

# NOOKSACK TRIBAL COUNCIL

4979 MT. Baker Hwy, Suite G.  
PO Box 157  
Deming, WA 98244

**RESOLUTION #14-082**

**June 5, 2014**

**TITLE: APPROVAL OF THE NOOKSACK INDIAN HOUSING COMMITTEE  
BYLAWS AND COMMITTEE MEMBERS**

**WHEREAS**, the Nooksack Tribal Council is the governing body of the Nooksack Tribe of Indians, a recognized tribe under the Treaty of 1855, in accordance with its Constitution and By-Laws approved by the Deputy Assistant Secretary of Indian Affairs on September 23, 1973, and in accordance with the Indian Reorganization Act of June 18, 1934; and

**WHEREAS**, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of the Nooksack Indian Tribe; and

**WHEREAS**, the Nooksack Indian Housing Authority currently manages over 100 housing units occupied with Nooksack families in accordance with NIHA Policy and Procedures that are consistent with federal program regulations. A Housing Committee will provide the Nooksack tribal community assurance that NIHA Policy and Procedures are implemented fairly and equitably; and

**WHEREAS**, the Nooksack Indian Housing Authority has submitted Legal Department approved Bylaws for the Nooksack Housing Committee.

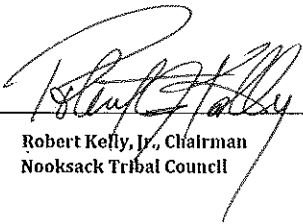
**NOW THEREFORE BE IT RESOLVED**, that the Tribal Council hereby approves the creation of the Nooksack Housing Committee and it's Bylaws; and

**BE IT FURTHER RESOLVED**, that the Chairman (or Vice-Chairman in his absence) is hereby authorized and directed to execute this resolution and any documents connected here within, and the Secretary is authorized and directed to execute the following certification.

**CERTIFICATION**

I, the undersigned do hereby certify that the Nooksack Tribal Council is composed of eight (8) members, of which 8 were present, constituting a quorum of a duly called meeting thereof held on this 5 day of June, 2014 on lands held by the Nooksack Indian Tribe, and that the above Resolution #14-~~062~~ **APPROVAL OF THE NOOKSACK INDIAN HOUSING COMMITTEE BYLAWS AND COMMITTEE MEMBERS** was duly enacted by the Council Members vote of: 5 FOR, 2 OPPOSED, and 0 ABSTENTIONS, and since its approval this resolution has not been altered, rescinded, or amended in any way.

Dated this 5 day of June 2014.

  
\_\_\_\_\_  
Robert Kelly, Jr., Chairman  
Nooksack Tribal Council

**ATTEST:**

  
\_\_\_\_\_  
Nadene P. Rapada, Secretary  
Nooksack Tribal Council

# NOOKSACK HOUSING ADVISORY COMMITTEE BYLAWS

## ARTICLE I NAME AND DURATION

- Section 1. Name.** In accordance with Article VI, Section 1(F) of the Constitution and Bylaws of the Nooksack Indian Tribe, the Tribal Council (“Council”) may select subordinate boards, establish associations, and organizations for the benefit of the Nooksack Indian Tribe. The Nooksack Tribal Council shall name this committee the Nooksack Housing Advisory Committee (“Committee”).
- Section 2. Duration.** The Committee shall be established upon the Council’s appointment of members. The Committee shall remain established until such time as the Council takes formal action to dissolve the Committee.

## ARTICLE II PURPOSE

- Section 1. Purpose.** The purpose of this Committee is to provide information, feedback, and/or recommendations to the NIHA Executive Director. The Committee shall only be in an advisory capacity and the subject matter of the Committee will be related to the following:
- A. General review of the tenant application process, terminations and/or evictions and appeals of decisions of the NIHA Executive Director for compliance with the NIHA policies and procedures.
  - B. General review of NIHA policies and procedures to ensure NIHA staff compliance
  - C. The Committee’s review of NIHA documents and compliance will be at the sole discretion of the NIHA Director. The NIHA Director will provide materials and documents and request necessary for the Committee’s review consistent with its purpose. The Committee will preserve the confidentiality of all documents provided by the NIHA Director.
  - D. The purpose of the Committee is for general review of NIHA compliance with policies and procedures to assist the NIHA in providing improved services to the Nooksack community. The Committee has no authority to overturn NIHA decisions, direct NIHA policy or act as an appeal board to NIHA decisions, unless specifically authorized by applicable NIHA policies and procedures.

## ARTICLE III REPRESENTATION

- Section 1. Representation.** The Council shall appoint 5 members to the Committee. The Committee members shall be Nooksack Tribal Members that the Council believes can best accomplish the purpose for which the Committee was established.
- Section 2. Term.** After the first year of the Committee, all terms shall be two years. At the first meeting of the Committee the members shall draw lots from the Committee members to establish an initial term period of one (1) or two (2) years to allow for the start of staggered terms on the Committee. The Council may renew a member's term. If no appointment is made after the completion of a first, second, or third term, that member shall continue as a voting member until such time as that person is reappointed or replaced.
- Section 3. Attendance.** Members must notify the Chairperson of the Committee in advance of a scheduled meeting if they are unable to attend. The Chairperson shall determine if an absence is excusable for reasons such as illness, emergency, or scheduled business or personal travel. If a member is absent more than three (3) scheduled meetings in a twelve month period, the Chairperson of the Committee shall notify the Council. Unexcused absences from three consecutive regular Committee meetings shall be cause for a member to be dropped by the membership roster at the third meeting, upon a majority vote of the Committee. A member shall be notified by letter prior to any action by the Committee.
- Section 4. Vacancies.** When a vacancy or failure to appoint or reappoint occurs for any reason, the Chairperson shall notify the Council.
- Section 5. Removal of a Member.** A member may be removed from the membership of the Committee by a majority vote of a quorum of the Council at which a quorum is present.
- Section 6. Resignation.** Any member of the Committee may resign at any time by giving written notice to the Chairperson, who shall forward such notice to the Committee and the Council. Any such resignation will take effect upon receipt or upon any date specified therein. The acceptance of such resignation at a Committee meeting shall not be necessary to make it effective.
- Section 7. Conflict of Interest.** No member of the Committee shall engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence or judgment or action in the performance of official duties. No such member shall use information to which they have access to advance the financial or other private interests of themselves or others. No such member shall accept any valuable gifts, whether in the form of services, loan, thing or promise from any person who is interested, directly or indirectly in

business dealings with the Nooksack Indian Tribe or grant any improper favor or service. No such member shall appear in behalf of private interests before any agency of the Nooksack Indian Tribe or represent other interests in any action or proceedings against the interests of the Nooksack Indian Tribe. A member may appear before private or tribal agencies in the performance of tribal or civil obligations.

**Section 8. Disqualification for Interest:** No member shall in any manner, directly or indirectly, participate in the deliberation upon or the determination of any matter affecting his/her pecuniary interest or pecuniary interests of any corporation, partnership or individuals in which he is directly or indirectly interested. Any member shall withdraw from the meeting during the deliberation or determination of any matter with respect to which they are disqualified and the minutes shall so state. The member may be counted present for the purpose of constituting a quorum. Should any such member not comply with these provisions, their vote shall automatically be void and not counted. Intentional non-compliance shall be considered misconduct and the member shall be subject to removal by the Council.

#### ARTICLE IV OFFICERS

**Section 1. Officers.** The Officers of the Committee shall consist of a Chairperson and a Vice Chairperson who shall be elected by the Committee annually.

**Section 2. Chairperson Duties.** The Chairperson shall preside at all meetings of the committee, and shall submit such agenda, recommendations, and information at such meetings as are reasonable and proper for the conduct of the business affairs and polices of the Committee. The Chairperson shall sign all correspondence, resolutions, and such other official documents necessary to carry out the business of the Committee. Unless another member of the Committee is otherwise designated, the Chairperson shall be the official spokesperson for the Committee.

**Section 3. Vice Chairperson Duties.** The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson. In the event of the death, resignation or removal of the Chairperson, the Vice-Chairperson shall assume the Chairperson's duties until such time as the Committee shall elect a new Chairperson.

**Section 4. Election.** The Chairperson and Vice Chairperson, shall be initially elected from among the members of the Committee a regular meeting of the Committee. Thereafter, the Chairperson and Vice Chairperson shall be elected from among the members of the Committee at each annual meeting of the Committee. Such officers of the Committee shall hold office until the next annual meeting

following their election and until their successors are elected and in office. Any such officer shall not be prohibited from succeeding himself/herself.

## ARTICLE V MEETINGS

- Section 1. Annual Meeting.** Annual meetings of the Committee shall be held on the third Wednesday of January at the NIHA Department office, or such other location as may be designated in advance of the Committee; provided, however, that should the said meeting date be a legal holiday, then any such annual meeting shall be held on the next business day thereafter ensuing which is not a legal holiday. At the annual meeting, officers shall be elected, reports of the affairs of the Committee shall be presented for consideration, and any other business may be transacted which is within the purposes of the Committee.
- Section 2 Regular Meetings.** The regular meetings of the Committee shall be held on the third Wednesday of every other month for the first six months, and then on a quarterly basis, at the hour of 5:30pm in the NIHA Department office or at such other location as designated in advance by the Chairperson. In the event that the regular meeting date shall be a legal holiday, an alternate meeting time will be selected by the Chairperson, or delayed until the next regular meeting date, at the discretion of the Chairperson. A meeting agenda and other documents necessary for the conduct of business of the Committee shall be delivered to the members, by electronic mail or regular mail, at least 72 hours prior to the meeting.
- Section 3. Special Meetings.** Special meetings of the Committee may be held upon the call of the Chairperson, or of the majority of the Committee, for the purpose of transacting any business designate in the call, after notification of all members of the Committee by written notice delivered personally or by mail at least 24 hours before the designated time specified in the notice for the special meeting. At such special meeting , no business other than that designated in the call shall be considered.
- Section 4. Adjourned Meetings.** Any meeting of the committee may be adjourned to an adjourned meeting without the need for notice requirements of a special meeting, provided that said adjournment indicates the date, time and place of the adjourned meeting. Committee members absent from the meeting at which the adjournment decision is made shall be notified by the Chairperson of the adjourned meeting.
- Section 5. All Meetings to be Open and Public.** All meetings of the Committee shall be open and public. All persons shall be permitted to attend any such meeting except as otherwise provided by law. At every meeting, members of the public shall have the opportunity to address the Committee on matters within the Committee's subject matter jurisdiction.

Public input and comment on matters on the agenda, as well as public input and comment on matters not otherwise on the agenda, shall be made during a time set

Nooksack Housing Advisory Committee Bylaws

aside for public comment; provided, however, that the Committee may direct that public input and comment on matters on the agenda be heard when the matter regularly comes up on the agenda. The Chairperson may limit the total amount of time allocated for public discussion on particular issues and/or time allocated to each individual speaker.

- Section 6. Posting Agendas/Notice.** Staff shall post a notice or agenda for each regular or special meeting of the Committee, containing a brief description of each item of business to be transaction or discussed at the meeting together with the time and location of the meeting. Agendas/notices shall be posted at least 72 hours in advance of each regular meeting and at least 24 hours in advance of each special meeting, on the bulletin board of the NIHA office.
- Section 7. Non-Agenda Items.** Matters brought before the Committee at a regular meeting which were not placed on the agenda of the meeting shall not be acted upon by the Committee. Those non-agenda items brought before the Committee, which the Committee determines, will require Committee consideration and action shall be placed on the agenda for the next regular meeting.
- Section 8. Quorum.** The powers of the Committee shall be vested in the members thereof in office from time to time. 3 of the total members in office shall constitute a quorum for the purpose of conducting the Committee's business, exercising its powers and for all other purposes, but less than that number may adjourn a meeting from time to time until a quorum is obtained. An affirmative vote by a majority of the members present at a regular or special meeting of the Committee at which a quorum is present shall be required for approval of any question brought before the Committee.
- Section 9. Order of Business.** All business and matters before the Committee shall be transacted in conformance with Robert's Rules of Order (Newly Revised).
- Section 10. Minutes.** The minutes of the Committee shall be in writing. Copies of the minutes of each meeting of the Committee shall be made available to each member of the Committee no less than one week before the next meeting. Official minutes of the Committee shall remain at the office of the NIHA Executive Director where they will be made available to the public.

#### ARTICLE VI REPRESENTATION BEFORE PUBLIC BODIES

Any representation on behalf of the Committee before the Council or public bodies, shall be made by the Chairperson, the Vice-Chairperson in the Chairperson's absence, or a member of the Committee specifically so designated by the Committee.

#### ARTICLE VII AMENDMENTS

These Bylaws may be recommended for amendment upon the affirmative vote of a majority of the total membership of the Committee at any meeting, provided, however, that (1) no amendment shall be adopted unless at least seven (7) days written notice thereof has previously been given to all members of the Committee. Notice of amendment shall identify the section or sections of the Bylaws proposed for amendment and, if applicable, shall include the proposed replacement wording of the section or sections to be amended. Upon the approval of any amendment by the Committee, the proposed amendment shall be forwarded by the Chairperson to the Council for consideration and action. If the amendment is approved by the Council, the Chairperson of the Committee shall incorporate the changes into the Committee's Bylaws.

APPROVED AND ADOPTED

This 5 day of June ~~2011~~ 2014