

WAGANAKISING ODAWAK STATUTE 2019-\_\_\_\_  
ODAWA AVIATION CORPORATION

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34

**SECTION I. PURPOSE AND TITLE**

**A. Purpose.** The Little Traverse Bay Bands of Odawa Indians (the “Tribe”) exercises powers of self-government over its Citizens and territory. In accordance with Article VII (D) (4), the purpose of this Statute is to govern the issuance of the Little Traverse Bay Bands of Odawa Indians charter of incorporation for economic purpose, to provide for the management of the non-gaming, economic affairs and to delegate such management to a Tribally chartered corporation in accordance with Article VII (D) (24) and regulate such tribally chartered corporation activities in accordance with Article VII (D) (4).

**B. Short Title.** This Statute shall be known and cited as the “Odawa Aviation Corporation Statute.”

**SECTION II. DEFINITIONS**

**A.** “*Territorial Jurisdiction of the Little Traverse Bay Bands of Odawa Indians*” means “*areas referenced in Public Law 103-324, 25 USC Section 1300k-2(b)(2)(A) as the boundaries of the reservations for the Little Traverse Bay Bands as set out in Article I, paragraphs ‘third and fourth’ of the Treaty of 1855, 11 Stat.621.*” Little Traverse Bay Bands Constitution, Article V(A)(1)(a).

**B.** “*Tribe*” or “*LTBB*” means the Little Traverse Bay Bands of Odawa Indians.

**C.** “*Tribal Constitution*” means the Little Traverse Bay Bands of Odawa Indians Constitution as adopted by its membership on February 1, 2005.

**D.** “*Tribal Council*” means the elected body of nine (9) Tribal members of Little Traverse Bay Bands of Odawa Indians with duties found in the Tribal Constitution Article VII. “Tribal Council”.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

**SECTION III. CREATION OF THE ODAWA AVIATION CORPORATE CHARTER**

**A.** A tribally chartered corporation is authorized by this Statute and shall be named the “Odawa Aviation, Inc.” The organization is recognized by the approval of the tribal corporation charter; “Odawa Aviation, Inc.” by Tribal Council.

**B.** The tribally chartered corporation, Aviation Inc., shall be managed by a board of three (3) to five (5) members selected and appointed by majority vote of Tribal Council.

**SECTION IV. SCOPE OF ACTIVITIES**

**A.** The Odawa Aviation, Inc. is created as a tribally chartered corporation that creates jobs in the area of economic development and general business.

**B.** The Odawa Aviation, Inc. is authorized to create operating subsidiaries in accordance with tribal law.

**C.** The Corporation will provide Tribal Council an annual report and audited financial statements.

**D.** The Corporation will submit an annual development plan to the Tribal Council for approval.

**SECTION V. MANAGEMENT; STRUCTURE AND FUNCTION**

**A.** The Odawa Aviation, Inc. shall have sole authority and responsibility for managing the Odawa Aviation, Inc. and related Aviation projects, in accordance with the policies, Statutes, Resolutions, regulations as approved by Tribal Council.

**B.** The Odawa Aviation, Inc. reports to and passes revenue to the Odawa Economic Affairs Holding Corporation.

1  
2 **C.** The management of the corporation shall be conducted by 3 to 7 at will employees titled  
3 Business Policy Managers.  
4

- 5 a. The majority of the Business Policy Managers must be Tribal Citizens.
- 6 b. Business Policy Managers shall be selected by the Odawa Economic Affairs  
7 Holding Corporation.
- 8 c. These Business Policy Managers may when deemed necessary recruit up to two  
9 of the seven persons with special skills needed and they will serve as long as  
10 needed by their selectors.

11  
12 **D.** The Odawa Aviation, Inc. shall abide by all tribal and federal laws and regulations as  
13 may be applicable.  
14

15 **E.** It is the duty of the Odawa Aviation, Inc. to protect assets of the Tribe and generate  
16 revenues and jobs.  
17

18  
19 **SECTION VI. REPORTING TO TRIBAL COUNCIL**  
20

21 In order to regulate, the Odawa Aviation, Inc. shall provide to Tribal Council a monthly report  
22 for the Corporation and all subsidiaries; and shall report quarterly at the regularly scheduled  
23 Tribal Council Meetings or such special meetings as requested by the Tribal Council, or as  
24 requested the following:  
25

- 26 **A.** Annual operating plan;
- 27
- 28 **B.** Financial performance measures;
- 29
- 30 **C.** Audits, whether internal or external;
- 31
- 32 **D.** Financial records or statements;
- 33
- 34 **E.** Tribal Council may request reports regarding all aspects of the Odawa Aviation, Inc.;
- 35

1 **F.** Monthly profit and loss statement of all non-gaming enterprises, joint ventures and  
2 investments.

3  
4  
5 **SECTION VII. FINANCING OF THE ODAWA AVIATION, INC. AND**  
6 **ACTIVITIES**

7  
8 **A.** The annual budget for the Odawa Aviation, Inc. shall be approved by Tribal Council in  
9 accordance with an approval process as designated by the Tribal Council.

10  
11 **B.** Tribal Council approval is required for borrowing of funds. The Odawa Aviation, Inc. is  
12 not authorized to enter into financing approval without prior ratification by the Tribal Council.

13  
14  
15 **SECTION VIII. SAVING CLAUSE**

16  
17 In the event that any phrase, provision, part, paragraph, subsection or section of this statute is  
18 found by a court of competent jurisdiction to violate the Constitution, laws, ordinances or  
19 statutes of the Little Traverse Bay Bands of Odawa Indians, such phrase, provision, part,  
20 paragraph, subsection or section shall be considered to stand alone and to be deleted from this  
21 statute, the entirety of the balance of the statute to remain in full and binding force and effect.

22  
23  
24 **SECTION IX. EFFECTIVE DATE**

25  
26 Effective upon signature of the Executive or thirty (30) days from Tribal Council approval  
27 whichever comes first or if the Executive vetoes the legislation, then upon Tribal Council  
28 override of the veto.

29  
30  
31  
32  
33 **CERTIFICATION**