

POKAGON BAND OF POTAWATOMI INDIANS

TRIBAL COUNCIL

P.O. Box 180, 58620 Sink Road, Dowagiac, MI 49047

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POKAGON BAND OF POTAWATOMI INDIANS RES. NO. 06-07-08-02

WHEREAS: The Pokagon Band of Potawatomi Indians of Michigan and Indiana (the "Band") is a sovereign, federally recognized Indian tribe, as reaffirmed under P.L. 103-323 (25 U.S.C. § 1300j et. Seq., "the Pokagon Restoration Act"), enacted September 21, 1994; and

WHEREAS: The Band was recognized by Congress as a restored Tribe pursuant to the Pokagon Restoration Act; and

WHEREAS: The Pokagon Band is organized under a constitution, which was adopted on November 1, 2005 and became effective on December 16, 2005 ("Constitution"); and

WHEREAS: In accordance with the Pokagon Restoration Act and pursuant to Article IX of the Constitution, the Tribal Council of the Pokagon Band of Potawatomi Indians (the "Council") is the duly recognized governing body of the Band; and

WHEREAS: The Tribal Council is vested with the sovereign powers of the Band not inconsistent with any provisions of the Constitution, including without limitation those enumerated powers set forth in Article IX, Section 2, of the Constitution.

WHEREAS: The Pokagon Band must provide a means to ensure the health, safety, and general welfare of the Band, its members, and others present on Pokagon Band land; and

WHEREAS: Article IX, Section 2(d) provides Tribal Council the power to provide for the privilege of admission of non-members to tribal lands.

NOW, THEREFORE BE IT RESOLVED: that effective immediately, the Pokagon Band Tribal Council hereby rescinds Pokagon Band Executive Committee Resolution dated November 20, 1998, which limited who can be present on Pokagon Band land.

AND BE IT FURTHER RESOLVED: that camping at the Rodgers Lake site during the language conference and Potawatomi Gathering 2006 shall be limited to areas designated by the gathering Committee Co-Chairs. Persons who have validly registered and met all requirements applicable to camping may occupy the campsite and use the facilities during the period of registration.

AND FURTHER BE IT RESOLVED: that non-Pokagon members shall be allowed on Pokagon Band land provided they are present on the land because:

1. They are conducting business or performing work with or on behalf of the Band at the Band's request;
2. They are conducting business with or performing work with or on behalf of a person with a leasehold interest in the land;
3. They are a guest or invitee of the Band;
4. They are a guest of a person with a leasehold interest in the land;
5. They are currently employed by the Band or an entity or subordinate entity of the Band and acting within the scope of their employment;
- or
6. They are in the company of a Pokagon Band member and the Pokagon Band member accepts full responsibility of the non-member brought to the property by the Pokagon Band member.

Provided that said non-members are not performing or threatening to perform any act upon Pokagon Band land which is in violation of Pokagon Band law or threatens the peace, health, safety, or general welfare of the Band, a Band member, or another person present on Pokagon Band land.

AND BE IT FURTHER RESOLVED: that by adoption of this resolution, does not grant any interest or license in Pokagon Band land or the ability to engage in conduct which is or may be detrimental to the interests of the Band or its members.

AND BE IT FURTHER RESOLVED: that by adoption of this resolution, the Band is not impairing any contractual interest any party may have with the Pokagon Band.

AND BE IT FURTHER RESOLVED: that if the non-Pokagon Band member is present to engage in activity regulated by other areas of Pokagon Band law or policy or pursuant to a contractual interest, then the non-Pokagon Band member must abide by the law, policy or contract.

CERTIFICATION

We do hereby certify that the foregoing Resolution was presented and voted upon with a quorum present at a duly convened **Special** meeting of the Tribal Council held on the **8th** day of July, 2006, by a vote of **10** in favor, **0** opposed, **1** absent, and **0** abstaining.



John Miller
Tribal Council Chairman



Judy Winchester
Tribal Council Secretary