

**FOREST COUNTY POTAWATOMI COMMUNITY
GAMING COMMISSION BYLAWS**

ARTICLE I. NAME AND PURPOSE

- Section A. This Commission shall be known as the Forest County Potawatomi Gaming Commission ("Commission").
- Section B. The Commission is established by the Forest County Potawatomi Community's ("Community") Gaming Control Ordinance (Second Amended and Restated) ("Ordinance").
- Section C. The purposes and duties of the Commission shall be to regulate all gaming activities conducted on the Tribe's Lands as established by the Ordinance.

ARTICLE II. MEMBERSHIP

- Section A. The Commission shall consist of five (5) members.
- Section B. Appointments to the Commission will be made by the Community's Executive Council.
- Section C. The members of the Commission will be drawn from members of the Community who satisfy all of the requirements established by the Ordinance.
- Section D. The term of all members of the Commission shall be four (4) years, with staggered terms. For any appointment made to fill a vacancy of an unexpired term, the appointed member shall complete the remainder of the unexpired term.
- Section E: The annual term renewal date of the Commission shall be based on a October 1st to September 30th Commission year. If such date falls on a weekend or holiday, the annual term renewal date shall fall on the Tribal business day immediately preceding such weekend day or holiday.
- Section F. The members of the Commission shall serve on a full-time basis and will be compensated on a salary basis as determined by the Executive Council.
- Section G. Resignations from the Commission must be in writing and received by the Commission Secretary. Upon receipt of such written notice, the Commission shall immediately notify the Executive Council of the vacancy.
- Section H. All Commission members are subject to removal from office by the Executive Council in accordance with the Ordinance.
- Section I. The Executive Council will fill any vacancy on the Commission due to death, resignation, term expiration, or removal from office within thirty (30) days of the vacancy.

ARTICLE III. OFFICERS AND THEIR DUTIES

- Section A. The Commission shall have the following officers: a Chairperson, a Vice-Chairperson, and a Secretary.
- Section B. All officers shall be elected every two (2) years (in even-numbered calendar years) by a majority vote of the Commission members at the first regular meeting of the Commission held in the month following the Commission's annual term renewal date (October) so as to allow participation by newly appointed member(s).
- a. When an officer vacancy occurs more than sixty (60) days prior to the next scheduled officer election, the Commission shall hold a special election to fill the vacant position during the first regular meeting of the Commission held following the swearing in of the newly appointed member(s).
 - b. When an officer vacancy occurs less than sixty (60) days prior to the next scheduled officer election, the position shall remain vacant until the next scheduled election.
 - c. All Commission officer elections shall be governed by these Bylaws, and in all matters not covered in these Bylaws, then by the current edition of Robert's Rules of Order, Revised.
- Section C. The Chairperson shall be elected by the Commission members. The Chairperson shall vote during elections for officers; in all other matters, the Chairperson shall not vote except in case of a tie. The Chairperson's duties shall include:
- a. preside over all meetings and proceedings of the Commission;
 - b. represent the Commission before the Executive Council and General Council;
 - c. act as supervisor over all other Commission members. The Chairperson is authorized to impose verbal and/or written discipline against Commission members when addressing unacceptable behavior or performance. If the Chairperson seeks suspension, removal, or other types of discipline of a Commission member, Chairperson may do so by making a recommendation to the Executive Council; and
 - d. have the general powers given to the Chairperson by the Executive Council, including powers allowed by the Ordinance to sign contracts, certificates, and other instruments.
- Section D. The Vice-Chairperson shall perform the duties of the Chairperson in his/her absence.
- Section E. The Secretary, or a designee, shall:
- a. be the Commission's recording officer and custodian of its records;
 - b. perform all other duties as assigned by the Commission; and

- c. provide meeting minutes and monthly reports as directed by the Executive Council.

ARTICLE IV. MEETINGS

- Section A. Regular meetings of the Commission shall be held at least twice a month at a time, date, and place designated by the Commission. Notice of each regular meeting shall be given to each Commission member by written notice delivered no less than five (5) business days prior to the meeting. Written notice shall be deemed delivered when delivered in person, deposited in the U.S. mail so addressed with postage thereon, or sent via email. Notice of each regular meeting shall also be posted at the Executive Building of the Community at least five (5) business days prior to the meeting.
- Section B. Special meetings of the Commission may be called by the Chairperson or a majority of the Commission. Notice of special meetings shall be given to all Commission members at least twenty four (24) hours prior to the meeting and may be written. Notice of special meetings shall also be posted at the Executive Building of the Community at least twenty four (24) hours prior to the meeting and the notice must state the purpose of the special meeting.
- Section C. Telephonic or closed circuit participation in the meeting is permitted.
- Section D. All Commission meetings shall be open to all members of the Community. The Commission may go into executive session, upon motion duly passed, to discuss confidential issues. The Secretary shall clearly identify each executive session in the meeting minutes. During executive sessions, only Commission members and any person(s) the Commission determines are necessary may remain in the Commission meeting.
- Section E. A Commission quorum shall consist of three (3) Commission members.
- Section F. At all Commission meetings, each Commission member shall have one vote. No proxy votes shall be permitted. The vote of a majority of the Commissioners present at a meeting at which a quorum is present shall be the act of the Commission.
- Section G. The Commission shall keep a correct and complete record of all Commission meetings, which shall be attested by the signature of the Secretary or his or her delegated representative and which shall be provided to the Executive Council and posted at the Executive Building of the Community in a timely manner.
- Section H. All Commission meetings shall be governed by these Bylaws and, in all matters not covered in these Bylaws, then by the current edition of the Revised Roberts Rules of Order.

ARTICLE V. AMENDMENTS

Section A. These Bylaws may be amended by the Commission at any time, but amendments shall not be effective until approved by the Executive Council.

ARTICLE VI. FISCAL YEAR

Section A. The Commission's fiscal year shall be from October 1 to September 30.

ARTICLE VI. COMMITTEES

Section A. The Commission may establish such committees as it chooses from time to time, to be constituted by such Commission members and advisors as it deems advisable. Reasonable effort shall be made to notify committee members of the time and place of committee meetings.

Legislative History for Forest County Potawatomi Community Gaming Commission Bylaws:

Bylaws approved by General Council (as Exhibit A to the Amended Gaming Control Ordinance).....October 25, 1997
Amendment approved by Gaming Commission.....December 18, 2019
Amendment approved by Executive Council (as authorized by the Gaming Control Ordinance (Second Amended and Restated))..... March 11, 2020