

Little River Band of Ottawa Indians

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

Resolution # 02-0828-05

Adoption of Amended Enrollment Commission By-Laws

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(f) to create regulatory commissions; and

WHEREAS, the Tribal Council created the Enrollment Commission in 1994 by adopting the Enrollment Ordinance, as amended, # 97-200-01, and delegated authority and responsibility to carry out actions as set forth in that ordinance; and

WHEREAS, the Tribal Council adopted the Commissions Ordinance, # 01-0100-06, which sets forth standards of conduct and process, including the requirement to adopt and submit by-laws; and

WHEREAS, resolution # 01-1107-04 required commissions to forward by-laws for approval, and which was amended by resolution # 02-0327-03, which extended the deadline for submission to May 15, 2002; and

WHEREAS, the Enrollment Commission approved their by-laws for submission to the Tribal Council on May 14, 2002; and

WHEREAS, as a result of anticipated amendments to the Enrollment Ordinance, #02-200-01, which were adopted on July 31, 2002, the Enrollment Commission has reviewed and approved amendments to the by-laws which would conform to those amendments on July 23, 2002; and


WHEREAS, the Tribal Council Liaison has reviewed the by-laws and recommends approval;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby adopts the amended Enrollment Commission by-laws in accordance with Section 6 of the Commissions Ordinance for immediate implementation.

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 August 28, 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:

cc: Pat Ruiter, Council Liaison
Helen Ann Yunis, Attorney Liaison
Katie Glocheski, Chairperson Enrollment Commission
Kim Alexander, Enrollment Officer
Sandy Chandler, Accounting

Little River Band of Ottawa Indians Enrollment Commission By-Laws

Article I. Title; Authority; Purpose

1.01. *Title.* This entity shall be known as the "Little River Band of Ottawa Indians Enrollment Commission," and may be referred to as the "Enrollment Commission." The official office and mailing address is:

375 River Street
Manistee, MI 49660

1.02. *Authority.* The Enrollment Commission was created by –

- a. Delegated authority in Section 4 of the Enrollment Ordinance, Ordinance # 97-200-01, as amended January 31, 2001.
- b. Adoption of by-laws by Tribal Council resolution # 02-0529-08, and amended by Tribal Council resolution # _____.

1.03. *Purpose.* As identified in Tribal Council resolution # 02-0529-08 and the Enrollment Ordinance, the purpose of the Enrollment Commission is –

- a. To assist with the enrollment of individuals as members of the Little River Band of Ottawa Indians and in furtherance of the Tribal Council's authority to provide for the health, safety, morals and welfare of the Tribe.

Article II. Commissioners

2.01. *Members.* The Enrollment Commission shall have 7 members who are enrolled with the Little River Band of Ottawa Indians and are at least 21 years old. The term of office for a member of the Enrollment Commission shall be four years.

2.02. *Vacancy of member.* An individual appointed to the Commission shall fill the term of the vacant office. Provided that, appointment to a vacancy for which a term of office has less than six months remaining, shall be appointed for the remainder of the vacant term and a full term thereafter.

2.03. *Officers.* The Enrollment Commission shall have the following officers who shall be elected by the members for a one-year term of office. No member may serve in two officer positions.

a. *Chairperson.* This officer shall be responsible for:

1. Calling all meetings.
2. Presiding at all meetings.
3. Managing and reporting on all finances of the entity.
4. Reporting to the Tribal Council and other entities or persons as directed.
5. Signing all correspondence and representing the Enrollment Commission at all meetings with outside entities, unless by motion, the Enrollment Commission designates another member to act as a representative at a meeting with outside entities.

b. *Vice Chairperson.* In the absence of the Chairperson, the Vice Chairperson shall carry out the Chairperson's duties.

c. *Secretary.* This officer shall be responsible for:

1. Reviewing all minutes, agendas, reports and correspondence of the Enrollment Commission.
2. Presiding at duly called meetings in the absence of the Chairperson and Vice Chairperson.
3. The records shall be retained at the offices of the Enrollment Department.

2.04. *Vacancy of Officers.* A vacancy created in an officer position shall be filled for the remainder of the vacant term.

Article III. Duties and Responsibilities

3.01. The Enrollment Commission has the following duties and Responsibilities:

- a. *Fair and Equitable Process.* To ensure that the enrollment process is as fair and equitable

as possible.

b. *Rolls*. To assist with the preparation of any special rolls.

c. *Application*. To review each application, the recommendations of the Enrollment Officer, and make its determination in writing stating the reason(s) for acceptance or rejection of the application.

d. *Bi-Annual Audit*. The Enrollment Commission shall review and approve or disapprove findings in the bi-annual audit.

e. *Hearings*. The Enrollment Commission shall hold hearings regarding the Bi-Annual audit and render a written decision.

Article IV. Meetings

4.01. *Meetings*. The Enrollment Commission shall have two meetings per month. The Commission shall establish the regular meeting schedule no later than the last meeting prior to the end of the calendar year for the next calendar year. The schedule shall be posted upon adoption of the Little River Health Center, Little River Tribal Office, Little River Band Community Center, and the Little River Band Downtown Office Building. The meeting place shall be at 375 River Street, Manistee, Michigan, unless notified otherwise to all members at least 24 hours prior to the meeting.

4.02. *Special Meetings*. The Chairperson may call special meetings by giving 24 hours notice to all members. Such notice shall be in writing where possible, provided that, the Chairperson or Secretary may telephone all members and follow-up with written notice at the earliest possible time. Special meetings may be called for the purpose of conducting business that, should the matter wait until such time as a regular meeting is held, it would be detrimental to the health, safety or welfare of the Tribe, its members or the regulated activity.

4.03. *Closed Session*. The Enrollment Commission shall discuss all decisions regarding an applicant's eligibility for enrollment in closed session.

4.04. *Quorum*. The Enrollment Commission shall have two members present, and one officer, to make a quorum at meetings. Provided that, the Enrollment Commission may promulgate regulations which identify other procedures for the conducting of hearings of the Commission and the number of members necessary to conduct the hearing.

4.05. *Agenda*. Every meeting shall be conducted in accordance with an agenda which has been sent, whether by mail, fax, or other transmission method, to each member. The Enrollment Commission may, by majority vote, accept additional items for the agenda, at the time of the meeting, which were not given prior notice. Each agenda shall contain the following sections, and any other sections as may be necessary to clearly identify the business to be conducted.

a. Call to Order

b. Approval of Agenda

c. Approval of Minutes

d. Old Business

e. New Business

f. Adjournment

4.06. *Minutes*. The minutes shall be drafted in such a fashion so as to clearly identify –

a. the date and time the meeting was called to order;

b. the members present, and whether the Chairperson is/is not present;

c. the adoption of the agenda, and any amendments;

d. the action taken regarding each agenda item; and

e. the date and time the meeting was concluded, and the manner in which it was concluded, i.e. loss of quorum, completed, etc.

4.07. *Disclosure of minutes to Tribal Council*. The Enrollment Commission shall forward all open session meeting minutes to the Tribal Council. Closed session meeting minutes shall be retained by the Enrollment Commission via the Enrollment Department. The closed session meeting minutes shall not be disclosed to any person or entity, with the exception of allowing access of the

information pursuant to the applicable provisions of the Budget and Appropriations Ordinance. Ordinance # 01-100-04.

Article V. Employees; Liaison

5.01. *Employees.* The Enrollment Commission does not have the power to employ individuals.

5.02. *Liaison.* The responsibilities of the liaisons between the Enrollment Commission and the Tribal Council shall be as set forth herein.

a. *Commission.* The Enrollment Commission shall choose a liaison from among its members who is responsible for interacting with the Tribal Council liaison to bring issues to the Tribal Council, and to bring issues from the Tribal Council to the Commission.

b. *Tribal Council.* The Tribal Council liaison shall be responsible for identifying a contact number and office location at which the entity may leave documents, messages, requests, and other like information. The Tribal Council liaison may attend meetings, but is not required to do so.

c. *Regulated Area.* The Enrollment Department area shall identify a contact person to which correspondence, requests, and other like material shall be sent.

Article VI. Amendment; Repeal

6.01. *Amendment.* These by-laws shall be reviewed on an annual basis by the Enrollment Commission for amendments. All amendments must be presented at least one meeting prior to action and must be adopted by a two-thirds vote of the members present. Amendments are final when presented and approved by the Tribal Council through a resolution created and submitted by the Commission.

6.02. *Repeal.* These by-laws may be repealed by the presentation of a request to the Tribal Council by the Commission in the form of a resolution containing the reasons a repeal of these by-laws are necessary. The Commission must approve the repealing resolution by a two-thirds vote of the members present. Further, the Tribal Council may unilaterally repeal these by-laws by amendment to the creating Ordinance or by adoption of a resolution calling for the repeal of the Commission's by-laws.

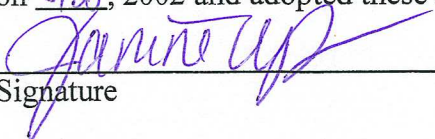
CERTIFICATION

I, Katie Glocheski, as Chairperson of the Enrollment Commission, do hereby certify that the Enrollment Commission adopted these amended by-laws at a duly called meeting on July 23, 2002.

Signature

Date

I, Janine Sam, as Tribal Council Recorder do hereby certify that the Tribal Council, at meeting called on 8/28, 2002 and adopted these by-laws.



Signature

8/29/02

Date