



THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

JOINT RESOLUTION 18-01-157-18

**A JOINT RESOLUTION APPROVING A LIMITED WAIVER
OF SOVEREIGN IMMUNITY IN THE EZFACILITY MASTER
SUBSCRIPTION AGREEMENT**

WHEREAS, the Mille Lacs Band Assembly (“Band Assembly”) is the duly-elected governing body of the Mille Lacs Band of Ojibwe (“Band”), a federally-recognized Indian Tribe; and

WHEREAS, pursuant to 3 MLBSA § 2 (d), the Band Assembly has the power to adopt resolutions to promote the general welfare of the people of the Band; and

WHEREAS, pursuant to 4 MLBSA § 2, the Chief Executive of the Band is empowered to exercise the Executive Branch powers of the Band; and

WHEREAS, pursuant to 24 MLBSA § 2(b), the Court of Central Jurisdiction shall have exclusive original jurisdiction over all civil matters involving the Band or its entities to the Court of Central Jurisdiction unless by written contract, the Band consents to the jurisdiction of any other court or courts of competent jurisdiction and waives its sovereign immunity only to this extent, and the Band Assembly adopts a resolution ratifying the contract; and

WHEREAS, the Band Assembly and Chief Executive desire to enter into a master subscription agreement (“Agreement”) with EZFacility, Inc. for the gym management software at the Meshakwad Community Center located in Hinckley, Minnesota; and

WHEREAS, all Mille Lacs Band of Ojibwe elected officials have acknowledged that governing law and venue and jurisdiction provisions granting a limited waiver of sovereign immunity are contained within the Agreement; and

WHEREAS, the Band Assembly and Chief Executive hereby approve of the limited waiver of sovereign immunity contained in the Agreement.

NOW THEREFORE BE IT RESOLVED, that the Band Assembly and Chief Executive approve the limited waiver of sovereign immunity contained in the EZFacility Master Subscription Agreement for services as described above.

DISTRICT I

43408 Oodena Drive • Onamia, MN 56359
(320) 532-4181 • Fax (320) 532-4209

DISTRICT II

36666 State Highway 65 • McGregor, MN 55760
(218) 768-3311 • Fax (218) 768-3903

DISTRICT IIA

2605 Chiminising Drive • Isle, MN 56342
(320) 676-1102 • Fax (320) 676-3432

DISTRICT III

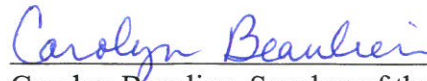
45749 Grace Lake Road • Sandstone, MN 55072
(320) 384-6240 • Fax (320) 384-6190

URBAN OFFICE

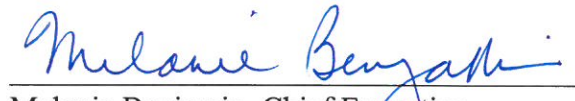
1404 E. Franklin Avenue • Minneapolis, MN 55404
(612) 872-1424 • Fax (612) 872-1257

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on the 10th day of May, 2018 at Minisinaakwaang, 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.


Carolyn Beaulieu, Speaker of the Assembly

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


Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND