



BOIS FORTE

Reservation Tribal Council

Box 16 • Nett Lake, MN 55772 • 218-757-3261 • FAX 218-757-3312

RESOLUTION NO. 147-2005

WHEREAS, the Bois Forte Band of the Minnesota Chippewa Tribe is a federally-recognized Indian tribe organized under the Indian Reorganization Act of 1934; and

WHEREAS, the Bois Forte Reservation Tribal Council (RTC) is the lawful governing body of the Band and is required by Article VI Section of the Minnesota Chippewa Tribe Bylaws to adopt bylaws to govern the duties of TRC members and meetings of the Council; and

WHEREAS, Ordinance No. 56-99, adopted October 1, 1998, revised the original bylaws of the Band and remains in effect today; and

WHEREAS, pursuant to Article V of the Bylaws, amendments may be made by the RTC at a regular meeting, provided that the proposed amendment has been posted for public comment for at least thirty (30) days; and

WHEREAS, on December 15, 2004, the Bois Forte RTC adopted a motion approving the posting for public comment of a proposed amendment to the Bylaw relating to an annual state of the Band address; and


WHEREAS, the RTC has considered all comments and finds that it is in the best interests of the Band to adopt the proposed amendment; and

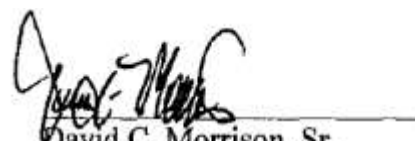
NOW THEREFORE BE IT RESOLVED that the Bois Forte Bylaws, Ordinance 56-99, are hereby amended by adding a subsection (g) to Article II Section 2 (Duties of the Chairperson) as follows:

Report on the state of the Band in January of each year on a date designated for that purpose by the Reservation Tribal Council.

Certification

We do hereby certify that the foregoing resolution was duly presented and enacted upon by a vote of 4 for, 0 against, 0 abstaining, at a regular meeting of the Bois Forte Reservation Tribal Council, a quorum being present, held on April 6, 2005 at Nett Lake, Minnesota.


Kevin W. Leecy
Chairman


David C. Morrison, Sr.
Secretary-Treasurer



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Reservation Tribal Council

5344 Lakeshore Drive ♦ Box 16 ♦ Nett Lake, MN 55772
218-757-3261 ♦ 800-221-8129 ♦ FAX 218-757-3312

Chairman
Kevin W. Leecy

Secretary-Treasurer
David C. Morrison, Sr.

Council Members
Gordon Adams, Jr.
Ray Villebrun, Sr.
Kevin A. Strong

Executive Director
Barb Bradeen

AMENDMENT TO BOIS FORTE RESERVATION TRIBAL COUNCIL BYLAWS

Pursuant to Article V of the Bylaws, the Reservation Tribal Council hereby authorizes the posting and publication of the following proposed amendment for public comment. The comment period shall be 30 days, commencing on December 15, 2004 and ending January 15, 2005. All comments shall be submitted to the Reservation Tribal Council attention Barb Brodeen, Executive Director.

Amend Article II, Section 2 by adding a subsection (g) to the duties of the Chairperson, as follows:

g. Report on the state of the Band in January of each year on a date designated for that purpose by the Reservation Tribal Council.

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BOIS FORTE TRIBAL COUNCIL

ORDINANCE NO. 56-99

BYLAWS

Pursuant to Article VI, Section 1 of the Bylaws of the Minnesota Chippewa Tribe, the following bylaws shall govern the duties of Bois Forte Reservation Tribal Council members and the meetings of the Tribal Council. This Ordinance shall supersede Ordinance No. I-65, enacted July 28, 1964, and all other prior ordinances that are inconsistent with this Ordinance.

ARTICLE I

NAME

The Bois Forte Reservation Business Committee, as referred to in the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe, shall also be known as the Bois Forte Reservation Tribal Council.

ARTICLE II

DUTIES OF THE MEMBERS OF THE BOIS FORTE RESERVATION TRIBAL COUNCIL

Section 1 All members of the Bois Forte Reservation Tribal Council shall:

- a. Act at all times in the public interest and protect the health, safety and general welfare of the whole Band; and
- b. Protect and promote tribal sovereignty and self-determination; and
- c. Uphold these Bylaws, the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe, and the laws, customs, and traditions of the Bois Forte Band.

- d. Expend funds belonging to the Band or under the control of the Band only if authorized as provided in these Bylaws and if a satisfactory bond is in place.
- e. Promptly report any violations of Band fiscal policies or procedures and any unauthorized use or disposition of Band funds and property.

Section 2 The Chairperson of the Reservation Tribal Council shall:

- a. Preside at meetings of the Reservation Tribal Council;
- b. Represent the Band in its dealings with other governments in a manner consistent with the policies of the Reservation Tribal Council and these Bylaws;
- c. Act as the agent of the Reservation Tribal Council to administer the policies, ordinances, and instructions of the Reservation Tribal Council and to conduct its correspondence;
- d. On instructions from the Reservation Tribal Council, and with the Secretary/Treasurer, sign, execute and deliver official documents, including warrants drawn against funds of the Band;
- e. Report to the Reservation Tribal Council on affairs and interests of the Minnesota Chippewa Tribe, and report on Tribal Executive Committee meetings;
- f. Vote in meetings of the Reservation Tribal Council only in case of a tie.

Section 3 Vice-Chairperson

- a. The Reservation Tribal Council shall at its first meeting after a regular election, select by a majority vote of the Reservation Tribal Council and from the District Representatives, a Vice-Chairperson.
- b. In the absence of the Chairperson, the Vice Chairperson shall preside at meetings of the Reservation Tribal Council and in the event of the death, incapacity, resignation, or removal from office of the Chairperson, the Vice Chairperson shall exercise all the duties of the Chairperson until the incapacity no longer exists or the vacancy is filled.
- c. On instructions from the Reservation Tribal Council, and with the Secretary/Treasurer, sign, execute and deliver official documents, including warrants drawn against funds of the Band.

Section 4 The Secretary/Treasurer of the Reservation Tribal Council shall:

- a. Cause to be made, certified, and maintained a complete and accurate record, by means of minutes, of all proceedings of and actions taken at all meetings of the Reservation Tribal Council and provide such minutes to other members of the Reservation Tribal Council;
- b. Issue such notices as may be required by Band law;
- c. As directed by the Reservation Tribal Council and with the Chairperson or Vice-Chairperson, sign, execute, and deliver official documents, including warrants drawn against funds of the Band;
- d. Accept, provide receipts for, and safeguard all funds and property of the Band; acquire and maintain appropriate bonds for such purposes; and cause to be kept complete and accurate accounting records of Band funds in accordance with Reservation Tribal Council policies or procedures;
- e. As instructed by the Reservation Tribal Council, procure an independent audit of the accounting records of the Band at least once each fiscal year, provide audit reports to the other members of the Reservation Tribal Council and make such audit reports available for public inspection by Band members as authorized by Band law;
- f. As instructed by the Reservation Tribal Council and as necessary to monitor the financial condition of the Band and its programs, require periodic accountings and reports and be prepared at meetings of the Reservation Tribal Council to report the financial condition of the Band;

Section 5 All members of the Council shall endeavor to be familiar with the laws, policies, procedures and programs of the Band. The Reservation Tribal Council may assign members of the Council to committees created under these Bylaws, or to oversee the activities of any program or activity authorized by the Reservation Tribal Council; provided that such oversight shall not interfere with the administration of justice by the courts of the Band, nor shall it be deemed to be a grant of authority inconsistent with that which may be specifically delegated by or reserved to the Reservation Tribal Council.

Section 6 The Reservation Tribal Council may by resolution approve or appoint subordinate committees or other entities. Each such resolution shall: (1) name the members; 2) describe the purpose, duties, responsibility and authority of the committee; 3) designate a presiding member; and 4) indicate the duration of the committee's existence. To the extent that the Reservation Tribal Council delegates any of its authority, it reserves the right to review any action taken by virtue of such delegated authority.

Section 7 No member of the Reservation Tribal Council shall have the authority to hire or discharge employees of the Band or to take any disciplinary action against such an employee except as authorized by motion or resolution of the Reservation Tribal Council. The Reservation Tribal Council shall adopt a personnel policy which shall govern all matters concerning employment with the Bois Forte Band.

**ARTICLE III
MEETINGS OF THE RESERVATION TRIBAL COUNCIL**

Section 1 Regular meetings by the Reservation Tribal Council shall be held once in every third month, beginning in July of each year, on a date designated by the Reservation Tribal Council for that purpose. The Reservation Tribal Council shall designate one of its regular meetings as the annual meeting of the Band. Regular meetings shall be held at a public place within the territory of the Bois Forte Band.

Section 2 Special meetings may be called:

- a. At any time by the Chairperson, who shall make reasonable efforts to notify the other members of the Reservation Tribal Council.
- b. At any time by the written and signed order of three or more members of the Reservation Tribal Council, who shall make reasonable efforts to notify the other members of the Reservation Tribal Council.

Section 3 Meeting by Electronic Communications. A conference among Reservation Tribal Council members by any means of communication through which the Reservation Tribal Council members may simultaneously hear each other during the conference constitutes a meeting of the Reservation Tribal Council if the number of members participating in the conference would be sufficient to constitute a quorum at a meeting, and if the meeting is called as provided in these Bylaws. In any Reservation Tribal Council meeting, a member may participate by any means of communication through which the member, other members so participating, and all members physically present at the meeting may simultaneously hear each other during the meeting.

Section 4 Three members of the Reservation Tribal Council shall constitute a quorum for meetings, unless membership in the Reservation Tribal Council is reduced to three or fewer members in which case a majority of the membership shall constitute a quorum. No business shall be transacted unless a quorum is present, and unless otherwise provided by the Revised Constitution of the Minnesota Chippewa Tribe, action of the Reservation Tribal Council shall be by majority vote of those present and voting. Robert's Rules of Order shall govern the conduct of the meetings to the extent such Rules are not inconsistent with the specific provisions of this Ordinance.

Section 5 A formal agenda is not required for special meetings. The order of business at any meeting so far as possible shall be:

- a. Call to order by the presiding officer.
- b. Invocation.
- c. Roll call.
- d. Presentation of the minutes of the last meeting.
- e. Reports of committees and officers.
- f. Unfinished business.
- g. New business.
- h. Adjournment.

ARTICLE IV

BEGINNING OF NEW TERMS

Section 1 The winning candidates in Regular Elections shall take office and assume all the authority of their positions at 12:01 a.m. on the second Tuesday in July following the elections; provided that if an election for a particular position is protested and the protest has not been finally ruled upon in accordance with the Election Ordinance of the Minnesota Chippewa Tribe the incumbent shall remain in office pending such final decision and until a new person takes office. The protest of the election for any one position shall not affect the beginning of the new terms of other winning candidates. If the final ruling on the protest upholds the election, the winning candidate shall take office and assume all the authority of the position at 12:01 a.m. on the day following the day the final order upholding the election is filed. If the final ruling orders a new election, the winning candidate of such election shall take office and assume all the authority of the position in accordance with the following paragraph.

Section 2 For special elections, the winning candidate shall take office and assume all the authority of the position at 12:01 a.m. on the tenth day following the day of the election. If a special election is protested, and the protest has not been finally ruled upon by such time, the winning candidate shall take office and assume all the authority of the position at 12:01 a.m. on the day following the final order upholding the election.

Section 3 Unless otherwise required by the uniform election ordinance of the Minnesota Chippewa Tribe, the beginning of new terms shall be as provided in Sections 1 and 2 of this Article VI.

Section 4 The oath of office shall be administered no later than ten (10) days after a successful candidate assumes office pursuant to this Article and the oath shall be administered by a Judge of the Bois Forte Tribal Court, the President of the

Minnesota Chippewa Tribe, or a Judge of the Minnesota Chippewa Tribal Court.

The oath of office shall be:

"I, _____, do hereby swear that I will support, honor and respect the Constitution of the United States, the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe, and the Bylaws, laws, customs, and traditions of the Bois Forte Band. I will faithfully and impartially discharge the duties of my office to the best of my judgment and ability, so help me God."

ARTICLE V

AMENDMENTS

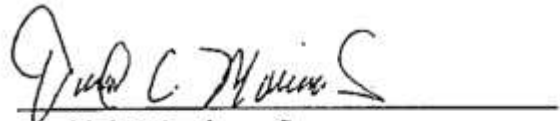
These Bylaws may be amended by action of the Reservation Tribal Council at a regular meeting. Provided, that proposed amendments shall be posted and published by the Reservation Tribal Council for public comment not less than 30 days prior consideration by the Reservation Tribal Council.

CERTIFICATION

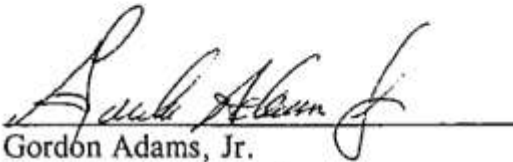
We do hereby certify that the foregoing ordinance was duly presented and enacted upon by a vote of 4 for, 0 against, 0 abstaining, at a **REGULAR** meeting of the Bois Forte Reservation Tribal Council, a quorum being present, held on **OCTOBER 1**, 1998, at **TOWER**, Minnesota.



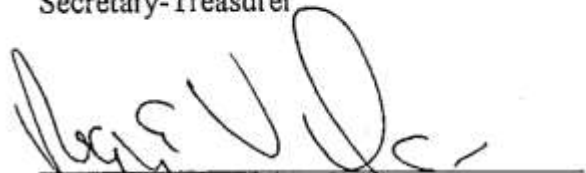
Doris Isham
Chairwoman



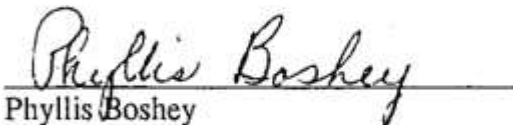
David C. Morrison, Sr.
Secretary-Treasurer



Gordon Adams, Jr.
District I Representative



Raymond E. Villebrun, Sr.
District I Representative



Phyllis Boshey
District II Representative