



**Little River Band of Ottawa Indians
Tribal Council**
2608 Government Center Drive
Manistee, MI 49660
(231) 723-8288

Resolution #17-0404-119

Authorizing the Elders Committee, Approving the Elders Committee Work Plan and Establishing Procedures for an Interim Committee

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Aníshinaábek* (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; 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 Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribe adopted amendments to the Constitution on July 11, 2016 which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; and

WHEREAS, the legislative powers of the Tribe are vested in the Tribal Council according to Article IV, Section 1 of the Constitution; and

WHEREAS, the Tribal Council is authorized by Article IV, Section 7(a)(1) and (2) to exercise the inherent powers of the Tribe by establishing laws through the enactment of ordinances and adoption of resolutions to govern the conduct of Tribal Members and others within the Tribe's jurisdiction and to promote, protect and provide for the public health, peace, morals, education and general welfare of the Tribe and its members; and

WHEREAS, the Tribal Council is authorized by Article IV, Section 7(f) to create by ordinance regulatory commissions or subordinate organizations and to delegate to such organizations the power to manage the affairs of the Tribe; and

WHEREAS, the Tribal Council did by Ordinance #07-150-08 create the Committees Ordinance to describe how responsibility is specifically delegated in order to collect and organize information to assist the Tribal Council in understanding, identifying or addressing the needs of the Tribal Membership and the community; and

WHEREAS, it was brought to the Tribal Council's attention that further action is necessary to bring the Elders Committee into compliance with the Committees Ordinance; and

WHEREAS, the Tribal Council has reviewed the proposed Work Plan at the Elders Committee meeting on April 1, 2017 and believes it is important to continue to support the Elders Committee; and

WHEREAS, the Tribal Council has identified an immediate need to make it possible for interim Elder Committee members to be elected until the November Elders Committee meeting.

NOW THEREFORE IT IS RESOLVED, that the Tribal Council authorizes the Elders Committee operation in accordance to the Section 4.03 and 4.04 of the Committees Ordinance as follows:

- a. To operate under the approved Work Plan.
- b. To gather public comment and organize that information to be submitted to the Tribal Council.
- c. To hold hearings and collect information.
- d. No committee shall have the authority to act, represent or otherwise commit the Tribe, its resources or set policy on behalf of the Tribe unless it is specifically delegated such authority in creating resolutions.

IT IS FURTHER RESOLVED, that the Tribal Council approves the Elders Committee Work Plan attached, including the following exceptions to the Committees Ordinance, relating to the selection of Committee members:

Election of Elders Committee shall occur every two years as follows:

- a. Notice shall be posted in the September Currents Newspaper and the Rapid River News announcing the names of members running for Elders Committee.
- b. At the November meeting Elders shall vote by paper ballot from a list of candidates.
- c. Ballots shall be counted by the one Tribal Council Liaison and two (2) Elders.
- d. Elders Committee members may be directors/supervisors/managers of the departments of the Tribe or Casino.


IT IS FINALLY RESOLVED, that the Tribal Council approves the following procedure to select Interim Elders Committee members at the May 6, 2017 meeting:

- a. Details of the election of the interim Elders Committee will be announced at the Spring Membership meeting on April 8, 2017 and published on the Tribal Website and Rapid River news as soon as possible upon approval of this resolution;

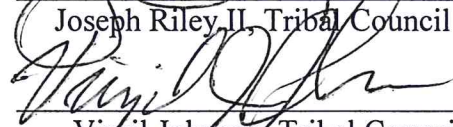
- b. All Tribal Member Elders not currently sitting as an Elected Official are eligible to run for the interim Elders Committee;
- c. Tribal Member Elders who would like to be listed on the ballot, shall declare their candidacy in email to the following Tribal Council Liaisons:
 - 1. Virgil Johnson – vjohnson@lrboi-nsn.gov
 - 2. Marty Wabindato – mwabindato@lrboi-nsn.gov
 - 3. Ron Wittenberg - rwittenberg@lrboi-nsn.gov
- d. Those Elders not listed on the ballot may still be elected by write-in vote;
- e. On May 6, 2017, the interim Elders Committee members shall be elected by popular vote, with the five (5) candidates receiving the most votes forming the Committee;
- f. Ballots shall be provided by Tribal Council Administrative Staff;
- g. Ballots shall be counted by the Tribal Council Liaisons in attendance at the May 6, 2017 meeting.

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 an Emergency Session of the Little River Band of Ottawa Indians Tribal Council held on April 4, 2017, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.



Joseph Riley II, Tribal Council Recorder



Virgil Johnson, Tribal Council Speaker

Attest:

Distribution: Council Records
Elders Committee
Unified Legal Department
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Elders Committee Work Plan

Section 1. Title; Authority; Purpose

1.01 *Title.* The official name shall be the Elders Committee.

1.02 *Authority.* In accordance with the Committees Ordinance, #07-150-08, Article V, the Tribal Council hereby creates this Work Plan for the Elders Committee. The Committee is created and the Work Plan is adopted by Tribal Council Resolution #17-0404-119.

1.03 *Purpose.* The purpose of this committee is to embrace the Tribal Elders as a valuable resource because they are the keepers of the Tribal history, culture, and tradition. It is in the best interests of the Little River Band of Ottawa Indians to continue the traditional respect that members of the Tribe have for Tribal Elders.

Section 2. Members

2.01 *General.* The Little River Band of Ottawa Indians Elders Committee shall consist of five (5) tribal members who are over the age of 55 years ("Elders"). All Committee members shall be enrolled citizens of the Little River Band of Ottawa Indians.

2.02 *Election.* In accordance with Section 4.02 of the Committees Ordinance and Tribal Council Resolution #17-0404-119, Election of Elders Committee shall occur every two years as follows:

- a. Notice shall be posted in the September Currents Newspaper and the Rapid River News announcing the names of members running for Elders Committee.
- b. At the November meeting Elders shall vote by paper ballot from a list of candidates.
- c. Ballots shall be counted by the one Tribal Council Liaison and two (2) Elders.
- d. Elders Committee members may be directors/supervisors/managers of the departments of the Tribe or Casino.

2.03 *Offices.* Committee members shall vote members into the following offices on the Elders Committee: Chairperson, Vice Chairperson, and Secretary.

2.04 *Vacancies.* Any vacancy on the Elders Committee as a result of death, resignation, or removal shall be filled accordingly:

- a. The Committee shall request names of candidates from the Elders at the next scheduled meeting.
- b. Elders shall hand write the candidate's name on a paper ballot for voting purposes.
- c. Paper ballots shall be counted by three Elders in attendance at the meeting.
- d. Chairperson of the Elders shall announce the new Elders Committee member.

2.05 *Delegates for the Michigan Indian Elders Association.* Delegates shall be selected according to the following process and criteria:

- a. Delegates shall be voted in for terms of two (2) years by tribal elders.
- b. Vote for the delegates shall take place at the Elders February meeting.
- c. Elders shall vote in two (2) delegates and one (1) alternate to sit on the Association Board. One must be a veteran. Delegates must be 55 years or older and be an enrolled member of the Little River Band of Ottawa Indians.
- d. The alternate is allowed to attend each meeting but can vote only in the absence of the elected delegate. Spouses or caregiver may travel with Delegate.
- e. Elders Committee shall pay for the Delegate's room, travel, and meals. Elders Committee shall pay for spouse's meals only.

- f. Delegate can resign at any time. The delegate resigning shall send written notice to Chairperson of the Elders Committee.
- g. If Delegate cannot serve out their two year term the Elders shall vote in a new delegate.

Section 3. Purpose; Direction.

3.01 *Meetings.* The Elders Committee meetings shall be for a specific purpose as listed:

- a. *Regular Meetings:* Shall be held on the 1st Saturday of each month. Regular meetings shall be open to the public and the announcement of the meeting date, time, and agenda shall be posted in what Tribal Media is available. Regular meetings shall be held at the Aki Maadiziwin Community Center unless otherwise specified.
- b. *Special Meetings:* Special meetings are allowable and if deemed necessary can be initiated by three Committee members, by phone or email. Information must be recorded and approved at the next regularly scheduled meeting.
- c. *Elected Officials Meeting:* The Elders Committee may meet with Tribal Councilors and Ogema on quarterly basis to discuss issues or concerns. Meetings may be held jointly or separately depending on the need of the Elders or Elected Officials. The information discussed shall be summarized and presented at the next regular scheduled Elder's meeting.
- d. *Annual Meeting:* The Elders Committee shall conduct an open annual meeting. This meeting shall be held the first Saturday of the month determined by the Elders. Business items shall include but not limited to:
 - i. Welcome – Elder Committee Chairperson
 - ii. Agenda Review - Additions
 - iii. State of the Tribe – Ogema Presentation
 - iv. Future of the Tribe – Tribal Council Speaker
 - v. Financial overview of the Tribe
 - vi. Elder Committee Update and Accomplishments
 - vii. Issues facing our Elders
 - viii. Comments & Concerns
 - ix. Elders Initiatives for Tribal Council Action
- e. *Closed Meeting:* The Elders Committee shall not hold any closed meeting.

3.02 *Quorum.* Three voting members of the Elders Committee shall constitute a quorum for all regular, special, and annual meetings. A quorum of the Committee must be present before any action or vote, can be taken. One Committee member can be present to conduct meeting.

3.03 *Elders Committee Minutes.* Minutes of all Elders Committee meetings shall be kept as follows:

- a. *Format:* The minutes of all meetings shall include the following information:
 - i. Date, time, location of meeting.
 - ii. Committee members present and absent.
 - iii. Listing of other persons present at the meeting.
 - iv. Individual listings of reports, actions, and outcomes of each item
 - v. Open and closing times.
- b. *Recording:* the Secretary shall be responsible for the recording of all actions of the Elders.

- c. Review and Approval of Minutes: The Committee shall review, revise, or approve (with revisions or as written) minutes from the previous meeting at their next special meeting or regular meeting. Approval of minutes shall be documented in the Committee minutes at which the previous meeting minutes were approved.
- d. Maintenance of Minutes: the original copy of all Committee meeting minutes shall be maintained by the Secretary of the Elders Committee.
- e. Minutes shall be forwarded to Tribal Council once they are approved for filing.

3.04 *Order of Business*. The meetings of the Elders Committee shall work from an agenda to expedite the conduct of the business at meetings. The Secretary shall be responsible for developing meeting agendas in consultation with the Chairperson. Order of business for each regular meeting of the Committee shall follow the format below:

- a. Prayer
- b. Call to Order
- c. Roll Call
- d. Approval of Previous Board Minutes
- e. Reports (to be listed on the agenda)
- f. Old Business
- g. New Business
- h. Items of Information
- i. Elected Officials - updates
- j. Public Comment
- k. Adjournment

3.05 *Committee Responsibility*. The Officers of the Elders Committee shall consist of the duties and responsibilities listed below:

- a. Committee Chairperson shall exercise such powers as pertain to his/her office, inclusive of:
 - i. Preside at all meetings of the Committee or assign another Committee member.
 - ii. Provide for the orderly conduct of Committee meetings.
 - iii. Bring to the Committee through the agenda those matters that require the attention or action of the Elders
 - iv. Recommend the establishment of special meetings subject to the approval of the Committee.
 - v. Appear on behalf of the Committee in all actions brought by or against the Committee.
 - vi. Act as public spokesperson for the Committee except as this responsibility is delegated to others
- b. Vice Chairperson, the Vice-Chairperson shall assume the duties and responsibilities of the Chairperson in his/her absence.
- c. Elder Committee Secretary shall:
 - i. Maintain accurate reporting of Committee actions and business through a recording of official Committee meeting minutes.
 - ii. Publish and post notices regarding vacant Committee seats, and other pertinent notices.
 - iii. Perform any other duties which may be assigned by the Committee.

3.06 *Elders Budget*. The Elders Committee shall be responsible for adopting an Elders budget

according to the process establish by the Tribal Government. The Elders Committee is responsible for oversight of the budget to assure proper use of and accounting for Elders department funds.

3.07 *Stipends.* The Elder Committee stipend shall be determined by Tribal Council.

Section 4. Length of Existence.

4.01 *Committee Existence.* The Elders Committee shall remain in existence until Tribal Council Resolution #17-0404-119 is rescinded.

4.02 *Amendment.* This work plan shall be reviewed on an annual basis by the Committee for amendments. All amendments must be presented at least one meeting prior to action and must be adopted by 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 Committee.

4.03 *Repeal.* This work plan may be repealed by the presentation of a request to the Tribal Council by the Committee in the form of a resolution containing the reasons a repeal of the work plan is necessary. The Committee must approve the repealing resolution by a two-thirds vote of the members present. Further, the Tribal Council may unilaterally repeal the work plan by repeal of the creating resolution or by adoption of a resolution calling for the repeal of the Committee's work plan.

I, Virgil Johnson, as Chairperson/Secretary of the Elders Committee do hereby certify that the Elders Committee adopted this work plan at a duly called meeting.

CERTIFICATION

← Liaison VDA

Virgil Johnson

I, Joseph Riley II, as Tribal Council Recorder do hereby certify that the Tribal Council, at a meeting call on April 4, 2017 adopted this work plan.

Joseph Riley II