

# *Stockbridge-Munsee Community*

BAND OF MOHICAN INDIANS

TRIBAL COUNCIL OFFICES

## **RESOLUTION**

January 21, 2021

No. 017-21

- WHEREAS, The Stockbridge-Munsee Community is a federally recognized Indian tribe governed by the Stockbridge-Munsee Tribal Council pursuant to authority vested in the Council by a Constitution approved in November 1937, as amended;
- WHEREAS, The Stockbridge-Munsee Tribal Council has the authority under its Constitution and its inherent rights as a sovereign nation to act on behalf of the Community in area of economic affairs and other issues of self-governance;
- WHEREAS, The Tribe adopted 7 ordinance changes during the time frame of 2018 to 2020 that the Tribal Secretary submitted to the Bureau of Indian Affairs, Great Lakes Agency, for approval by U.S. Mail, return receipt requested;
- WHEREAS, As the Great Lakes Agency had failed to acknowledge or process those ordinances changes, the Tribe requested an update on the status of the ordinance approval in June 2020;
- WHEREAS, The Great Lakes Agency responded by letter dated September 24, 2020, stating that the Great Lakes Agency did not have record of the ordinances being submitted;
- WHEREAS, The Tribe submitted a follow-up document to the Great Lakes Agency that had copies of the previously submitted ordinances and the resolutions adopting those ordinances changes in November 2020;
- WHEREAS, By letter dated December 21, 2020, the Great Lakes Agency refused to process for approval ordinances that the Tribe twice submitted for approval since they did not have evidence that the Tribe had submitted the ordinances within 10 days of approval – even though the Tribe explained the return receipts were lost in the transition between Tribal Secretaries and offer to provide an affidavit about the mailing;
- WHEREAS, The Tribe contends that the Great Lakes Agency’s action of refusing to process the ordinances for approval without additional action by the Tribal Council is unreasonable, has cost the Tribe thousands of dollars due to delays in approval of tax changes, and caused other harm from delay in implementation; and
- WHEREAS, In order to facilitate the delayed approval of 7 ordinance changes that have been pending for years in some cases, the Tribal Council intends to confirm its prior

actions and re-submit the ordinances for approval for a third time;

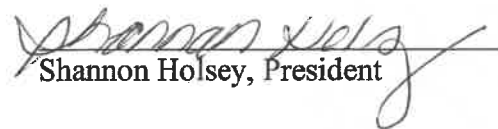
NOW THEREFORE BE IT RESOLVED, the Tribal Council confirms its prior actions and re-approves adoption of changes to the following ordinances with the specific changes described in the prior resolutions referenced.

Chapter	Ordinance Title	Resolution	Date Previously Approved by Tribal Council
57	Tax	#026-18	3/6/2018
56	Food	#034-18	4/17/2018
13	Truancy	#059-19	8/6/2019
70	Flag	#062-19	8/20/2019
5	Civil Procedure	#011-20	11/5/2019
5A	Appellate Procedure	#012-20	11/5/2019
54	Employment Preference	#030-20	1/21/2020

BE IT FURTHER RESOLVED, the Tribal Council directs the Tribal Secretary to submit these approved ordinances with both the prior resolutions and this new resolution to the Great Lakes Agency Superintendent within 10-days of the adoption of this resolution by both email and U.S. Mail, return receipt requested, and to make a follow-up call to the Great Lakes Agency offices to confirm that the documents have been received.

#### CERTIFICATION

I, the undersigned, as Secretary of the Stockbridge-Munsee Tribal Council, hereby certify that the Council is composed of 7 members, of whom 7, constituting a quorum, were present at a meeting duly called, noticed, and held on the 19<sup>th</sup> day of January, 2021, that the foregoing resolution was duly adopted at such meeting by a vote of 6 for, 0 against, and 0 abstaining.

  
Shannon Holsey, President

  
Jody Hartwig, Secretary