

Little Traverse Bay Bands of Odawa Indians

Post Office Box 246
1345 U.S. 31 North
Petoskey, Michigan 49770

616-348-3410

RESOLUTION 12089602

JUDGMENT FUND DISTRIBUTION PLAN

WHEREAS, the Little Traverse Bay Bands of Odawa Indians ("Tribe" or "Bands") is a federally recognized tribe, as reaffirmed under P.L. 103-324 of September 21, 1994, as amended;

WHEREAS, the Tribe and its members are eligible for all services and benefits provided by the federal government to Indians, as reaffirmed by P.L. 103-324, because of their status as enrolled members of a federally recognized tribe;

WHEREAS, the Tribal Council is authorized to conduct business on behalf of the Tribe by its current constitution, which is its interim governing document under P.L. 103-324;

WHEREAS, under Article VII of the Tribal Constitution, the Tribal Council (a.k.a. Board of Directors) has the power to "negotiate and consult with federal, state and local governments of behalf of the Bands" and "to manage any and all economic affairs and enterprises of the Bands";

WHEREAS, the Tribal Chairman has been representing the Tribe in the discussions pertaining to the preparation of a plan to distribute Dockets 18-E, 58 and 364 amongst the successor tribes and descendants groups;

WHEREAS, various claimants have proposed differing plans for distributing the funds, which plans have generally been based upon enrollment or acreage claims;

WHEREAS, the successor tribes/groups' continuing inability to agree upon a distribution formula has prevented, and will continue to prevent, the successor tribes/groups and their members from benefiting from these Dockets;

WHEREAS, the Tribe's first preference for a distribution plan is based on a historical analysis of territory;

WHEREAS, the Tribe's second preference for a distribution plan is based on the number of the number of members in each tribe who are at least one quarter Michigan Odawa/Ottawa or Chippewa blood;

WHEREAS, the Tribal Council has been informed of a compromise proposal to disburse the Docket 18-E, 58 and 364 funds in the following manner:

1. Place the amount of the original award, minus attorney fees and expenses, in trust for the descendants groups until such time as a roll of eligible descendants is certified or until such time as the descendants groups are federally-acknowledged. It is understood that this amount is approximately \$9,262,878.24
2. The balance of the Dockets, and the interest earned on investment to the date of the physical distribution of the funds following the enacting legislation, would be divided in five equal shares to be allocated to the five federally-recognized, successor tribes: Sault Ste. Marie Tribe of Chippewa Indians, the Bay Mills Indian Community, the Grand Traverse Band of Ottawa and Chippewa Indians, the Little River Band of Ottawa Indians, and the Little Traverse Bay Bands of Odawa Indians.

The Tribal Council understands that this proposal is supported, in concept, by a majority of the federally-recognized tribes. The Tribal Council finds that a compromise proposal will ultimately be necessary to distribute these Dockets in a manner which is equitable, meets the needs of the respective successor tribes/groups, and can be supported by a majority of those successor tribes/groups. The Tribal Council finds that this proposal accomplishes these objectives;

THEREFORE BE IT RESOLVED THAT the Tribal Council of the Little Traverse Bay Bands of Odawa Indians approves and endorses as its first preference a Docket distribution plan based on the territory controlled by each tribe at the time of the 1836 Treaty;

BE IT FURTHER RESOLVED THAT the Tribal Council of the Little Traverse Bay Bands of Odawa Indians approves and endorses as its second preference a Docket distribution plan based on the number of members in each tribe or descendants' group who are at least one quarter Michigan Odawa/Ottawa or Chippewa blood;

BE IT FINALLY RESOLVED THAT if it appears the funds will not be distributed unless a compromise is reached that is not based on territory or number of quarter bloods, then the Tribal Council of the Little Traverse Bay Bands of Odawa Indians would approve and endorse the plan set out above which would distribute the amount of the original award to the descendants groups and the remainder equally among the five federally recognized tribes.

Certification

As Tribal Chairman and Tribal Secretary, the undersigned certify that this 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 December 8, 1996, at which a quorum was present, by a vote of 3 in favor, 0 opposed and 0 abstentions as recorded by this roll call.

	In Favor	Opposed	Abstained	Absent
George Anthony	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Patricia Dyer-Deckrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Frank Ettawageshik	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barry Laughlin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shirley Oldman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Janet Shomin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alice Yellowbank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date: 12-8-96

Frank Ettawageshik, Tribal Chairman

Barry Laughlin, Tribal Secretary