



Little River Band of Ottawa Indians

2608 Government Center Drive

Manistee, MI 49660

(231) 723-8288

Resolution #25-0716-154

Resolution Approving Binojeeuk Commission 2025 By-laws

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 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 is authorized under Article IV, Section 7(f) of the Constitution to create by ordinance regulatory commissions and to delegate to those commission the power to manage the affairs of the Little River Band; and

WHEREAS, the Tribal Council did by Ordinance #98-900-01 create the Binojeeuk Commission to be a regulatory body and delegated to that Commission specified powers to protect and promote the welfare of Tribal children and families; and

WHEREAS, the Binojeeuk Commission reviewed and amended, and approved revisions to the Binojeeuk Commission By-Laws on July 8th, 2025, by the Binojeeuk Commission Resolution #BC25-0708-005; and

WHEREAS, the Binojeeuk Commission By-Laws are now being forwarded to Tribal Council for placement on their agenda for approval; and


WHEREAS, the By-laws are amended to correct the language in the by-laws to reflect the language as found in the Children's Protection Code and add language to strengthen the confidentiality requirements; and

NOW THEREFORE IT IS RESOLVED, that the Tribal Council approves and authorizes the Binojeeuk Commission's By-Laws.

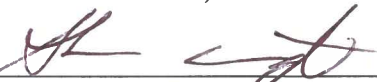
THEREFORE, BE IT RESOLVED,

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 FOR, 3 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on July 16, 2025, via ZOOM and the Little River Band of Ottawa Indians Government Center with a quorum being present for such vote.



Susan Thull, Tribal Council Recorder



Shannon Crampton, Tribal Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court



Gaaching Ziibi Daawaa Anishinabek
LITTLE RIVER BAND OF OTTAWA INDIANS
2608 Government Center Drive
Manistee, MI 49660

BINOJEEUK COMMISSION BY-LAWS

Article I. Title; Authority; Purpose

1.01 **Title.** This entity shall be officially known as the Binojeeuk Commission and may be referred to in the short form as “Binojeeuk.” The official office and mailing address is 2608 Government Center Drive, Manistee, Michigan, 49660.

1.02 **Authority.** The Binojeeuk Commission is created by the Children’s Protection Code, Ordinance #98-900-01, Section 5, and the adoption of these By-Laws by:

- A. Tribal Council Resolution #02-0529-07, Adoption of the Binojeeuk Commission By-Laws;
- B. Tribal Council Resolution #02-0619-05, Amendment to Binojeeuk Commission By-Laws to allow for attendance at meeting by a commissioner by phone conference;
- C. Tribal Council Resolution #10-0616-182, Approval of Binojeeuk Commission By Laws;
- D. Tribal Council Resolution #16-1026-327, Amendment to Binojeeuk Commission By-Laws to change the term of office from two (2) years to four (4) years and to fix grammatical errors and typos;
- E. Tribal Council Resolution #18-1219074, Amendment to Binojeeuk Commission By-Laws to add licensing and monitoring of childcare facilities under duties and responsibilities, update compensation procedures, and fix grammatical errors, typos, and formatting;
- F. Tribal Council Resolution #20-0930-275, Amendments to Binojeeuk Commission By-Laws to change the regularly scheduled meeting to the first and third Tuesday of the month.
- G. Tribal Council Resolution # 25-0000-000, Amendments to Binojeeuk Commission By-Laws to update language to match the children’s code and confidentiality requirements.

- 1.03 **Purpose.** The Binojeeuk Commission is created to provide for the welfare, care, and protection of the Indian children and families of the Little River Band of Ottawa Indians, to provide for the safety of Tribal children and preserve family unity, to provide and follow procedures for intervention in state Court proceedings regarding Indian children, to provide and follow procedures for the transfer of jurisdiction over Indian children from state to Tribal Court(s), to exercise this tribe's rights and responsibilities under the Indian Child Welfare Act of 1978, and to exercise this tribe's rights and responsibilities under the Michigan Family Preservation Act of 2012.

Article II. Members

- 2.01 **Members.** The Binojeeuk Commission shall consist of five (5) adult members of the Tribe who are age twenty-one (21) or older, appointed by the Tribal Ogema, and ratified by the Tribal Council.
- 2.02 **Term of Office.** The term of office for a member of the Binojeeuk Commission shall be for four (4) years, unless the Tribal Council authorizes a longer term to stagger terms of office to assure the stability of the Commission.
- 2.03 **Character.** Binojeeuk Commissioners character shall be in compliance with 25 U.S.C. 3207, which provides that no individual shall be appointed to a position in which the duties and responsibilities involve the regular contact with, or control over, Indian children if such person has been found guilty of or entered a plea of nolo contendere to any felonious offense or any of two (2) or more misdemeanor offenses under Federal, State, or Tribal law involving crimes of violence, sexual assault, molestation, exploitation, contact or prostitution; crimes against persons; or offenses committed against children.
- 2.04 **Conflicts of Interest.** Binojeeuk Commission members who are foster parents or child advocates, may not participate in the voting or deliberations before voting, regarding children who are in their own care. A Binojeeuk Commission member may participate in the discussion of actions involving the Commission members extended family, but may not vote on any actions. Should the Binojeeuk Commission deem a conflict of interest has arisen, a vote shall take place on whether that member may participate in voting or deliberations, and their participation and/or voting capacity must be approved with a two-thirds vote of all commission members present during that meeting.
- 2.05 **Officers.** The members of the Binojeeuk Commission shall select one (1) member to serve as Chairperson and one (1) member to serve as Recorder of the Commission. No

member may serve in two (2) officer positions. A vacancy created in an officer position shall be filled for the remainder of the vacant term.

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

- i. Calling and presiding over all Binojeeuk Commission meetings;
- ii. Managing and reporting on all finances of the Binojeeuk Commission to the Tribal Government;
- iii. Reporting to the Tribal Council or others as directed by Tribal Council; and
- iv. Signing all correspondence and representing the entity at all meetings with outside entities, unless by motion, the Binojeeuk Commission designates another member to act as a representative at a meeting with outside entities.

B. **Recorder.** This officer shall be responsible for:

- i. Maintaining all minutes, agendas, reports, and correspondence of the Binojeeuk Commission; and
- ii. Presiding over all meetings of the Binojeeuk Commission in the absence of the Chairperson.

Article III. Duties and Responsibilities.

3.01 The Binojeeuk Commission shall act under the authority expressly delegated to it by the Tribal Council in the Children's Protection Code, Ordinance #98-900-01, or in other enactments by the Tribal Council to protect and improve the welfare of Indian children. The Binojeeuk Commission shall have the following duties:

- A. Advise the Tribal Council and the Tribal Court on child welfare matters and recommend policies and procedures for implementing federal and Tribal child welfare law;
- B. Monitor child welfare proceedings involving Tribal members in state or Tribal Courts;
- C. Be advised of pending state Court proceedings as provided in the Indian Child Welfare Act and make recommendations regarding intervention in such proceedings and transfer of jurisdiction from state Court to Tribal Court;

- D. Conduct informal conferences with a child and the child's parent(s), guardian, or custodian as provided in the Children's Protection Code to discuss alternatives to formal Court jurisdiction for resolving concerns about the proper care and supervision of a child;
- E. Make recommendations to authorize the filing of a child-in-need-of-care petitions in the Tribal Court pursuant to the Children's Protection Code;
- F. Make recommendations to the Tribal Family Services workers, placement agency workers, and the Tribal Prosecutor regarding the care, custody, and supervision of Tribal children under Court jurisdiction, including recommendations as to the case plan, guardianship, and termination of parental rights;
- G. License and monitor group, shelter, foster and adoptive homes, and child placement agencies;
- H. License and monitor childcare facilities and issue Child Care Providers licenses;
- I. Monitor Little River Band of Ottawa Indians children who reside in foster, adoptive, or group homes through child placement agencies; and
- J. Engage in further activities necessary to protect and improve the welfare of the children of the Little River Band of Ottawa Indians.

Article IV. Meetings.

- 4.01 **Meetings.** The Binojeeuk Commission shall meet at least twice per month at a location designated in the annual calendar. Meetings shall take place on the first and third Tuesday of the month, unless otherwise noticed. Meeting dates are subject to change due to holidays, government closures, or quorum.
- 4.02 **Special Meetings.** The Chairperson may call special meetings by giving at least four (4) hours notice to all members. Such notice shall be in writing where possible, provided that the Chairperson or Recorder may telephone all members and follow up with written notice, when written notice is not feasible. Special meetings may be called for the purpose of:
 - A. Conducting business that, if delayed until such time as a regular meeting is held, would be detrimental to the health, safety, or welfare of the Tribe, its members, or the purposes of the Binojeeuk Commission; or

- B. Conducting hearings regarding matters, including but not limited to, permits and license issuance or revocation, or for the purposes of hearing matters related to citations and/or other orders of the Binojeeuk Commission.

4.03 **Quorum.** A quorum shall consist of at least three members of the Binojeeuk Commission (a majority), including at least one officer.

4.04 **Agenda.** Every meeting shall be conducted in accordance with an agenda. The Binojeeuk Commission may, by majority vote, accept additional items for the agenda at the time of the meeting. Each agenda shall contain the following sections, and any other sections as may be necessary to clearly identify the business to be conducted:

1. Open Session;
 - a. Call to Order and time of call;
 - b. Roll call of members present;
 - c. Approval of Agenda;
 - d. Approval of Open Session minutes;
 - e. Open Comment
2. Closed Session;
 - a. Approval of Closed Session minutes;
 - b. New Cases;
 - c. Case Reviews and Updates;
3. Return to Open Session; and
4. Adjournment and time of meeting closure.

4.05 **Minutes.** The minutes shall be drafted to clearly identify:

- A. The date and time the meeting was called to order;
- B. All participants present;
- C. Adoption of the Agenda and any amendments;
- D. Any action taken regarding any agenda item; and

E. The date and time the meeting was concluded.

4.06. **Compensation.** Binojeeuk Commissioners shall receive a stipend for each meeting attended, as described and set by Tribal Council Resolution.

4.07 **Confidentiality.** Meetings of the Binojeeuk Commission shall not be open to the public except for persons authorized to attend by the Binojeeuk Commission. Confidentiality of case information and the Binojeeuk Commission records shall be maintained at all times. Binojeeuk Commission members, Tribal Council Liaisons, and all in attendance during Binojeeuk Commission meetings are subject to the same standards of confidentiality as Court personnel, social service workers, and other professionals.

A. Failure to adhere to section 4.07 (confidentiality) from any Binojeeuk Commissioner shall result in a vote by the Commission at the next meeting, regarding whether that commissioner will be removed from the Commission, via majority vote.

B. Failure to adhere to section 4.07 (confidentiality) from the Binojeeuk Commissions Tribal Council Liaison, shall result in a vote by the Commission at the next meeting, regarding whether to request a new Liaison be appointed by Tribal Council to replace the aforementioned Tribal Council Liaison.

Article V. Employees; Liaison.

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

5.02. **Liaison.** A liaison shall serve to provide communication between the Tribal Council and the Binojeeuk Commission.

A. The Tribal Council shall assign a Council Member to serve as the liaison, on behalf of the Tribal Council. The Tribal Council Liaison may attend all open and closed meetings, but is not required to do so. The Tribal Council Liaisons attendance is subject to the discretion of the Binojeeuk Commission, per *Article 6.02(e)(2)(B) of the Commissions Ordinance #04-150-01.*

a. Per *Article 6.02(e)(2)(d) of the Commissions Ordinance #04-150-01,* a Tribal Council liaison may temporarily serve as a voting commissioner to achieve quorum, and will have the full authority of a commissioner during that meeting. Due to this allowance, the tribal council liaison must be able to meet the same requirements in article 2.03 of these By-Laws, as a commission member.

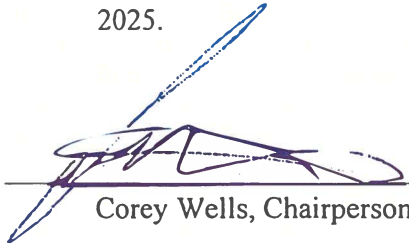
- B. The Chairperson shall serve as the liaison, on behalf of the Binojeeuk Commission. As the liaison, the Chairperson will handle communication between the Tribal Council Liaison and the commission, as well as with other departments as necessary, and during Tribal Council work sessions. The Binojeeuk Commission may vote to select another member other than the Chairperson to act as liaison, by majority vote.

Article VI. Amendment; Repeal.

- 6.01. **Amendment.** These By-Laws shall be reviewed on an annual basis by the Binojeeuk Commission for amendment and reauthorization. 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 to, and approved by, the Tribal Council by resolution.
- 6.02. **Repeal.** These By-Laws may be repealed by the presentation of a request to Tribal Council by the Binojeeuk Commission in the form of a resolution containing the reasons a repeal of the By-Laws is necessary. The Commission must approve the repealing by a two-thirds vote of the members present. Further, the Tribal Council may unilaterally repeal these By-Laws by amendment to the Children's Protection Code or by adoption of a calling for the repeal of the Binojeeuk Commissions By-Laws.

CERTIFICATION

I, Corey Wells, as Chairperson of the Binojeeuk Commission, do hereby certify that the Binojeeuk Commission adopted these By-Laws at a regular meeting held on June 3rd, 2025.


Corey Wells, Chairperson

7-15-2025
Date

I, Susan Thull, Tribal Council Recorder, do hereby certify that the Tribal Council approved these By-Laws by the adoption of Tribal Council Resolution #


Susan Thull, Tribal Council Recorder

7-16-2025
Date