

**FOREST COUNTY POTAWATOMI COMMUNITY  
REVISED LAND USE COMMITTEE BYLAWS**

**Article 1. Name and Purpose**

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

Section B. The Land Use Committee shall exist only during such times as it may be authorized by the General Council or the Executive Council. The Committee will operate as an advisory committee of the Tribe, responsible to both the Executive Council and General Council for its actions.

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

- 1) Oversee long range resource planning by coordinating the preparation of a comprehensive Land Use Plan;
- 2) Approve a comprehensive Land Use Plan containing the rules and regulations, policies, responsibilities, and other information concerning procedures and guidelines of Tribal Land usage. The comprehensive Land Use Plan shall be approved by the General Council, and the policies and regulations shall be approved by the Executive Council upon completion.
- 3) Facilitate tribal member participation into the Land Use Plan by holding public meetings on land use issues and documenting community input;
- 4) Establish a program for monitoring and implementing the Land Use Plan, monitoring compliance by tribal offices and authorities with Plan policies, and reporting annually to the General Council on the status of Plan implementation, including any recommendations for update and revision;
- 5) Gather and summarize community input pertaining to environmental review, and;
- 6) Consult with and attain technical information from the Land and Natural Resources Department and other pertinent Tribal department in order to complete the above duties.

**Article II. Membership**

Section A. The Committee shall be appointed by the Executive Council and be composed of six (6) enrolled members of the Forest County Potawatomi Community, eighteen (18) years of age and older Community.

Section B. Committee members serving at the time these Revised Bylaws are adopted shall serve the remainder of their then-existing terms.

Section C. Any person chosen to serve on the Committee shall have an understanding of the Committee's business and an interest in helping to shape the community's Land Use plan.

Section D. Members of the Land Use Committee have served staggered three (3) year terms since the Committee's creation. These staggered terms shall continue after the adoption of these Revised Bylaws.

Section E. No currently-serving member of the Executive Council, or their spouses shall be permitted to serve on the Land Use Committee.

Section F. The Land and Natural Resources Director and department staff shall provide technical assistance to the Committee and may attend meetings, but shall not vote.

Section G. The Land Use Committee's annual Term Renewal Date shall be based on a May 1<sup>st</sup> to April 30<sup>th</sup> 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 H. Members of the Committee shall receive compensation for meetings per the Executive Council Committee Compensation Policy, provided that the Committee member actually attends the meeting. Telephonic or closed circuit participation in Committee meetings may be permitted for exigent circumstances, at the discretion of the majority of the Committee.

### **Article III. Officers and Their Duties**

Section A. The officers of the Committee shall be the Chairperson, Vice-Chairperson, and Secretary. The officers shall be elected annually by a majority vote of the committee members at the Committee's annual meeting. The annual meeting shall be held in the month following the committee's annual term renewal date so as to allow participation by newly-appointed Committee members.

Section B. The Chairperson shall be elected by the Committee members from among those members who have served on the Committee for at least one (1) year. He/she shall not vote except in case of a tie. His/her other duties shall include:

- 1) To preside over meetings of the Land Use Committee, according to Robert's Rules of Order, Revised.
- 2) To appoint special subcommittees, if deemed necessary.
- 3) To represent the Land Use Committee before the Executive or General Council, at the request of the Council or the Committee.
- 4) With the Secretary, prepare an agenda for each Committee meeting.
- 5) Call special meetings of the Committee to act on urgent Committee matters between regular meetings.

Section C. The Vice-Chairperson shall perform the duties of the Chairperson in his/her absence.

Section D. The Secretary shall:

- 1) Keep records of the attendance of members at meetings.
- 2) Keep a record of topics discussed and recommendations.
- 3) Maintain a permanent record file of Committee activities.

- 4) 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.
- 5) 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) a list of all meetings held during the Committee annual year;
  - b) attendance reports for each Committee member;
  - c) a summary of all Committee activities;
  - d) a certification from the Committee Chairperson that all agendas and meeting minutes have been sent to the Executive Council, and;
  - e) a statement detailing the remaining terms for each Committee member.
- 6) With the Chair, prepare an agenda for each Committee meeting.

#### **Article IV. Meetings**

Section A. The Committee shall meet on a bimonthly basis at the Land and Natural Resources Building, or another Tribal building as approved by the Committee. The Committee may meet more frequently at its discretion, but shall meet at least quarterly. The first meeting held after the annual Term Renewal Date shall be the Committee's annual meeting.

Section B. All regular meetings of the Land Use Committee shall be open to tribal members. The Committee shall post notice of regular meetings at the customary public places on Tribal lands. The Committee may go into executive session, by a majority vote, to discuss confidential issues.

#### **Article V. Vacancies**

Section A. A vacancy on the Committee shall be filled by the Executive Council in a timely manner. All appointments to fill a vacancy shall only be for the remainder of the unexpired term.

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

#### **Article VI. Removal**

Section A. 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. When the Committee wishes to recommend the removal of a Committee member for violation of Article VI, they must pass a motion by a majority vote of the entire Committee (quorum present) for the Executive Council to consider the removal. The motion must state clearly the reason(s) for the recommended removal. The 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 the Committee bylaws.

Section F. The Committee may remove a Committee Officer from his/her position, by a two-thirds (2/3rds) vote at a special meeting called for that purpose, provided a quorum is present. 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 position(s) shall be filled by the Committee at the next regular scheduled meeting.

#### **Article VII. Bylaws Adoption and Amendment**

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

#### **Article VIII. Conflict of Interest**

Any Committee member that is an immediate family member (spouse, father, mother, brother, sister, son or daughter) to a person(s) with an interest in a matter being considered by the Committee shall recuse himself or herself from any vote regarding the affected person.

**Bylaw History:**

Approved by General Council on November 8, 1997 via General Council Resolution 015-97.

Executive Council amends the Executive Council Policy on Uniform Bylaws for Committees on November 21, 2012 via Executive Council Resolution 093-2012.

Executive Council approves Land Use Committee Bylaws by motion on July 30, 2014, which is consistent with Executive Council Policy on Uniform Bylaws for Committees.



*Forest County Potawatomi Community*  
*P.O. Box 340 • Crandon, Wisconsin 54520*

**FOREST COUNTY POTAWATOMI COMMUNITY OF WISCONSIN  
EXECUTIVE COUNCIL RESOLUTION**

*Approving an Amendment to the Revised Land Use Committee Bylaws*

Resolution No.: 064-2018

WHEREAS, the Forest County Potawatomi Community of Wisconsin (the "Community") is a **federally-recognized** Indian Tribe organized under a Constitution adopted June 5, 1982, and approved by the Secretary of Interior on July 14, 1982, pursuant to the provisions of the **Indian Reorganization Act of 1934**, as amended, and

WHEREAS, Article III, Section 6 of the Constitution **creates** the Executive Council, comprised of a Chairman, Vice-Chairman, Secretary, **Treasurer**, and two Council members, **and**

WHEREAS, **the** powers of the Executive Council are contained in Article V of the **Constitution**, and include the power "to **manage** economic **affairs** and enterprises of the Forest County Potawatomi Community" and "to **appoint** subordinate committees." and

WHEREAS, the Executive Council approved a Policy on Uniform Bylaws for Committees with Resolution No. 73-2012 on September 12, 2012, and **that** Policy was **amended** with Executive Council Resolution Nos. 093-2012, and 031-2018, and;

WHEREAS, **pursuant** to the Policy on Uniform Bylaws for Committees, Executive Council approved the Revised Land Use Committee Bylaws on July 30, 2014, and;

WHEREAS, members of the Land Use Committee have requested that the Executive Council now increase the number of committee members on the Land Use Committee from five (5) to six (6) members, and;

WHEREAS, in response to such request, the Executive Council on October 11, 2018 **issued** a directive to amend the Land Use Committee Bylaws to increase the number of **Committee members**.

NOW THEREFORE BE IT **RESOLVED**, that the Executive Council hereby approves the attached **Revised** Land Use Committee Bylaws, as amended, which increase the **number** of **Committee** members from five (5) to six (6) members.

## CERTIFICATION

I, James A. Crawford, the undersigned Secretary of the Forest County Potawatomi Executive Council, do hereby certify that 4 members constituted a quorum at a meeting duly called, convened, and held on the 8 day of NOVEMBER, 2018, and that the above resolution was duly adopted by an affirmative vote of 3 members for, 0 members against, and 0 members abstaining, and that said resolution has not been rescinded or amended in any way.



James A. Crawford  
Tribal Secretary, Executive Council  
Forest County Potawatomi Community



**FOREST COUNTY POTAWATOMI COMMUNITY**

*Legal Department*

Jeffrey A. Crawford	Michael B. Wacker	Scott J. Thomsen
Jo Swamp	Kimberly M. Vele	William P. Dockry
Aaron Loomis	Sara M. Drescher	Martina R. Gast
Douglas W. Huck	Danielle Wu	

**PRIVILEGED AND CONFIDENTIAL MEMORANDUM  
ATTORNEY-CLIENT COMMUNICATION**

**DATE:** October 18, 2018

**TO:** Stacey Jameson, Executive Council Office Administrator, FCPC

**FROM:** Michael Wacker, Attorney *MW*

**CC:** Executive Council

**RE:** 13C0099A Legal Approval of Land Use Committee Bylaws Revision

---

THIS MEMORANDUM IS FOR INTERNAL USE ONLY AND SHOULD NOT BE GIVEN TO OUTSIDE PARTIES. THIS MEMO MAY CONTAIN NEGOTIATION AND OTHER ATTORNEY/CLIENT INFORMATION FOR USE BY MANAGEMENT THAT SHOULD NOT BE RELEASED. SHOULD YOU HAVE A QUESTION ABOUT THE INFORMATION YOU MAY SHARE WITH OTHER PARTIES PLEASE CONTACT THE ATTORNEY LISTED ABOVE.

I revised the Land Use Committee Bylaws to reflect a change in the number of committee members from five to six members. The Resolution for Executive Council's approval is also attached.

I have no legal concerns regarding the revisions. Execution is a management decision.

Should you decide to adopt the revised Bylaws, please provide the Legal Department with an official copy and the signed Resolution for our records.

Should you have any questions regarding this matter, please contact me.