

BISKAABIIYAANG COMMISSION ORDINANCE

Ordinance #24-150-09

Article I. Purpose; Findings

- 1.01. *Purpose.* The Little River Band of Ottawa Indians (“Tribe”) has determined that it is in the best interests of its members to establish a Biskaabiiyaang Commission to promote the cultural welfare of the Tribe through the preservation, presentation, and creation of cultural learning opportunities in relation to Anishnaabe traditions, stories, arts, recipes, history, and ceremonies, as available and appropriate, to all citizens through in-person and virtual opportunities.
- 1.02. *Findings.* The Tribal Council of the Little River Band of Ottawa Indians finds:
- a. That the Constitution of the Little River Band of Ottawa Indians delegates to the Tribal Council the responsibility to govern the conduct of members of the Little River Band and other persons within its jurisdiction; and to promote, protect and provide for public health, peace, morals, education and general welfare of the Little River Band and its members[.] *Article IV, Section 7(a)(1-2).*
 - b. That providing cultural services is an essential element of providing for the peace, and general welfare of the Members.

Article II. Adoption; Amendment; Severability

- 2.01. *Adoption.* This Ordinance is adopted by Resolution# XX-XXX-XX
- 2.02. *Amendment.* This Ordinance may be amended by the Tribal Council in accordance with the Constitution and any rules set forth governing amendment of laws of the Little River Band of Ottawa Indians.
- 2.03. *Repeal.* This Ordinance may be repealed in accordance with the procedures set forth in the Administrative Procedures Act - Ordinance.
- 2.04. *Severability Clause.* If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

Article III. Definitions

- 3.01. *General.* For purposes of this Ordinance, certain terms are defined in this Article. The word "shall" is always mandatory and not merely advisory.
- 3.02. *Commission* means the Biskaabiiyaang Commission as created in this Ordinance, with the powers and authority vested therein pursuant to this Ordinance.
- 3.03. *Commissioner* means a member of the Biskaabiiyaang Commission.
- 3.04. *Elder* means a person who is fifty-five (55) years or older.
- 3.05. *Officer* means a Commissioner who is elected to be Chairperson or Secretary.

Article IV. Biskaabiiyaang Commission

4.01. Creation of Biskaabiiyaang Commission; General Authority.

There is hereby created a Biskaabiiyaang Commission for the purposes described in Article I of this Ordinance. The Biskaabiiyaang Commission is charged with the promotion, maintenance, and fostering of our history, culture, teachings, traditions, and ceremonies as Anishnaabe people that was fought for by those that walked before us, and as guaranteed by our Constitution. The Commission will work to preserve and make available equal opportunities in educational and cultural resources to all citizens through in-person and virtual opportunities, as available and appropriate. This will be done through the promotion and creation of cultural activities and workshops, traditional and contemporary tribal arts, and educational resources in indigenous history, stories, teachings, traditions, and ceremonies.

4.02 Membership.

- a. The Commission shall consist of five (5) appointed commissioners. At least one (1) member of the Commission shall be an elder of the Tribe.
- b. Any Tribal Member eighteen (18) years of age or older may be nominated for appointment to the Commission. Commissioners shall be a member of the Tribe. Special preference will be given to people who have an interest or knowledge in the culture of the Tribe.

- c. Any Tribal Member nominated shall be required to submit to a background investigation prior to Tribal Council approving or denying the appointment.

4.03 *Terms of Office.* The term of office for members of the Commission shall be limited as follows:

- a. *Commissioners.* The term of office of a Commissioner shall be four (4) years unless the Tribal Council authorizes a longer term to stagger terms of office to assure the stability of the Commission.
- b. *Officer.* The term of office for an officer shall be one (1) year for Chairperson and Secretary. A Commissioner may be elected to successive years in the same office.

4.02. *Removal.* In addition to the reasons for removal from office as set forth in the Commissions Ordinance, a Commissioner may be removed for the following additional reasons:

- a. Conviction of a felony in Tribal, State, or Federal court during a term of office, unless such conviction stems from performance of a legal duty to the Tribe; and
- b. Fraud, conspiracy to commit fraud or material misrepresentation, or malfeasance in the performance of duties and responsibilities under this Ordinance.

Article V. Meetings of the Biskaabiiyaang Commission

5.01. *Public Informational Meeting.* The Commission shall have a public informational meeting, to be held at a large, centrally located facility, at least one (1) time per year at such a date, time, and location as may be designated by the Commission, subject to the following requirements:

- a. The agenda of the meeting shall be informational in nature.
- b. The Commission shall be required to convene a quorum at the meeting.
- c. Substantial time shall be set-aside at each such meeting to permit tribal members the opportunity to provide input on any aspect or issue which is relevant to the purposes and authority of the Commission.

- d. Notice of such meeting shall be published at the Tribal governmental buildings, the Tribe's social media page, and the Tribal newsletter no later than two (2) weeks before the meeting, the notice to set forth the place, date, time, and duration of the meeting and the agenda for the meeting.
- e. Complete minutes of the meeting shall be taken and retained and shall become a part of the regulatory history of the Commission.

5.02. *Regular Meetings.* Regular meetings of the Commission shall be held once each month for the purpose of conducting the business of the Commission. Regular meetings shall be subject to the following requirements:

- a. Notice of such meetings, including the date, time and location, shall be provided in the annual publication of meeting dates.
- b. Changes to the date, time, or location of any meeting shall be presented to each Commissioner at least seven (7) days before the date of the meeting changes.
- c. Meeting notice shall be deemed to be provided upon adoption of the annual publication of meeting dates. Changes to any meeting date, time, or location shall be deemed noticed by personal notice to the Commissioners or may be sent by e-mail. Each Commissioner shall have a vote on all issues to be decided by the Commission.
- d. The Commission shall take no official action unless a quorum is present. A quorum of the Commission shall consist of at least three (3) Commissioners.
- e. A quorum requires at least one (1) Officer to be in attendance.
- f. In accordance with the Commissions Ordinance, Ordinance #04-150-01, Section 8.03, minutes of meetings shall be taken, and the open session minutes shall be attached to a Commission monthly report to the Tribal Council. Tribal members may view Commission minutes on the Tribal website.

5.03. *Special Meetings.* Special meetings of the Commission shall be held as needed upon the directive of the Chairperson or any two Commissioners upon receipt of seventy-two (72) hours' notice in writing delivered to all members of the Commission.

- a. Notice shall be deemed to be provided upon being sent by e-mail.

- b. All other provisions applicable to regular meetings shall apply to special meetings of the Commission.

5.04. *Conduct of Meetings.* Regular and Special meetings shall be conducted pursuant to the following additional rules:

- a. It shall be the standard that all meetings of the Commission shall be open to all members of the Little River Band of Ottawa Indians; however, the Chairperson or a majority of the Commissioners present may direct all or a portion of a regular or special meeting to be closed to everyone except Commissioners and Tribal Council liaisons, when such closed meeting is necessary to deal with personnel issues, business matters involving consideration of bids or contracts which are privileged or confidential, or claims by and against the Tribe.
- b. Minutes of all regular and special meetings of the Commission shall be kept on permanent file in the offices of the Tribal Council and shall be available on the Tribal website; provided, however, that as to any closed meeting or closed portion of a meeting, the minutes shall merely reflect that a closure took place.
- c. Minutes of all closed meetings or closed portions of meetings of the Commission shall be kept on permanent file in the confidential files of the Commission. Such minutes shall be released to Tribal Council.
- d. Robert's Rules of Order, as amended from time to time, shall govern the conduct of Commission meetings.

Article VI. Powers; Regulations

6.01. *Primary Responsibilities.* The primary responsibilities of the Commission shall be to implement the provisions of this Ordinance and all ordinances governing Tribal cultural activities where the Biskaabiiyaang Commission is designated responsibility, through the development and adoption of regulations governing Tribal cultural services within the Tribe. Regulations shall be approved by the Tribal Council after publication and notice to the public for thirty (30) days.

6.02. *Additional Powers.* The Commission shall have the following additional powers:

- a. To promulgate such further regulations as the Commission may deem necessary and desirable to effectuate the powers granted by this Ordinance, subject to the approval of the Tribal Council.
- b. To prepare and present to the Tribal Council a proposed budget requesting an appropriation of funds to permit the Commission to carry out the responsibilities of this Ordinance.

CERTIFICATION

I, Pam Johnson, Tribal Council Recorder, do hereby certify that this is a true and correct copy of the Biskaabiyaang Commission Ordinance permanently adopted by the Tribal Council
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