

Virtual Meetings Act
21-100-xx

Article I. Purpose; Findings

- 1.01. *Purpose.* The purpose of this ordinance is to provide guidance on the use of virtual meetings to allow all tribal members of Little River Band of Ottawa Indians to participate in meetings. Membership participation in the government process, including member access to virtual meetings, will enhance governance process and improve transparency, while serving to improve information access to the Membership it serves.
- 1.02. *Authority.* The Tribal Council of the Little River Band of Ottawa Indians enacts this legislation in accordance with the following authority:
- a. It is delegated responsibility, as the sovereign legislative powers of the Tribe in Article IV, Section 7(a) of the Constitution, “to exercise the inherent powers of the Little River Band by establishing ordinances through the enactment of ordinances and adoption of resolutions not inconsistent with the Constitution:
 - 1. To govern the conduct of members of the Little River Band and other persons within its jurisdiction.
 - 2. To promote, protect, and provide for public health, peace, morals, education and general welfare of the Little River Band and its members. - b. It is delegated responsibility, in Article IV, Section 6(e) of the Constitution to “determine its own rules of procedure for meetings of the Tribal Council, subject to any limitations imposed in this Constitution. Such rules and procedures shall provide for an opportunity for the General Membership to be heard on any question under consideration by the Tribal Council.”
 - c. It is delegated responsibility, in Article IV, Section 7(g) of the Constitution, “to establish rules and procedures to regulate all meetings of the Tribal Council, standing committees, special committees and such other regulatory commissions or subordinate organizations created by ordinance”.
 - d. It is a further delegated responsibility, in Article IV, Section 7(j) of the Constitution, “to take action, not inconsistent with this Constitution, which shall be necessary and proper to carry out the sovereign legislative powers of the Tribe.”
- 1.03. The Tribal Council finds that:
- a. It is necessary to allow tribal members to participate in meetings in-person (if allowed) or virtually through the use of a remote platform; and

- b. Currently, a tribal entity or subdivision may, at its discretion, hold virtual meetings using an electronic platform instead of meeting in-person, and
- c. Quorum may be established by using an electronic platform as long as the member is present on the electronic platform and clearly identified; and
- d. Each tribal entity and subdivision shall budget for virtual meeting equipment including webcams, and utilize a remote platform that is accessible to the general membership. For large meetings or member-wide meetings, the tribal entity or subdivision shall possess an account that allows the participation of large groups. The equipment shall be tested before each meeting and whenever possible mobile devices, due to connectivity issues, should not be used to host meetings; and
- e. Notice must be given of the meeting and shall be published in accordance with established rules. In general, notices should contain:
 - 1. The date, time, the physical address and/or electronic platform and meeting ID/passcode.
 - 2. An explanation of why the tribal entity or subdivision is meeting.
 - 3. Description of how the meeting will be held (Hybrid or virtual only) with instructions on how to use the electronic platform or a link to such information that may be available on the tribal website.
 - 4. Contact information of the host.
 - 5. If the host has an agenda, a good faith effort should be made to have it available on the LRBOI website.

Article II. Adoption; Amendment; Repeal; Severability

- 2.01. Adoption. This Ordinance was adopted by Resolutions # __-____-__.
- 2.02. Amendment. This Ordinance may be amended in accordance with the procedures set forth in the Administrative Procedures Act- Ordinance 04-100-07.
- 2.03. Repeal. This Ordinance may be repealed in accordance with the procedures set forth in the Administrative Procedures Act- Ordinance 04-100-07.
- 2.04. Severability. 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.

2.05. *Title.* This Ordinance shall be referred to as the “Virtual Meetings Act.”

Article III. Definitions

- 3.01. *General.* For the purposes of this Ordinance, certain terms are defined in this Section. The word “shall” is always mandatory and not merely advisory.
- 3.02. *Closed Session* means a meeting or part of a meeting of a tribal entity or subdivision which is closed to the general membership.
- 3.03. *Decision* means a determination, action, or vote on a motion, proposal, recommendation, resolution or ordinance, on which a vote by members of a tribal entity or subdivision is required and which effectuates or formulates tribal policy.
- 3.04. *Electronic Platform* means a two-way communication between the members of the governing body and the general membership.
- 3.05. *General Membership* means enrolled members of Little River Band of Ottawa Indians.
- 3.06. *Hybrid Meeting* means a meeting that is conducted with both in-person and virtual participation.
- 3.07. *Meeting* means the convening of a tribal entity or subdivision for the purpose of deliberating toward or rendering a decision on tribal policy, government actions, or economics.
- 3.08. *Open Session* means a meeting or part of a meeting of a tribal entity or subdivision which is open to the general membership. Nothing in this language shall construe that “open meeting” is explicitly meaning open to the non-tribal public.
- 3.09. *Subdivision* means a program or support offices of tribal government operations.
- 3.10. *Teleconference* means a meeting conducted by telephone or by dialing-in through a remote platform.
- 3.11. *Tribal Entity* includes but is not limited to the tribal government, including separate branches such as the Legislative, Executive, and Judicial tiers of tribal government, the Election Board, commission, committees, boards, and tribal enterprises.
- 3.12. *Tribal Member* means a person who is duly enrolled in the Little River Band of Ottawa Indians.
- 3.13. *Two Way Communication* means an electronic platform that allows for members to interact with the host.

3.14. *Virtual Meeting* means a meeting that is held through an electronic platform.

Article IV. Guidelines for Virtual Meetings

4.01. General. Depending on the type of meeting, the following rules shall apply:

- a. Open Meetings of Tribal Council:
Tribal Council Open Session Meetings will henceforth, and the greatest extent possible, be conducted as a Hybrid Meeting. Tribal Members wishing to view and/or participate in meetings remotely, shall not be required to pre-register for those meetings each week, but shall be required to identify themselves. In the event of an emergency meeting or technical difficulties there may be an interruption of live streaming or insufficient time to enact interactive participation. Every effort will be made to avoid disruption.
- b. Open Meetings of Commissions, Committees, and Boards created by Tribal Council Ordinance/Resolution:
Open Session Meetings will henceforth, and the greatest extent possible, be conducted as a Hybrid Meeting. Tribal Members wishing to view and/or participate in meetings remotely, shall not be required to pre-register for those meetings each week, but shall be required to identify themselves. In the event of an emergency meeting or technical difficulties there may be an interruption of live streaming or insufficient time to enact interactive participation. Every effort will be made to avoid disruption.

4.02. Any tribal entities or subdivisions not addressed in Section 4.01 above, shall develop their own guidelines for virtual meetings in accordance with their established rules. A copy of the guidelines and any subsequent update shall be filed with Tribal Council. All meetings shall be conducted in a professional manner.