

**WAGANAKISING ODAWAK STATUTE 2009-023**  
**ECONOMIC DEVELOPMENT COMMISSION**

**SECTION I. SHORT TITLE AND PURPOSE**

- A.** This Statute may be cited as the “Economic Development Commission Statute”.
- B.** The purpose of this Statute is to sets forth the Purpose, Duties and Membership provisions for the Economic Development Commission and amend any and all previous Statutes, Resolutions or Amendments pertaining to the Economic Development Commission including, WOS 1996007, WOS 2000-12, WOS 2002-05, WOS 2003-03.

**SECTION II. PURPOSE OF THE COMMISSION**

The Commission is hereby created within the Executive Branch of government. The primary purpose of the Commission is to create fiscally viable community development enterprises and projects that emphasize the creation of employment opportunities for Tribal Citizens and community members.

**SECTION III. MEMBERSHIP OF THE COMMISSION**

- A.** The Economic Development Commission, which shall consist of three (3) Tribal Citizens at least eighteen years of age appointed by the Tribal Council. If there are more than three members at the time of the enactment of this Statute, the members shall remain on Commission until the expiration of their term.
- B.** Members of the Economic Development Commission shall be appointed to serve for three (3) year terms.
- C.** 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.
- D.** Commissioners may only be removed in accordance with such Tribal statute governing such removal.

**SECTION IV. DUTIES OF THE COMMISSION**

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

- A.** Assess economic development proposals for fiscal viability and the creation of jobs.
- B.** Develop such proposals that will enhance employment or training to Tribal Citizens and community members.
- C.** Engage in further activities as directed by the Tribal Council.

**SECTION V. STAFFING**

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

**SECTION VI. MEETING, VOTING, CONFLICTS OF INTEREST, CONFIDENTIAL RECORDS**

**A. Meetings.** The Economic Development Commission shall meet quarterly or as needed, within funding availability. 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 a simple majority of the number of commissioners notwithstanding vacancies. A meeting may not be called to order without a quorum present and no official business may be conducted absent a quorum.

**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 confidential until directed by the Tribal Council.

## **SECTION VII. SAVING 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, part, paragraph, subsection or section shall be considered to stand alone and to be deleted from this statute, the entirety of the balance of the statute to remain in full and binding force and effect.

## **SECTION VIII. EFFECTIVE DATE**

Effective upon signature of the Executive or shall be deemed enacted if not expressly vetoed by the Executive within thirty (30) days of submission. The Tribal Council may, by an affirmative vote of seven (7) members of the Tribal Council, override a veto by the Executive.

## CERTIFICATION

As the Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Statute was duly passed by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on July 26, 2009 at which a quorum was present, by a vote of 7 in favor, 1 opposed, 0 abstentions, and 1 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Fred Harrington, Jr.	_____	X _____	_____	_____
Melvin L. Kiogima	X _____	_____	_____	_____
Dexter McNamara	X _____	_____	_____	_____
Marvin Mulholland	X _____	_____	_____	_____
Rita Shananaquet	X _____	_____	_____	_____
Alice Yellowbank	X _____	_____	_____	_____
Gerald V. Chingwa	_____	_____	_____	X _____
Regina Gasco Bentley	X _____	_____	_____	_____
Beatrice A. Law	X _____	_____	_____	_____

Date: 07/26/09

\_\_\_\_\_  
Beatrice Law, Legislative Leader

Date: 07/26/09

\_\_\_\_\_  
Regina Gasco Bentley, Secretary

Received by the Executive Office on 07/27/09 by \_\_\_\_\_  
LF

Pursuant to Article VII, Section D, Subsection 1 of the Little Traverse Bay Bands of Odawa Indians Constitution adopted on February 1, 2005 the Executive concurs in this action of the Tribal Council.

Date: 07/31/09

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Frank Ettawageshik, Tribal Chairperson