



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

Resolution #19-0131-025

Approval of Amendments to Enrollment Commission By-Laws 2019

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 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 adopted the Commission Ordinance, #04-100-06 and Section 6.01 of the Commission Ordinance states that all Commissions shall have two creation documents – and Ordinance and By-Laws; and

WHEREAS, Section 6.02(f) of the Commission Ordinance mandates that By-Laws be reviewed on an annual basis by the Commission for amendments; and

WHEREAS, the Tribal Council has, pursuant to the Enrollment Ordinance, Ordinance #04-200-01, created the Enrollment Commission; and

WHEREAS, the Enrollment Commission reviewed, amended, and approved revisions to the Enrollment Commission By-Laws on January 15, 2019, by the Enrollment Resolution #EC-2019-001; and

WHEREAS, the amended Enrollment Commission By-Laws are now being forwarded to Tribal Council for placement on their agenda for approval.

NOW THEREFORE IT IS RESOLVED, that the Tribal Council approves the amendments to the Enrollment Commission By-Laws 2019.

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 a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on January 30, 2019, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.



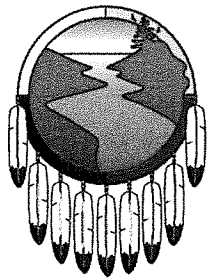
Sandra Lewis, Tribal Council Recorder



Joseph Riley II, Tribal Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema



Little River Band of Ottawa Indians
Enrollment Commission
2608 Government Center Dr.
Manistee, MI 49660
(231) 723-8288

Resolution # EC-2019-001

Authorizing the Enrollment Commission By-Laws 2019

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 Little River Band are vested in the Tribal Council at Article IV, Section 7 of the Constitution; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) of the Constitution to enact ordinances and adopt resolutions to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members and to govern the conduct of members of the Little River Band and other persons within its jurisdiction; and

WHEREAS, the Tribal Council is authorized under 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 Little River Band; and

WHEREAS, the Tribal Council did by Ordinance #04-150-01 created the Commissions Ordinance to govern commissions including creation and authorization Commission By-Laws in

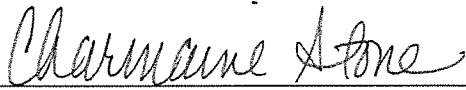
Section 6.02 and by the Enrollment Ordinance, Ordinance #04-200-01 Tribal Council created the Enrollment Commission.

NOW THEREFORE IT IS RESOLVED that the Enrollment Commission adopts the attached amendments to the Enrollment Commission By-Laws.

IT IS FURTHER RESOLVED that the Enrollment Commission shall forward these By-Laws to the Tribal Council with a recommendation for adoption.

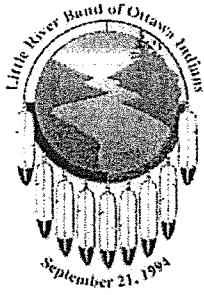
CERTIFICATE OF ADOPTION

I, Charmaine Stone, as Chairperson of the Enrollment Commission do hereby certify that this resolution was adopted on January 15, 2019 by a vote of 3 FOR, OPPOSED, ABSTAINING and ABSENT. This resolution has not been amended or rescinded in any way.



Charmaine Stone, Chairperson

Distribution: Tribal Council



Gaá Čhíng Ziibi Daáwaa Aníshinaábek
LITTLE RIVER BAND OF OTTAWA INDIANS
2608 Government Center Drive
Manistee, MI 49660

ENROLLMENT COMMISSION

By-Laws 2019

Article I. Title; Authority; Purpose.

- 1.01. *Title.* This entity shall be known as the Little River Band of Ottawa Indians Enrollment Commission, and may be referred to as the Enrollment Commission. The official office and mailing address is 2608 Government Center Drive, Manistee, Michigan 49660.
- 1.02. *Authority.* The Enrollment Commission was created by:
- a. Delegated authority in Article VI of the Enrollment Ordinance, Ordinance #04- 200-01.
 - b. Tribal Council Resolution #02-0529-08 in accordance with Section 6 of the Commissions Ordinance, Ordinance #04-150-01.
- 1.03. *Purpose.* As identified in Tribal Council Resolution # 02-0529-08 and the Enrollment Ordinance, the purpose of the Enrollment Commission is to make determinations regarding eligibility for enrollment, blood quantum determinations, and disenrollment matters, and to ensure the integrity of the enrollment processes and procedures.

Article II. Commissioners.

- 2.01. *Members.* The Enrollment Commission shall have five (5) members who are enrolled with the Little River Band of Ottawa Indians and are at least twenty-one (21) years old. The term of office for a member of the Enrollment Commission shall be four (4) years.
- 2.02. *Vacancy of member.* An individual appointed to the Commission shall fill the term of the vacant office. Provided that, appointment to a vacancy shall be made as set forth in Section 7 of the Commissions Ordinance.
- 2.03. *Officers.* The Enrollment Commission shall have the following officers who shall be elected by the members of the Enrollment Commission. No member may serve in two (2) officer positions simultaneously.

- a. *Chairperson.* This officer shall be responsible for:
 1. Calling all meetings.
 2. Presiding at all meetings.
 3. Authorizing monthly reports to Tribal Council.
 4. Signing all correspondence and representing the Enrollment Commission at all meetings with outside entities, unless by motion, the Enrollment Commission designates another member to act as a representative at a meeting with outside entities.
 5. Conducting elections of the Vice Chairperson and Secretary.

- b. *Vice Chairperson.* This officer shall be responsible for:
 1. Acting in the capacity of the Chairperson with those duties and responsibilities in the absence of the Chairperson.
 2. Acting in the capacity of the Secretary with those duties and responsibilities in the absence of the Secretary, but shall not be responsible for both offices simultaneously. In the absence of both the Chairperson and the Secretary, the Vice Chairperson shall temporarily appoint a Secretary for the purposes of that meeting.
 3. Conducting elections of new officers if the Chairperson has resigned or is removed.

- c. *Secretary.* This officer shall be responsible for:
 1. Preparing all minutes and reports of the Enrollment Commission.
 2. Presiding at duly called meetings in the absence of the Chairperson and Vice Chairperson.
 3. Conducting elections of new officers if the Chairperson and Vice Chairperson have resigned or are removed.

Article III. Duties and Responsibilities

- 3.01. The Enrollment Commission shall have the following duties and responsibilities:
- a. *Fair and Equitable Process.* Ensure that the enrollment process is as fair and equitable as possible.
 - b. *Application.* Review each application, the recommendations of the Enrollment Department, and make its determination in writing stating the reason(s) for acceptance or rejection of the application.
 - c. *Audit.* Conduct an audit report as required under Article XV of the Enrollment Ordinance.
 - d. *Hearings.* Hold hearings regarding all enrollment determinations and audit recommendations and render a written decision.
 - e. *Eligibility Criteria.* Ensure that the Constitutional Tribal Member eligibility criterion is met by all applicants and members of the Tribe.

Article IV. Meetings

- 4.01. *Meetings.* The Enrollment Commission shall have scheduled at least one (1) meeting per month. The Commission shall establish the regular meeting schedule no later than the last meeting prior to the end of the calendar year for the next calendar year. The schedule shall be posted upon adoption at all Little River Band of Ottawa Indians Government Service Locations. The meeting place shall be at 2608 Government Center Drive, Manistee, Michigan 49660 unless notified otherwise to all members at least twenty-four (24) hours prior to the meeting.
- 4.02. *Special Meetings.* The Chairperson may call special meetings by giving twenty-four (24) hours' notice to all members. Such notice shall be in writing when possible; however, the Chairperson or Secretary may telephone all members and follow-up with written notice at the earliest possible time. Members may attend special meetings by telephone. Special meetings may be called for the purpose of conducting business that, if delayed until such time as a regular meeting is held, it would be detrimental to the health, safety, or welfare of the Tribe, its members or the regulated activity.
- 4.03. *Closed Session.* The Enrollment Commission shall discuss all decisions regarding an individual's eligibility for enrollment in closed session.
- 4.04. *Quorum.* The Enrollment Commission shall have three (3) members present, one being an officer, to make a quorum at meetings. The Enrollment Commission may promulgate

regulations that identify other procedures for the conducting of hearings of the Commission and the number of members necessary to conduct the hearing.

4.05. *Agenda.* Every meeting shall be conducted in accordance with an agenda that has been prepared by the Enrollment Department. The Enrollment Commission by majority vote may accept additional items for the agenda at the time of the meeting, which were not given prior notice. Each agenda shall contain the following sections, and any other sections as may be necessary to clearly identify the business to be conducted:

- a. Roll Call
- b. Approval of Agenda
- c. Approval of Minutes
- d. Old Business
- e. New Business
- f. Adjournment

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

- a. The date and time the meeting was called to order;
- b. The members present, and whether the Chairperson is/is not present;
- c. The adoption of the agenda, and any amendments;
- d. The action taken regarding each agenda item; and
- e. The date and time the meeting was concluded, and the manner in which it was concluded (i.e., loss of quorum, completed, etc.).

- 4.07. *Disclosure of Minutes to Tribal Council.* The Enrollment Commission shall forward all open session meeting minutes to the Tribal Council. Closed session meeting minutes shall be retained by the Enrollment Department. The closed session meeting minutes shall not be disclosed to any person or entity other than the Enrollment Commission and Enrollment Department, with the exception of allowing access of the information pursuant to the applicable provisions of the Enrollment Ordinance.
- 4.08. *Compensation.* Commissioners shall be compensated in an amount set by Tribal Council resolution.

Article V. Employees; Liaison

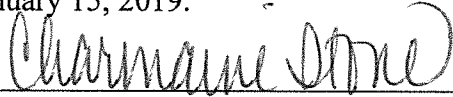
- 5.01. *Employees.* The Enrollment Commission does not have the power to employ individuals.
- 5.02. *Liaison.* The Liaison for the Enrollment Commission shall be responsible for communications between the Tribal Council and the Enrollment Commission.
- a. *Commission.* The Enrollment Commission shall choose a liaison from among its members who is responsible for interacting with the Tribal Council liaison to bring issues to the Tribal Council, and to bring issues from the Tribal Council to the Commission.
- b. *Tribal Council.* The Tribal Council liaison shall be responsible for identifying a contact number and office location at which the entity may leave documents, messages, requests, and other like information.
- c. *Regulated Area.* The Enrollment Department shall identify a contact person to which correspondence, requests, and other like material shall be sent.

Article VI. Amendment; Repeal.

- 6.01. *Amendment.* These By-Laws shall be reviewed on an annual basis by the Enrollment Commission for amendments. All amendments must be presented at least one (1) meeting prior to action and must be adopted by a 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 Commission.
- 6.02. *Repeal.* These By-Laws may be repealed by the presentation of a request to the Tribal Council by the Commission in the form of a resolution containing the reasons a repeal of these bylaws is necessary. The Commission must approve the repealing resolution by a two-thirds vote of the members present. Further, the Tribal Council may unilaterally repeal these By-Laws by amendment to the creating Ordinance or by adoption of a resolution calling for the repeal of the Commission's By-Laws.

CERTIFICATION

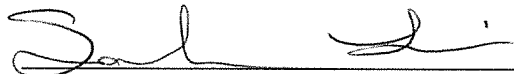
I, Charmaine Stone, as Chairperson of the Enrollment Commission, do hereby certify that the Enrollment Commission adopted these amended By-Laws by resolution at a regular meeting on January 15, 2019.



Charmaine Stone, Chairperson

1-15-2019
Date

I, Sandra Lewis, as Tribal Council Recorder do hereby certify that the Tribal Council, approved these By-Laws by the adoption of Tribal Council Resolution #19-0131-025.



Sandra Lewis, Tribal Council Recorder

1-31-19
Date