



Little River Band of Ottawa Indians

375 River Street
Manistee, MI 49660
(231) 723-8288

Resolution # 02-0529-05

Adoption of Amendments to the Housing Commission Ordinance, # 96-700-01

WHEREAS, the Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. §1300k et seq.); and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council has adopted a Housing Commission Ordinance, # 96-700-01, which created a regulatory commission under its authority in Article IV, Section 7(h); and

WHEREAS, the Tribal Council has adopted the Commissions Ordinance, # 01-100-06, which identifies standard processes and requirements for the organization of commissions and conduct of activities by commissions; and

WHEREAS, the Housing Commission has developed by-laws in accordance with the Commissions Ordinance and has also made recommended changes to the Housing Commission Ordinance to better coordinate between the Commissions Ordinance and the proposed by-laws; and

WHEREAS, the Tribal Council Liaison has reviewed the recommended changes;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby adopt the amendments to the Housing Commission Ordinance as identified as follows.

4.05. Term of Office.

(a) *Initial Appointments*. The term of office for commissioners shall be four years and staggered, ~~provided that when the Commission is first established, one member's term shall be designated to expire in one year, another to expire in two years, a third to expire in three years, and the last two in four years. Thereafter,~~

~~all appointments shall be for four years, except that in the case of a prior vacancy.~~

(b) *Resignations.* ~~Resignation of a commissioner is effective upon submission and cannot extend longer than a thirty day period once received by the Chairperson or Secretary. Each member of the Commission shall hold office until his successor has been appointed and has qualified.~~

(b c) *Vacancies.* In the case of any vacancy resulting from the death, resignation or removal of a Commissioner, the Tribal Ogema shall nominate one or more persons for appointment by the Tribal Council to fill the vacant position within 30 days after such vacancy occurs. The term of office for any person appointed to fill a vacancy shall be only for the length of the unexpired term he/she is filling.

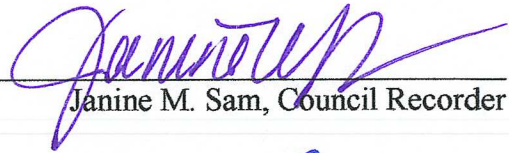
4.06. *Appointment of Commission Officers.* ~~The Council shall designate one of the Commissioners appointed to serve as Chairperson of the Commission. The Commission shall elect from among its members a Vice-Chairperson, and a Secretary, and a Treasurer, and any member may hold two of these positions. In the absence of the Chairperson, the Vice-Chairperson shall preside, and in the absence of both the Chairperson and Vice-Chairperson, the Secretary shall preside. If the Chairperson should die, resign or be removed from office during his/her term of office, the Council Commission shall designate another Commissioner to serve as Chairperson for the balance of his/her term.~~

4.07. *Removal of Commissioner.* A member of the Commission may be removed by the appointing power for serious inefficiency, neglect of duty, or for misconduct in office. ~~All processes and proceedings must comply with the Commissions Ordinance, Ordinance # 01-100-06 and the Removal Rules and Procedures Ordinance, Ordinance # 01-100-07;~~ but only after a hearing before the Tribal Council and ~~duly after the member has been given a written notice of the specific charges against him/her at least 10 days prior to the hearing. At any such hearing, the member shall have the opportunity to be heard in person or by counsel and to present witnesses in his/her behalf. In event of removal of any Commission member, a record of the proceedings, together with the charges and findings thereon, shall be maintained by the Tribal Council.~~

4.10. *Duties of Secretary.* The Secretary shall keep complete and accurate records of all meetings and actions taken by the Commission. These records shall be retained at the offices of the Housing ~~Commission Department.~~

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on May 29, 2002, at the Little River Band's Community Center in Manistee, Michigan, with a quorum being present for such vote.


Janine M. Sam, Council Recorder


Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Legal Department
Tammy Kleeman, Councilor/Liaison
Helen Ann Yunis, Attorney
Ruth Bussey, Director Housing Department
Phil Memberto, Chairperson, Housing Commission