

LITTLE RIVER BAND OF OTTAWA INDIANS
BOARD OF DIRECTOR'S MEETING
JUNE 14, 1994 - MINUTES

I. General Business

a. Call to Order. The meeting was called to order by Chairman Dan Bailey at 6:45 pm at the tribal office.

b. Roll Call. Board members present: Dan Bailey, Bob Guenthardt Margaret Chandler, Kathy Berentsen, Jerry Guenthardt (proxy for Anne Avery), Mary Oleniczak (proxy for Bonnie Kenny). Staff present: Mark Dougher, Diane Lonn, Ginger Johnson. Guests: Bill Brooks, Tammy Carter

c. Adoption of Agenda. No agenda was prepared for this special board meeting, since the only agenda item involved discussion and action on the Constitution & By-laws.

d. Adoption of Minutes. Suspended.

e. Financial Report. Suspended.

f. Staff Reports. Diane and Ginger had prepared written reports for the Board. Mark reported that the mark-up on H.R. 2376 was postponed again until June 22, 1994. If it is favorably reported out of the House Natural Resources Committee, it is unlikely that the bill will be taken to the House floor before the 4th of July recess.

g. Public Comment. Bill Brooks reported that he received a phone call from the U.S. Fish & Wildlife regarding the opinions and goals of our tribe towards hunting and fishing rights. He said they will work with us on these issues in any way they can.

II. Old Business

a. Review and Adoption of the Constitution & By-laws.

Bill Brooks highlighted the major areas of concern and briefly covered the rest of the governing document.

Article I - Name

This comes from the current band through to the historic bands.

Article II, Section 2(b)
example: Child welfare cases - the tribe has as much power as the United States government.

Article III, Section 1(b)
This relates back to the Durant Roll. Questions were raised about enrollment and the fact that some applicants are having a difficult time proving their descendency from one of the chief's identified in the membership criteria. On the other hand, if an applicant can prove that they descend from an ancestor who took an allotment or homestead within the Little River service area, then that would be sufficient proof.

Article III, Section 2 - Membership by Adoption
A system needs to be set up of what our criteria will be for adoption into the tribe. People holding office should be limited to Ottawa. Non-Ottawa adoptees may be elected to the tribal council, but cannot hold any of the executive offices.

Article III, Section 3 - Qualifications
This needs to be looked at in more detail. What if someone currently lives within the service area and is elected to the council, then during their term they move out of service area. Will they then have to be removed from the council?

Article IV, Section 1
Tribal Council appoints Election Committee 90 days prior to next election.

Article IV, Section 4 - Voting
If people 18 years or older want to vote it is their responsibility to get to a poll where they may vote.

Article VI, Section 1(d)
Membership meetings: must have general membership meetings twice per year to let the members know what is going on and to keep everyone informed.

Article VI, Section 1(f)
Proxy voting must be in writing with minutes from that meeting. The proxy can only vote on issues they were given vote for. If something else comes up that needs a vote it must wait until next meeting unless a phone proxy is made.

Article VI, Section 6 - Conflict of Interest
This is the responsibility of each individual to speak up if they have a problem on which they need to abstain.

Article VIII, Section 1(a)
Member can propose ordinance to membership due to the fact that the council doesn't want to take action on certain matter.

Article VIII, Section 2 - Referendum

This allows the council to defer certain decisions to the vote of the membership prior to enactment.

Article IX, (i)

"Bill of Attainder" refers to when a law is addressed to a specific person.

Article XV - Certificate of Adoption

Jerry motioned to adopt the Constitution & By-laws, except to amend the typographical error in Article 4, Section 4(a) from: "...Article VI..." to "...Article V...". Seconded by Kathy. Roll call was taken again to verify boardmembers present: Dan, Margaret, Kathy, Bob, Jerry and Mary. Passed unanimously. The Constitution & By-laws was signed by Daniel Bailey, Chairman and Kathy Berentsen, Secretary.

Bill Brooks suggested that we start following the procedures defined in the Constitution and be familiar with them. This will make it easier when the tribe is recognized. We need to develop a manual that outlines the various procedures for the Council to follow in order to conduct business, address grievances, etc.

III. New Business

No new business was scheduled on the agenda, nor was any discussed.

IV. Concluding Business

- a. Next Meeting. The next Board meeting was scheduled for July 12, 1994 at 7:00pm at the tribal office.
- b. Adjournment. Kathy motioned to adjourn the meeting at 8:30 pm, seconded by Bob. Passed unanimously.