

**LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS**

**7500 Odawa Circle  
Harbor Springs, MI 49740**

**TRIBAL COUNCIL RESOLUTION # 111906-03**

The Tribal Chairperson agreeing to accept an appointment by the Governor of the State of Michigan to a subordinate committee position under the Governor is in direct conflict with the Constitution of the Little Traverse Bay Bands of Odawa Indians

**WHEREAS** the Waganakising Odawak is a nation of citizens with inherent sovereignty and right to 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 being 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 Tribal Council is the elected legislative body of the Tribe;

**WHEREAS** the Little Traverse Bay Bands of Odawa Indians Constitution states;

**“ARTICLE VII. TRIBAL COUNCIL**

**D. Powers of the Tribal Council**

**23.** Approve negotiations with any other governments, businesses or individuals by a majority vote of the Tribal Council; and

**24.** To provide by statute for the management of any and all economic affairs and enterprises of the Little Traverse Bay Bands of Odawa Indians that will further the economic development of the Tribe or its members. Such statutes will delegate management responsibilities to Tribally chartered corporations or other subordinate Tribal entities, or where appropriate, to the Executive Branch.”

**WHEREAS** the Little Traverse Bay Bands of Odawa Indians Constitution states;

**“ARTICLE VIII. EXECUTIVE**

**C. Powers and Duties of the Chairperson.**

The Chairperson shall have the following powers and duties:

**1.** To represent the Little Traverse Bay Bands of Odawa Indians in an ambassadorial capacity;

**2.** To execute and administer the laws and resolutions of the Little Traverse Bay Bands of Odawa Indians;

**3.** To receive, prepare and submit nominations to the Tribal Council for consideration for the appointed positions set out in this Constitution or future Tribal statute;

4. To make recommendations to the Tribal Council on matters of interest or benefit to the Little Traverse Bay Bands of Odawa Indians;
5. To oversee all Tribal Executive departments, boards, commissions and committees created by the Tribal Council;
6. Shall submit monthly written reports of his/her oversight responsibilities of Tribal operations to the Tribal Council; and
7. Submit a proposed budget for the next fiscal year to the Tribal Council.”

**WHEREAS** the State of Michigan is currently suing the Little Traverse Bay Bands of Odawa Indians Tribe in an effort to obtain 8% of the Tribe’s slot machine revenues without providing promised exclusivity agreed upon in the gaming compact;

**WHEREAS** the Little Traverse Bay Bands of Odawa Indians Tribal Chairperson has negotiated in secret with the Governor of the State of Michigan to sit on an economic development commission that is subordinate to the Governor;

**WHEREAS** the Little Traverse Bay Bands of Odawa Indians Tribal Council has adopted no statutes authorizing this economic affair;

**WHEREAS** the Little Traverse Bay Bands of Odawa Indians Tribal Council has approved no such negotiations and found out about them by accidental announcement from one of the Governor’s subordinates;

**WHEREAS** the Little Traverse Bay Bands of Odawa Indians Tribal Constitution does recognize the sovereignty of other nations and pledges the Tribe’s governing bodies to maintain relations with other sovereigns, it does not authorize the Chairperson to hold a subordinate position for another sovereign without explicit authorization of the Tribal Council and in the case of economic affairs the Constitution requires such authorization be in the form of a statute.

**THEREFORE, BE IT RESOLVED** that the Tribal Council declares the Tribal Chairperson accepting a position subordinate to the Governor of the State of Michigan is in conflict with the Tribal Constitution giving the appearance of subordinate sovereignty and poses a conflict in the economics based litigation between the Tribe and the State;

**FINALLY BE IT RESOLVED**, the Little Traverse Bay Bands of Odawa Indians Tribal Council demands the Tribal Chairperson remove his name from consideration for this position subordinate to the Governor of the State of Michigan

**CERTIFICATION**

As Tribal Council Secretary, I certify that this Resolution **was not** duly adopted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held November 19, 2006 at which a quorum was present, by a vote of 2 in favor, 6 opposed, 0 abstentions, and 1 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Regina Gasco Bentley	_____	X _____	_____	_____
Fred Harrington, Jr.	X _____	_____	_____	_____
Dexter McNamara	_____	X _____	_____	_____
Mary Roberts	X _____	_____	_____	_____
Rita Shananaquet	_____	X _____	_____	_____
Alice Yellowbank	_____	X _____	_____	_____
Shirley Oldman	_____	_____	_____	X _____
Melvin L. Kiogima	_____	X _____	_____	_____
Beatrice Law	_____	X _____	_____	_____

Date: \_\_\_\_\_

\_\_\_\_\_  
Beatrice Law, Legislative Leader

Date: \_\_\_\_\_

\_\_\_\_\_  
Melvin L. Kiogima, Secretary