Treaty is of central cultural, social and economic significance to LTBB and its citizens. LTBB is a party to the case of *United States v. Michigan*, 2:73-CIV-26 (WD MI) in which the Tribes' fishing rights in the 1836 Treaty ceded portions of the Great Lakes were upheld, and it is a signatory to the 2000 Consent Decree entered in that case;

B. WHEREAS LTBB is a member of the Chippewa Ottawa Resource Authority (CORA), the purpose of which is to ensure, through inter-tribal coordination and cooperation, the

conservation and wise utilization of the natural resources reserved to the Tribes in the 1836 Treaty. The other CORA member Tribes are the Bay Mills Indian Community, the Sault Ste. Marie Tribe of Chippewa Indians, the Grand Traverse Band of Ottawa and Chippewa Indians, and the Little River Band of Ottawa Indians;

C. WHEREAS the 2000 Consent Decree expires in 2020, and its renegotiation will require extensive travel and expert assistance. The conduct of this negotiation and/or litigation will engender significant litigation expenditures, which are not within the capacity of LTBB to undertake on its own;

D. WHEREAS in furtherance of the effective implementation of the Great Lakes Treaty fishing right through negotiation and/or litigation beyond the year 2020 CORA has applied to the Department of the Interior, Bureau of Indian Affairs (BIA) for FY 2019 litigation support funding;

E. THEREFORE BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians approves and supports submission of the request for FY 2019 litigation support funds by the Chippewa Ottawa Resource Authority to the Bureau of Indian Affairs.

F. FURTHER RESOLVED that the Executive Director of the Chippewa Ottawa Resource Authority is authorized to undertake any and all actions necessary to obtain approval of this request for litigation support funding, and to sign any resulting contract documents for approved funding under the provisions of PL 93-638, as amended.

G. FINALLY RESOLVED that the LTBB Chairperson or designee is authorized to execute, by and on behalf of LTBB, any other documents that may be necessary to support the Chippewa Ottawa Resource Authority's request for Litigation Support Funds.

(Source: TRIBAL RESOLUTION #122018-06)

18.658(2.19)(a) OPPOSITION TO NOMINATION AND CONFIRMATION OF ERIC MILLER TO THE NINTH CIRCUIT COURT OF APPEALS

- A. WHEREAS** President Donald Trump has nominated Eric Miller to fill a vacant seat on the Ninth Circuit Court of Appeals; and
- B. WHEREAS** there are 427 federally recognized tribes in the Ninth Circuit, more than any other Federal Court of Appeals; and
- C. WHEREAS** the Ninth Circuit hears more tribal cases than any other, it is a leader in the field of federal Indian law, other circuits often follow its example, and it feeds more tribal cases into the Supreme Court; and
- D. WHEREAS** Miller built a law practice on mounting repeated challenges to tribal sovereignty, lands, religious freedom, and the core attribute of federal recognition of tribal existence in cases and more than half of the professional accomplishments listed on his law firm website came at the expense of tribal rights and interests; and
- E. WHEREAS** his advocacy has focused on undermining the rights of Indian tribes, often taking extreme positions and using pejorative language to denigrate tribal rights; and
- F. WHEREAS** Mr. Miller’s record makes clear that he does not possess a mainstream understanding of tribal sovereignty, treaty rights, and the federal trust responsibility, or their role in the Constitution and federal law; and
- G. WHEREAS** the positions Mr. Miller has repeatedly advocated would have very serious consequences on the federal-tribal relationship and would undermine fundamental principles of tribal sovereignty, governance, and self-determination; and
- H. WHEREAS** an appointment to the federal bench is a lifetime appointment and a commitment to fundamental Constitutional principles is essential.
- I. THEREFORE, BE IT RESOLVED** that LTBB does hereby oppose the nomination and confirmation of Eric Miller, as Judge for the Ninth Circuit Courts of Appeals; and

J. FURTHER, BE IT RESOLVED that LTBB will immediately convey its opposition to the nomination to the Senate Judiciary Committee and request to be made part of the confirmation hearing process; and

K. BE IT FINALLY RESOLVED, that this resolution shall be the policy until it is withdrawn or modified by subsequent resolution.

(Source: TRIBAL RESOLUTION #022119-01)

18.659(3.19)(a) MICHIGAN INDIAN ELDERS ASSOCIATION DELEGATE APPOINTMENT

A. WHEREAS the Little Traverse Bay Bands of Odawa Indians Tribal Council is the elected governing body of the Tribe;

B. WHEREAS the LTBB Elders desire to continue to representing LTBB at meetings of the Michigan Indian Elders Association;

C. WHEREAS Resolution 020818-03 listed Richard Wemigwase and Julie Shananaquet as delegates and JoAnne Carey alternate;

D. WHEREAS LTBB wishes to switch delegate and alternate for representation and;

E. WHEREAS the Michigan Indian Elders Association requires the delegates to be appointed by their Tribal Council by resolution;

F. THEREFORE, BE IT RESOLVED that Richard Wemigwase and JoAnne Carey are appointed as delegates, and Julie Shananaquet as an alternate delegate to represent LTBB with the Michigan Indian Elders Association until a successor is appointed.

(Source: TRIBAL RESOLUTION #030719-01)

18.660(4.19)(a) DESIGNATION OF MAY 5TH AS A DAY OF AWARENESS FOR MISSING AND MURDERED NATIVE WOMEN AND GIRL

A. WHEREAS a study commissioned by the U.S. Department of Justice reported that American Indian Women face murder rates that are more than ten times the national average murder rate;

B. WHEREAS the tribal council recognizes that our own tribal community is not immune from these horrific crimes and wishes to join with the United States Senate and with other Tribal Nations to bring awareness of this issue and promote the need to restore and assure safety to our women and girls;

C. THEREFORE, BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians Tribal Council designates May 5th as a Day of Awareness for Missing and Murdered Native Women and Girls.

(Source: TRIBAL RESOLUTION #042719-01)

18.661(8.19)(a) PROMOTION OF A LIVING WAGE

A. WHEREAS in the Preamble of the Tribal Constitution, adopted February 2, 2005, states as follows: *We will work together in a constructive, cooperative spirit to preserve and protect our lands, resources and Treaty Rights, and the right to an education and a decent standard of living for all our people.* (emphasis added);

B. WHEREAS according to the United States Health and Human Services Poverty Guidelines, January 2018, a family of three (3) is \$20,780.00;

C. WHEREAS according to the United States Census Bureau, American Community Survey, the rate of Little Traverse Bay Bands Indian families whose income is below the poverty level is 19.5%, higher than both Michigan (11.1%) and the U.S. (10.5%) poverty levels;

D. WHEREAS in order to best provide a decent standard of living for our Tribal Citizens

and all Citizens, the Tribe needs to prioritize the establishment of a “living wage”;

E. WHEREAS the United States Department of Agriculture (USDA), Rural Development and the Native American Housing Assistance and Self Determination Act (NAHASDA) properties sets the monthly rental contributions at thirty (30) percent of the Tenant’s monthly income;

F. WHEREAS according to Rentdata.org, an independent organization, the Fair Market Rent prices in Emmet County are “high” compared to the national average. This FMR area is more expensive than 75% of other FMR areas. In 2018, Fair Market Rent for a two-bedroom apartment in Emmet County is \$832 per month and a three-bedroom apartment was \$1,064, creating an average rent of \$948.00;

G. WHEREAS based on the formula from the USDA and NAHASDA, monthly rate of \$948.00 for the average 2 to 3-bedroom rental housing, multiplied by twelve (12) months in a year, divided by thirty (30) percent, divided by standard hours of 2080 per year, sets the living wage for Emmet County at \$18.23 per hour is the living wage for 2019, $(948.00 \times 12 / .30 / 2080 = \$18.23)$;

H. WHEREAS the Little Traverse Bay Bands of Odawa Indians has approximately one-hundred and twenty (120) governmental and enterprise employees paid less than \$18.23 an hour; and Odawa Casino Resort has approximately two-hundred and fifty-six (256) employees paid less than \$18.23 an hour;

I. WHEREAS in order to obtain a full Living Wage, Tribal Council is taking incremental steps to achieve this goal of having all employees within the Tribe’s jurisdiction be paid the Living Wage of \$18.23 for FY 2019.

J. THEREFORE, BE IT RESOLVED that in accordance with Waganakising Odawak Statute # 2013-0102 Fair Employment, Section XI. Employee Living Wages, the Living Wage will be adjusted annually at the beginning of each fiscal year by this Tribal Resolution.

K. FURTHER, BE IT RESOLVED that the Tribal incremental “living wage” shall be set

at \$11.11 an hour for Fiscal Year 2019, and all employees shall not be paid less than \$11.11 an hour within five (5) business day of the enactment of this Resolution, and the living wage shall be implement by employers within the jurisdiction of the Little Traverse Bay Bands of Odawa Indians.

L. FURTHER, BE IT RESOLVED employees, within the jurisdiction of the Little Traverse Bay Bands of Odawa Indians, that are paid less than \$18.23 shall have a three (3) percent increase or the pay of \$18.23, whichever is less, within five (5) business day of the enactment of this Resolution.

M. FURTHER, BE IT RESOLVED that The LTBB Living Wage shall be based on the formula from the United States Department of Agriculture (USDA) and Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) and Fair Market Rent price as found at Rentdata.org, an independent organization; and the basis of the formula is as follows: the rent for an average 2 to 3-bedroom rental housing cost, multiplied by twelve (12) months, divided by percentage rate of rent required by NAHASDA (30%) divided by the yearly standard hours of 2080, sets the living hourly wage.

N. FURTHER, BE IT RESOLVED that the living hourly wage shall annually be increase by three (3) percent at the beginning of each Fiscal Year, until such time that the living wage, based on the yearly updated formula, is met or this Tribal Resolution is either repealed or replaced.

O. FINALLY, BE IT RESOLVED that employees making less than the living wage shall have an annual increase of three (3) percent at the beginning of each Fiscal Year, until such time that the living wage, based on the yearly updated formula, is met or this Tribal Resolution is either repealed or replaced.

(Source: TRIBAL RESOLUTION #082219-01)

**18.662(10.19)(a) CLARIFICATION OF TRIBAL RESOLUTION #082219-01
PROMOTION OF A LIVING WAGE**

A. WHEREAS in the Preamble of the Tribal Constitution, adopted February 2, 2005, states as follows: *We will work together in a constructive, cooperative spirit to preserve and protect our lands, resources and Treaty Rights, and the right to an education and a decent standard of living for all our people.* (emphasis added);

B. WHEREAS there was some questions and confusion on how to implement Tribal Resolution #082219-01, Promotion of a Living Wage and in order to further clarify, this Tribal Resolution provides a fuller explanation on the formula and the differences between the “Living Wage” and the *Tribal Incremental Living Wage*;

C. WHEREAS according to the United States Health and Human Services Poverty Guidelines, January 2018, a family of three (3) is \$20,780.00;

D. WHEREAS according to the United States Census Bureau, American Community Survey, the rate of Little Traverse Bay Bands Indian families whose income is below the poverty level is 19.5%, higher than both Michigan (11.1%) and the U.S. (10.5%) poverty levels;

E. WHEREAS in order to best provide a decent standard of living for our Tribal Citizens and all Citizens, the Tribe needs to prioritize the establishment of a “Living Wage”;

F. WHEREAS the United States Department of Agriculture (USDA), Rural Development and the Native American Housing Assistance and Self Determination Act (NAHASDA) properties sets the monthly rental contributions at thirty (30) percent of the Tenant’s monthly income;

G. WHEREAS according to Rentdata.org, an independent organization, the Fair Market Rent prices in Emmet County are “high” compared to the national average. This FMR area is more expensive than 75% of other FMR areas. In 2018, Fair Market Rent for a two-bedroom apartment in Emmet County is \$832 per month and a three-bedroom apartment was \$1,064, creating an average rent of \$948.00;

H. WHEREAS based on the formula from the USDA and NAHASDA, monthly rate of \$948.00 for the average 2 to 3-bedroom rental housing, multiplied by twelve (12) months in a

year, divided by thirty (30) percent, divided by standard hours of 2080 per year, sets the Living Wage for Emmet County at \$18.23 per hour for 2019, ($948.00 \times 12 / .30 / 2080 = \18.23);

I. WHEREAS the Little Traverse Bay Bands of Odawa Indians has approximately one-hundred and twenty (120) governmental and enterprise employees paid less than the Living Wage of \$18.23 an hour; and Odawa Casino Resort has approximately two-hundred and fifty-six (256) employees paid less than the Living Wage of \$18.23 an hour;

J. WHEREAS in order to obtain the Living Wage, Tribal Council is taking incremental steps to achieve this goal of having all employees within the Tribe's jurisdiction be paid the Living Wage of \$18.23 for FY 2019 and establishes a *Tribal Incremental Living Wage*;

K. WHEREAS the *Tribal Incremental Living Wage* is \$11.11.

L. THEREFORE, BE IT RESOLVED that in accordance with Waganakising Odawak Statute # 2013-0102 Fair Employment, Section XI. Employee Living Wages, the Living Wage will be adjusted annually at the beginning of each fiscal year by this Tribal Resolution.

M. FURTHER, BE IT RESOLVED that the *Tribal Incremental Living Wage* shall be set at \$11.11 an hour for Fiscal Year 2019, and all employees shall not be paid less than the *Tribal Incremental Living Wage* of \$11.11 an hour within five (5) business days of the enactment of this Resolution, and the *Tribal Incremental Living Wage* shall be implemented by employers within the jurisdiction of the Little Traverse Bay Bands of Odawa Indians.

N. FURTHER, BE IT RESOLVED employees, within the jurisdiction of the Little Traverse Bay Bands of Odawa Indians, that are paid less than the Living Wage of \$18.23 shall have a three (3) percent increase or the pay of \$18.23, whichever is less, within five (5) business days of the enactment of this Resolution.

O. FURTHER, BE IT RESOLVED that the Living Wage shall be based on the formula from the United States Department of Agriculture (USDA) and Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) and Fair Market Rent price as found at Rentdata.org, an independent organization; and the basis of the formula is as follows:

the rent for an average 2 to 3-bedroom rental housing cost, multiplied by twelve (12) months, divided by percentage rate of rent required by NAHASDA (30%) divided by the yearly standard hours of 2080, sets the Living Wage.

P. FURTHER, BE IT RESOLVED that Tribal Council Treasurer shall post the Living Wage on the Tribes website and such other venues as appropriate, by December 15th prior to the beginning of each fiscal year.

Q. FURTHER, BE IT RESOLVED that the *Tribal Incremental Living Wage* shall annually be increased by three (3) percent at the beginning of each Fiscal Year, until such time that the Living Wage, based on the yearly updated formula, is met or this Tribal Resolution is either repealed or replaced.

R. FURTHER, BE IT RESOLVED that employees making less than the Living Wage shall have an annual increase of three (3) percent at the beginning of each Fiscal Year, until such time that the living wage, based on the yearly updated formula, is met or this Tribal Resolution is either repealed or replaced.

S. FINALLY, BE IT RESOLVED the purpose of this Tribal Resolution is to clarify Tribal Resolution #082219-01, Promotion of a Living Wage.

(Source: TRIBAL RESOLUTION #102619-05)

18.663(10.19)(b) AD-HOC INSURANCE COMMITTEE

A. WHEREAS the Tribe needs to assess possible insurance options for the employees which includes the best method of providing the service with an emphasis of quality over profits;

B. WHEREAS in order to best effectuate an immediate action to address the insurance needs, Tribal Council and Tribal Chair will utilize an ad-hoc committee to gather information to develop recommendations and a plan;

C. WHEREAS the ad-hoc committee will meet with stakeholders, Directors, Executive

staff and other entities in order to gather information for the development of a cohesive insurance plan.

D. THEREFORE, BE IT RESOLVED that the Tribal Council approves the creation of the Ad-hoc Committee that is comprised of the Legislative Services Attorney, Economic Development and Business Director of Revenue, Senior Financial Analyst, Gaming Authority member or designee, Health Department Director, and any others that Tribal Council or Tribal Chair deems necessary.

E. THEREFORE, FURTHER BE IT RESOLVED that the Committee will meet as necessary in order to develop recommendations and a comprehensive insurance plan.

F. FINALLY, BE IT RESOLVED the Committee shall have the ability to interact with Executive, Legislative or Judiciary staff in order to develop the recommendations and the comprehensive insurance plan that will be submitted to Tribal Council and the Tribal Chair by March 1, 2020.

(Source: TRIBAL RESOLUTION #102619-03)

18.664(10.19)(c) TO REDUCE AND ELIMINATE THE USE OF PLASTIC STRAWS AND EXPANDED POLYSTYRENE PRODUCTS

A. WHEREAS the LTBB finds that it is in the best interest, safety, and welfare of its Citizens to reduce litter and pollutants on the lands and in the waters within the LTBB Reservation;

B. WHEREAS LTBB finds that the plastic objects, when irresponsibly discarded, pose an environmental hazard to the health, safety, and welfare of its Citizens and visitors within the reservation;

C. WHEREAS discarded plastic objects threaten wildlife and degrade and litter the reservation;

- D. WHEREAS** plastic objects constitute a portion of the litter within the reservation’s streets, parks and public places;
- E. WHEREAS** the EPA identified that Expanded Polystyrene products, such as food containers, plates, bowls, cups, lids, trays, coolers, ice chests, “clamshells,” and all similar articles that are made of fossil fuels and synthetic chemicals, when entering our waterways, can “have serious impacts on human health, wildlife, the aquatic environment, and the economy”;
- F. WHEREAS** Expanded Polystyrene is not recyclable or biodegradable; instead it fragments into microplastics, which are then ingested by marine life and other wildlife, thus harming or killing them;
- G. WHEREAS** single-use plastic straws and Expanded Polystyrene products have little value and constitute a large portion of the litter and pollution in the reservation’s waterways, rights-of-way, parks, and other public places;
- H. WHEREAS** the use and distribution of single-use plastic objects has a detrimental effect on the LTBB reservation’s environment;
- I. WHEREAS** the LTBB finds that there are reasonable, environmentally-friendly alternatives to using plastic straws and Expanded Polystyrenes products that are either compostable or reusable;
- J. THEREFORE, BE IT RESOLVED** that to honor the environment within the reservation boundaries, LTBB government and enterprises are urged to cease or reduce the use, provision, distribution or sale of plastic beverage straws and Expanded Polystyrenes products, as part of a business operation or a sponsored event, within 180 days of the adoption of this resolution.
- K. FURTHER, BE IT RESOLVED** Recognizing the needs of disabled persons, nothing precludes beverage providers from making alternatives straws or products available to customers. These alternatives should only be provided upon request by the customer without any inquiry into the disability status of the customer.

(Source: TRIBAL RESOLUTION #102619-04)

18.665(5.20)(a) TRIBAL COUNCIL MEETING PROTOCOL DURING STATE OF EMERGENCY

A. WHEREAS Article VII (J) of the LTBB Constitution says that five Tribal Council members constitute a quorum necessary to transact official business of the Tribal Council, that all votes must be cast only by those actually present at the meeting during which the vote was taken, and that the Tribal Council shall hold regular meetings at least once a month at the Tribal government offices.

B. WHEREAS the Legislative and Executive Branches of LTBB government have declared a State of Emergency to address the COVID-19 pandemic;

C. WHEREAS to protect LTBB citizens and the public from the spread of this deadly virus the Legislative and Executive Branches have closed the Tribal government offices to all but a very small number of staff whose limited presence in the building is needed to maintain essential functions;

D. WHEREAS the State of Emergency prevents the Tribal Council from holding its regular meetings physically at the Council chambers located in the Tribal government offices at 7500 Odawa Circle until the Tribal Council in unification with the Tribal Chair declare the termination or modification of the Tribal State of Emergency, and such termination or modification shall be done in consultation with the LTBB Health Department and other appropriate health professionals to determine it is safe to resume limited or full assembling in the 7500 Odawa Circle Council Chambers;

E. THEREFORE, BE IT RESOLVED that when a State of Emergency prevents physical assembly to comply with the Constitutional requirement that Tribal Council hold its regular meetings at least once a month an online meeting platform, such as Zoom or Microsoft Teams, will serve as the “Tribal government offices.” Online Tribal Council meetings will be conducted

following the same procedures as other regular meetings to the greatest extent feasible.

F. FURTHER BE IT RESOLVED that Tribal Council may also host online information townhall style forums during States of Emergency;

G. BE IT FINALLY RESOLVED that the Tribal Council will provide notification of the dates, times and joining instructions to Tribal Citizens of on-line regular meetings and townhall forums through the LTBB website and other appropriate means of communication, such as social media.

(Source: TRIBAL RESOLUTION #042920-01)

18.666(7.20)(a) DESIGNATION OF PRIMARY MANAGEMENT OFFICIAL FOR INTERNET GAMING OPERATIONS

A. WHEREAS to promote the general welfare of the Tribe and its citizens LTBB intends to apply for and obtain operator’s licenses from the State of Michigan through its Michigan Gaming Control Board to conduct internet gaming and sports betting under the Michigan Lawful Internet Gaming Act and Lawful Sports Betting Act;

B. WHEREAS to aid with the Tribe’s online gaming operations, LTBB through its Gaming Authority, has entered into a contract with TSG Interactive US Services Limited (aka Stars Group);

C. WHEREAS the Michigan Lawful Internet Gaming Act and Lawful Sports Betting Act require Tribal license applicants to submit detailed information on the employee who will serve as the primary management official who will have responsibility for the internet gaming operations;

D. WHEREAS by Waganakising Odawak Statute 2018-016, as amended by Waganakising Odawak Statute 2020-011, in accordance with the Tribal Constitution, Article VII(D)(24), the Tribal Council delegated to the Gaming Authority management of the Gaming Enterprises that operate Class II and Class III Gaming under the Indian Gaming Regulatory Act, AND

ADDITIONALLY authorized the Gaming Authority to operate, and enter into contracts to aid in the operation of, off-reservation internet gaming and sports betting under Michigan law;

E. WHEREAS the central purpose of the Tribe’s on-reservation gaming activities conducted under the Federal Indian Gaming Regulatory Act as overseen by the National Indian Gaming Commission, where bets are placed at its physical Odawa Casino Petoskey and Mackinaw City locations, AND the planned off-reservation gaming under the Michigan Lawful Internet Gaming and Sports Betting Acts as overseen by the Michigan Gaming Control Board, where bets will be placed from off-reservation locations, is to fund Tribal governmental operations, services and programs;

F. WHEREAS nothing in LTBB or Federal law mandates that 100% of the time and activities of employees of the Odawa Casino be spent on matters that fall under the Indian Gaming Regulatory Act;

G. WHEREAS under Article VII(D)(1) of the Constitution Tribal Resolutions passed by Tribal Council and enacted upon signature of the Chairperson or veto override have the full force of law;

H. THEREFORE, BE IT RESOLVED that the Tribal Council authorizes and directs the Gaming Authority and Odawa Casino to immediately identify and designate an employee of the Odawa Casino to serve as the primary management official who will have responsibility for the internet gaming operations. While performing internet gaming primary management official functions the employee will be working directly under the Gaming Authority in its role as operator of Michigan licensed internet gaming and sports betting activities that are regulated by the Michigan Gaming Control Board;

I. FURTHER RESOLVED that the Gaming Authority may, at its discretion based on assessment of the time needed to fulfill the internet gaming primary management official functions, hire a part or full-time employee to serve in that capacity;

J. FINALLY RESOLVED that Tribal Council may, at its discretion, hire an employee to assign to the Gaming Authority to serve as the internet gaming primary management official.

(Source: TRIBAL RESOLUTION #072420-01)

18.667(9.20)(a) POSSESSION OF FIREARMS

A. WHEREAS according to the WOS 1997014, Criminal Code, it is an offense to carry a deadly weapon without a license, “**a. Offense.** A person who carries a deadly weapon without being licensed to do so by LTBB or by the State of Michigan commits an offense”. And may be sentenced as follows: “**b. Sentence.** A person convicted of unlawful carrying of a deadly weapon without a license may be sentenced to a jail term not to exceed sixty (60) days or to a fine not to exceed one thousand dollars (\$1,000.00) or to both. The judge may also order that the weapon be impounded.”

B. WHEREAS in 2006, the Tribe passed Tribal Resolution #010806-02, Possession of Firearms that made it illegal for LTBB Tribal Citizens to “carry a concealed weapon on LTBB trust or fee lands unless they first secure an order from the LTBB Tribal Court authorizing them to do so”;

C. WHEREAS Tribal Resolution #010806-02, also made it illegal for Non-LTBB members to possess a firearm unless specified conditions were met: “Non-LTBB members may not possess a firearm within LTBB trust or fee lands unless: (1) as per Waganakising Odawa statute 2005-03, Application of Foreign Law, they are in legal possession of their firearm under state and/or federal law, **and** (2) the firearm is unloaded and in a gun case expressly made to contain a firearm, and the case fully encloses the firearm being zipped, snapped, buckled, tied, or otherwise fastened, and without any portion of the firearm exposed, **or** unloaded and in the closed portion of a motor vehicle that is inaccessible to the passengers.”;

D. WHEREAS LTBB recognizes that there may be a need for both Tribal Citizens and Non-tribal citizens to legally possess a firearm, or carry a concealed firearm on or about his or her person by permit issued by such tribal, state or federal authority designated to issue a permit;

E. THEREFORE BE IT RESOLVED that Tribal Resolution #010806-02, Possession of Firearms is repealed.

F. FURTHER BE IT RESOLVED that the following Tribal and Non-tribal citizens are allowed to legally carry a firearm, provided that other applicable law does not prevent them from doing so:

1. Law Enforcement officers in the lawful discharge of their duties;
2. Persons who are duly authorized private security guards that have a valid license under State of Michigan Public Act 330 of 1968, as amended.
3. A private investigator or private detective under the professional investigator licensure act of Michigan, 1965 PA 285, MCL 338.821 to 338.851.
4. Persons in a private motor vehicle or other means of conveyance, for the lawful protection of the person's or another person's property, while traveling, provided that such firearm is unloaded is and in a gun case expressly made to contain a firearm, and the case fully encloses the firearm being zipped, snapped, buckled, tied, or otherwise fastened, and without any portion of the firearm exposed;
5. A person in his or her business, residence, or on real property belonging to such person as owner, lessee, tenant, or licensee;
6. Persons engaged in the hunting of game or predatory animals or,
7. Persons lawfully authorized to carry a concealed firearm on or about his or her person by permit issued by such tribal, state or federal authority designated to issue a permit. A person who carries or possesses a concealed handgun must present a valid license or permit as evidence when required and any and all limitation and prohibited premises shall apply.

G. FURTHER BE IT RESOLVED that any business, entity or establishment has the ability to ban firearms by posting or providing notice of such prohibition.

H. FINALLY BE IT RESOLVED that firearms are not permitted in any courtroom, office, or other space used for official court business or by judicial employees unless the chief judge or other person designated by the chief judge has given prior approval.

(Source: TRIBAL RESOLUTION #090320-03)

**18.668(1.21)(a) TO PROTECT THE STRAITS OF MACKINAC AS A
“TRADITIONAL CULTURAL PROPERTY SITE**

A. WHEREAS Waganakising Odawak Statute 2019-006 Tribal Historic Preservation Office (THPO) was signed into law on June 12, 2019;

B. WHEREAS The Little Traverse Bay Bands of Odawa Indians Tribal Council, as the authorized Advisory Council to the Tribal Historic Preservation Program (THPP), is in support of the Tribal Historic Preservation Office (THPO) compiling preliminary research that will be used to protect the cultural and historical resources of LTBB;

C. WHEREAS a “Traditional Cultural Property Site” is a property that is eligible for inclusion in the National Register of Historic Places (NRHP) based on its associations with the cultural practices, traditions, beliefs, lifeways, arts, crafts, or social institutions of a living community;

D. WHEREAS the Enbridge Line 5 pipeline and proposed tunnel lies within the terrestrial and submerged bottomland areas of its route in the vicinity of the Straits of Mackinac;

E. WHEREAS the Straits of Mackinac, both the terrestrial and submerged bottomland, has significant history, culture, and identity with the LTBB;

F. WHEREAS with the support of Tribal Council, the THPO has designated the area surrounding the Enbridge Line 5 pipeline project as a “Traditional Cultural Property Site” that has significant history, culture, and identity with the LTBB;

G. THEREFORE, BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians Tribal Council, as the authorized Tribal Historic Preservation Program Advisory Council, is in support of the Tribal Historic Preservation Office compiling preliminary research for the area surrounding the Enbridge Line 5 pipeline project in order to protect the traditional, cultural and historical resources of Little Traverse Bay Bands of Odawa Indians and to submit the information to the United States Army Corp of Engineers, and other agencies for formal designation as a “Traditional Cultural Property site”.

(Source: TRIBAL RESOLUTION #011421-01)

18.669(6.21)(a) DECLARING A CLIMATE EMERGENCY AND CLIMATE CHANGE ACTION PLAN

A. WHEREAS A “Climate Emergency Declaration” or declaring a climate emergency is an action taken by governments and scientists to acknowledge humanity is in a climate emergency;

B. WHEREAS Declaring such an emergency stresses the need for the government and administration to devise measures that try and stop human-caused global warming and requires a plan that lays out strategies, including specific measures, to reduce GHG emissions;

C. WHEREAS In 2019, total greenhouse gas emissions, including land-use change, reached a new high of 59.1 gigatonnes of carbon dioxide equivalent (GtCO₂e);

D. WHEREAS In order to reduce greenhouse gas emissions, the Little Traverse Bay Bands of Odawa Indians’ Climate Change Action Plan needs to lay out a strategy, that measures current GHG emissions and sets new standards to reduce GHG emissions;

E. WHEREAS Such new standards shall include: utilizes the newest “energy codes”, eliminating the use of plastic straws, reducing paper consumption, reducing CO₂ emissions, utilizing electric and hybrid vehicles, utilizing solar, biodiesel and alternative energy sources, in order to achieve a negative carbon footprint.

F. THEREFORE, BE IT RESOLVED that Little Traverse Bay Bands of Odawa Indians the declares a Climate Emergency.

G. THEREFORE, BE IT FURTHER RESOLVED that the Little Traverse Bay Bands of Odawa Indians Executive shall form a Climate Emergency task-force to evaluate the Tribe’s current carbon usage and shall report their findings to Tribal Council by the end of 2021. The reports shall include calculations of use of the following: natural gas, propane, gasoline, diesel, consumables, electricity, food consumption, and other measurables that contribute to greenhouse gas emissions.

H. THEREFORE, BE IT FURTHER RESOLVED the Climate Emergency task-force shall develop a Climate Change Action Plan for Tribal Council approval by the end of 2021. The plan shall apply, but not limited to, the following strategies: all new construction meet the newest “energy codes” no later than December of 2021; eliminate use of plastic straws no later than December of 2022; minimize or eliminate paper consumption no later than December of 2023; develop mitigation plans for CO2 emissions no later than December of 2023; replace all short-range transportation to electric no later than December of 2025; replace all long-range transportation with hybrid vehicles no later than December of 2025; replace all equipment to biodiesel no later than December of 2026; match tribal electricity use with solar contributions to the grid no later than December of 2030; and establish a negative carbon footprint no later than December of 2031.

I. FINALLY, BE IT RESOLVED the Climate Emergency task-force shall be responsible for the implementation and monitoring of the approved Climate Change Action Plan.

(Source: TRIBAL RESOLUTION #061021-02)

**18.670(6.21)(b) AD-HOC ECONOMIC DEVELOPMENT ADMINISTRATION
GRANT COMMITTEE**

A. WHEREAS the United States, Economic Development Administration (EDA), a bureau within the Department of Commerce, provides grants to Indian Tribes to facilitate the development, implementation, revision, or replacement of Comprehensive Economic Development Strategies (CEDs), which articulate and prioritize the strategic economic goals of recipients’ respective regions;

B. WHEREAS the EDA awards eligible recipients grants for short-term planning that creates and implements regional economic development plans designed to build capacity and guides the economic prosperity and resiliency of an area or region;

C. WHEREAS the best method to develop and submit a grant to the EDA is to utilize an ad-hoc committee;

D. WHEREAS the ad-hoc committee will meet with stakeholders, Directors, Executive staff and other entities in order to gather information for the development of the grant application.

E. THEREFORE, BE IT RESOLVED that the Tribal Council approves the creation of the Ad-hoc Economic Development Administration Grant Committee that is comprised of the Planning Director, Grant writers, Unit I Executive Director, Chief Financial Officer, Vice-Chairperson, GIS Director, Department of Commerce Director, Senior Financial Analyst and two Tribal Councilors.

F. THEREFORE, FURTHER BE IT RESOLVED that the Committee will meet as necessary in order to develop the grant application.

G. FINALLY, BE IT RESOLVED the Committee shall automatically dissolve upon the submission of the Economic Development Administration (EDA) grant for short-term planning to the United States Department of Commerce.

(Source: TRIBAL RESOLUTION #062410-01)

18.671(10.21)(a) TO RECOGNIZE “INDIGENOUS PEOPLES DAY” AS A TRIBAL HOLIDAY

A. WHEREAS the United States Federal Government recognizes Columbus Day on the second Monday of October, in accordance with the Federal holiday established in 1937;

B. WHEREAS Columbus Day recognizes the October 12, 1492 landing of Christopher Columbus on an island in the Caribbean, identifying the Europeans as having the first contact with the “New World”, and this landing resulted in centuries of violence, exploitation of resources, displacement and slavery of the Native Peoples of the Americas;

C. WHEREAS the idea of Indigenous Peoples Day was first proposed in 1977 by a delegation of Native nations to the United Nations as sponsored by the International Conference on Discrimination Against Indigenous Populations in the Americas and set forth a Resolution

that would observe October 12, the day of the so-called “discovery” of America, as an International Day of Solidarity with the Indigenous Peoples of the Americas;

D. WHEREAS in 1990, representatives from 120 Indigenous Nations at the First Continental Conference on 500 Years of Indian Resistance unanimously passed a resolution to transform Columbus Day into an opportunity to educate the rest of the country about pre-existing Indigenous cultures that have survived an often-violent colonization process and continue to exist and thrive in present day America;

E. WHEREAS the second Monday of October, should be used to honor and reflect upon the historic, cultural, and contemporary significance of Indigenous peoples and their ancestral land, and celebrate their contributions to communities;

F. THEREFORE, BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians recognizes “Indigenous Peoples Day” as a Tribal Holiday, the second Monday in October, to be used to honor and reflect upon the ongoing struggles of indigenous peoples on this land and across the world, and to celebrate the thriving culture and value of the Waganakising Odawak, and other indigenous peoples.

(Source: TRIBAL RESOLUTION #100721-02)

18.672(3.22)(a) AUTHORIZATION TO ENROLL IN THE MICHIGAN BALANCE OF STATE CONTINUUM OF CARE NETWORK

A. WHEREAS the LTBB Constitution states the Directive Principle: “Promote with special care the health, educational, and economic interests of all the people [...]”

B. WHEREAS the Michigan Balance of State Continuum Care (MIBOSCOC) is an organization that represents rural counties across the State of Michigan to promote the prevention and ending of homelessness by developing and maintaining a system to coordinate federal and statewide resources and services for people experiencing homelessness;

C. WHEREAS the Little Traverse Bay Bands of Odawa Indians fully supports the efforts and activities of the Michigan Balance of State Continuum Care and wishes to enroll in the Continuum of Care network to address homelessness within the LTBB community;

D. THEREFORE, BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians Tribal Council authorizes the Tribe to enroll in the Michigan Balance of State Continuum of Care Network.

(Source: TRIBAL RESOLUTION #031722-01)

18.673(5.22)(a) PROTECT OUR ANISHINAABE KWEWOK, AND AWARENESS FOR MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

A. WHEREAS the Directive Principles of the Tribal Constitution, adopted February 2, 2005, states as follows: *Promote with special care the health, educational and economic interests of all the people, especially our children and elders, and shall protect them from social injustice and all forms of exploitation;*

B. WHEREAS Anishinaabek Peoples believe water is life, water is sacred, it is alive, and it provides life. Anishinaabe Kwewok (Native Women) as the keepers of the water are sacred, and have the responsibility to pass on their knowledge and understanding of water;

C. WHEREAS Anishinaabek Kwewok, (American Indian and Alaskan Native (AI/AN), experience among the highest rates violence in the United States, more than half (55%) of all American Indian and Alaskan Native, women will be victims of domestic violence and/or sexual assault, and four (4) out of five (5) AI/AN women or girls will encounter violence in their lifetime;

D. WHEREAS according to the Indian Law Resource Center and the National Institute of Justice, the majority of AI/AN women or girls victims have experienced violence at the hands of at non-Indians, who reportedly commit the vast majority (96%) of sexual violence against AI/AN women or girls.

E. WHEREAS the Center for Disease Control and Prevention (“CDC”) reported that murder is the third leading cause of death for AI/AN women and girls between the ages of ten (10) and twenty-four (24), and a federal study reported that AI/AN women are ten (10) times more likely to be murdered than non-AI/AN women and girls;

F. WHEREAS through tribal communities and grassroots efforts, general awareness is being brought to the plight of Murdered, Missing Indigenous Women (MMIW);

G. WHEREAS in order for the Little Traverse Bay Bands of Odawa Indians Tribe (LTBB) to continue to protect our Anishinaabe Kwewok, LTBB needs to work together and support grassroots efforts, other tribal nations and organizations such as Uniting Three Fires Against Violence, National Indigenous Women’s Resource Center, Native Justice Coalition, Sovereign Bodies Institute, StrongHearts Native Helpline, Coalition to Stop Violence Against Native Women, and Missing and Murdered Indigenous Women USA (MMIW USA);

H. WHEREAS in order for the Little Traverse Bay Bands of Odawa Indians Tribe (LTBB) to continue to protect our Anishinaabe Kwewok, LTBB needs to establish a task force, to coordinate efforts between Department of Human Services, Tribal Law Enforcement, Judiciary, and members of the Tribal Community for data collection and create specialty services to protect Anishinaabe Kwewok;

I. WHEREAS in order for the Little Traverse Bay Bands of Odawa Indians Tribe (LTBB) to continue to protect our Anishinaabe Kwewok, LTBB needs to acknowledge and defend all sites culturally relevant to women and children, and places where women and children have been murdered or gone missing, as sacred sites;

J. WHEREAS in order for the Little Traverse Bay Bands of Odawa Indians Tribe (LTBB) to continue to protect our Anishinaabe Kwewok, LTBB needs to seek out grant funds to employ a MMIW coordinator, that would provide outreach, awareness and education of MMIW, and develop a plan to prevent and protect MMIW.

K. THEREFORE, BE IT RESOLVED, that the Little Traverse Bay Bands of Odawa Indians to protect the lives of our Anishinaabe Kwewok, through collaboration between the

Tribe, the Department of Human Services and grassroots organizations, tribal nations and other organizations such as Uniting Three Fires Against Violence, National Indigenous Women’s Resource Center, Native Justice Coalition, Sovereign Bodies Institute, StrongHearts Native Helpline, Coalition to Stop Violence Against Native Women, and Missing and Murdered Indigenous Women USA (MMIW USA).

L. FURTHER BE IT RESOLVED, that the Little Traverse Bay Bands of Odawa Indians to protect the lives of our Anishinaabe Kwewok, shall establish a task force, to coordinate efforts between Department of Human Services, Tribal Law Enforcement, Judiciary, and members of Tribal Council, and members of the Tribal Community for data collection and create specialty services to protect Anishinaabe Kwewok.

M. FURTHER BE IT RESOLVED, that the Little Traverse Bay Bands of Odawa Indians to protect the lives of our Anishinaabe Kwewok, shall direct the Tribal Historical Preservation Officer to acknowledge and defend all sites culturally relevant to women and children, and places where women and children have been murdered or gone missing, as sacred sites.

N. FURTHER BE IT RESOLVED, that the Little Traverse Bay Bands of Odawa Indians to protect the lives of our Anishinaabe Kwewok, shall have the Grants Office to seek out grant funds to employ a MMIW coordinator, that would provide outreach, awareness and education of MMIW, and develop a plan to prevent and protect MMIW.

O. FINALLY, BE IT RESOLVED, that the Little Traverse Bay Bands of Odawa Indians to protect the lives of our Anishinaabe Kwewok, will acknowledge **May 5th** as a National Day of Awareness for Missing and Murdered Indigenous Women and Girls.

(Source: TRIBAL RESOLUTION #050522-01)

18.674(5.22)(b) TRIBAL COUNCIL LIMITED RESUMPTION OF IN-PERSON MEETINGS

A. WHEREAS Article VII (J) of the LTBB Constitution says that five Tribal Council members constitute a quorum necessary to transact official business of the Tribal Council, that

all votes must be cast only by those actually present at the meeting during which the vote was taken, and that the Tribal Council shall hold regular meetings at least once a month at the Tribal government offices.

B. WHEREAS in 2020 the Legislative and Executive Branches of LTBB government declared a State of Emergency to address the COVID-19 pandemic, and closed the Tribal government offices to all but a very small number of staff whose limited presence in the building was needed to maintain essential functions;

C. WHEREAS to continue governmental functions during the State of Emergency on April 29, 2020 Tribal Council passed Tribal Resolution 042920-01 which the Chairperson signed into law on April 30, 2020;

D. WHEREAS Resolution 042920-01 resolved that:

1. when a State of Emergency prevents physical assembly to comply with the Constitutional requirement that Tribal Council hold its regular meetings at least once a month an online meeting platform, such as Zoom or Microsoft Teams, will serve as the “Tribal government offices.” Online Tribal Council meetings will be conducted following the same procedures as other regular meetings to the greatest extent feasible;
2. that Tribal Council may also host online information townhall style forums during States of Emergency; and
3. the Tribal Council will provide notification of the dates, times and joining instructions to Tribal Citizens of on-line regular meetings and townhall forums through the LTBB website and other appropriate means of communication, such as social media;

E. WHEREAS the COVID 19 pandemic remains a significant health concern, but has improved to the point that in-person Tribal Council meetings may resume with appropriate safety protocols and limitations on total room capacity in keeping with Executive safety planning and

procedure;

F. THEREFORE, BE IT RESOLVED THAT:

1. As long as permissible under Executive safety planning and procedure Tribal Council will hold its work sessions and meetings in-person at the 7500 Odawa Circle Tribal Government Center;
2. Tribal Council members may continue to attend Tribal Council meetings remotely via Zoom or similar platform, including being counted toward a quorum, participating in deliberations, and voting;
3. Tribal staff, citizens and other authorized attendees may continue to attend Tribal Council meetings via Zoom or similar platform, and may be required to do when Tribal Council chambers are at physical capacity per Executive safety planning and procedure.

(Source: TRIBAL RESOLUTION #050522-02)

18.675(7.22)(a) SUPPORT OF MITLEA TRIBAL LAW ENFORCEMENT INITIATIVE PRESENTATION TO MCOLES

A. WHEREAS The Michigan Tribal Law Enforcement Association (“MITLEA”) is an unincorporated association comprised of the law enforcement agencies of all twelve (12) federally recognized Tribal Nations in the State of Michigan (“Michigan Tribal Nations”); and

B. WHEREAS Under the MITLEA Bylaws, the purpose of the MITLEA includes securing unity of action in matters of mutual concern and promoting legislative efforts to improve tribal law enforcement; and

C. WHEREAS Under the MITLEA Bylaws, the voting members of the MITLEA are limited to the Chief Law Enforcement Officials of the Michigan Tribal Nations (“Voting

Members”); and

D. WHEREAS The Michigan Commission on Law Enforcement Standards (“MCOLES”) performs certain statutory functions under Michigan law, including the Michigan Commission on Law Enforcement Standards Act, MCL 28.601, et. seq.; and

E. WHEREAS In part, under MCLA 28.602:

- “Law Enforcement Agency” (in part) means an entity that is established and maintained in accordance with the laws of this state and is authorized by the laws of this state to appoint or employ law enforcement officers; and
- “Law Enforcement Officer” includes an individual employed as a “Michigan Tribal Law Enforcement Officer” by a federally recognized Tribal Nation that has trust lands located within this state, subject to a written instrument authorizing the individual to enforce the laws of this state (“Written Instrument”); and
- “Michigan Tribal Law Enforcement Officer” means an individual employed as a law enforcement officer by a federally recognized Tribal Nation that has trust lands located within this state, subject to a Written Instrument; and

F. WHEREAS Under MCLA 28.609b, MCOLES must promulgate rules governing licensing standards and procedures for Michigan Tribal Law Enforcement Officers who are subject to a Written Instrument, including in part, the form and manner of execution of the Written Instrument, consisting of deputation by a sheriff of this state, conferring authority upon the individual to enforce the laws of this state; and

G. WHEREAS In part, under the MCOLES Act:

- The law enforcement agencies of the Michigan Tribal Nations do not qualify as a Law Enforcement Agency; and

- An individual who is employed as law enforcement officer by a Michigan Tribal Nation only qualifies as a Michigan Tribal Law Enforcement Officer if the individual is subject to a Written Instrument; and
- The Written Instrument may consist of deputation by a sheriff of this state, conferring authority upon the individual to enforce Michigan laws; and

H. WHEREAS The MITLEA supports an amendment to Michigan law that would authorize individuals, who are both employed as law enforcement officers by the Michigan Tribal Nations and are MCOLES certifiable, to enforce Michigan laws within the State of Michigan without a Written Instrument (“Tribal Law Enforcement Initiative”); and

I. WHEREAS In connection with pursuing the Tribal Law Enforcement Initiative, the Voting Members seek to present the Tribal Law Enforcement Initiative to MCOLES and to request that MCOLES support the Tribal Law Enforcement Initiative; and

J. WHEREAS In connection with seeking the support of MCOLES for the Tribal Law Enforcement Initiative, the MITLEA has requested that each of the Michigan Tribal Nations approve a resolution in support of the Voting Members presenting the Tribal Law Enforcement Initiative to MCOLES for their consideration and support; and

K. WHEREAS The Little Traverse Bay Bands of Odawa Indians’ Chief of Police recommends that the Tribal Council support the Voting Members presenting the Tribal Law Enforcement Initiative to MCOLES and requesting that MCOLES support the Tribal Law Enforcement Initiative; and

L. WHEREAS The Tribal Council has determined that it is in the best interests of the Waganakising Odawak to support the Voting Members presenting the Tribal Law Enforcement Initiative to MCOLES for their consideration and support.

M. THEREFORE, BE IT RESOLVED that the Tribal Council supports the Voting Members of the Michigan Tribal Law Enforcement Association presenting the Tribal Law

Enforcement Initiative to the Michigan Commission on Law Enforcement Standards for their consideration and support.

(Source: TRIBAL RESOLUTION #071422-01)

18.676(9.22)(a) TO APPOINT STEVEN OTTO AND DEBRA SMITHKEY-BROWNE AS DELEGATES FOR THE MICHIGAN INDIAN ELDERS ASSOCIATION

- A. WHEREAS** the Little Traverse Bay Bands of Odawa Indians Tribal Council is the elected governing body of the Tribe;
- B. WHEREAS** the LTBB Elders Commission desires to continue representing the Tribe at Michigan Indian Elders Association meetings;
- C. WHEREAS** the Elders Commission has nominated Secretary Debra Smithkey-Browne and Vice Chairperson Steven Otto as delegates;
- D. WHEREAS** the Michigan Indian Elders Association requires the delegates to be appointed by their Tribal Council by resolution;
- E. THEREFORE, BE IT RESOLVED** that Tribal Council appoints Steven Otto and Debra Smithkey-Browne as delegates to represent the Tribe with the Michigan Indian Elders Association until a successor is appointed.

(Source: TRIBAL RESOLUTION #091522-04)

18.677(1.23)(a) CROOKED TREE WELLNESS CLINIC SERVICES TO NON-BENEFICIARIES

- A. WHEREAS** Tribal Council authorizes and appropriates budgets through Tribal Resolutions; and

B. WHEREAS The Tribe proposes to offer services to otherwise non-eligible individuals as authorized and provided for and in compliance with Section 813(c) of the IHCIA, as amended, 25 U.S.C. § 1680c(c). The Little Traverse Bay Band affirms that the provision of services to non-eligible beneficiaries will not result in a denial or diminution of health services to eligible Indians.

C. THEREFORE, BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians Tribal Council authorizes and approves services to be offered to non-tribal patients at the Crooked Tree Wellness Clinic.

D. FINALLY, BE IT RESOLVED that in accordance with the Constitution, the Executive Branch shall administer such funds as appropriated by Tribal Council.

(Source: TRIBAL RESOLUTION #011223-01)

18.678(3.23)(a) DESIGNATION OF AN ALTERNATE DELEGATE TO THE MICHIGAN INDIAN ELDERS ASSOCIATION

A. WHEREAS the LTBB Elders Commission desires to continue representing the Tribe at Michigan Indian Elders Association meetings;

B. WHEREAS the Elders Commission has nominated commission Chairperson Jon Shawa as an alternate delegate;

C. WHEREAS the Michigan Indian Elders Association requires the alternate delegates to be appointed by their Tribal Council by resolution;

D. THEREFORE, BE IT RESOLVED that Tribal Council appoints Jon Shawa as an alternate delegate to represent the Tribe with the Michigan Indian Elders Association.

(Source: TRIBAL RESOLUTION #031023-01)

18.679(3.23)(b) APPROVAL BY THE LITTLE TRAVERSE BAY BANDS OF

ODAWA INDIANS TO ESTABLISH MEMBERSHIP IN THE MIDWEST TRIBAL ENERGY RESOURCES ASSOCIATION (MTERA)

- A. WHEREAS** the Tribe is passionate about energy and is committed to promoting a sustainable and secure energy future for Tribes and their neighbors; and
- B. WHEREAS** the Tribe seeks to support its mission of honoring and caring for mother Earth and her families, keeping the next seven generations in mind, by providing energy opportunities and resources to Midwest Tribes that advances energy policy and development through collaborative efforts; and
- C. WHEREAS** the Tribe recognizes and supports the Midwest Tribal Energy Resources Association (MTERA), a regional organization that empowers Midwest tribes to manage energy resources through collective action; and
- D. WHEREAS** the Tribe recognizes and supports MTERA’s bylaws, strategic plan, and member-tribe commitments; and
- E. WHEREAS** consistent with the MTERA bylaws, the Tribe retains its sovereign immunity.
- F. THEREFORE, BE IT RESOLVED,** that the LTBB Tribal Council hereby authorizes the Tribe’s membership in the Midwest Tribal Energy Resources Association (MTERA) and appoints the Environmental Specialist to the MTERA Board of Directors (person to vote), and the Environmental Services Manager as the Tribe’s proxy member. Designated representatives are eligible to serve as a member, on the board of directors, as an officer and/or on committees.

(Source: TRIBAL RESOLUTION #032323-01)