

SQUAXIN ISLAND TRIBE

RESOLUTION NO. 98-45
of the
SQUAXIN ISLAND TRIBAL COUNCIL

WHEREAS, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe by the authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1865; and,

WHEREAS, under the Constitution and Bylaws of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, and general welfare of the Squaxin Island Tribal Reservation residents; and,

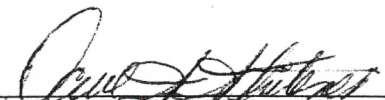
WHEREAS, The Squaxin Tribe has a governmental structure that utilizes advisory committees, commissions and special task teams.


WHEREAS, The Squaxin Island Tribal council has the authority to pass or amend necessary ordinances to ensure strong governmental processes:

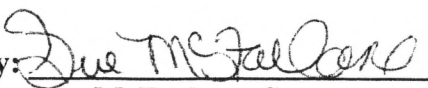
THEREFORE BE IT RESOLVED, that the Squaxin Island Tribal Council, under the authority granted to Squaxin Island Tribal Council by Article III, section 1 (a-i) of the Squaxin Island Tribal Constitution, hereby approves the Commissions and Committees Policy Ordinance.

CERTIFICATION

The Squaxin Island Tribal Council does hereby certify that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this 25th day of June, 1998, at which time a quorum was present and was passed by a vote of 4 for and 0 against with 0 abstentions.


Dave Whitener, Sr., Chairman


Cal Peters, Vice Chairman

Attested by: 
Sue McFarlane, Secretary

Commissions and Committees Policy Ordinance

Commissions, Committees, and Special Advisory Boards

Section 1. Title for citation. This Ordinance shall be known as the “Commissions and Committees Policy Ordinance” of the Squaxin Island Tribe.

Section 2. Policy declaration. The public’s trust in their government may be sustained only as long as the public remains involved in the deliberations essential to responsible decision-making by that government. The Tribal Council wishes to preserve this public trust by openly seeking advice, ideas and recommendations from the Squaxin Island Tribal Community. Accordingly, the Council wishes to provide equal opportunities for public service and encourages Tribal members to serve on commissions, committees, and special advisory boards to the Council. Furthermore, the Council believes the performance of these commissions, committees and special advisory boards can be enhanced by creating and by administering them according to a consistent policy.

Section 3. Definitions. The following words, whenever used in this ordinance, shall have the meanings set forth in this section:

- A. “Advisory Body” means any group created by the Tribal Council to provide advice to the Tribal Council or to perform a specific task or functions. An “Advisory Body” must be established by either an ordinance or a resolution. Advisory bodies include commissions, committees, and special advisory boards.
- B. “Commission” means any advisory body created by the Tribal Council to exist for longer than two years. A “Commission” is delegated specific decision-making authority by the Tribal Council.
- C. “Committee” means any advisory body created by the Tribal Council to exist for longer than two years. A “Committee” does not have decision-making authority. Committees created by the Tribal administration that are composed only of staff member are not covered by this Ordinance.
- D. “Special Advisory Board” means any advisory body created by the Tribal Council for a specific purpose or task. A “Special Advisory Board” shall not normally exist for longer than two years and will not have decision-making authority.
- E. “Ordinance” means any law approved as to form by the Tribal Council and adopted as part of the Tribal Code.

Section 4. Scope of provisions. This Ordinance shall apply to any advisory body including commissions, committees, special advisory boards, and any other advisory group over which the council has appointing authority or jurisdiction. Nothing in this Ordinance shall be interpreted or applied so as to create any power, duty or condition in conflict with any other Tribal Ordinance.

Section 5. Effect of provisions. Each existing commission, committee or special advisory board shall be deemed abolished six months from and after the effective date of this Ordinance unless the advisory body has been previously established by an ordinance or resolution and their by-laws have been approved by Tribal Council. Advisory Bodies not previously formally established must

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be re-established by ordinance or resolution in conformity with this Ordinance before the expiration of said six months.

Section 6. Commission and Committee creation procedures.

- A. Each commission created by the Tribal Council shall be created by an ordinance and each committee created by the Tribal Council shall be created by a resolution, specifying:
 - 1. The commission's statutory authority, if any;
 - 2. The commission's or committee's purpose;
 - 3. The commission's or committee's membership consistent with Section 8 of this Ordinance;
 - 4. The commissioners' or committee members' terms of office, consistent with Section 10 of this Ordinance;
 - 5. The commission's or committee's organization and procedures, consistent with Sections 11 through 24 of this Ordinance,
 - 6. Any necessary exceptions, consistent with Section 24 of this Ordinance, and
 - 7. The repeal of any ordinance or resolution in conflict with the ordinance or resolution that created the commission or committee.
- B. An ordinance creating a commission may be amended, repealed or superseded only by an ordinance.
- C. The Council Secretary shall send a copy of each ordinance or resolution creating a commission or committee to each tribal department directly affected by such ordinance or resolution.

Section 7. Special Advisory Board creation procedures.

- A. Each special advisory board created by the Tribal Council shall be created by a resolution specifying:
 - 1. The special advisory board's specific purpose or task;
 - 2. The special advisory board's membership, consistent with Section 8 of this Ordinance,
 - 3. The special advisory board's Chairperson and other officers, if required,
 - 4. The special advisory board's termination date;
 - 5. The special advisory board's organization and procedures, consistent with Sections 11 through 24 of this Ordinance,
 - 6. Any necessary exceptions, consistent with Section 24 of this Ordinance; and
 - 7. The repeal of any ordinance or resolution in conflict with the ordinance or resolution that created the commission or committee.
- B. No special advisory board shall serve an original term of longer than two years. The Tribal Council may by resolution extend the term of any special advisory board for a specified period of time. A special advisory board shall automatically be deemed dissolved if its term is not extended before the board's termination date.
- C. A resolution creating a special advisory board may be amended, repealed or superseded only by a resolution which specifically refers to the original authorizing resolution.
- D. The Council Secretary shall send a copy of each resolution creating a special advisory board to each tribal department directly affected by such resolution.

Section 8. Membership qualifications and nomination.

- A. Eligibility. Each member of a commission, committee or special advisory board, shall be an enrolled Squaxin Tribal Member except that non-tribal members may be appointed to a commission or committee when the commission or committee is established jointly with another entity or entities. Staff members may be assigned to work with advisory bodies as necessary.
- B. Appointments. The Council shall nominate and approve all members of commissions, committees, and special advisory boards as provided in subsection 21.
- C. Alternate Members. No alternate members shall be appointed to serve on any commission or committee unless deemed necessary by the Tribal Council.

Section 9. Application for appointment. Any person seeking appointment to any advisory body to which the Tribal Council makes appointments may submit to the Council a written application expressing his or her interest in serving on such advisory body.

Section 10. Terms of office.

- A. Commission Members: Each commission member whose term is not set by statute shall serve for a term of three years.
- B. Committee Members: Each committee member whose term is not set by statute shall serve for a term of three years.
- C. Special Advisory Board Members: Each special advisory board member shall serve for the life of the board.
- D. Removal. Upon the recommendation of the advisory body's Chairman or the majority of the advisory body's membership, any individual commission, committee, or special advisory board member may be removed from office by a vote of the Tribal Council favoring such removal.

Section 11. Officers. Each commission and committee shall elect its chairperson and vice-chairperson by a majority vote at its first regular meeting with a quorum as defined in Section 14. Commission and committee officers shall be elected during the first meeting of the commission or committee and each February thereafter, or as otherwise set by statute.

Section 12. Meetings.

- A. Open and Public. Each advisory body meeting shall be open and public, except authorized executive sessions. All commissions and committees shall hold regular meetings, the time and place for which shall be determined by a majority of the members, as specified in the commission's or committee's bylaws and approved by the Tribal Council. Special advisory boards will hold meetings as called by its chairperson. All advisory body meetings shall be held at locations which are accessible to the public and which are functional for, usable, and accessible to physically handicapped persons to the maximum extent feasible.
- B. Executive Sessions. No advisory body shall hold an executive session, or any meeting excluding the public, without first receiving written authorization from the Tribal

Council, unless a Tribal Council member is also an appointed member of the advisory body. In such cases, the Tribal Council member who is on the advisory body may approve executive sessions. The Tribal Council shall be represented at all executive sessions held by any advisory body.

Section 13. Bylaws. Procedures for the conduct of business by each commission or committee not specified in the commission's authorizing ordinance or the committee's authorizing resolution shall be contained in bylaws adopted by the commission or committee and submitted to the Tribal Council for final approval. Special advisory boards will establish bylaws only if so required in the authorizing resolution approved by Tribal Council.

Section 14. Quorum. A majority of the voting members of each commission or committee shall constitute a quorum, and no act of any commission or committee shall be valid unless at least a majority of those members constituting a quorum concur therein; provided, however, that for five-member commissions or committees an affirmative vote of at least three of the voting members of the commission or committee shall be required. Any act of any commission or committee shall be accomplished by a roll call vote when such a vote is requested by any member in attendance. Special advisory boards have no quorum requirements.

Section 15. Minutes of meetings. Official minutes recording the motions entertained and actions taken at each commission or committee meeting shall be prepared and submitted by each commission, and committee to the Tribal Council, the Council Secretary, and the Tribal administrative office. Special advisory boards do not have to prepare minutes unless directed by Tribal Council in the resolution establishing the board.

Section 16. Reports.

- A. An annual report for each Fiscal Year shall be submitted by each commission and committee to the Tribal Council and to the Tribal Executive Director on or before November 15 of each year. The annual report shall highlight the activities, accomplishments and future goals of the commission or committee and shall utilize the following report format:
 1. Role(s) of the commission or committee;
 2. Meeting dates, time and location;
 3. Commission or committee structure;
 4. Commission or committee staff (designated staff or staff assigned through department);
 5. Attendance;
 6. Annual goals and accomplishments (reporting year goals and attainment of those goals; summary of reporting year activities including special projects and projects and workshops or seminars that members have attended, if applicable);
 7. Future goals; and
 8. Recommendations.
- B. A final report, containing a summary of activities and projects undertaken by a special advisory board and any final recommendations to the Tribal Council, and any other information requested by the Council, shall be submitted by each special advisory board

to the Council and Tribal Executive Director before expiration of the special advisory board's life.

- C. In addition to the annual report or final report, any commission, committee or special advisory board may submit progress reports and recommendations to the Tribal Council and the tribal administrative office at any time.

Section 17. Expenses. The members of each commission, committee or special advisory board may receive reimbursement for travel and other expenses incurred while on official business of the Squaxin Island Tribe when such reimbursement is approved in advance by the Tribal Council.

Section 18. Tribal staff support. The Tribal Council shall, when feasible, provide that each commission, committee or special advisory board be assisted by the tribal department most closely related to the function of such commission, committee or special advisory board, and may designate as administrative secretary to such commission, committee or special advisory board the head of such department. The department head may designate his or her representative to serve as administrative secretary.

Section 19. Vacancies—Reporting.

- A. A vacancy shall exist and shall be reported in writing by the advisory body's chairperson to the Tribal Council, the Council Secretary, and the member vacating his or her seat whenever an advisory body member fails to attend three consecutive regular meetings without good cause entered in the minutes.
- B. Any notice of resignation shall be submitted in writing to the advisory body's chairperson and forwarded by the chairperson to the Tribal Council and the Council Secretary. Any vacancy caused by the death, disability or any other circumstance shall be reported in writing by the advisory body's chairperson to the Tribal Council and the Council Secretary.
- C. Whenever the Council receives knowledge of a vacancy, from whatever source, it shall proceed to fill the vacancy pursuant to Section 21 of this ordinance.

Section 20. Filling scheduled vacancies. On or before December 31st of each year, the Council Secretary shall prepare an appointment list of all regular and ongoing commissions and committees, which shall contain the following information:

- A. A list of all appointive terms which will expire during the next calendar year, with the name of the incumbent appointee, the date of appointment, the date the term expires, and the necessary qualifications for the position.
- B. A list of all commissions and committees whose members serve at the pleasure of the Tribal Council and the necessary qualifications for each position.

Section 21. Filling unscheduled vacancies.

- A. Whenever any unscheduled vacancy occurs in any advisory body, whether due to removal, resignation, death, termination, or other causes, a special notice of vacancy shall be posted in the office of the Tribal Council Secretary, and no appointment to fill such vacancy shall be made until at least ten working days have passed after the posting of such notice, except as provided herein.

- B. A special notice of vacancy shall be placed on the agenda of the Tribal Council within twenty days after the vacancy occurs. Nominations for appointment to fill any such vacancy may be made at any meeting held at least two weeks after the date that the notice of vacancy appears on the Council's agenda, and the final appointment to fill such vacancy shall be made at the next succeeding meeting of the Council, or at any later meeting, as an item on its regular agenda. Notwithstanding the above, when there is only one nomination forwarded by public agency, community organization or other designated sponsor for appointment by the Tribal Council, the nomination may be placed on the Council's agenda.
- C. Notwithstanding the foregoing, the Council may, if it finds that an emergency exists, fill any vacancy immediately by appointing a person to serve on an acting basis until a final appointment is made, pursuant to this section and Sections 19 and 20. Except for emergency appointments, all vacancies shall be filled by persons appointed by the Council to serve for the remainder of the unexpired term. The commission's or committee's recommendations concerning successors may be submitted to the Tribal Council.
- D. For the purpose of this section, a vacancy shall exist from the date of removal, resignation, death, termination or other completion of the term.

Section 22. Subcommittee establishment or dissolution.

- A. The establishment and dissolution of all subcommittees shall be reported in writing to the Council by the commission or committee which appointed the subcommittee. Members of any subcommittee need not be commission or committee members, except that the commission or committee chairperson shall designate a commission or committee member to serve on the subcommittee.
- B. For the purpose of Sections 11 through 24 only, "subcommittee" means any subsidiary study group appointed by a commission or committee to assist that commission or committee for longer than six months.

Section 23. Additional regulations. Each commission, committee and special advisory board shall observe any additional provision deemed necessary by the Tribal Council and included in the advisory body's authorizing ordinance or resolution.

Section 24. Exceptions. To the extent that any provision of Section 10 or Sections 11 through 24 may be demonstrated to be unfeasible in their application to a particular commission, committee, or special advisory board an exception to Section 10 or Sections 11 through 24 may be granted by the Council only after the exceptions are specified as "exceptions" in the advisory body's authorizing ordinance or resolution.

Section 25. Public records maintenance.

- A. Records Required. The Council Secretary shall be responsible for maintaining custody of:
 - 1. Current membership lists recording the name, term of office, and expiration of term of each advisory body's member. The appropriate membership list shall appear inside the jacket of each commission, committee or special advisory

- board's file, along with a copy of the advisory body's bylaws, if any, and authorizing ordinance or resolution;
2. All minutes from each commission and committee meeting; and minutes from special advisory boards if so required.
 3. All annual reports, final reports, progress reports or recommendations to the Council from each advisory body; and
 4. All other public documents pertaining to the business of any advisory body.
- B. Inventory of Vacancies. A complete inventory of all advisory body vacancies shall be conducted by the Council Secretary each month, and a list of such vacancies shall be reported in writing to the Council on the first business day of each month.
- C. Notice of Vacancies. All vacancies caused by expired terms on any advisory body to which the Council makes appointments shall be noticed publicly by the Council Secretary on a quarterly basis.

Section 26. Noncompliance—Penalty. In addition to any other penalty provided for by law, any willful or knowing failure by any commission, committee or special advisory board to comply with any provision of this ordinance may result in the removal of any or all of the advisory body's members.