

FOND DU LAC ORDINANCE #01/00

CHARTER AND BYLAWS
OF THE
FOND DU LAC VETERANS COMMITTEE

Adopted by the Fond du Lac Reservation Business Committee by
Resolution #1063/00 on March 28, 2000.

FOND DU LAC ORDINANCE #01/00

CHARTER AND BYLAWS OF THE FOND DU LAC VETERANS COMMITTEE

Pursuant to the authority reserved under the Treaty of LaPointe, 10 Stat. 1109, and as recognized by Article VI of the Revised Constitution of the Minnesota Chippewa Tribe and Section 16 of the Indian Reorganization Act, 25 U.S.C. § 476, the Fond du Lac Reservation Business Committee, as the Governing Body of the Fond du Lac Band of Lake Superior Chippewa, does hereby charter the Fond du Lac Veterans Committee to engage in those activities prescribed herein relating to the oversight and operation of veterans programs and activities which are administered or sponsored by the Fond du Lac Band.

101. **Name.** The name of the organization shall be the Fond du Lac Veterans Committee.
102. **Purpose.** The purpose of the Committee shall be to oversee the operation of programs or activities which are administered or sponsored by the Fond du Lac Band specifically for veterans, and to exercise such advisory, review and decisional authority as is specifically delegated under the provisions of this Charter.
103. **Attributes.** The Fond du Lac Veterans Committee is a subdivision of the Fond du Lac Band of Lake Superior Chippewa, and the actions taken by the Committee shall be imbued with those privileges and immunities inherent to the Fond du Lac Band, except as limited herein. Nothing in this Charter 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 Veterans Committee to suit, except as provided herein.
104. **Veterans Committee Membership.** The Veterans Committee shall consist of five (5) members, who shall be appointed by the Reservation Business Committee to terms of four (4) years. The terms of members shall be staggered so as to preserve continuity of operation and purpose. The Reservation Business Committee may appoint temporary members to the Veterans Committee, consistent with the provisions of this Charter, as necessary to serve out the remainder of existing terms on the Committee. The Reservation Business Committee may consider the recommendations of the Veterans Committee in making such appointments, and shall notify both the appointee

and the Veterans Committee of such appointments. All members of the Veterans Committee must be honorably discharged veterans of the United States Armed Services and enrolled members of the Fond du Lac Band.

105. **Resignation, Removal or Suspension of Veterans Committee Members.** A member of the Veterans Committee may resign from the Committee by providing written notice of resignation to the Committee Chairperson. A member with three (3) consecutive unexcused absences shall be presumed to have resigned from the Veterans Committee. A member of the Veterans Committee may be removed by the Reservation Business Committee for misconduct, malfeasance, or crimes of moral turpitude. Where a member of the Veterans 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 Veterans Committee may recommend removal or suspension of a 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 Veterans Committee shall elect from among its members a Chairperson, a Vice-Chairperson, and Secretary, subject to the approval of the Reservation Business Committee. The Chairperson shall preside at all meetings of the Committee or, in the absence of the Chairperson, the Vice-Chairperson shall preside. The Chairperson shall have the responsibility to see that all the functions of the Veterans Committee are satisfactorily conducted and shall perform all general responsibilities which are inherent to that office. The Secretary shall prepare and maintain the minutes of the Veterans Committee and shall provide copies of Committee 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 Veterans Committee.
107. **Powers.** The Veterans Committee shall have the following powers, subject to the review and approval of the Reservation Business Committee:
- a. **Establishment of Policies and Procedures.** The Veterans Committee shall have the authority to establish such

policies and procedures as are necessary to govern the actions and proceedings of the Veterans Committee, consistent with the purposes prescribed under Article 102 of this Charter, specifically including policies and procedures in the following areas:

- b. Oversight of Procedural Compliance. The Veterans Committee shall review the administration of any program or community service which is administered by the Fond du Lac Band specifically for veterans to ensure compliance with all procedures established by the Reservation Business Committee.
 - c. Coordination of Special Events and Ceremonies. The Veterans Committee shall coordinate all special events and ceremonies which are sponsored by the Fond du Lac Band specifically for veterans. Where contributions are sought from the Reservation Business Committee for such purposes, the Veterans Committee shall develop and present to the Reservation Business Committee a proposed budget for each event or ceremony which clearly delineates all recommended expenditures. The fiscal records of all veterans activities shall be maintained and managed by the Fond du Lac Accounting Division, which shall follow the accepted rules of accounting and the recordkeeping policies of the Reservation Business Committee.
 - d. Operation of the Fond du Lac Veterans Museum. The Veterans Committee shall oversee the operation of the Fond du Lac Veterans Museum, and shall communicate all concerns regarding the operation of the Museum to the Reservation Business Committee or appropriate Band staff.
 - e. Community Relations. The Veterans Committee may speak to the Fond du Lac community on any matter relating to the administration of veterans activities on the Fond du Lac Reservation, and may communicate with community members as necessary to advance the purposes and projects of the Committee.
108. Meetings. All meetings of the Veterans Committee shall be conducted in accordance with the following procedures and the limitations set forth under Article 109 of this Charter.

- a. **Regular Meetings.** Regular Meetings of the Veterans Committee shall be held monthly, and shall be open to the public. A written notice of a Regular Meeting must be sent to each member of the Committee by the Secretary at least five (5) calendar days prior to the meeting specifying the agenda, place, date and time of the meeting.
- b. **Special Meetings.** Special Meetings of the Veterans Committee may be called by the Chairperson or by any three (3) members of the Committee. A written notice must be sent to each member by the Secretary at least three (3) calendar days prior to the meeting specifying the purpose, place, date and time of the meeting and shall include the names of those members responsible for calling the meeting. No business shall be conducted at the Special Meeting except as specified in the written notice.
- c. **Executive Sessions.** The Chairperson or a majority of the Veterans Committee may call an executive session after a legally-convened meeting of the Committee, having established a quorum and by a majority vote of members present, for the consideration of matters of a highly sensitive or confidential nature. Matters discussed and/or resolved in Executive Session are to be treated with the utmost confidentiality, and Committee members shall not disclose the details of Executive Sessions to unauthorized persons.
- d. **Agenda.** The Chairperson of the Veterans Committee shall develop a meeting agenda based upon the regular business of the Committee and issues raised by Committee members or other interested parties.
- e. **Quorum.** A quorum of three (3) members, at least one of whom shall be the Chairperson or the Vice-Chairperson, shall be necessary to conduct the business of the Veterans Committee.
- f. **Voting Procedures.** All votes taken by the Veterans Committee shall be based upon a motion duly made and seconded. No vote shall be valid unless made during a duly-convened meeting with a quorum present. A majority of voting members present and voting shall be necessary to pass or defeat a motion. Officers of the Committee, except for the presiding officer, are expected to vote on

all motions. In the event of a tie vote, the presiding officer shall cast the deciding vote.

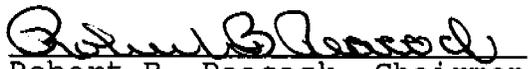
109. Limitations. The following limitations shall apply to members of the Veterans Committee in carrying out Committee functions:

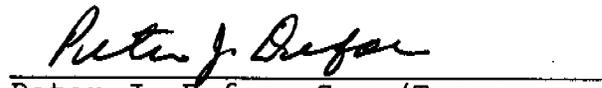
- a. Political Activity. No member of the Veterans Committee shall use Committee membership to advance personal positions which are not directly related to the Committee's purposes, to promote propaganda or to otherwise attempt to influence the outcome of legislative or political processes.
- b. Representation. No member of the Veterans Committee shall represent that he or she individually speaks or acts for the Veterans Committee, Reservation Business Committee or the Fond du Lac Band outside of official meetings unless and to the extent that such representation is designated in advance by the Veterans Committee.
- c. Personal Compensation. No member of the Veterans Committee shall receive any income or compensation for serving on the Committee, except to the extent that the Reservation Business Committee authorizes reasonable compensation for services rendered.
- d. Operational Limitations. The Veterans Committee shall not engage in any activity which is not permitted by (1) a corporation which is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1954 or (2) a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1954.
- e. Conflicts of Interest. No member of the Veterans Committee shall use his or her membership on the Committee for personal gain or to benefit members of his or her immediate family. Use of one's membership on the Committee in such a manner shall constitute misconduct, and shall be sufficient grounds for removal as provided under Article 105 of this Charter.

110. Amendments. This Charter shall only be amended by separate Ordinance of the Reservation Business Committee.

CERTIFICATION

We do hereby certify that the foregoing Ordinance #01/00 was duly enacted by Resolution #1063/00 by a vote of 3 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 March 28, 2000 on the Fond du Lac Reservation.


Robert B. Peacock, Chairman


Peter J. Defoe, Sec./Treas.

laws:0100

Fond du Lac Reservation

Business Committee

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Chairman
Robert B. Peacock

Secretary/Treasurer
Peter J. Defoe

Dist. I Councilman
Clifton Rabideaux

Dist. II Councilman
V.R. "Butch" Martineau

Dist. III Councilman
George Dupuis

Executive Director
I. Jean Mulder

RESOLUTION # 1063/00

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

WHEREAS, the Fond du Lac Reservation is a sovereignty, created by the Treaty of September 30, 1854, 10 Stat. 1109, as the permanent home of the Fond du Lac Band of Lake Superior Chippewa, which possesses the inherent jurisdiction and authority to exercise regulatory control within the boundaries of the Fond du Lac Reservation; and

WHEREAS, it is the sovereign obligation of the Fond du Lac Reservation Business Committee, as the Governing Body of the Fond du Lac Band, under the Indian Reorganization Act, 25 U.S.C. § 461 et seq., and in accordance with the Indian Self-Determination Act, 25 U.S.C. § 450 et seq., to assume the responsibilities of self government; and

WHEREAS, the Reservation Business Committee has determined it to be necessary and in the best interests of the Fond du Lac Band to form a committee to oversee the operation of programs or activities which are administered or sponsored by the Fond du Lac Band specifically for veterans, and to authorize said Committee to exercise such advisory, review and decisional authority pursuant to a charter and bylaws approved by the Reservation Business Committee; and

WHEREAS, the Reservation Business Committee has reviewed the proposed "Charter and Bylaws of the Fond du Lac Veterans Committee," and finds it to be acceptable and in the best interests of the Fond du Lac Band;

NOW THEREFORE BE IT RESOLVED, that the Fond du Lac Reservation Business Committee does hereby adopt Fond du Lac Ordinance #01/00, entitled the "Charter and Bylaws of the Fond du Lac Veterans Committee."

CERTIFICATION

We do hereby certify that the foregoing Resolution adopting Fond du Lac Ordinance #01/00, entitled "Charter and Bylaws of the Fond du Lac Veterans Committee," was duly presented and acted upon by a vote of 3 for, 0 against, 0 silent, with a quorum of 4 being present at a Special Meeting of the Fond du Lac Reservation Business Committee held on March 28, 2000, on the Fond du Lac Reservation.


Robert B. Peacock, Chairman


Peter J. Defoe, Sec./Treas.