



Ordinance # 06-01

**AN ORDINANCE CREATING THE
CITIZEN POTAWATOMI UTILITY AUTHORITY**

WHEREAS, the Citizen Potawatomi Nation is a federally recognized Tribe of American Indians with Constitutional authority under the Oklahoma Indian Welfare Act of June 26, 1936, (49 Stat. 1967); and

WHEREAS, the Citizen Potawatomi Nation has sovereign powers that are inherent in Tribal tradition, derived from a history of organized self-government since time immemorial, and recognized by treaties with the United States and in the Constitution of the United States; and

WHEREAS, Article 7, Section 2 of the Citizen Potawatomi Nation Constitution provides for a separation of powers of the Tribal government by the reservation and delegation of specific powers to other entities of the Tribal government; and, except for these specific limitations, all other general powers of government are embodied in the Business Committee's authority "to enact legislation, transact business, and otherwise speak and act on behalf of the Citizen Potawatomi Nation in all matters on which the Nation is empowered to act now or in the future"; and

WHEREAS, having a reliable water supply and distribution system, as well as other public utilities, is essential to the health, welfare and safety of everyone residing in Citizen Potawatomi Indian Country and is an essential governmental service to said residents; and

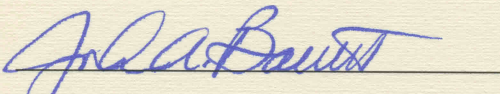
WHEREAS, the asset purchase agreement between the Citizen Potawatomi Nation and the Pottawatomie County Rural Water District No. 3 provides for the creation of a public utility authority to oversee the supply and distribution of water assets.

NOW, THEREFORE BE IT ORDAINED BY THE BUSINESS COMMITTEE OF THE CITIZEN POTAWATOMI NATION, that an Ordinance authorizing the creation of a Citizen Potawatomi Utility Authority **IS HEREBY APPROVED**; and

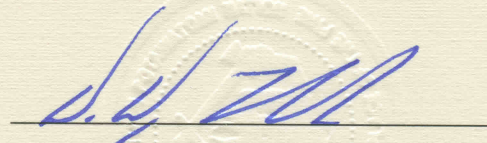
NOW THEREFORE BE IT FURTHER ORDAINED, that the attached *Plan of Operation* and *General Powers* are hereby adopted.

CERTIFICATION

We, the undersigned members of the Business Committee of the Citizen Potawatomi Nation do hereby certify that the above is a true and exact copy of Ordinance POTT # 06-01, as approved on the 25th day of January, 2006 with 5 voting for, 0 opposed 0 absent or abstaining.



John A. Barrett,
Chairman



D. Wayne Trousdale,
Secretary-Treasurer