



SQUAXIN ISLAND TRIBE

RESOLUTION NO. 11-05

of the

SQUAXIN ISLAND TRIBAL COUNCIL

WHEREAS, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe, its members, its lands, its enterprises and its agencies by the authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and

WHEREAS, under the Constitution, Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources and rights of the Tribe; and

WHEREAS, the Tribe is a federally-recognized Indian Tribe possessing reserved powers, including the powers of self-government; and

WHEREAS, the Squaxin Island Tribal Council has been entrusted with the creation of ordinances and resolutions in order to fulfill their duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources of the Tribe; and

WHEREAS, the Squaxin Island Tribe's wholly owned enterprise, the Little Creek Casino Resort, has undertaken the operation of the Salish Cliffs Golf Course.

WHEREAS, The Casino has negotiated the terms of a financing master lease and related documents with PNC Equipment Leasing LLC in order to obtain equipment necessary to maintain and operate the Golf Course.

WHEREAS, in order to induce PNC Finance LLC to complete and execute the master lease, rental schedules and related documents, it is necessary for the Tribal Council to authorize the Casino to provide a limited waiver of sovereign immunity; to consent that the Tribe enter dispute resolution and/or be sued federal courts or potentially state courts in disputes related to the transaction; and to consent to the potential application of certain substantive laws of Washington.

NOW THEREFORE BE IT RESOLVED, that the Squaxin Island Tribal Council hereby authorizes, the Little Creek Casino Resort, the Little Creek Oversight Board, and Mitch Corbine, CEO to enter into the attached master lease, rental schedules, and related documents.

NOW THEREFORE BE IT FURTHER RESOLVED, the Tribal Council specifically limits its authorization of the Casino's waiver of sovereign immunity to the limited waiver as stated in Part 2 of the Certified Equipment Lease Resolutions and Limited Waiver of Sovereign Immunity; and

NOW THEREFORE BE IT FINALLY RESOLVED, that the Tribal Council hereby authorizes the Little Creek Casino Resort, the Little Creek Oversight Board, and Mitch Corbine, CEO to do any and all accounts necessary to effect execution of the master lease, rental schedules and related documents, and such future rental schedules as may be agreed to under the Master Lease in substantially the same form as the attached. .

CERTIFICATION

The Squaxin Island Tribal Council hereby certifies that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this 24 day of January, 2011, at which time a quorum was present and was passed by a vote of 5 for and 0 against, with 0 abstentions.



David Lopeman, Chairman

Attested by: 

Peter Kruger, Secretary



Arnold Cooper, Vice Chairman