

WARRIOR SOCIETY ORDINANCE
Ordinance # 10-700-09

Article I. Purpose; Findings

1.01 Purpose. The Little River Band of Ottawa Indians has determined that it is in the best interests of its Tribal citizens to establish an independent Warrior Society for the following purposes:

- a. To uphold and defend the Constitution of the Little River Band of Ottawa Indians and the Constitution of the United States.
- b. To recognize tribal citizens who have served in the military, and to provide support for them and their families.
- c. To promote peace and goodwill within the tribe and the world.
- d. To preserve the Tribe's culture, language, values and traditions.
- e. To provide enlightenment and traditional teaching to honor the Tribe's warriors.

1.02 Findings. The Tribal Council of the Little River Band of Ottawa Indians finds that:

- a. Article IV, Section 7(a), of the Constitution of the Little River Band of Ottawa Indians delegates to the Tribal Council the responsibility to govern the conduct of citizens of the Little River Band and other persons within its jurisdiction; and to promote, protect and provide for public health, peace, morals, education and general welfare of the Little River Band and its members.
- b. Article IV, Section 7(f) of the Constitution authorizes Tribal Council to create by ordinance regulatory commissions or subordinate organizations and to delegate to such organizations the power to manage the affairs and enterprises of the Little River Band, provided that no subordinate organization shall exercise powers of the Tribal Council unless they are expressly delegated by the Tribal Council.
- c. There is a need for an independent Warrior Society that shall have the delegated powers necessary to take action to ensure that Tribal Veterans obtain the honor and respect they deserve.
- d. Title 26 of the Internal Revenue Code provides that all contributions or gifts made to an organization of war veterans constitute charitable contributions.

Article II. Adoption; Amendment; Repeal; Severability; Title

2.01 Adoption. This Ordinance is adopted by Resolution # 10-1013-___.

2.02 Amendment. This Ordinance may be amended by the Tribal Council in accordance with the Constitution, the Administrative Procedures Act, and any rules set forth governing amendment of laws of the Little River Band of Ottawa Indians.

2.03 Repeal. This Ordinance may be repealed in accordance with the procedures set forth in Article IV of the Administrative Procedures Act – Ordinance #04-100-07.

2.04 Severability Clause. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

2.05 Title. This Ordinance shall be referred to as the Warriors Society Ordinance.

Article III. Definitions

3.01 General. For purposes of this Ordinance, certain terms are defined in this Article. The word

“shall” is always mandatory and not merely advisory.

3.02. *Tribe* means the Little River Band of Ottawa Indians.

3.03. *Tribal Council* means the Tribe’s governing body.

3.04. *Tribal citizen* means an individual enrolled as a member of the Tribe.

3.05. Society shall mean the Little River Band of Ottawa Indians Warrior Society.

Article IV. Creation of the Warrior Society.

4.01. *Formation of the Warrior Society.* There is hereby authorized the creation of a Tribal organization named “The Little River Band Warrior Society”.

4.02. *Mission.* The Society is established to uphold and defend the Constitution of the Little River Band of Ottawa Indians and the Constitution of the United States; to recognize tribal citizens who have served in the military and provide support for them and their families; to promote peace and goodwill within the tribe and the world; to preserve the Tribe’s culture, language, values and traditions; and to provide enlightenment and traditional teaching to honor the Tribe’s Warriors

4.03. *Membership.* Membership in the Society shall be limited to tribal citizens who have served in active duty in the U.S. military for a minimum period of ninety (90) days and who have not been dishonorably discharged from any branch of the U.S. military.

4.04. *Officers.* The Society shall be led by Officers elected by the Society’s membership. The Officers shall be known collectively as the Board of Officers and shall include a Commander, Vice Commander, Secretary, Sergeant at Arms, Chaplin, and Treasurer. The Board of Officers shall provide guidance for or otherwise administer the operation of the Society in accordance with this Ordinance. Each Officer shall serve a two (2) year term subject to removal under Section 5.05.

Article V. Election and Officers

5.01. *Election of Officers.* The election of Officers shall take place every second (2nd) year at the Society’s Annual Meeting. Each Officer shall be elected by a majority vote of the members present at that Annual Meeting.

5.02 *Elections.* The Board of Officers shall adopt rules consistent with law, if any; solicit nominations; certify the list of candidates after determining whether each candidate meets the qualifications for office; conduct the polling of the members present; and certify the election results. The newly elected Officers shall be sworn in and seated after the election results are certified by the Board of Officers.

5.03 *Term of Office.*; Terms begin on the date an Officer takes office and ends at the next Annual Meeting that includes a subsequent election of Officers unless there is a removal under Section 5.05.

5.04 *Vacancies.* A vacancy with less than six (6) months remaining to the end of the term shall be filled for the remainder of the term by appointment. The appointment shall require a majority vote of the remaining members of the Board of Officers. If more than six (6) months remains in the term, a special election shall be held at the next regularly scheduled monthly meeting.

5.05 *Removal from Office.* An Officer may be removed for the following reasons by a majority plus one (1) vote of the members present at a regularly scheduled meeting, or at a special meeting called in accordance with Section 6.05. When the Board of Officers obtains information that an Officer has engaged in any of the following conduct, it shall be required to bring forward a motion for removal:

- a. Failure to attend four (4) consecutive regularly scheduled meetings without valid reason.
- b. Conviction of a felony while holding office.
- c. Conviction of a misdemeanor act that infringes on the professional responsibilities and integrity of the member while holding office.
- d. Conduct that is seen as unethical, malfeasant or could be considered moral turpitude while in office.
- e. The Officer is disenrolled from the Tribe.

A letter of notification of removal shall be sent to the Officer that is to be removed. The letter shall be signed by a majority of the Officers and shall include the reasons for the removal action and the date of the meeting at which the removal will be considered. At that meeting the Officer shall be allowed to present a defense if so desired. Members present shall have the opportunity to express their opinions after which the vote for removal shall be taken.

5.06 Election Board. The Board of Officers can at their discretion appoint a Board of Elections to oversee the election process, adopt rules consistent with law, if any, solicit nominations, certify the list of candidates after determining whether each candidate meets the qualifications for office and conduct the polling of the members. Each member of the Election Board shall be a member of the Society. No Officer shall serve on the Election Board.

5.07 Voluntary Resignation. An Officer may resign at any time by submitting a written statement to the Commander indicating the desire to resign. The Officer who resigns shall return all Society materials to the Society within two (2) weeks following the effective date of the resignation. If a verbal resignation is given and a written statement cannot be obtained, the Officer shall be removed according to Section 5.05 - Removal from Office .

5.08 Compensation. The society is a volunteer organization; the Officers shall serve without compensation.

5.09 Reimbursement for Travel-Related Expenses. Pre-approved travel-related expenses that comply with Chapter 2 of the Budget and Appropriations Regulations may be reimbursed. Any such reimbursement is strictly subject to availability of funds and reimbursements shall be approved by majority vote of the Board of Officers.

Article VI. Meetings

6.01 Quorum. A quorum of the Board of Officers shall consist of four (4) Officers.

6.01 Meetings. Meetings shall be conducted in accordance with Robert's Rules of Order. In keeping with traditional values, a modified talking circle format shall be used.

6.02 Regular Monthly Meetings. Regular meetings shall be held monthly and be open to the public. The time and place of the meetings shall be set by the Board of Officers.

6.03 Annual Meeting. An annual meeting shall be held each year in the month of November. Items discussed at the annual meeting shall include:

- a) Election of Officers (as required)
- b) Submittal and review of the next year budget
- c) Review and update of the Society's missions, goals and Code of Regulations.
- d) Policy review and revisions
- e) Veteran's Annual Feast.

6.04 Executive Meeting. Executive meetings of the Board of Officers may be called from time to time by the Commander, Vice-Commander or any two Officers.

6.05 Special Meeting. A special meeting of the Society may be called from time to time by the

Commander, Vice-Commander or any two Officers.

6.06 Training/Practice Meeting. Meetings to conduct drill team or honor bearer training may be called by any Officer in preparation for an upcoming event.

6.06 Meeting Notice. Notice of regular and annual meetings shall be posted in the Little River Currents at least two weeks prior to the meeting date. Other acceptable forms of communication such as email or U.S. mail may also be used. Executive meetings require notification to the Officers via U.S. mail, email or telephone at least three days prior to the meeting date. Special meetings require that notice be sent to members at least one week in advance of the meeting date. Notification of training meetings shall be at the discretion of the Officer calling the meeting.

6.07 Waiver of Notice. Waiver of notice for an executive meeting shall require a written waiver from each Officer.

Article VII. Duties of Officers

7.01 Commander. The Commander shall:

- a) Present monthly reports to Tribal Council
- b) Preside over meetings of the Society
- c) Consult with the Secretary regarding the planning of the meeting agendas.
- d) Provide for the orderly conduct of Society meetings
- e) Notify the membership of matters that require the attention or action of the Society.
- f) Consult and confer with the other Officers on crucial matters which may occur between meetings.
- g) Recommend the establishment of Ad Hoc committees, subject to the approval of the membership.
- h) Be an authorized signatory for bank accounts, contracts or other official documents subject to the requirements of Article VIII.
- i) Appear on behalf of the Society in all actions brought by or against the Society.
- j) Act as public spokesperson for the Society.

7.02 Vice-Commander. The Vice Commander shall assume the duties and responsibilities of the Commander in the absence of the Commander.

7.03 Secretary. The Secretary of the Society shall:

- a. Maintain accurate minutes of Society meetings.
- b. Publish notice of meetings
- c. Publish and distribute the meeting agendas and minutes.
- d. Maintain the historical files of the Society.
- e. Maintain the Code of Regulations
- f. Perform any other duties which may be assigned by the Commander

7.04 Treasurer. The Treasurer shall:

- a. Establish and maintain control over the Society's cash, assets and bank accounts
- b. Maintain the financial records of the Society
- c. Prepare and file forms or reports required by the Tribe or other government entity
- d. Design & complete forms for the use of the Society.
- e. Prepare the annual budget
- f. Prepare payment of valid invoices
- g. Prepare and present financial reports at each regular monthly meeting.
- h. Present quarterly financial reports to Tribal Council
- i. Arrange for the annual audit

7.05 Chaplin. The Chaplin shall be responsible for the on-going development and preservation of the Society's culture, language, beliefs, values, and traditions and to preserve those cultural elements significant to the Society and all Anishinaabek. The Chaplin shall represent the Society in spiritual and teaching activities.

7.06 Sergeant at Arms. The Sergeant at Arms will act as the Society's parliamentarian, maintain order at meetings and coordinate meeting location and preparation with the Secretary.

Article VIII. Authority Over Finances; Funding; Regulations Required

8.01 Bank Account. The Society is authorized to open and maintain a bank account subject to the approval of the Tribe's Chief Financial Officer and Tribal Council Liaison. Two signatures shall be required for checks or other withdrawals. Authorized signatories shall be either the Commander or the Treasurer and one other Officer of the Board. All funds generated by the Society shall be deposited into its bank account and all excess funds at the conclusion of any fiscal year shall remain in that account and not be transferred to the Tribe's general fund.

8.02 Annual Audit. The Society shall be subject to an annual audit in accordance with the Tribe's Government Business and Accounting Act of 2009.

8.03 Contracts. The Society is not authorized to enter into any contracts or long-term agreements.

8.05 Budgets. The Society shall prepare and submit an annual budget by September 30 of each year to the Tribal Council for approval. The society shall not be authorized to borrow funds or to operate at a deficit.

8.05 Sovereign Immunity The Society shall have no authority to waive the Tribe's or the Society's sovereign immunity.

8.06 Authority over Finances. The Society shall have authority to collect, encumber and expend funds in accordance with Chapter 5 of the Budget and Appropriation Regulations. All requests for expenditures of funds shall be signed by either the Commander or the Treasurer and one other Officer.

8.07 Annual Funding. The Tribe shall make all reasonable efforts to fund the Society on an annual basis in accordance with Tribal law and consistent with the Society's approved budget and identified needs.

8.08 Code of Regulations. The Society shall develop a Code of Regulations to govern the activities of the society.

CERTIFICATION

I, Janine Sam, Tribal Council Recorder, do hereby certify that this is a true and correct copy of the Warrior Society Ordinance adopted by the Tribal Council on 10/13/2010.



