

**LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS**

**7500 Odawa Circle**

**Harbor Springs, MI 49740**

**TRIBAL RESOLUTION # 050924- 02**

**Designation of Motor Fuel Wholesaler and Retailer Under Tax Agreement**

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

**WHEREAS**, the Little Traverse Bay Bands of Odawa Indians is a federally recognized Indian Tribe under Public Law 103-324, and is a party to numerous Treaties with the United States, the most recent of which are the Treaty of Washington of March 28, 1836 (7 Stat. 491) and the Treaty of Detroit of 1855 (11 Stat. 621);

**WHEREAS**, the Little Traverse Bay Bands of Odawa Indians is governed by a Tribal Constitution adopted by the citizens of the Tribe on February 1, 2005;

**WHEREAS**, on December 20, 2002, the Little Traverse Bay Bands of Odawa Indians (“LTBB”) entered into a Tax Agreement with the State of Michigan;

**WHEREAS**, LTBB elected to utilize the quota method described in Section V(C) of the Tax Agreement for implementation of the motor fuel provisions in the Agreement;

**WHEREAS**, by prior Resolution #031603-03 Designation of Motor Fuel Wholesaler and Retailer Under Tax Agreement, LTBB designated and authorized Derrer Oil and Propane Company as the single pre-identified State licensed wholesaler to acquire LTBB’s tax-free quota of motor fuel under the Tax Agreement, and its entities DOC and Sons and Pacific Pride as retailers of LTBB’s quota of tax-free gasoline and diesel fuel;

**WHEREAS**, Derrer Oil and Propane Company is being acquired by Blarney Castle Oil Co., with a scheduled closing date of May 21<sup>st</sup>, 2024; and

**WHEREAS,** Blarney Castle Oil Co. is a State-licensed motor fuel wholesaler that will also succeed Derrer as owner of Petoskey South EZ Mart (formerly DOC and Sons), located at 807 Spring Street in Petoskey, MI and Petoskey Cardlock (formerly Pacific Pride), located at 1414 Standish Avenue in Petoskey, MI, which are motor fuel retailers.

**THEREFORE, BE IT RESOLVED** that the Little Traverse Bay Bands of Odawa Indians Tribal Council authorizes and approves Blarney Castle Oil Co., PO Box 246, Bear Lake, MI 49614 as the single pre-identified State licensed wholesaler to acquire LTBB's tax-free quota of motor fuel under the Tax Agreement;

**BE IT FURTHER RESOLVED** that the Little Traverse Bay Bands of Odawa Indians Tribal Council authorizes and approves Petoskey South EZ Mart, 807 Spring Street, Petoskey, MI as a retailer of LTBB's quota of tax-free gasoline and diesel;

**BE IT FURTHER RESOLVED** that the Little Traverse Bay Bands of Odawa Indians Tribal Council authorizes and approves Petoskey Cardlock, 1414 Standish Avenue, Petoskey, MI, as a retailer of LTBB's quota of tax-free gasoline and diesel;

**BE IT FURTHER RESOLVED** that, effective upon the closing of Blarney Castle Oil Co.'s acquisition of Derrer, this Resolution repeals and replaces Resolution #031603-03 – Designation of Motor Fuel Wholesaler and Retailer Under Tax Agreement; and

**BE IT FINALLY RESOLVED** that Tribal Chairperson Regina Gasco or designee is authorized to negotiate and execute any documents with Blarney Castle Oil Co., and its retailers, Petoskey South EZ Mart and Petoskey Cardlock, necessary to implement this Resolution, including assurances that records documenting sales to LTBB and LTBB Citizens will be maintained.

## CERTIFICATION

As the Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Tribal Resolution was duly adopted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on May 9, 2024 at which a quorum was present, by a vote of 7 in favor, 0 opposed, 0 abstentions, and 2 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Fred Kiogima	_____	_____	_____	X
Tamara Munson	_____	_____	_____	X
William Ortiz	X	_____	_____	_____
Aaron Otto	X	_____	_____	_____
Melissa Pamp	X	_____	_____	_____
Jordan Shananaquet	X	_____	_____	_____
Leroy Shomin	X	_____	_____	_____
Emily Proctor	X	_____	_____	_____
Marcella Reyes	X	_____	_____	_____

Date: 5/10/2024 Marcella R. Reyes  
Marcella Reyes, Legislative Leader

Date: 5/10/2024 Emily Proctor  
Emily Proctor, Tribal Council Secretary

Received by the Executive on 5/10/2024 by Nurt Johnson

Pursuant to Article VII, Section D, Subsection 1 of the Little Traverse Bay Bands of Odawa Indians Constitution adopted on February 1, 2005 the Executive concurs in this action of the Tribal Council.

Date: 05-13-2024 Regina Gasco  
Regina Gasco, Tribal Chairperson

Received from the Executive on 5/13/2024 by Maxim Taylor