

ONEIDA GENERAL TRIBAL ORDINANCE NO. 79-6-13

ORDINANCE FOR THE REMOVAL OF ONEIDA TRIBAL BUSINESS COMMITTEE MEMBERS

TITLE:

This Ordinance shall be known as the Oneida Removal Ordinance.

AUTHORITY:

The Oneida Removal Ordinance is enacted pursuant to Article III governing body, Section 5 and Article IV - powers of the General Tribal Council, Section 1 (F) of the Constitution and By-Laws for the Oneida Tribe of Indians of Wisconsin.

PURPOSE:

The purpose of the Oneida Removal Ordinance shall be for the removal of a Business Committee member from the Oneida Tribal Business Committee, by the Oneida Tribal Business Committee and the Oneida General Tribal Council.

DEFINITIONS:

As used in this ordinance, the following words and phrases shall each have the designated meaning unless a different meaning is expressly provided:

- (A) "General Tribal Council", shall mean the Oneida Tribe of Indians of Wisconsin.
- (B) "Business Committee" shall mean the elected Oneida Tribal Business Committee authorized to conduct the business of the Oneida Tribe of Indians of Wisconsin.
- (C) "Business Committee Member", shall mean any Oneida Tribal member elected by the General Tribal Council.
- (D) "Tribal Member" shall mean any enrolled member of the Oneida Tribe of Indians of Wisconsin.
- (E) "Suspended" shall mean without pay and from performing any duties and functions of Business Committee Member.

SECTION I. SUSPENSION BY ONEIDA TRIBAL BUSINESS COMMITTEE

Any Business Committee member may be suspended by the Business Committee for:

- (1) Failure to attend four (4) regular Business Committee meetings consecutively without a valid excuse.
- (2) Treasurer refusing to be bonded or unable to be bonded.

2. Procedure for Suspension:

A Business Committee member may be suspended by motion duly acted upon by the Business Committee.

- (2) A certified letter stating the reason for suspension shall be delivered to the suspended Business Committee member within five (5) days after the suspension.

The letter shall state that the suspended Business Committee member shall be given 30 days in which to respond in writing to the Business Committee stating why the suspension should not be made a permanent dismissal from the Business Committee.

- (4) The Business Committee shall respond within five (5) days by letter to the suspended Business Committee member setting the date for the hearing within twenty (20) days and notify the suspended member by certified letter of the time and place.
- 5) The suspended Business Committee member may appeal the permanent dismissal within sixty (60) days to the General Tribal Council by written letter to the Tribal Chairperson or Secretary who shall put it on the agenda of the next General Tribal Council Meeting.

SECTION II. REMOVAL BY GENERAL TRIBAL COUNCIL

- A. The General Tribal Council may remove any Business Committee member for the following causes:

1. Violating the oath of office.
2. Failure to fulfill the duties of the office.
3. Use of alcoholic beverages and/or illegal drugs on the job or while on tribal business elsewhere during regular working hours.
4. Being convicted of a felony charge.
5. Misuse of Tribal funds for personal or political gain.

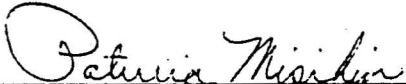
- B. Procedure for Removal:

- (1) A letter with the statement of charge(s) against the Business Committee member will be sent by certified mail not less than ten (10) days or more than thirty (30) days prior to a regular or special meeting of the General Tribal Council, stating the time, place and date of such meeting.
- (2) Charges against a Business Committee member will only be heard where there exists a quorum sufficient to conduct a General or Special General Tribal Council meeting according to the Oneida Constitution and By-Laws.

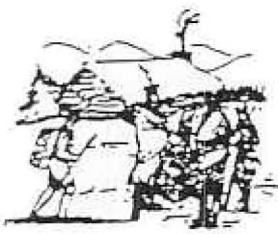
- (3) Charges may be brought by one or more tribal members as outlined by the Constitution and By-Laws of the Oneida Tribe of Wisconsin.
- 4) A Special meeting may be called by the Chairman in accordance with Amendment 6. Section III, Article III, of the Oneida Tribal Constitution and By-Laws.
- (5) The accused will enjoy all due process accorded by the Oneida Constitution and By-Laws.
- (6) The decision of a two-thirds vote of the General Tribal Council members present at such meeting will be final.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee hereby certify that the Oneida Business Committee is composed of 9 members of whom 6 members, constituting a quorum, were present at a meeting duly called, noticed and held on the 13th day of June, 1979; that the foregoing ordinance was duly adopted at such meeting by a vote of 6 members for, 0 members against, 0 members not voting; and that said ordinance has not been rescinded or amended in any way.



Patricia Misikin, Tribal Secretary



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

Oneida Tribe of Indians of Wisconsin, Inc.

Approved
6/13/79
Sp. [Signature]



UGWA BENDLUN TATENI

Because of the help of this Oneida Chief in cementing a friendship between the Oneida Nation and the Colonies of Pennsylvania, a nation, the United States was made possible.

P.O. BOX 129
ONEIDA



WISCONSIN
54155

MEMORANDUM

TO: Oneida Business Committee
FROM: Francis Skenandore, Oneida Tribal Attorney
DATE: June 11, 1979
SUBJECT: Oneida Removal Ordinance

Attached you will find a copy of the Oneida Removal Ordinance in its entirety. Changes and additions were made in the definition sections as follows: Business Committee Official to Business Committee member and additions for a definition of Tribal members suspended.

The Business Committee may enact the ordinance in full and have it become operative, if the Committee desires too. The ordinance is of course subject to review by the General Tribal Council, but this does not prevent it from being used and/or enforced at the present time after adoption by the Business Committee, who is the delegated body to enact ordinances and use and/or enforce them for the Tribe.

The Business Committee may, assuming the ordinance is adopted in its entirety under Section II, Removal by General Tribal Council, B. Procedure for Removal (3), bring charges for removal of a Business Committee Member. The words one or more Tribal members does not preclude the Business Committee from acting as a person or persons.

It is important to note, that job description should be drafted for each and every Business Committee Member to make the ordinance completely operative.

F. S.
Francis Skenandore
Oneida Tribal Attorney

ENROLLMENTS: Margaret moved to approve the list of June enrollments as presented Loretta seconded. Motion carried unanimously.

Question raised about the blood degree of Edward Metoxen. Loretta moved that we acquire documentation to back up the statement that he is $\frac{1}{2}$ degree Oneida instead of $\frac{4}{4}$ as listed on the rolls. Pat seconded. Motion carried unanimously.

HOUSE TRAILER REPAIR SHOP - HANK SKENANDORE: Tribal Secretary had a phone message saying that Hank had called and could not be available for tonight's meeting. Chairman relegated the matter to unfinished business.

ANNUAL MEETING DATE: Motion was made by Loretta that the Annual meeting of the General Tribal Council be on Saturday, July 7, 1979, at 9:30 a.m. at Sacred Heart Center. Pat seconded. Secretary will check with Fr. Keifer to see if the date is convenient. If not, the meeting will be at the Tribal Building. Motion carried unanimously.

REMOVAL ORDINANCE/CHESTER SMITH: Item was on the agenda for action. The Chairman had information that Chester stated he would resign. Myron moved to table the matter. Margaret seconded. Motion carried unanimously.

Discussion ensued on attendance of the four-day workshop on Sovereignty and Jurisdiction. Myron stated that he would like to attend. Loretta moved that Myron receive pay equal to his salary for attending the workshops scheduled for the next four days. Pat seconded Motion carried unanimously.

RESOLUTION FOR BIA PLAN FOR IMPROVEMENT OF LIBRARY/MEDIA/INFO PROGRAMS: Secretary read the resolution aloud. Loretta moved to adopt the resolution as presented. Margaret seconded. Motion carried unanimously.

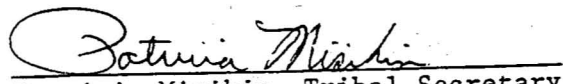
Anna John requested vacation leave of four days from July 2 - 6, 1979. Margaret moved to approve the request. Pat seconded. Motion carried unanimously.

Margaret requested vacation leave from July 2 - 6, 1979. Pat moved to approve the request Loretta seconded. Vote was 3 for and 1 abstention. Motion carried.

Loretta requested vacation leave from July 5 - 13, 1979. Pat moved to approve the request Margaret seconded. Vote was 3 for and 1 abstention. Motion carried.

Pat moved to adjourn Margaret seconded. Motion carried unanimously. Meeting adjourned at 10:35 p.m.

Respectfully submitted,


Patricia Misikin, Tribal Secretary