

REVISED BYLAWS

FOREST COUNTY POTAWATOMI COMMUNITY HOUSING COMMITTEE

Preamble

The Forest County Potawatomi Community Tribal Housing Committee (“Committee”) was established, and the Tribal Housing Policies and Procedures were adopted, by Forest County Potawatomi General Council Resolution GC 004-94, July 9, 1994. Since 1994, the Tribal Housing Policies and Procedures, which provided assistance to Tribal members to meet their housing needs, have been amended from time-to-time. Most recently, via Executive Council Resolution 043-2015, the various home loan programs and Tribal member homeowner assistance programs were combined into the Homeowner Assistance Program Policies. These bylaws are intended to govern the Committee’s execution of its duties as they relate to Housing Policy issues in general, including the Homeowner Assistance Program Policies.

Article 1: Name and Purpose:

Section A. The official name of this Committee shall be the Forest County Potawatomi Community Housing Committee.

Section B. The Committee shall exist only during such times as it may be authorized by the General Council or Executive Council, and shall act in an advisory capacity, and shall not be involved in the day-to-day operations of the Housing Department (“Department”), except as provided for in these Bylaws.

Section C. The purposes and duties of the Committee shall be:

1. Recommending improvements to the Departmental programs and policies and recommend them for approval by the Executive Council; and
2. Recommending improvements to the Homeowner Assistance Program Policies and recommending them for approval to the Executive Council; and
3. Assisting the Department with policy issues regarding Departmental programs; and
4. Serving as a community participation resource by conveying the needs and concerns of the Community to the Department and the Executive Council; and
5. Approving or denying rental applications to the Tribe’s rental properties, consistent with approved Department policies; and
6. Providing confidential advice to the Department regarding housing-related compliance issues, lease compliance issues, vacant or dilapidated homes, and crime and safety issues; and
7. Performing additional duties as may be delegated by the Executive Council or General Council.

Article II: Membership:

Section A. Qualifications: Members of the Committee shall be appointed by the Executive Council from among enrolled members of the Tribe and shall have the following general qualifications:

1. Be a member of the Forest County Potawatomi Community; and
2. Have an interest in, and a commitment to, the betterment of the Community, Department, and Policies, and the mission and philosophy of the Department.

Section B. Number of Members. The Committee shall consist of no fewer than five (5) members: four (4) regular voting members and the Chair. The Chair shall vote only in case of a tie.

Section C. Appointments to fill vacancies shall be made by the Executive Council and the appointee shall take an oath of office, administered by the Tribal Court. The Executive Council shall appoint Committee members within forty-five (45) days after any vacancy to fill the remainder of any term or at the beginning of a new term, as appropriate.

Section D. Each appointment of Committee members shall be for a term of three (3) years, except when specific circumstances require otherwise, or when the appointment is to fill an unexpired term. Any appointment made to fill a vacancy shall only be for the remainder of the unexpired term.

Section E. Upon the adoption of these bylaws, the Executive Council will implement a transition plan to create staggered terms for Committee members. The terms of Committee members shall be converted to two-year and three-year terms (divided as equally as possible) so as to create staggered terms, with no terms lasting more than three (3) years. Thereafter, all appointments shall be for a term of three (3) years.

Section F. All Committee annual term renewal dates shall be based on a May 1st to April 30th Committee year. If such dates fall 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 G. Members of the Committee shall receive compensation for meetings per the Executive Council Committee Compensation Policy, provided that the committee member attends the meeting.

Article III: Officers and Their Duties

Section A. The officers of the Committee shall consist of a Chair, Vice-Chair, and Secretary. Officers may serve more than one term as officer.

Section B. All officers shall be elected annually by a majority vote of the Committee members at an annual meeting. The annual meeting shall be held in May following the Committee's annual term renewal date so as to allow participation by newly-appointed members.

Section C. The Chair shall be elected by a majority vote of the Committee members. The Chair shall not vote except in case of a tie. His/her other duties shall include:

1. To preside over meetings of the Committee, according to Robert's Rules of Order, Revised;
2. To provide a monthly report on the Committee's activities to the Executive Council, and to represent the Committee on all other Committee matters before the Executive Council, at the request of the Executive Council or the Committee;
3. To prepare an agenda with the Secretary for each Committee meeting, and otherwise be responsible for the supervision and coordination of all of the affairs of the Committee;
4. To call special meetings of the Committee to act on urgent Committee matters between regular meetings.

Section D. The Vice-Chair shall perform the duties of the Chair in his/her absence. The Vice-Chair shall have such other duties and responsibilities as requested by the Chair from time to time.

Section E. The Secretary, with assistance from the Department, shall:

1. Ensure that all meeting notices are duly given in accordance with the provisions of these bylaws.
2. Keep records of the attendance of members at meetings.
3. Keep a record of topics discussed and recommendations.
4. Maintain a permanent record file of Committee activities.
5. Within ten (10) business days after each official meeting, distribute a copy of meeting minutes to all members of the Committee and the Executive Council. No Committee member(s) shall receive compensation for an official meeting of the Committee unless meeting minutes have been submitted to the Executive Council for that meeting.
6. Provide an annual report to the Executive Council on the Committee's activities by the first Thursday in April. The annual report shall include, at a minimum: a list of all meetings held during the Committee annual year; attendance reports for each Committee member; a summary of all Committee activities; a certification from the Committee Chair that all agendas and meeting minutes have been sent to the Executive Council, and; a statement detailing the remaining terms for each Committee member.
7. With the Chair, prepare an agenda for each committee meeting, and perform such other Committee duties and responsibilities as may be requested by the Chair from time to time.
8. Transfer all records created pursuant to this Section to any succeeding Committee Secretary at the conclusion of their term.

The Secretary, in his/her discretion, may designate any of these duties to an appropriate departmental staff member, but shall remain responsible for satisfactory completion of all duties enumerated above. In the event the Secretary is not present at a Committee meeting, the

Committee may appoint one of the Committee members to record the Committee meeting minutes.

Article IV: Meetings

Section A. The Committee shall meet at least one time each month. These monthly meetings shall be held at the Tribal Housing Office unless otherwise specified in writing. The May meeting of the Committee shall be the Committee's annual meeting.

Section B. Meeting dates may be changed by consensus of the Committee members.

Section C. The Chair, or the Committee by a one-third (1/3) vote, may call special meetings of the Committee to act on urgent Committee matters between regular meetings.

Section D. The Secretary shall mail (email acceptable) written notices of regular meetings to all members of the Committee at least one (1) week before each meeting. Written notice of all special meetings of the Committee shall be provided to each Committee member at least twenty-four (24) hours in advance of the meeting date. Meeting notices shall generally state the nature of the issues to be considered at the meeting.

Section E. All Committee meetings shall be open to adult members of the FCP Community, except when the Committee is in executive session. The Committee may go into executive session, by majority vote, to discuss confidential issues. The Secretary shall clearly identify each executive session in the minutes. During executive sessions, only Committee members, special invitees and such employees/staff as the Committee determines are necessary may remain in the Committee meeting.

Section F. A Committee quorum shall consist of three (3) members of the Committee. A quorum shall be required for any official action of the Committee. If less than a quorum is present at any meeting of the Committee, a majority of those present may adjourn the meeting without further notice.

Section G. Telephonic or closed-circuit participation in the meeting may be permitted for exigent circumstances, at the discretion of the majority of the Committee. For the purposes of this Section, exigent means, situation(s) that demand unusual or immediate action (or to meet quorum) (or for the convenience of the Committee).

Section H. Attendance and action by proxy is not permitted by these bylaws.

Article V: Vacancies

Section A. A vacancy on the Committee shall be filled by the Executive Council within forty-five (45) days after they receive notice, or in a timely manner (uniform bylaws).

Section B. Resignation from the Committee must be in writing and received by the Secretary. Upon receipt of such notice, the Committee shall immediately notify the Executive Council of the vacancy.

Article VI: Removal

Section A. All Committee members are subject to removal from office by the Executive Council for any of the following reasons:

1. Gross negligence of duty.
2. Failure to attend three regular scheduled meetings within one calendar year without just cause.
3. Failure to comply with the Tribal Constitution, applicable tribal ordinances and/or the bylaws of this Committee.
4. Violating the oath of office.
5. Failure to disclose any action or information to the Executive Council when requested to do so by a motion of the Executive Council relating to paragraphs 1-4 of this section.

Section B. Any Committee member may be removed by a majority vote of the Executive Council members at a regular or special meeting called for that purpose, providing quorum is present. The affected Committee member will be provided written notice and will be asked in writing to be present at the meeting where the removal will be discussed. As long as such notice is provided, the affected Committee member's presence is not required for official action by the Executive Council. If the Committee member chooses to attend the meeting, the decision whether to remove or not remove the Committee member will be made after the affected Committee member has had an opportunity to address the allegations against him/her and leaves the meeting.

Section C. If a majority of the Committee wishes to recommend the removal of a Committee member for violation of Article VI, Sections 1-4, they must pass a resolution or motion by a majority vote of the entire Committee at a duly called Committee meeting for the Executive Council to consider the removal. The resolution must state clearly the reason(s) for the recommended removal. The resolution or motion, once adopted by the Committee, will be forwarded to the Executive Council Secretary.

Section D. Should the Executive Council vote in the affirmative to remove the affected Committee member, the Executive Council will notify the Committee member that they are no longer a member of the Committee and will remind the member of his or her oath of office in regard to continued confidentiality. The removal decision by the Executive Council shall be final.

Section E. Should the Executive Council vote against removal, the Committee member will remain on the Committee in accordance with these bylaws.

Section F. The Committee may remove an officer from his/her position, by a two-thirds (2/3rds) vote at a special meeting called for that purpose. A removed officer will remain a Committee member. The Committee shall notify the Executive Council of its decision to remove an officer from his/her position. The Committee decision to remove an officer shall be final. Vacant officer positions shall be filled by the Committee at the next regular scheduled meeting. If the officer removed is the Chair, the Committee shall decide on the date of the next meeting by majority vote.

Article VII: Bylaws Adoption and Amendment

Section A. A majority vote of the Executive Council (quorum present) shall be required for the approval of these bylaws.

Section B. A majority vote of the Executive Council (quorum present) shall be required for any amendments to these bylaws.

Article VIII: Conflict of Interest

Any Committee member having a material financial interest in a contract or other transaction presented to the Committee shall make a prompt, full and frank disclosure of such person's interest to the Committee prior to the Committee's consideration of such contract or transaction. Such disclosure shall include any relevant and material facts, known to such person, about the contract or transaction that might reasonably be construed to be adverse to the Tribe's, the Tribal Housing Department's, or the Program's interests. The Committee shall thereupon determine, by majority vote not including the interested Committee member), whether the disclosure shows that a conflict of interest exists or can reasonably be construed to exist. If a conflict is deemed to exist, that person shall not vote on, influence or participate (other than to present factual information to or respond to questions) in the discussions and deliberations with respect to such contract or transactions. Such person may be counted in determining the existence of a quorum at any meeting where the contract or transaction is under discussion or is being voted upon (but may not vote on the matter). The minutes of the meeting shall reflect the disclosures made, the vote and where applicable, the abstention from voting and whether a quorum was present. For the purposes of this section, a person shall be deemed to have a "material financial interest" in a contract or other transaction if such person: (a) is the party (or one of the parties) contracting or dealing with the Tribal Housing Department, (b) is a director or officer of , or has significant financial or influential interest in the entity contracting or dealing with the Tribal Housing Department, or (c) is the spouse, sibling, ancestor or lineal descendant of any person identified in either of the preceding clauses.

Legislative History:

Approved by the Housing Committee on December 9, 2020.

Approved by the Executive Council on January 26, 2021.