



THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

JOINT RESOLUTION 14-02-21-10

**A RESOLUTION RETURNING \$2,126.40 TO THE ESTATE OF
MICHAEL G. SMITH, JR. WHICH AMOUNT WAS INACCURATELY
DEPOSITED INTO A MILLE LACS RESERVATION JUDGMENT
ACCOUNT**

- WHEREAS, the Mille Lacs Band is federally-recognized Indian tribe; and
- WHEREAS, 3 MLBSA § 2 authorizes the Band Assembly to adopt resolutions; and
- WHEREAS, 4 MLBSA § 2 authorizes the Chief Executive to exercise all powers of the Executive Branch of government; and
- WHEREAS, 3 MLBSA § 7(a) empowers the Secretary-Treasurer to manage all fiscal operations of the Band; and
- WHEREAS, the Chief Executive and Band Assembly acknowledge that a letter was received from the Office of Special Trustee for American Indians (“OST”) dated September 17, 2010, indicating that OST erroneously deposited the entire Individual Indian Monies (“IIM”) account balance from the Estate of Michael G. Smith Jr., a Mille Lacs Band Member, to Mille Lacs Reservation judgment account number JA9262104; and
- WHEREAS, the Mille Lacs Band should have received the ineligible per capita principle amount of \$169.23 and \$527.87 of accrued interest; and
- WHEREAS, the remaining account balance should have been disbursed to the heirs of Michael G. Smith Jr.; and
- WHEREAS, the two amounts that were transferred to Mille Lacs Reservation judgment account number JA9262104 were: (1) \$169.23 listed as restored per capita; and (2) \$1,957.17 listed as accrued interest; and
- WHEREAS, a copy of a transaction sheet and the Bureau of Indian Affairs (“BIA”) Form 4285 are attached as Exhibit A and made a part of this resolution by reference; and
- WHEREAS, the Chief Executive and Band Assembly hereby approve of the OST returning the amount of \$2,126.40 to the Estate of Michael G. Smith Jr. for correct distribution to his heirs.

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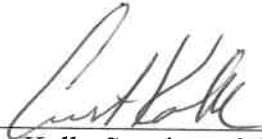
URBAN OFFICE

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NOW, THEREFORE, BE IT RESOLVED, that the Chief Executive and Mille Lacs Band Assembly hereby support and authorize the OST to return \$2,126.40 to the Estate of Michael G. Smith Jr. for correct disbursement of the funds to his respective heirs and the Mille Lacs Reservation.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present held on the 29th day of September, 2010 at Hinckley, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution and forwarded to the Chief Executive for concurrence.


Curt Kalk, Speaker of the Assembly

IN CONCURRENCE, with the action of the Speaker of the Assembly, I, set my hand to this resolution.


Marge Anderson, Chief Executive

OFFICIAL SEAL OF THE BAND