

## Chapter 2. Post-Constitutional Repealing Resolutions

### **16.201 RESCIND AND REPEAL TRIBAL RESOLUTION #032209-07, #030710-10, AND #100707-01 RELATED TO THE LINE-OF-CREDIT FOR THE BUSINESS FORMERLY KNOWN AS BELL'S FISHERY**

**A. THEREFORE, BE IT RESOLVED** that Little Traverse Bay Bands of Odawa Indians Tribal Council rescinds and repeals any Resolutions related to the Line of Credit for Bell's Fishery including #042008-06 amended by #030710-10 and #100707-10, and any remaining balance due shall be forgiven.

(Source: TRIBAL RESOLUTION # 061211-01)

### **16.202 REPEALED--TO RESCIND TRIBAL RESOLUTION #012509-07 REGARDING TRIBAL GOVERNMENT BUDGET REVISION FOR FISCAL YEAR 2009**

(Source: TRIBAL RESOLUTION # 071209-08; Repealed by TRIBAL RESOLUTION # 120609-02))

### **16.203 AUTHORIZATION FOR PAYOFF OF LOAN ON 7500 ODAWA CIRCLE AND RESCINDS AND REPLACES TRIBAL RESOLUTION #050210-01**

**A. THEREFORE, BE IT RESOLVED** that the Tribal Council authorizes and approves for the existing loan against 7500 Odawa Circle, Harbor Springs, Michigan in the amount of approximately \$2,268,166.63 to be paid in full with National City Bank (now PNC) that allows for early repayment without penalty, to come from the PNC Investment accounts.

**B. FURTHER BE IT RESOLVED** that Tribal Council authorizes and requests the Chairman, or in his absence Vice Chair administer oversight authority to the extent necessary to ensure that such funds are applied in accordance with this Tribal Resolution.

**C. FINALLY BE IT RESOLVED** that this Tribal Resolution rescinds and replaces Tribal Resolution #050210-01.

(Source: TRIBAL RESOLUTION # 051610-02)

**16.204 TO REPEAL TRIBAL RESOLUTION #071209-08 REGARDING TRIBAL GOVERNMENT BUDGET REVISION FOR FISCAL YEAR 2009**

**A. THEREFORE BE IT RESOLVED** that the Tribal Council repeals its *Cost Saving Measures* to allow for COLA payment, stipends and travel for staff for the remaining FY 2009.

**B. FURTHER BE IT RESOLVED** that the Tribal Council recommends to the Tribal Chairperson to amend his Executive Order to allow for staff COLA, travel and training for the remaining FY 2009.

**C. FURTHER BE IT RESOLVED** that the Tribal Council recommends to the Judiciary, Legislative, Prosecutor and Election Board to allow for staff COLA, travel and training for the remaining FY 2009;

**D. FINALLY BE IT RESOLVED** that the Tribal Chairperson shall administer his oversight authority to the extent necessary to ensure that funds are adequately administered.

(Source: TRIBAL RESOLUTION # 120609-02)

**16.205 REPEALS TRIBAL RESOLUTION # 092709-01; ESTABLISHMENT AND AUTHORITY OF THE “LEGISLATIVE/EXECUTIVE TEAM”**

**A. THEREFORE, BE IT RESOLVED** that the Tribal Council hereby Repeals Tribal Resolution # 092709-01; Establishment and Authority of the “Legislative/Executive Team” and that that any and all authority or actions provided by Tribal Resolution 092709-01 is hereby repealed.

**B. FURTHER BE IT RESOLVED** that communication with representatives of *Oppenheimer & Co., Inc., Fredrick Peeples & Morgan*, Bond Lenders or the *Ad Hoc Committee of Lenders* shall be made concurrently between the Tribe’s General Counsel under the direction of the Executive who shall provide legal services, counsel to, and representation of LTBB on legal matters regarding negotiations, and Legislative Services Attorney, regarding the bond unless authorized otherwise by a motion of the Tribal Council.

**C. FINALLY BE IT RESOLVED** final decisions regarding communication, representation or approval of negotiations shall be authorized by a motion of the Tribal Council at a Regular,

Special, or Emergency Meeting, or by the authority of a phone poll of the Tribal Council.

(Source: TRIBAL RESOLUTION # 060610-02)

## **16.206 RECISSION AND REPEAL OF OUTDATED RESOLUTIONS FOR THE YEAR 2006**

**A. WHEREAS** the following Resolutions are outdated and obsolete at this time: 010806-01-Conference Support; 010806-03- Interim Prosecutor Agreement; 010806-04- Hearing Officer List; 122206-01- New Casino Project Scope and Budget; 012206-02- Change Order #5 with Clark Construction; 012206-03- GMP Authorization with Financing Contingency; 012206-04- Authorizing Sale of Notes and Related Actions; 012206-06- National Congress of American Indians Embassy of Nations Capital Campaign; 012206-07- Native American Rights Fund Support; 012206-11- Appropriation of Funds CBA 1006-02; 012206-12- Tribal Council Appropriations & Finance Standing Committee; 012206-13- Amendment to Tribal Council Stipend Policy; 020506-02- Amendment to Tribal Council Code of Ethics 3 1; 020505-02- Donation to St. Francis Solanus Indian Mission Committee; 020506-03- Tribal Council Rep Meet the Citizens Meeting; 020506-04- NCAI Youth Commission Travel Fund for LTBB Youth Rep; 020506-05- NCMC Cultural Support for Student Group; 020506-06- Approving Gaming Regulatory Commission use of Independent Auditor; 030502-01- Tribal Council Meet the Membership Meetings; 030506-02- Bud Mod (4) Substance Abuse FY 2006; 030506-03- Budget Modification Geographical Information Systems FY 2006; 030806-01- Approval of FY 06 Tribal Transportation Improvement; 031906-01- Appropriating \$24,111.92 in Additional Funding to the Tribal Court Budget; 031906-02- Approve and Appropriate Fluent Anishinaabemowin Teacher Position; 031906-06- Permission to Discuss Carey Lawsuit; 031906-07- Permission to Discuss all Employee Handbooks with Executive; 031906-08- Enjinaaknegeng Confidential Memo; 031906-14- Funding Miss Odawa Resolution 2006; 040906-03- Appropriation of Funds for 2007 Operating Budget; 040906-07- Funding Notification by Mail and Luncheon for 2006 Annual Convention NCAI Youth; 042306-01- Foster Care Funding; 042306-02- Sponsor the Odawa Institute's Anishinaabemowin and Cultural Programming; 042306-04- Gaming Board Of Directors (GBOD)Responsibilities; 042306-05- Kings Inn Closure; 050706-01- Appropriation to the Pow Wow Committee; 050706-07- Production Four Direction Video; 050706-08- Client Emergency Assistance; 050706-09- Approving Capital Projects Policy; 061106-14- Department Of Justice (DOJ)Statement of Mutual Understanding and Support; 061106-15- Odawa Enterprise Management; 061106-16- The way it happened reprinting; 061106-17- Funding for 4 Directions video; 061106-19-

Appropriation of \$5000 for the Restoration of the Burt Lake Burial Grounds; 061106-21- Est. Michelle Chingwa Education Assistance Act Scholarship Levels; 061106-23- Appropriation for Pending Litigation; 062506-01- Est Michelle Chingwa Education Assistance Act Scholarship Levels; 062506-02- Appointing Auditors; 070906-05- Fire Agreement with Bear Creek Twp; 070906-06- Approval of Agreement in Principle for the Inland Phase of U.S. v Michigan; 072306-01- Appropriation of \$10,000 for the Restoration of the Cemetery; 072306-02- Loan Authorization Northern Michigan Bank; 072306-03- Transferring Responsibility of new casino to Executive branch; 080606-04- Funding the 2006 Traditional Jingtamok; 0826006-02- Tribal Seal Authorization; 082006-04- Protection of tribal Asset Accumulation; 091006-01- CCF Annual Plan 2006-2007; 091006-03- Michigan Indian Elder Association; 091006-04- Bad River Medical Center; 092406-02- Funding Request for Big Read; 092406-03- Honoring Yvonne Walker-Keshick; 100806-01- Approving Middle Village Park Management Committee; 100806-02- Client Emergency Assistance; 10806-03- Priority Budget Allocation; 100806-04- Request for Legal Review of the Holy Childhood Land Transfers; 102206-02- United Tribes of Michigan; 102206-03- Appoint Tribal Chairman Economic Development for Old Victories Site; 102206-04- Affirming the Benefits of Affirmative Action; 102206-05- Michelle Chingwa Scholarship Levels 031; 110506-04- MIEA Delegate Appt; 111906-01- Office of the Legislative Services Attorney Modification FY 2007; 111906-02- Per Cap 2006 Budget Increase; 111906-04- NCMC Student Group 2006 Fall; 111906-05- FY 2006 Resolution for Winter Solstice Party; 120306-01- Biindigen and Victories Liquor License; 120306-02- Bureau of Indian Affairs (BIA) FY 2007 Mature Contract; 129396-06- United Tribes Budget Modification; 120306-07- Approval of the GMBOD Budget; 121706-02- Quill Art Cultural Preservation Video; and 121706-03- Requesting Legal Brief for Casino Construction.

**B.      THEREFORE, BE IT RESOLVED** that the following Resolutions are rescinded and repealed in their entirety and are void and of no effect: 010806-01-Conference Support; 010806-03- Interim Prosecutor Agreement; 010806-04- Hearing Officer List; 122206-01- New Casino Project Scope and Budget; 012206-02- Change Order #5 with Clark Construction; 012206-03- GMP Auth with Financing Contingency; 012206-04- Authorizing Sale of Notes and Related Actions; 012206-06- NCAI Embassy of Nations Capital Campaign; 012206-07- NARF Support; 012206-11- Appropriation of Funds CBA 1006-02; 012206-12- TC Appropriations & Finance Standing Committee; 012206-13- Amendment to Tribal Council Stipend Policy; 020506-02- Amendment to Tribal Council Code of Ethics 3 1; 020505-02- Donation to St. Francis Solanus Indian Mission Committee; 020506-03- Tribal Council Rep Meet the Citizens Meeting; 020506-04- NCAI Youth Commission Travel Fund for LTBB Youth Rep; 020506-05- NCMC Cultural Support for Student Group; 020506-06- Approving GRC Use of Independent Auditor; 030502-

01- Tribal Council Meet the Membership Meetings; 030506-02- Bud Mod (4) Substance Abuse FY 2006; 030506-03- Budget Modification GIS FY 2006; 030806-01- Approval of FY 06 Tribal Transportation Improvement; 031906-01- Appropriating \$24,111.92 in Additional Funding to the Tribal Court Budget; 031906-02- Approve and Appropriate Fluent Anishinaabemowin Teacher Position; 031906-06- Permission to Discuss Carey Lawsuit; 031906-07- Permission to Discuss all Employee Handbooks with Executive; 031906-08- Enjinaaknegeng Confidential Memo; 031906-14- Funding Miss Odawa Resolution 2006; 040906-03- Appropriation of Funds for 2007 Operating Budget; 040906-07- Funding Notification by Mail and Luncheon for 2006 Annual Convention NCAI Youth; 042306-01- Foster Care Funding; 042306-02- Sponsor the Odawa Institute's Anishinaabemowin and Cultural Programming; 042306-04- GBOD Responsibilities; 042306-05- Kings Inn Closure; 050706-01- Appropriation to the Pow Wow Committee; 050706-07- Production Four Direction Video; 050706-08- Client Emergency Assistance; 050706-09- Approving Capital Projects Policy; 061106-14- DOJ Statement of Mutual Understanding and Support; 061106-15- Odawa Enterprise Management; 061106-16- The way it happened reprinting; 061106-17- Funding for 4 Directions video; 061106-19- Appropriation of \$5000 for the Restoration of the Burt Lake Burial Grounds; 061106-21- Est. Michelle Chingwa Education Asst. Act Scholarship Levels; 061106-23- Appropriation for Pending Litigation; 062506-01- Est Michelle Chingwa Education Assistant Act Scholarship Levels; 062506-02- Appointing Auditors; 070906-06- Approval of Agreement in Principle for the Inland Phase of U.S. v Michigan; 072306-01- Appropriation of \$10,000 for the Restoration of the Cemetery; 072306-02- Loan Authorization Northern Michigan Bank; 072306-03- Transferring Responsibility of new casino to executive branch; 080606-04- Funding the 2006 Traditional Jingtamok; 082006-04- Protection of tribal Asset Accumulation; 091006-01- CCF Annual Plan 2006-2007; 091006-03- MIEA; 091006-04- Bad river Medical Center; 092406-02- Funding Request for Big Read; 092406-03- Honoring Yvonne Walker-Keshick; 100806-01- Approving Middle Village Park Management Committee; 100806-02- Client Emergency Assistance; 10806-03- Priority Budget Allocation; 100806-04- Request for Legal Review of the Holy Childhood Land Transfers; 102206-02- United Tribes of MI; 102206-03- Appoint Tribal Chairman Economic Development for Old Victories Site; 102206-04- Affirming the Benefits of Affirmative Action; 102206-05- Michelle Chingwa Scholarship Levels 031; 110506-04- MIEA Delegate Appt; 111906-01- Office of the LSA Modification FY 2007; 111906-02- Per Cap 2006 Budget Increase; 111906-04- NCMC Student Group 2006 Fall; 111906-05- FY 2006 Resolution for Winter Solstice Party; 120306-01- Biindigen and Victories Liquor License; 120306-02- BIA FY 2007 Mature Contract; 129396-06- United Tribes Budget Modification; 120306-07- Approval of the GMBOD Budget; 121706-02- Quill Art Cultural Preservation Video; and 121706-03- Requesting Legal Brief for Casino Construction.

(Source: TRIBAL RESOLUTION #011914-01)

## **16.207 RESCISSION AND REPEAL OF RESOLUTIONS FOR GRANT FUNDING FOR THE YEAR OF 2006**

**A. WHEREAS** the following pre-Constitution Resolutions were used to authorize grant proposals and submissions, and/or funding requests from Grant Agencies and are obsolete at this time: 012206-08- FY 06 STOP VAIW; 012206-09- NRD Tribal Landowner Incentive Project; 012206-10- 2006 Basic Library Services IMLS; 021906-01- CDFI FY 2006 Tech Assist; 021906-02- NAGPRA Grant; 021906-03- ANA Environmental Enhancement Grant; 021906-04- CJA Grant; 031906-09- EPA Solid Waste FY 06; 031906-10- Peer Recovery Services program Health and Human Services; 031906-11- 2006 Demo Grant for Indian Children; 031906-12- 2006 Museum Services; 031906-13- OJJDP Youth Mentoring Project; 042306-03- Department of Health and Human Services, Collaboration with ITC; 050706-04- FY 2006 COPS LED; 050706-05- IHS Elders Long Term Care Project; 050706-06- IHS Children and Youth Project; 061106-01- IHS Injury Prevention; 061106-02- TCHRIP FY 2006; 061106-03- EPA-PPG; 061106-04- Title IV-B FY 2007; 061106-05- Promoting Fatherhood; 061106-06- CCDF Tribal Plan; 061106-07- IHS Health Promo and Disease Prevention ITC; 061106-08- IHS Tribal Mgmt Grant; 061106-09- EPA Source Reduction; 070906-01- RWJF Tobacco Policy; 070906-02- USDA FDRPIR FY 2007; 070906-03- ITC LIEAP; 070906-04- ITC CSBG; 080606-01- The Big Read; 080606-02- ITC Healthy Women; 080606-03- MDCH Emergency Preparedness FY 06-07; 091006-02- HIS 2007 AFA; 110506-01- Justice and Mental Health Collaboration Project; 110506-02- EPA Clean Air; 110506-03- Dept of Energy Feasibility Project; 120306-03- Indian Alcohol and SA Grant; and 120306-05- Council Resolution Court Assistance Grant.

**B. THEREFORE, BE IT RESOLVED** that the following Resolutions are rescinded and repealed in their entirety and are void and of no effect: 012206-08- FY 06 STOP VAIW; 012206-09- NRD Tribal Landowner Incentive Project; 012206-10- 2006 Basic Library Services IMLS; 021906-01- CDFI FY 2006 Tech Assist; 021906-02- NAGPRA Grant; 021906-03- ANA Environmental Enhancement Grant; 021906-04- CJA Grant; 031906-09- EPA Solid Waste FY 06; 031906-10- Peer Recovery Services program Health and Human Services; 031906-11- 2006 Demo Grant for Indian Children; 031906-12- 2006 Museum Services; 031906-13- OJJDP Youth Mentoring Project; 042306-03- Department of Health and Human Services, Collaboration with ITC; 050706-04- FY 2006 COPS LED; 050706-05- IHS Elders Long Term Care Project; 050706-06- IHS Children and Youth Project; 061106-01- IHS Injury Prevention; 061106-02-

TCHRIP FY 2006; 061106-03- EPA-PPG; 061106-04- Title IV-B FY 2007; 061106-05- Promoting Fatherhood; 061106-06- CCDF Tribal Plan; 061106-07- IHS Health Promo and Disease Prevention ITC; 061106-08- IHS Tribal Mgmt Grant; 061106-09- EPA Source Reduction; 070906-01- RWJF Tobacco Policy; 070906-02- USDA FDRPIR FY 2007; 070906-03- ITC LIEAP; 070906-04- ITC CSBG; 080606-01- The Big Read; 080606-02- ITC Healthy Women; 080606-03- MDCH Emergency Preparedness FY 06-07; 091006-02- HIS 2007 AFA; 110506-01- Justice and Mental Health Collaboration Project; 110506-02- EPA Clean Air; 110506-03- Dept of Energy Feasibility Project; 120306-03- Indian Alcohol and SA Grant; and 120306-05- Council Resolution Court Assistance Grant.

(Source: TRIBAL RESOLUTION #011914-02)

#### **16.208 RESCISSION OF TRIBAL RESOLUTION #010613-02 AND REALLOCATION OF CAPITAL PROJECT FUND MONIES TO THE GENERAL FUND BALANCE FUNDS**

**A. WHEREAS** Tribal Council established a Capital Project Fund to pay consultants and vendors who provide services related to the Mackinaw Casino Project with Tribal Resolution # **010613-02: Confirmation of the Establishment of the Capital Project Fund, Remaining Balance, and Payment to Consults and Vendors;**

**B. WHEREAS** the funds for any and all Economic Development has been reserved by Tribal Resolution: *Allocation of General Fund Balance Funds to Address Tribal Priorities* and creates a new allocation that supersedes the Capital Project Fund;

**C. WHEREAS** the Little Traverse Bay Bands of Odawa Indians Tribal Council will be allocating funds from the reserved General Fund Balance Funds- Economic Development.

**D. THEREFORE BE IT RESOLVED** that Tribal Resolution # **010613-02: Confirmation of the Establishment of the Capital Project Fund, Remaining Balance, and Payment to Consults and Vendors** is hereby rescinded and any remaining monies in the Capital Project Fund, as of the date of enactment of this Tribal Resolution, shall be allocated to the General Fund Balance Funds

(Source: TRIBAL RESOLUTION #042315-02)