

**WAGANAKISING ODAWAK STATUTE 1996007  
ECONOMIC DEVELOPMENT COMMISSION**

**SECTION I: SHORT TITLE AND PURPOSE**

**A. Short Title.** This Statute may be cited as the "Economic Development Commission Act."

**B. Purpose.** The purpose of this Statute is to set up an economic development commission that will promote the development and management of Tribal non-gaming economic enterprises. Such enterprises will aid the Tribe in achieving economic independence to promote the health, education and welfare of its members.

**SECTION II: CREATION OF ECONOMIC DEVELOPMENT COMMISSION**

**A. Creation of Commission.** The Tribal Council hereby creates the Economic Development Commission, which shall consist of seven (7) Tribal members at least eighteen years of age appointed by the Tribal Council. At least one (1) and no more than two (2) Tribal Council members shall be appointed to the Commission.

**B. Term and compensation.** Members of the Economic Development Commission shall be appointed to serve for three (3) year terms. Members may be reappointed for additional terms without limitation. Provided, to stagger terms, when the Tribal Council makes initial appointments, three (3) people shall be appointed to two (2) year terms, and four (4) people shall be appointed to three (3) year terms. All appointments thereafter shall be for three (3) year terms. One of the Commission members shall be appointed by the Commission to serve as Chairperson for a one year term. There shall be no limit on reappointment as long as the chairperson remains on the Commission. The Tribal Council may determine and authorize compensation to be paid to members of the Commission based upon the time required to be expended upon Commission duties and the qualifications of the appointed Commissioners.

**C. Oath of Office.** Immediately upon appointment, the Tribal Chairperson shall administer the oath of office to the members of the Economic Development Commission which oath of office shall include a commitment to uphold the Constitution and Laws of the Little Traverse Bay Bands of Odawa Indians and to perform faithfully and diligently the duties and responsibilities set forth in this Statute.

**D. Vacancies.** In the event a vacancy occurs in the Economic Development Commission, by virtue of death, resignation or removal, the Tribal Council shall appoint a qualified Tribal member to fill the remaining term of office in consultation with the Commission.

**E. Removal.** Commissioners may only be removed in accordance with the Tribal statute governing such removal.

### **SECTION III: DUTIES OF THE ECONOMIC DEVELOPMENT COMMISSION**

The Economic Development Commission shall have the following duties excluding any matters directly relating to gaming:

- A. Assess economic development proposals brought to the Tribe from outside parties or entities, and from Tribal members and entities, and present such assessments to the Tribal Council.
- B. Develop proposals for Tribal enterprises and activities that will enhance the Tribal economy, or provide needed services, employment or training to Tribal members, and present such proposals to the Tribal Council.
- C. Coordinate its activities with the Tribal Planning Department.
- D. Engage in further activities as directed by the Tribal Council.

#### **SECTION IV. STAFFING**

Tribal Council may direct the Tribal Administrator to assign or hire staff to assist the Commission.

#### **SECTION V: MEETINGS, VOTING, CONFLICTS OF INTEREST, CONFIDENTIAL RECORDS**

**A. Meetings.** The Economic Development Commission shall meet at least one time per month. Provided, the Commission may on its own decide to convene as often as necessary to carry out its duties. The Economic Development Commission may meet in closed session when considering potential contracts, business ventures, or land acquisitions when it deems that general public knowledge of its discussions at a certain time could hinder the potential of the projects being considered.

**B. Voting.** Actions of the Economic Development Commission shall be decided by a majority vote of those present at the meeting. The Chair is entitled to vote on all matters before the Commission. A quorum shall consist of four (4) members. Provided, an action may be ratified by non-attending members. If ratification is sought, all non-attending members shall be contacted personally, or by phone or fax, and all ratifications shall be reduced to writing and placed in the minutes and approved at the next regularly scheduled Commission meeting.

**C. Conflicts of Interest.** Commission members who have a direct financial interest in, or have immediate family members with a direct financial interest in, a potential economic venture shall not vote on any action relating to such potential venture.

**D. Confidential Records.** All records of the Commission involving specific economic development matters shall be kept strictly confidential until directed by the Tribal Council.

**SECTION VI: SAVINGS CLAUSE**

In the event that any phrase, provision, part, paragraph, subsection or section of this Statute is found by a court of competent jurisdiction to violate the Constitution, laws or ordinances of the Little Traverse Bay Bands of Odawa Indians, such phrase, provision, paragraph, subsection or section shall be considered to stand alone and to be deleted from this ordinance, the entirety of the balance of the ordinance to remain in full and binding force and effect.

**Certification**

As Tribal Chairman and Tribal Secretary, the undersigned certify that this Economic Development Commission Statute was duly enacted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on November 17, 1996, at which a quorum was present, by a vote of  2  in favor,  0  opposed, and  0  abstentions as recorded by this roll call.

	In Favor	Opposed	Abstained	Absent
George Anthony	<u>✓</u>	_____	_____	_____
Patricia Dyer-Deckrow	<u>✓</u>	_____	_____	_____
Frank Ettawageshik	<u>✓</u>	_____	_____	_____
Barry Laughlin	<u>✓</u>	_____	_____	_____
Shirley Oldman	<u>✓</u>	_____	_____	_____
Janet Shomin	<u>✓</u>	_____	_____	_____
Alice Yellowbank	<u>✓</u>	_____	_____	_____

Date:  11-17-96

Frank Ettawageshik   
 Frank Ettawageshik, Tribal Chairman

Barry Laughlin   
 Barry Laughlin, Tribal Secretary