

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS

7500 Odawa Circle

Harbor Springs, MI 49740

TRIBAL RESOLUTION # 030316-01

To Amend the "Addendum A" to Tribal Resolution 061815-01, to Appropriate to Odawa Casino Resort the Amount of \$3,320,000.00 to come from the Restricted General Fund Balance Funds- Economic Development Reserve and allow for OCR to Reserve Profits to implement the Five Year Strategic Plan

WHEREAS the Waganakising Odawak Nation, known as the Little Traverse Bay Bands of Odawa Indians (LTBB), 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 Tribal Council approved the Little Traverse Bay Bands of Odawa Indians Five-year Strategic Economic Development Plan at its regularly scheduled meeting held on May 7, 2015;

WHEREAS Tribal Council approved Tribal Resolution 061815-01, to Appropriate to Odawa Casino Resort the Amount of \$3,320,000.00 to come from the Restricted General Fund Balance Funds- Economic Development Reserve that allowed OCR to implement Phase I and Phase II of the approved plan.

WHEREAS Odawa Casino Resort proposes to amend the Fund Flow re: Economic Development Funds that will allow for quicker payment of incidental cost.

THEREFORE BE IT RESOLVED that the "Addendum A"- Flow re: Economic Development Funds- Project Development Checking, is amended to allow for a Project Development Checking funds, as submitted and dated March 1, 2016.



CERTIFICATION

As the Tribal Council Treasurer 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 by a phone poll of the Tribal Council held on March 3, 2016 at which a quorum was present, by a vote of 6 in favor, 1 opposed, 1 abstentions, and 0 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Frank Bernard	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
David Harrington	<u> </u>	<u> </u>	<u>X</u>	<u> </u>
Beatrice A. Law	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Dexter McNamara	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Michael J. Naganashe	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Julia A. Shananaquet	<u> </u>	<u>X</u>	<u> </u>	<u> </u>
Marcella R. Reyes	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Aaron Otto	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Date: 3-3-2016 Marcella R. Reyes
 Marcella R. Reyes, Treasurer

Date: 3-3-2016 AO
 Aaron W. Otto, Secretary

Received by the Executive Office on 3-7-16 by JL-JK

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 with this action of the Tribal Council.

Date: 3-7-16 Regina Gasco Bentley
 Regina Gasco Bentley, Tribal Chairperson

Amended Addendum-Fund Flow re: Economic Development Funds

Amended 3/01/2016

- OCR will open a new checking account (with GAC approval) which would be restricted for the Mackinaw project and new hotel only.
- The proposed process is as follows:
 1. All P.O.'s would be issued through OCR's A/P system.
 2. Applications for Payment, related documentation and invoices will be received and processed by OCR.
 3. **Effective March 7, 2016 (upon Tribal Council approval), OCR will impress the amount in the Project Development Checking to \$5,000.00 for incidental items arising and requiring payment prior to a scheduled G.E.B. meeting and subsequent transfer.**
 4. Monthly, OCR will accumulate all items for payment. These items will be placed in a binder. Each item in the binder will be reviewed, signed off by the Architect and/or Construction Manager and initialed by the General Manager, Property Operations Director and CFO. The binder will include a cover page summarizing all requests for payment and include signature lines for the General Manager, OCR CFO and authorized LTBB signer. **Incidental items paid using the \$5,000 impressed amount will be separately stated and totaled on the cover page and copies of invoices paid will be included for review.**
 5. The monthly binder will be reviewed with the Gaming Authority Committee (GAC) or Gaming Enterprise Board (GEB) and /or the Treasurer each month. The appropriate authority will sign the summary sheet and initial all other pertinent documentation which provides approval for transfer of funds and payment.
 6. A copy of the summary sheet will be forwarded to the LTBB Chief Financial Officer.
 7. The LTBB CFO will transfer funds from the Economic Development Funds to the OCR Project Development checking account.
 8. Upon receipt of the funds, OCR will pay all approved obligations.
- Monthly, the GAC or GEB will receive reports (not all inclusive):
 1. Update re: the progress of the project from the General Manager of OCR.
 2. Budget to actual including percentage of completion of the project.
 3. Budget modifications and rationale for those modifications.