1	WAGANAKISING ODAWAK STATUTE # 2023				
2	ELDERS COMMISSION				
3					
4	SECTION I. PURPOSE				
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6	The Commission is to advise the Kikaajik Department and aid the Department in obtaining its				
7	statutory duties of providing services to meet the needs of the Kikaajik. This statute repeals and				
8	replaces Waganakising Odawak Statute 2015-001.				
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10					
11	SECTION II. DEFINITIONS				
12					
13	A. "Commission" means Elders Commission.				
14					
15	B. "Department" means the Kikaajik Department.				
16					
17	C. "Immediate Family" means husband, wife, son, daughter, step-son, step-daughter, father,				
18	step-father, father-in-law, mother, step-mother, mother-in-law, brother, step-brother, brother-in-				
19	law, sister, step-sister, sister-in-law, child, step-child, son-in-law, daughter-in-law or a person				
20	whose relationship with the Tribal Citizen is similar to that of persons who are related by blood				
21	or marriage.				
22					
23	D. "Kikaajik" means a Tribal Citizen who is 55 years of age or will turn 55 years of age by				
24	December 31st of the current year.				
25 26					
26 27	E. "LTBB" or "Tribe" means the Little Traverse Bay Bands of Odawa Indians.				
27 28	F. "Stipend" means payment for attendance at scheduled meetings or any other activities				
28 29	approved by the Executive in advance and shall be limited to one stipend per day.				
29 30	approved by the Executive in advance and shan be initited to one supend per day.				
31					
32	SECTION III. CREATION OF THE COMMISSION				
33					
34	A. Elders Commission. The Tribal Council hereby creates the Elders Commission within				
35	the Executive Branch of government. The Commission shall be composed of five (5) enrolled				
36	Tribal Citizens who must be eighteen (18) years of age or older.				

1	B.	Immediate Family. Two or more members of the same immediate family shall not serve					
2	on the Commission at the same time. A Commission member shall not be the Chairperson if the						
3	depar	department director, assistant director, co-director, Tribal Chairperson or Tribal Vice-Chair is an					
4	imme	immediate family member.					
5							
6	C.	Appointments. Initial appointments to the Commission shall be staggered consisting of					
7	two 2-year terms and three 4-year terms. The terms thereafter shall be for four years with no						
8	limit	on reappointment.					
9							
10	D.	Oath of Office. Members will serve until their successors are appointed and sworn in					
11	under an oath of office prepared and administered by the Tribal Court within 30 days of their						
12	appointment and prior to first meeting attendance.						
13	_						
14	E.	Ethics. Commission members shall be subject to the Constitutionally Mandated Rules of					
15	Cond	uct for Officials of Tribal Government.					
16	-						
17	F.	Removal. Members may be removed in accordance with applicable laws.					
18	C	We serve In the most server as the Commission of Tailed Citizen and a most server to					
19 20	G.	Vacancy. In the event a vacancy occurs on the Commission a Tribal Citizen who meets igibility requirements for the remainder of the unexpired term shall be nominated by the					
20		itive and appointed by Tribal Council for the remainder of the unexpired term.					
21	LACCI	and appointed by Tribai Council for the remainder of the unexpired term.					
23							
24	SECT	TION IV. ORGANIZATION AND DUTIES					
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26	A.	The Commission shall advise and aid the Kikaajik Department in performing its					
27	statut	ory duties of providing services to meet the needs of the Kikaajik.					
28							
29	B.	The Commission shall organize itself with a Chairperson and a Secretary by					
30	majority vote of the Commission.						
31							
32	C.	The Commission shall gather information and may make recommendations to the					
33	Department.						
34							
35	D.	The Commission may also assist the Department in gathering information to					
36	make recommendations on alleviating common problems facing Kikaajiks and make						

1	recommendations on enhancing services.					
2						
3						
4	SECT	ION V.	BUDGET, COMPENSATION AND TRAVEL			
5						
6	The Ex	ecutive	shall present Tribal Council an annual budget necessary to implement this statute.			
7	Memb	ers shall	be compensated, subject to the availability of funds.			
8						
9	A.	Stipen	ds. The Tribal Chair may authorize the payment of a stipend to members of the			
10	Comm	ission ir	appreciation for their governmental service. Any such stipend shall be reasonably			
11	related	related to the demands of the Commission and subject to the availability of appropriations. Draft				
12	minute	s shall t	be submitted to the Executive prior to stipend processing for the same meeting.			
13						
14	В.	Travel	day stipends. The Executive may approve daily travel stipends for attendance at			
15	an ever	nt, traini	ing, or other approved activity. Any such stipend shall be reasonably related to the			
16	travel of	lemands	s of the event and subject to the availability of appropriations.			
17						
18	C.	Travel	expenses. Travel expenses for Executive-approved travel shall be reimbursed at			
19	the san	ne rate a	as allowed employees in the Tribal Governmental Employees Travel			
20	Reimb	ursemer	nt Policy.			
21						
22						
23	SECT	ION VI	. MEETINGS AND MINUTES			
24						
25	A.	Meetin	gs. The Commission shall meet no more than once per month unless otherwise			
26	directed by the Executive. Notice of meetings shall be posted at least five days in advance in the					
27	Tribal	Govern	mental building and on the Tribal website. At a minimum, meetings shall be open			
28	to Tribal Citizens.					
29						
30	В.	Minute	es. The minutes shall reflect what was done, not what was said, at the meeting.			
31						
32		1.	No member shall participate in making any decision that involves a personal or			
33		financi	al interest of the member or a member of his or her immediate family unless such			
34	interest is held in common with the Tribe and its Citizens.					
35						
36		2.	Actions of the Commission shall be decided by a majority vote of those present			

1	at the meeting. The Chair is entitled to vote on all matters brought before the				
2	Commission. A quorum shall consist of three members.				
3					
4	3. Th	ne minutes of the meeting shall include, but not be limited to, the date and time			
5	the meeting occurred, the call to order, motions or proposed motions, seconds, and name				
6	of public commenters.				
7					
8	4. Th	e Commission shall allow a reasonable amount of time for at least one public			
9	comment period per meeting but may limit such time for comments as necessary to				
10	conduct business.				
11					
12	5. Or	nce approved, the minutes will be the official record of the Commission			
13	meetings.				
14					
15	6. Th	e Secretary, or his/her designee, will be responsible for taking the minutes.			
16					
17	a.	The Commission may utilize Kikaajik Department staff as assigned by the			
18	Ex	accutive.			
19					
20	b.	The Secretary shall keep a copy of the minutes.			
21					
22					
23	SECTION VII.	SEVERABILITY			
24					
25	If any section, sul	bsection, paragraph, sentence, phrase or portion of this statute is, for any reason,			
26	held invalid or un	constitutional by any court of competent jurisdiction, such portion shall be			
27	deemed a separate, distinct and independent provision and such holding shall not affect the				
28	validity of the rer	naining portions thereof.			
29					
30					
31	SECTION VIII.	EFFECTIVE DATE			
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33		be effective upon the signature of the Executive, or 30 days from Tribal			
34	Council approval, or if the Executive vetoes the legislation, then upon the date on which Tribal				
35	Council overrides	s the veto.			
36					

CERTIFICATION