



THE MILLE LACS BAND OF
OJIBWE INDIANS

Executive Branch of Tribal Government

EXECUTIVE ORDER 125 - 99

An Executive Order for the Disposal of Tribal Property.

WHEREAS, Pursuant to Mille Lacs Band Statute 4 MLBSA § 6 (e), the Chief Executive is authorized to issue Executive Orders on any subject matter within the Executive Branch of government pursuant to the authority conferred by Band Statute;

WHEREAS, Pursuant to Mille Lacs Band Statute 4 MLBSA § 6 (f), the Chief Executive is the custodian of all Band property;

WEHREAS, Pursuant to Mille Lacs Band Statute 4 MLBSA § § 4 and 7 (i), the Chief Executive is authorized to take such measures as she deems necessary to prevent any harm from occurring to any program under her jurisdiction;

WHEREAS, Pursuant to Mille Lacs Band Statute 4 MLBSA § 6 (m), the Chief Executive may make rules and policies consistent with the provisions of Band Statute; and

WHEREAS, There is a need for a procedure for the disposition of surplus Band property.

NOW THEREFORE, BE IT ORDERED, That the following procedures are to be followed for the disposition of tribal property.

1. Executive Officers shall have the authority to determine whether there is a need to dispose of property within his or her jurisdiction.
2. Preference for disposition of property shall be given in the following order: Band departments, Band members and the public. Executive Officers shall provide a written notice of intent to dispose of property to all Executive Officers. Executive Officers may negotiate acceptable terms for such disposal between departments. Where two or more departments have a need for property, the Commissioner of Administration may determine which department has the highest need and award the property to such department.

DISTRICT I

HCR 67, Box 194 • Onamia, MN 56359
(320) 532-4181 • Fax (320) 532-4209

DISTRICT II

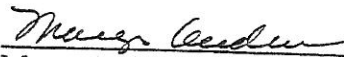
Route 2 • Box 58 • McGregor, MN 55760
(218) 768-3311 • Fax (218) 768-3903

DISTRICT III

Route 2 • Box 233-N • Sandstone, MN 55072
(320) 384-6240 • Fax (320) 384-6190

3. Property that is not disposed of within the Band departments shall be disposed of by a sealed bid process in accordance with this Order. The property shall be awarded to the highest bidder except when a Band member's bid is within 10% of the highest bid, he or she shall be given the opportunity to negotiate an acceptable bid.
4. Executive Officers shall publicly post Notices of Sale by Sealed Bid for no less than 14 days at the following locations:
 - (a) District I -- Government Center
 - (b) District II -- East Lake Community Center
 - (c) District III -- Lake Lena Community Center
 - (d) Publication in local newspapers if property has an estimated value of \$25,000 or more.
5. Notice of Sale by Sealed Bid must include the following information:
 - (a) A complete description of property including color, size, age, model number and serial numbers, if applicable.
 - (b) Only sealed bids will be accepted.
 - (c) Date, time and place for deadline for submission of bid.
 - (d) Property will be available for inspection during regular business hours.
 - (e) Date, time and place of opening of sealed bids.
6. Bids must be sealed and opened only in accordance with the Notice of Sale by Sealed Bid by the Executive Officers or his or her designee and at least one witness.
7. The property shall be turned over to the awardee as the earliest convenient time and when payment is received.
8. Proceeds and a description of the property must be remitted to OMB in order for OMB to apply such amount toward department income.
9. Executive Officers may delegate such authority to Department Heads.
10. Complaints for violations of this procedure shall be submitted in writing and signed by the complainant to the Commissioner of Administration.
11. This Order repeals and replaces any and all Band policies on the same subject.

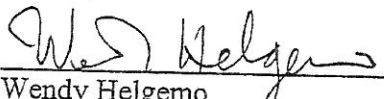
Dated this 14 day of May, 1999.



Marge Anderson
Chief Executive

Expiration Date: None.

APPROVED AS TO FORM,
EXECUTION AND NUMBERING.



Wendy Helgemo
Acting Solicitor General

OFFICIAL SEAL OF THE BAND