



NOOKSACK TRIBAL COUNCIL

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

RESOLUTION #20-29
March 4, 2020

TITLE: APPROVAL OF NOOKSACK ENROLLMENT ADVISORY COMMITTEE
BYLAWS AND APPOINTMENT OF MEMBERS

WHEREAS, the Nooksack Indian Tribe is a party to the Treaty of Point Elliot dated January 22, 1855, 12 Stat. 927, and is a sovereign, federally-recognized Indian Tribe; and

WHEREAS, the Nooksack Tribal Council is the governing body of the Nooksack Indian Tribe in accordance with Article III, Section 1 of its Constitution and Bylaws approved by the Deputy Assistant Secretary of Indian Affairs on September 24, 1973, as amended; and

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

WHEREAS, the Tribal Council believes that community input concerning enrollment matters can benefit the Tribal Council in developing future enrollment policy; and

WHEREAS, the attached set of bylaws provides the framework and the legal authority for an advisory committee to assist in enrollment advisory matters;

NOW THEREFORE BE IT RESOLVED, that Tribal Council hereby approves the attached Enrollment Advisory Committee Bylaws and appoints the following persons to serve on said committee:

- 1.
- 2.
- 3.
- 4.
- 5.



*bring back to another work session or
Council meeting*

BE IT FURTHER RESOLVED, that the Chairman (or other councilperson in his/her absence) is hereby authorized and directed to execute this resolution and any documents connected here within, and the Secretary (or other councilperson in his/her absence) are 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 4 day of March 2020 and that the above Resolution #20-29 approving the **APPROVAL OF NOOKSACK ENROLLMENT ADVISORY COMMITTEE BYLAWS AND APPOINTMENT OF MEMBERS**, was duly enacted by the Council Members vote of: 7 FOR, 0 OPPOSED, and 0 ABSTENTIONS, and since its approval this resolution has not been altered, rescinded, or amended in any way.

Dated this 4 day of March 2020.

Ross Cline SR

Ross Cline, Sr., Chairman
Nooksack Tribal Council

ATTEST:

Frank Leyva

Frank Leyva, Secretary
Nooksack Tribal Council

NOOKSACK ENROLLMENT 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 Enrollment 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 Council. The Committee shall only be in an advisory capacity and the subject matter of the Committee will be related to the following:
- A. Review tribal governing documents concerning enrollment (Tribal Constitution, Base Rolls, Enrollment Ordinance, and other related internal policies and procedures) to provide recommendations for improvements in the best interests of the Tribe;
 - B. Review tribal enrollment records, including tribal roll and individual files to ensure accuracy and completeness and to provide recommendations for improvements in the best interests of the Tribe;
 - C. Consult with enrollment (and related) staff, tribal members and previous applicants to obtain input on tribal processes concerning enrollment related matters and to provide recommendations for improvements in the best interests of the Tribe; and
 - D. Consult with enrollment department staff regarding applications, and current (or proposed) Council agenda items, including new enrollments, relinquishments, blood quantum changes, and disenrollments.

ARTICLE III REPRESENTATION

- Section 1. Representation.** The Council shall appoint five (5) members to the Committee, consisting of no fewer than four (4) Tribal Member Elders and one (1) adult Tribal Member age eighteen (18) or over. 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 policies of the Committee. The Chairperson shall sign all correspondence, resolutions, reports to Council 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 no later than the third Wednesday of January at such time and 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 no less than quarterly following the deadline for submission of new enrollment applications pursuant to Title 63.02.001(B). The Chairperson shall notify members of the Committee, interested members of Tribal Council, and the Enrollment Department staff no less than seven (7) days in advance of the meeting and shall include in the written notice, the time, date and place of the meeting and the meeting agenda, including other documents necessary for the conduct of business of the Committee.
- 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 Closed.** All meetings of the Committee shall be closed unless opened by the Chairperson.
- Section 6. 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 7. Quorum.** The powers of the Committee shall be vested in the members thereof in office from time to time. Three (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 8. Order of Business. All business and matters before the Committee shall be transacted in conformance with Robert's Rules of Order (Newly Revised).

Section 9. 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 minute of the Committee shall remain at the offices of the Tribal Council Secretary, where they will be made available to the Council.

ARTICLE VI 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 working 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 4th day of March 2020.