

FOND DU LAC ORDINANCE #02/16

BYLAWS OF THE

FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA

ECONOMIC DEVELOPMENT COMMITTEE

Adopted by Resolution #1375/16 of the Fond du Lac Reservation Business Committee on November 15, 2016.

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BYLAWS OF THE
FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA
ECONOMIC DEVELOPMENT COMMITTEE

Pursuant to the authority reserved under Section 16 of the Indian Reorganization Act, 25 U.S.C. § 476, and as granted under Article VI of the Revised Constitution of the Minnesota Chippewa Tribe, the Fond du Lac Reservation Business Committee, as the Governing Body of the Fond du Lac Band of Lake Superior Chippewa, hereby enacts the following Bylaws of the Fond du Lac Band of Lake Superior Chippewa Economic Development Committee.

- 101. Name.** The name of the organization shall be the Fond du Lac Band of Lake Superior Chippewa Economic Development Committee (hereinafter referred to as the "Economic Development Committee").
- 101. Purpose.** The purpose of the Economic Development Committee shall be to review and counsel the Band's Planning Division on business ideas and proposals. The Planning Division will bring those recommendations to the RBC.
- 103. Attributes.** The Economic Development Committee is a subdivision of the Fond du Lac Band of Lake Superior Chippewa, and the actions taken by the Economic Development Committee shall be imbued with those privileges and immunities inherent to the Fond du Lac Band, except as limited herein. Nothing in these Bylaws or the pursuit of the purposes described herein shall be deemed or construed as a waiver of the sovereign immunity of the Fond du Lac Band, or to constitute consent by the Fond du Lac Reservation Business Committee or the Economic Development Committee to any action or claim founded upon or arising out of the jurisdiction of any government other than that of the Fond du Lac Band.
- 104. Membership.** The Economic Development Committee shall consist of five (5) members, the majority of whom shall be enrolled members of the Fond du Lac Band of Lake Superior Chippewa. The Planning Director shall serve as non-voting technical advisor to the Board. The Reservation Business Committee shall make all appointments to the Economic Development Committee and shall notify both the appointees and the Planning Director of such appointments.
- 105. Removal or Suspension of Members.** A member of the Economic Development Committee may be removed by the Reservation Business Committee for misconduct, malfeasance, missing three (3) consecutive meetings of the Economic Development Committee, disqualification under Section 105 of these Bylaws, or crimes of moral turpitude. Where a member of the Economic Development Committee has been charged with a crime of moral turpitude, or where the

Reservation Business Committee has considered reliable allegations of such conduct, the Reservation Business Committee may suspend that member until such time as that member has been exonerated of those charges or allegations. The Economic Development Committee may recommend removal or suspension of an Economic Development Committee member to the Reservation Business Committee for any of the above-stated reasons, provided that the conduct at issue is reasonably substantiated.

- 106. Officers.** The Economic Development Committee shall elect from its members a Chairperson, a Vice Chairperson and a Secretary. Each shall serve a term of two (2) years. The Chairperson shall preside at all meetings of the Economic Development Committee or, in the absence of the Chairperson, the Vice-Chairperson shall preside. The Chairperson shall have the responsibility to see that all functions of the Economic Development Committee are satisfactorily conducted and shall perform all general responsibilities which are inherent in that office. The Secretary shall prepare and maintain the minutes of the Economic Development Committee and shall provide copies of the minutes to the Reservation Business Committee within ten (10) days of approval. An officer may be removed from that office by majority vote of a quorum of the Economic Development Committee.
- 107. Functions of the Economic Development Committee.** The Economic Development Committee shall perform the following functions:
- (a) Acquaint themselves with the Fond du Lac Band of Lake Superior Chippewa Strategic Plan and the Community Economic Development Strategy.
 - (b) Review and make recommendations to the Planning Director about all business proposals brought to the Planning Division both from outside sources and those generated internally.
 - (c) Advise the Planning Director in all matters related to management and development issues affecting business on the Fond du Lac Reservation, including Band businesses.
- 108. Meetings.** All meetings of the Economic Development Committee shall be conducted in accordance with the Rules of Order and Code of Conduct prescribed under Articles 110 and 111 of these Bylaws.
- (a) **Regular Meetings.** Regular meetings of the Economic Development Committee shall be held once per quarter. Members shall be notified of the meeting by the Secretary no less than seven (7) calendar days prior to the meeting.
 - (b) **Special Meetings.** Special meetings of the Economic Development Committee may be called by the Chairperson, or by any three (3) members of the Economic Development Committee. Members shall be notified of the special meeting by the Secretary no less than three (3) calendar days prior to the meeting, and shall be


informed of the purpose, place, date and time of the meeting, and shall be informed of those members responsible for calling the meeting. No business shall be conducted at the Special Meeting except as specified in the notice.

- (c) **Quorum.** A quorum shall consist of at least three (3) members, at least one of whom shall be the Chairperson or Vice-Chairperson. If a quorum is present, the affirmative vote of the majority of members present shall be necessary for the adoption of any matter voted upon. A majority of members present, though less than a quorum, may adjourn the meeting.
 - (d) **Open Meeting Requirement.** All meetings of the Economic Development Committee may be open to the interested public. Participation by interested parties shall be in accordance with the Rules of Order prescribed under Article 110 of these Bylaws.
 - (e) **Compensation.** Appointed members will be compensated per meeting in an amount approved annually by the RBC. Employees of the Fond du Lac Band who serve on the Economic Development Committee will be required to take annual leave, PTO, or leave without pay if they attend meetings scheduled during normal working hours and receive the designated stipend.
- 109. Subcommittees.** The Economic Development Committee may establish from its membership standing or *ad hoc* subcommittees to work on any special problems or projects related to its business. Upon a majority vote of the Economic Development Committee, non-committee members may be appointed to *ad hoc* subcommittees.
- 110. Rules of Order.** All meetings of the Economic Development Committee shall be conducted using a modified consensus model of governance.
- 111. Economic Development Committee Code of Conduct.** The following standards of conduct shall apply to members of the Economic Development Committee in carrying out Economic Development Committee functions:
- (a) The purposes of the Economic Development Committee are coordinative and advisory and not administrative, and the performance of administrative and professional functions within the program shall be left to the appropriate staff, who shall be accorded the respect and consideration due professional personnel.
 - (b) The Economic Development Committee is not a political body, and the use of one's membership on the Economic Development Committee to advance personal positions which are not directly related to the Economic Development Committee's purposes is inappropriate.

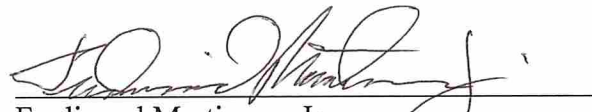
- (c) The authority of the Economic Development Committee resides in the Economic Development Committee as a body, and an individual member has no authority to represent the Economic Development Committee outside official meetings unless specifically delegated by the Committee undertaken in accordance with these Bylaws.
- (d) All Economic Development Committee business shall be conducted in an ethical and above-board manner, and the procedures for holding meetings prescribed under Article 108 of these Bylaws must be strictly observed.
- 112. Amendments.** These Bylaws shall only be amended by resolution of the Reservation Business Committee.

CERTIFICATION

We do hereby certify that the foregoing Ordinance was duly presented and adopted by Resolution #1375/16 by a vote of 2 for, 0 against, 0 silent, with a quorum of 3 being present at a Special meeting of the Fond du Lac Reservation Business Committee held on November 15, 2016 on the Fond du Lac Reservation.



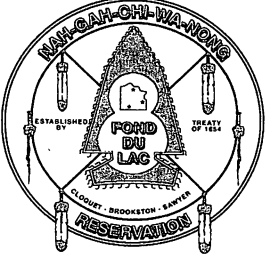
Kevin R. Dupuis, Sr.
Chairman



Ferdinand Martineau, Jr.
Secretary/Treasurer

Fond du Lac Band of Lake Superior Chippewa Reservation Business Committee

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Chairman
Kevin R. Dupuis, Sr.

Secretary/Treasurer
Ferdinand Martineau, Jr.

Dist. I Representative
Vanessa L. Northrup

Dist. II Representative
Bruce M. Savage

Dist. III Representative
Roger M. Smith, Sr.

Executive Director,
Tribal Programs
Chuck Walt

Executive Director,
Tribal Enterprises
Michael Himango

RESOLUTION #1375/16

ENACTING ORDINANCE #02/16 BYLAWS OF THE FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA ECONOMIC DEVELOPMENT COMMITTEE

The Fond du Lac Reservation Business Committee, on behalf of the Fond du Lac Band of Lake Superior (*Nagaajiwanaang*), hereby enacts the following Resolution:

WHEREAS
(*nashke*),

the Fond du Lac Band of Lake Superior Chippewa (*Anishinaabeg*) are a sovereign people, who occupy the Fond du Lac Reservation and retain their aboriginal rights of self-government and self-determination pursuant to the Treaty of LaPointe of September 30, 1854, 10 Stat. 1109; the Indian Reorganization Act of 1934, 25 U.S.C. §461 et seq.; the common law of the United States; and as recognized by the United Nations Declaration on the Rights of Indigenous Peoples of September 17, 2007; *miinawaa*

WHEREAS
(*nashke*),

it is the sovereign obligation of the Fond du Lac Reservation Business Committee (*Wegimaawijig*), as the duly-constituted governing body of the Fond du Lac Band, to exercise the responsibilities of self-government and management over the Band's affairs; *miinawaa*


WHEREAS
(*nashke*),

the Reservation Business Committee has determined it to be necessary and in the best interests of the Fond du Lac Band to establish an Economic Development Committee to review and counsel the Band's Planning Division on business ideas and proposals;


NOW THEREFORE BE IT RESOLVED (*MII GII-INAAKONIGAADeg*), that the Fond du Lac Reservation Business Committee does hereby enact Fond du Lac Ordinance #02/16, entitled "Bylaws of the Fond du Lac Band of Lake Superior Chippewa Economic Development Committee", to become effective immediately.

CERTIFICATION (ENAAKONIGAADEG)

We do hereby certify that the foregoing Resolution was duly presented and acted upon by a vote of 2 for, 0 against, 0 silent, with a quorum of 3 being present at a Executive Meeting of the Fond du Lac Reservation Business Committee held on November 15, 2016, on the Fond du Lac Reservation.



Kevin R. Dupuis, Sr.
Chairman (*Eshpabid*)



Ferdinand Martineau, Jr.
Secretary/Treasurer (*Wezhibii'iged*)