

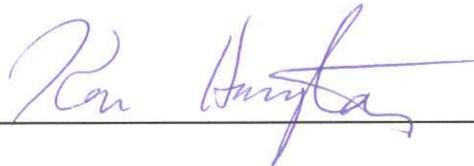
VETO Statement

To: Tribal Council
From: Chairman Harrington &
Vice-Chairman McNamara
1-07-2011

The Executive has Vetoes Tribal Resolution #120510-01 for the following reasons;

- 1) Tribal Council can monitor the activities regarding the Bay Mills/Vanderbilt casino without a Tribal Resolution or a designated team.
- 2) The Executive is already monitoring the Bay Mills/Vanderbilt Casino activities and forwarding any and all relevant information to the Legislative Leader and Tribal Council.
- 3) Tribal Council approved Legal to take actions to close the Bay Mills Vanderbilt Casino.
- 4) The Tribal Chairperson requiring approval to make public statements approved by Tribal Council is conflicting with our Tribes Constitution and the separation of powers.
EXAMPLE: If the press calls, the Tribal Chairperson as Ambassador of our Tribe has the authority to speak to the press without Tribal Council approval (Article VIII C1).
- 5) Updates on the Bay Mills/Vanderbilt Casino are already provided to our Tribal Council by General Council/Frederick Pebbles and Morgan.
- 6) The Tribal Chairperson as Ambassador of our Tribe can receive communication at anytime from any entity without first going through a Legislative/Executive "Co-Chair" team.

Tribal Chairman Ken Harrington



Tribal Vice-Chairman Dexter McNamara



LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS
7500 ODAWA CIRCLE
HARBOR SPRINGS, MI 49740

TRIBAL RESOLUTION # 120510-01

Establishment of the “Legislative/Executive Team” for Bay Mills/Vanderbilt Casino Matters

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;

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 Waganakising Odawak believe that the casino opened by the Bay Mills Indian Community in Vanderbilt is illegal;

WHEREAS the Waganakising Odawak have concerns about the potential public’s confidence in the integrity and regulation of lawful Indian gaming by federally-recognized Indian tribes will be lost; and,

WHEREAS the Waganakising Odawak believe that pursuant to the 2003 settlement agreement made between Bay Mills Indian Community and the State of Michigan regarding land claims, the agreement required that LTBB approve any gaming that was to be conducted in Vanderbilt, Michigan. Since the Waganakising Odawak has not approved or agreed to the Bay Mills Vanderbilt casino, the Waganakising Odawak believe that the opening of this casino is in violation of that agreement.

THEREFORE, BE IT RESOLVED that there is established a “Legislative/Executive Team” and it is so directed to monitor the activities relative to the Bay Mills/Vanderbilt casino and to take necessary actions to bring resolution to the proper closing of this facility, provided that any action concerning the casino will be brought back to the Tribal Council by said team for approval prior to the action taken.

FURTHER BE IT RESOLVED that the Team shall consist of the Legislative Leader, the Legislative Services Attorney, Tribal Chairperson, and the General Counsel of the Waganakising Odawak. The Legislative Services Attorney and General Counsel will co-chair the Team. Tribal Chairperson will be the designated spokesperson, and will only make public statements approved by the Tribal Council, and will only take actions that have been approved by the Tribal Council.

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

FURTHER BE IT RESOLVED that communication, whether outgoing or incoming, with representative of any parties to this activity will be made through the “Co-Chairs” and shared with Establishment of a “Legislative/Executive Team” for Vanderbilt Casino Matters

the 'Legislative/Executive Team' regarding the casino unless authorized otherwise by Tribal Council. Communications from any parties to this activity shall be sent to both the General Counsel and the Legislative Services Attorney and will then be forwarded to the Team.

FINALLY BE IT RESOLVED that this 'Legislative/Executive Team' will be dissolved upon satisfactory resolution to the Bay Mills/Vanderbilt Casino matter, or by further action of Tribal Council.

CERTIFICATION

As 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 December 05, 2010 at which a quorum was present, by a vote of 7 in favor, 0 opposed, 0 abstentions, 2 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Marvin Mulholland				X
Belinda Bardwell	X			
Melvin L. Kiogima	X			
Gerald V. Chingwa	X			
Rita Shananaquet				X
Aaron Otto	X			
John Bott	X			
Regina Gasco Bentley	X			
Julie A. Shananaquet	X			

Date: 12/10/10⁷⁹⁵ Julie Shananaquet
Julie A. Shananaquet, Legislative Leader

Date: 12-7-10 Regina Gasco Bentley
Regina Gasco Bentley, Secretary

Received by the Executive Office on 12-9-10 by Rosi Seymour

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: 1-7-11 Ken Harrington
Ken Harrington, Tribal Chairperson

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