

ONEIDA NATION COMMISSION ON AGING (ONCOA) BYLAWS

Article I. Authority

- 1-1. *Name.* The name of this entity shall be the Oneida Nation Commission on Aging and may be referred to as ONCOA.
- 1-2. *Establishment.* ONCOA was first established by the Oneida Business Committee in 1978 pursuant to a duly enacted Charter and Bylaws that were amended on May 27, 1986. The Charter was revoked through resolution BC-2-09-00-A and superseded by the Oneida Nation Commission on Aging Bylaws that were adopted by the Oneida Business Committee on June 10, 1998 and amended on June 25, 2003; December 13, 2011; and July 11, 2012.
- 1-3. *Authority.* Pursuant to Section 46.82(4)(a) of the Wisconsin Statutes, the Oneida Business Committee established ONCOA as the advisory and policy development board for the Nation's Tribal Aging Unit, known as Oneida Elder Services, to be knowledgeable and supportive of all programs and services that can meet the needs of the Nation's Elders and to carry out the powers and duties delegated under Wis. Stat., § 46.82, which include, but are not limited to:
- (a) Representing the views, interests, and concerns of the Elders by identifying and promoting ways to:
 - (1) Assist the Oneida Elder Services Program with planning, development, maintenance and coordination of aging programs, long term care, home and community-based services, with a focus on providing Elders with access to services, benefits, opportunities, and ensuring a coordinated and comprehensive effort.
 - (2) Develop a mutually supportive relationship with the aging programs to include, but not be limited to: Greater Wisconsin Agency on Aging Resource (GWAAR), Wisconsin Tribal Aging Unit Association (WTAUA), and Great Lakes Intertribal Tribal Council (GLITC).
 - (3) Review and make recommendations on matters affecting the Nation's Elders to include development and approval of Wisconsin Three Year Aging Plan.
 - (b) Working with Oneida Elder Services to plan and develop administrative and program policies in accordance with the state law, Oneida Nation, funding agencies, and within the limits established for programs funded by the federal or state government for administration by Tribal Aging Units;
 - (c) Promoting the views, needs, and concerns of the Elders in Tribal, county, state, and federal policies and decisions;
 - (d) Providing information and personal support to individual Elders;
 - (e) Promoting opportunities for Elders to contribute to their own welfare and to the welfare of the community;
 - (f) Assisting Oneida Elder Services in the development and implementation of an annual comprehensive and coordinated Tribal Aging Plan, including, but not limited to, Title III, Title V, Title VI, and Tribal contribution or funds set aside for Elders;
 - (g) Reviewing and making recommendations on actions or proposals relating to matters affecting programs and benefits addressing Elder needs and welfare prior to approval by the Oneida Business Committee;

- (h) Assisting Oneida Elder Services in its efforts to organize, develop, modify, and expand available services and programs for Elders by utilizing all resources;
- (i) Reviewing reports that Oneida Elder Services is required to submit to funding agencies and other reports that ONCOA may deem appropriate;
- (j) Advocating for Elders; and
- (k) Carrying out all other powers and/or duties delegated to ONCOA through the laws, policies, rules and resolutions of the Oneida Nation, as well as state and federal law.

1-4. *Office.* The official mailing address of ONCOA shall be:
 Oneida Nation Commission on Aging (ONCOA)
 P.O. Box 365
 Oneida, WI 54155

The physical address of ONCOA shall be:
 ONCOA
 c/o Elder Services Building
 2907 Overland Drive
 Oneida, WI 54155

1-5. *Membership.*

- (a) *Number of Members.* ONCOA shall be comprised of nine (9) voting Commissioners.
- (b) *Elected.* Commissioners of ONCOA shall be elected in accordance with the Oneida Election law and in coordination with Section 46.82(4) of the Wisconsin Statutes for a term of three (3) years.
 - (1) The terms of three (3) Commissioners shall expire each year.
 - (2) No Commissioner may serve more than two (2) consecutive three (3) year terms.
 - (A) A Commissioner who has completed two (2) consecutive terms must wait a period of not less than one (1) year before he or she is eligible to run for another term.
 - (3) Commissioners shall hold office until their term expires, they resign, or they are removed/terminated from office.
 - (A) Although a member's term has expired, he or she shall remain in office and serve until a successor has been sworn in by the Oneida Business Committee.
 - (B) A Commissioner may resign at any time verbally at a meeting or by delivering written notice to the Oneida Business Committee Support Office and the ONCOA Chairperson or Chairperson's designee.
 - (i) The resignation is effective upon acceptance by ONCOA motion of a Commissioner's verbal resignation or upon delivery of the written notices.
- (c) *Vacancies.* Vacancies on ONCOA shall be filled as follows:
 - (1) *Expired Terms.* Vacancies caused by the expiration of a Commissioner's term shall be filled by election in with accordance with section 1-5(b) of these bylaws.

(2) *Unexpired Terms.* Any vacancy in an unexpired term shall be filled by appointment by the Oneida Business Committee, in accordance with the Boards, Committees and Commissions law, for the balance of the unexpired term.

(A) The ONCOA Chairperson shall provide the Oneida Business Committee recommendations on all applications for appointment to fill a vacancy by the executive session in which the appointment is intended to be made.

(d) *Qualifications for Commissioners.* Commissioners shall meet the following qualifications:

(1) Be enrolled members of the Oneida Nation;

(2) Reside in Brown or Outagamie County;

(3) Be fifty-five (55) years of age or older; and

(4) Must have submitted to the Wisconsin Caregiver's Background Check and been deemed eligible to work with Elders.

1-6. *Termination and Removal.* Commissioners found to be in violation of these bylaws may be subject to the following:

(a) If the Commissioner was elected, ONCOA's filing of a petition for his or her removal pursuant to the Removal law and/or any other law of the Nation governing the removal of elected officials.

(b) If the Commissioner was appointed, ONCOA's recommendation to the Oneida Business Committee for termination of his or her appointment in accordance with the Boards, Committees and Commissions law and/or any other law of the Nation governing termination of appointed officials.

(c) Petitions for removal and/or recommendations for termination shall be decided in accordance with the process set forth in Article IV of these bylaws.

1-7. *Trainings and Conferences.* For ONCOA to perform its duties, certain trainings and/or conferences are mandatory for Commissioners and will be assigned to them. The list of trainings/conferences included in this section of the bylaws ensures that all ONCOA Commissioners are equally knowledgeable of their duties and responsibilities. The following is a list of trainings and conferences that ONCOA believes are critical for Commissioners to attend to be able to perform their duties and responsibilities. A Commissioner shall be required to attend up to five (5) full days of trainings/conferences each year or as limited by ONCOA's approved budget. Exceptions for not attending an assigned training or conference may be made for good cause and must be submitted to the ONCOA Chairperson. Regardless of the number of trainings/conferences that he or she is required to attend, no Commissioner shall be eligible to receive stipends for attending more than five (5) full days of mandatory trainings/conferences per year.

(a) Up to nine (9) Commissioners shall attend the Annual Federal Title VI Native American Training and Technical Assistance for four (4) full days;

(b) Up to nine (9) Commissioners shall attend the Biennial National Indian Council on Aging (NICOA) held every other year for four (4) full days;

(c) Three (3) Commissioners shall attend the Annual Wisconsin Alzheimer's Conference for two (2) full days;

- (d) Three (3) or four (4) Commissioners shall attend the Wisconsin Tribal Unit Association six (6) times per year for one (1) full day;
- (e) Up to nine (9) Commissioners shall attend the Quarterly Great Lakes Native American Elders Association (GLNAEA) four (4) times per year for two (2) full days;
- (f) Three (3) Commissioners shall attend the National Conference on Native Alzheimer's/Dementia for three (3) full days;
- (g) Three (3) Commissioners shall attend the U.W. Madison Alzheimer's Research Center Training four (4) times per year for one (1) full day;
- (h) Three (3) Commissioners shall attend the National Council on Aging Conference for three (3) full days;
- (i) Up to nine (9) Commissioners shall attend the Biennial Title III – Wisconsin Aging Network Conference for three (3) full days;
- (j) Two (2) Commissioners shall attend the State Aging Advisory Council six (6) times per year for one (1) full day;
- (k) One (1) Commissioner shall attend the Greater Wisconsin Agency on Aging Resource Board of Directors six (6) times per year for one (1) full day;
- (l) One (1) Commissioner shall attend the Brown County Aging and Disability Resource Center six (6) times per year for one (1) full day;
- (m) One (1) Commissioner shall attend the Outagamie County Aging and Disability Resource Center six (6) times per year for one (1) full day;
- (n) Three (3) Commissioners shall attend training and/or conferences on aging each year, not listed above, for one (1) full day;
- (o) Nine (9) Commissioners shall attend between one (1) to four (4) full day Oneida Human Resources Department training sessions each year to save on travel;
- (p) Each year, up to nine (9) Commissioners shall attend one (1) full day of training on the topic of personal/professional growth that is aligned with the Nation's core values of The Good Mind as expressed by Onayote'a'ka;
- (q) Each year, up to nine (9) Commissioners shall attend one (1) full day of training on nutrition;
- (r) Each year, up to nine (9) Commissioners shall attend one (1) full day of training on elderly health concerns; and
- (s) Each year, up to nine (9) Commissioners shall attend one (1) full day of training on cultural awareness to build stronger communities.

Article II. Officers

- 2-1. *Officers.* ONCOA shall have three (3) Officers: Chairperson, Vice-Chairperson and Secretary.
- 2-2. *Responsibilities of the Chairperson.* The responsibilities, duties and limitations of the Chairperson shall be as follows:
- (a) The Chairperson shall preside at all meetings of ONCOA, facilitate the meetings in accordance with the agenda, and maintain orderly discussions at the meetings.
 - (b) The Chairperson shall be responsible for calling and developing an agenda in conjunction with the ONCOA Secretary and, if applicable, ONCOA Staff.
 - (c) The Chairperson shall receive, review, and monitor all correspondence of ONCOA and submit a quarterly ONCOA report to the Oneida Business

Committee in accordance with the Boards, Committees and Commissions law.

- (d) The Chairperson shall be responsible for submitting an approved semi-annual and annual ONCOA report to the Oneida General Tribal Council in accordance with the Boards, Committees and Commissions law for inclusion in reports to the Nation's membership.
- (e) The Chairperson shall oversee that the appropriate and/or required reports are submitted to agencies and other funding resources in a timely manner.
- (f) The Chairperson shall provide monthly ONCOA budget updates at regular meetings of ONCOA.
- (g) The Chairperson shall have sign-off authority as set forth in section 2-8 of these bylaws and shall sign all correspondence of ONCOA, including reports, meeting materials and other documents.
- (h) The Chairperson shall meet with the Oneida Business Committee liaison and Elder Services Director, as needed.
- (i) The Chairperson or Chairperson's designee shall attend all annual, semi-annual, and budget meetings to support Elders and ONCOA.
- (j) The Chairperson or Commissioner designated by the Chairperson shall attend the Oneida Business Committee meeting where ONCOA's quarterly report appears on the agenda.
- (k) The Chairperson shall supervise and evaluate ONCOA Staff, hired prior to the adoption of these bylaws, in accordance with the Nation's Personnel Policies and Procedures.
- (l) The Chairperson shall appoint Commissioners to subcommittees created by majority vote of the Commissioners in attendance at an ONCOA meeting of an established quorum.
- (m) The Chairperson shall perform other duties as assigned by ONCOA or the Oneida Business Committee.

2-3. *Responsibilities of the Vice-Chairperson.* The responsibilities, duties and limitations of the Vice-Chairperson shall be as follows:

- (a) The Vice-Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson.
 - (1) In case of a resignation or death of the Chairperson, the Vice-Chairperson shall become the Chairperson for the remainder of the term or until an election of Officers occurs.
- (b) The Vice-Chairperson shall have sign-off authority as set forth in section 2-8 of these bylaws.
- (c) The Vice-Chairperson shall have the authority to call to order and preside at ONCOA meetings in the absence of the Chairperson.
- (d) The Vice-Chairperson shall perform other duties assigned by the ONCOA Chairperson.

2-4. *Responsibilities of the Secretary.* The responsibilities, duties and limitations of the Secretary shall be as follows:

- (a) The Secretary shall be responsible to ensure the correspondence and minutes of ONCOA are maintained, recorded and filed in accordance with these bylaws, the Boards, Committees and Commissions law, and the Open Records and Open Meetings law.

- (b) The Secretary shall ensure that notices of ONCOA meetings, location, agendas and minutes are provided, recorded and maintained in accordance with the Boards, Committees and Commissions law, the Open Records and Open Meetings law, and these bylaws.
- (c) The Secretary shall have sign-off authority as set forth in section 2-8 of these bylaws.
- (d) In the event that both the Chairperson and Vice-Chairperson positions become vacant before the end of their terms, the Secretary shall have the authority to call ONCOA meetings to fill the vacancies and to preside over those meetings for the sole purpose of conducting an election of new Officers, at which point the Chairperson, or Vice-Chairperson in the absence of the Chairperson, shall preside.
- (e) The Secretary shall perform other duties as assigned by ONCOA.

2-5. *Responsibilities of the Commissioners.* In addition to any other duties assigned the Commissioners in these bylaws, the responsibilities, duties and limitations of the Commissioners shall be as follows:

- (a) The Commissioners shall attend regularly scheduled ONCOA meetings, provide direction or input, and participate in discussions.
- (b) The Commissioners shall attend meetings, trainings/conferences, and workshops approved by the majority vote of ONCOA Commissioners making up at least a quorum, unless excused.
- (c) The Commissioners shall participate in advocacy efforts.
- (d) The Commissioners shall take time to review all ONCOA reports and minutes.
- (e) The Commissioners are mandated reporters and should report Elder abuse to the Elder Services Director.
- (f) The Commissioners shall perform other duties as assigned by the ONCOA Chairperson or by a majority vote of the Commissioners making up at least a quorum.

2-6. *Subcommittees.* Subcommittees shall be created when necessary in accordance with the Boards, Committees and Commissions law and filled by current ONCOA Commissioners.

- (a) To create a subcommittee, ONCOA must approve the subcommittee and its purpose by a majority vote of Commissioners in attendance at an ONCOA meeting of an established quorum.
- (b) Subcommittees are voluntary and appointed by the Chairperson.
- (c) A Commissioner's appointment to a subcommittee shall be terminated upon completion of the term which will result in a written report to ONCOA.
- (d) If the subcommittee is no longer meeting a valid need or goal of ONCOA, that subcommittee shall be ended at any time by a majority vote of the ONCOA Commissioners at the meeting of an established quorum.
- (e) Commissioners of subcommittees shall not be eligible for stipends unless a specific exception is made by the Oneida Business Committee or the Oneida General Tribal Council.

2-7. *Selection of Officers.*

- (a) The tenure of Officers shall be for one (1) year terms by election of a majority vote of the ONCOA Commissioners in attendance at a meeting of

an established quorum that takes place within thirty (30) days after the newly elected Commissioners have been sworn in by the Oneida Business Committee.

- (b) In case of a resignation or vacancy of an ONCOA Officer position, ONCOA will hold an election within thirty (30) days to fill that vacancy by majority vote of the Commissioners in attendance at an ONCOA meeting of an established quorum for the remainder of that term of the resigning or vacating Officer.
- (c) A Commissioner may be dismissed from his or her Officer position by a majority vote of the Commissioners in attendance at an ONCOA meeting of an established quorum.
- (d) ONCOA Officers may only hold one (1) Officer position per Officer term.

2-8. *Budgetary Sign-Off Authority and Travel.* ONCOA shall follow the Nation's policies and procedures regarding purchasing and sign-off authority.

- (a) Levels of budgetary sign-off authority are as set forth in the manual titled, *Oneida Tribe of Indians of Wisconsin Purchasing Policies and Procedures*, for Area Directors/Enterprise Directors.
 - (1) All ONCOA Officers have sign-off authority and two (2) Officers shall be required to sign-off on all budgetary requests, except as follows:
 - (A) The Oneida Business Committee Support Office shall have sign-off authority over requests for stipends, travel per diem and business expense reimbursement.
 - (b) Travel shall be approved through a motion by a majority vote of the ONCOA Commissioners in attendance at a regular or emergency ONCOA meeting of an established quorum.

2-9. *Personnel (Staff).* Commencing on the date these bylaws are adopted by the Oneida Business Committee and from that point forward, ONCOA shall not have authority to hire personnel for the benefit of ONCOA.

Article III. Meetings

3-1. *Regular Meetings.* Regular meetings of ONCOA shall be held on the second (2nd) and fourth (4th) Tuesday of each month, commencing at 1:00 p.m., in the Elder Services Conference Room of the Elder Services building located in Oneida, Wisconsin.

- (a) The regular meeting date, time and/or location may change from time-to-time as determined by majority vote of the Commissioners in attendance at an ONCOA meeting of an established quorum so long as notice is provided to all Commissioners in writing and, along with the public, in accordance with the Nation's Open Records and Open Meetings law prior to the implementation of a new date, time and/or location.
- (b) The ONCOA Secretary shall ensure notice of the meeting agenda, location, documents and minutes are provided, as well as made available, to all Commissioners in writing and, along with the Oneida Business Committee liaison and public, further made available in accordance with the Nation's Open Records and Open Meetings law.
- (c) ONCOA meetings shall be run in accordance with Robert's Rules of Order.

- 3-2. *Emergency Meetings.* An emergency meeting may convene outside of regular meetings to address an urgent matter. The urgent matter shall be identified in the notice for the emergency meeting.
- (a) An emergency may be called by the Chairperson, Vice-Chairperson in the absence of the Chairperson, or by a majority vote at an established quorum of ONCOA Commissioners.
 - (b) The Secretary shall ensure that at least twenty-four (24) hours advance notice of the emergency meeting is provided to all Commissioners via telephone call, as well as in writing, and, along with the public, further provided in accordance with the Open Records and Open Meetings law.
 - (1) Written notice provided via email must be sent to the official Oneida Nation email address that was provided to each Commissioner to conduct business electronically on behalf of ONCOA.
 - (c) Within seventy-two (72) hours after the emergency meeting, the ONCOA Secretary or, if applicable, ONCOA Staff shall provide the Nation's Secretary with notice of the emergency meeting, the reason for the emergency meeting, and an explanation of why the matter could not wait until the next regular meeting.
- 3-3. *Joint Meetings.* Joint Meetings with the Oneida Business Committee will be held in the Oneida Business Committee Conference Room of the Norbert Hill Center, on an as needed basis per the approval of the Oneida Business Committee.
- (a) Notice of the joint meeting agenda, documents and minutes shall be provided, and the joint meeting conducted, in accordance with resolution BC-03-27-19-D titled, Oneida Business Committee and Joint Meetings with Boards, Committees and Commissions – Definitions and Impact, as may be amended from time-to-time hereafter.
- 3-4. *Closed and/or Confidential Sessions.*
- (a) Meetings of ONCOA shall be open to the general public.
 - (b) For the purpose of confidentiality, pursuant to the Nation's Open Records and Open Meetings law, portions of any regular or emergency meeting may be closed to address individual issues, personnel issues, sensitive client issues, or community sensitive issues and shall be addressed under the Executive Session portion of the agenda.
- 3-5. *Quorum.* A quorum of ONCOA Commissioners shall be required for ONCOA action and shall consist of five (5) Commissioners one (1) of which shall be either the Chairperson, Vice-Chairperson, or Secretary; provided, the Secretary is presiding over the meeting in accordance with section 2-4(d) of these bylaws.
- (a) If a quorum is not present within fifteen (15) minutes of the announced meeting time, the meeting will be declared dismissed.
- 3-6. *Order of Business.* As far as applicable, the agenda shall be set up as follows:
- (a) Call to Order
 - (b) Welcome and Prayer
 - (c) Roll Call
 - (d) Adopt and Approve the Current Agenda
 - (e) Approval of Previous Minutes on Second Meeting of the Month

- (f) Old Business
- (g) New Business
- (h) Tabled Business
- (i) Reports and Announcements
- (j) Other Business
- (k) Executive Session
- (l) Adjournment

- 3-7. *Voting.* Decisions of ONCOA shall be based on a majority vote of Commissioners present at a regular or emergency meeting of an established quorum.
- (a) The ONCOA Chairperson or Officer presiding over the meeting in lieu of the Chairperson shall vote only in the case of a tie.
 - (b) E-polls are permissible and shall be conducted in accordance with the Boards, Committees and Commissions law.
 - (1) The Vice-Chairperson shall serve as the Chairperson’s designee for the responsibility of conducting an e-poll in the absence or at the discretion of the Chairperson.
 - (A) In the absence of the Vice-Chairperson, the Secretary shall be responsible for conducting e-polls.

Article IV. Expectations

4-1. *Behavior of Commissioners.*

- (a) While attending ONCOA meetings, the Commissioners must adhere to the following Ground Rules:
 - (1) Start on time.
 - (2) Speak in positive terms.
 - (3) Show respect for each other and their ideas.
 - (4) Listen.
 - (5) Turn off cell phones during meetings.
 - (6) Facilitator will acknowledge the right to speak.
 - (7) One person speaks at a time.
 - (8) Avoid side conversations.
 - (9) Stay focused.
- (b) Commissioners must attend and participate in duly called ONCOA meetings. This is critical for the operation of ONCOA and the safety of Elders.
- (c) No Commissioner shall act independently of ONCOA, on behalf of ONCOA, or express and represent views of ONCOA without specific approval from ONCOA.
- (d) Commissioners must adhere to the Oneida Nation’s Code of Ethics law.
- (e) Commissioners must honorably protect and uphold the purpose of ONCOA with compassion, caring, honesty, honor, and thoroughness while protecting the privacy and maintaining the safety of Elders.
- (f) While performing official duties of ONCOA, Commissioners will refrain from using profanity.
- (g) *Enforcement:* Violation of this or any section of these bylaws shall be enforced as follows:
 - (1) A Commissioner who fails to adhere to the Ground Rules may be forced to leave a meeting, forfeiting his or her stipend if eligible to receive a stipend for being in attendance; or, if that Commissioner

- continues to fail to adhere to the Ground Rules or the infraction at issue is egregious, he or she shall be added to the agenda for discussion and action under subsections (4) and (5) of this section.
- (2) A Commissioner who fails to be courteous, civil, polite and respectful to all will give cause for the Chairperson to request a break, talk to the Commissioner in private and, based on that discussion and/or the number of infractions, the Commissioner may be forced by the Chairperson to leave the meeting, forfeiting his or her stipend if eligible to receive a stipend for being in attendance, or the Commissioner may be added to the agenda for discussion and action under subsections (4) and (5) of this section.
 - (3) A Commissioner who fails to attend meetings on a regular basis or misses four (4) consecutive meetings, without an excused absence, will prompt the ONCOA Chairperson to add the attendance issue to the agenda for discussion and action under subsections (4) and (5) of this section.
 - (A) A Commissioner who fails to notify an ONCOA Officer, in writing, of his or her pending absence at least thirty (30) minutes before the missed meeting shall be deemed unexcused.
 - (4) A Commissioner who violates any other section of these bylaws or who has been added to the agenda in accordance with subsection (g) of this section shall be subject to the following:
 - (A) If the Commissioner was elected, ONCOA may file a petition for his or her removal pursuant to the Removal law and/or any other law of the Nation governing the removal of elected officials.
 - (B) If the Commissioner was appointed, ONCOA may make a recommendation to the Oneida Business Committee for termination of his or her appointment in accordance with the Boards, Committees and Commissions law and/or any other law of the Nation governing termination of appointed officials.
 - (C) ONCOA may take action to discipline any Commissioner in accordance with any law of the Nation governing sanctions and penalties for elected and/or appointed officials.
 - (D) A two-thirds (2/3) majority vote of the ONCOA membership is required before ONCOA may take any of the actions set forth under this subsection (4) of section 4-1.
 - (5) Prior to taking any action under subsection (4) of this section, the ONCOA Chairperson or Officer designated by the Chairperson will send a certified letter to that Commissioner asking what his or her intent is serving on ONCOA.
 - (A) If the Commissioner fails to respond to ONCOA within seven (7) business days of receiving the letter, that Commissioner will be placed on the agenda for discussion and action under subsection (4) of this section.
 - (B) If the Commissioner provides a timely response to ONCOA, that Commissioner will be placed on the agenda to decide by majority vote of Commissioners in attendance at a meeting

of an established quorum whether, based on the response, he or she shall be offered the opportunity to take part in peacemaking in lieu of action under subsection (4) of this section.

(i) If the Commissioner agrees to peacemaking, the ONCOA Chairperson shall select the peacemaker.

4-2. *Prohibition of Violence.* It is the policy of the Nation to provide a safe and secure environment when conducting business that is free of violence or the threat of violence.

(a) ONCOA Commissioners are prohibited from committing any violent intentional act that inflicts, attempts to inflict, or threatens to inflict emotional or bodily harm on another person, or damage to property.

(1) Commissioners are encouraged to report threats of or observed violence to the ONCOA Chairperson or Oneida Police Department.

4-3. *Drug and Alcohol Use.* While acting in their official capacity, Commissioners shall not use or be under the influence of alcohol, intoxicants, illegal drugs or barbiturates.

4-4. *Social Media.* ONCOA Commissioners shall comply with the Oneida Nation's Social Media Policy to include, but not be limited to, setting up an ONCOA Social Media account with the Nation's Secretary's Office.

(a) If creating a social media account, ONCOA must appoint an Administrator for the social media account and this appointment must be approved at an ONCOA meeting of an established quorum by a majority vote of the Commissioners in attendance.

(b) Commissioners shall adhere to their oath of office when using social media while acting on behalf of or as a representative of ONCOA, and shall further refrain from posting, attaching or writing anything relating to ONCOA business or activities on any social media outlet unless authorized by these bylaws or by a majority vote of the Commissioners in attendance at an ONCOA meeting of an established quorum.

4-5. *Conflict of Interest.* All Commissioners shall comply with all applicable laws of the Oneida Nation governing conflicts of interest.

(a) All Commissioners shall sign the Oneida Nation's Conflict of Interest Disclosure Form prior to being sworn in on ONCOA.

(b) Commissioners shall disclose any potential conflict to the ONCOA Chairperson and the Oneida Nation Secretary.

(c) Commissioners shall recuse themselves from any decision where a potential conflict exists.

(d) In addition to any action that a Commissioner may be required to take under any other law of the Nation governing conflicts, when a familial relationship exists between a Commissioner and another party whom ONCOA is or will be formally interacting with, that Commissioner, or other Commissioner with knowledge of the relationship, shall disclose the existence of the relationship to ONCOA.

(1) Upon disclosure, ONCOA shall allow the Commissioner with the familial relationship an opportunity to address ONCOA and answer any question ONCOA may have in follow up.

- (2) ONCOA shall then decide by a majority vote of Commissioners in attendance at a meeting of an established quorum whether a potential conflict exists.

Article V. Stipends and Compensation

5-1. *Stipends.* ONCOA Commissioners shall be eligible for the following stipends as set forth in and subject to these bylaws; the Boards, Committees and Commissions law; and resolution BC-05-08-19-B titled, Amending Resolution BC-09-26-18-D Boards, Committees and Commissions Law Stipends, as may be further amended from time-to-time hereafter:

- (a) Two (2) meeting stipends per month, provided that:
 - (1) A quorum was established;
 - (2) The meeting of the established quorum lasted for at least one (1) hour; and
 - (3) The Commissioner collecting the stipend was physically present for the entire meeting.
- (b) For attending a conference or training, a stipend for each day of attendance, provided that:
 - (1) The Commissioner attended a full day of training or was present at the conference for a full day;
 - (2) The Commissioner's attendance at the conference or training was required by law, bylaws or resolution; and
 - (3) The budget for the training/conference and stipend was provided for and approved in the budgets for stipends.
 - (A) No stipend payments shall be made for those days spent traveling to and from the conference or training.
- (c) Stipends for Judiciary hearings:
 - (1) An ONCOA Commissioner may receive a stipend for attending an Oneida Judiciary hearing if that Commissioner's attendance was required by official subpoena.
- (d) A stipend for attending a duly called joint meeting between ONCOA and the Oneida Business Committee, provided that:
 - (1) A quorum was established by ONCOA;
 - (2) The joint meeting lasted for at least one (1) hour; and
 - (3) The Commissioner collecting the stipend was physically present for the entire joint meeting.
- (e) All stipend requests shall be accompanied by the meeting sign-in sheet or conference/training materials which identifies the start and end time of the meeting, conference or training.

5-2. *Compensation.* Besides the travel, per diem and business expense reimbursement authorized by the Boards, Committees and Commissions law, Commissioners shall not be eligible for any other type of compensation for duties/activities they perform on behalf of ONCOA.

Article VI. Records and Reporting

6-1. *Agenda Items.* Agenda items shall be maintained in a consistent format provided by the Oneida Business Committee Support Office, as approved by ONCOA, and submitted to the ONCOA Chairperson or, as applicable, ONCOA Staff according to ONCOA's established process.

- (a) For items to be placed on the agenda, items must be submitted to the Chairperson or, as applicable, ONCOA Staff at least one (1) week prior to the ONCOA meeting.
 - (1) Items submitted late, will be placed on the next ONCOA meeting agenda.
 - (b) Packets of the proposed agenda and backup documentation shall be made available to all ONCOA Commissioners in writing and, along with the public, in accordance with the Nation's Open Records and Open Meetings law.
 - (c) Executive session items shall be stamped confidential and returned to the ONCOA Secretary or, if applicable, ONCOA Staff after the meeting for filing and disposal in accordance with the Nation's Open Records and Open Meetings law.
- 6-2. *Minutes.* Minutes for each meeting shall be typed and in a consistent format designed by the Oneida Business Committee Support Office, and approved by ONCOA, to generate the most informative record of the ONCOA meetings.
- (a) Minutes must provide a summary of the action taken by ONCOA in that meeting.
 - (b) After ONCOA receives and approves the meeting minutes, the ONCOA Secretary or, if applicable, ONCOA Staff shall submit copies of the approved minutes to the Oneida Business Committee Support Office by the end of the fourth (4th) week of the month in which the meeting was held.
 - (1) Minutes will be received at the first (1st) meeting of the month and approved at the second (2nd) meeting of the month.
 - (2) Minutes will be made available one (1) week prior to the second (2nd) meeting upon request to the ONCOA Secretary or, if applicable, ONCOA Staff.
 - (3) The Secretary shall sign, date, and ensure approved minutes are submitted to the Oneida Business Committee Support Office by the end of the fourth (4th) week of each month.
- 6-3. *Attachments.* Handouts, attachments, reports, memoranda and the like shall be attached to and maintained with the meeting minutes and agenda in accordance with the Open Records and Open Meetings law.
- (a) All materials must be identified to the meeting in which they were presented.
- 6-4. *Oneida Business Committee Liaison.* ONCOA shall regularly communicate with the Oneida Business Committee member who is its designated liaison.
- (a) The frequency and method of communication shall be as agreed upon by ONCOA and the liaison, but not less than that required in any law or policy on reporting developed by the Oneida Business Committee or Oneida General Tribal Council.
- 6-5. *Audio Recordings.* All ONCOA meetings shall be audio recorded by the Oneida Business Committee Support Office using its own recording device.
- (a) Audio recordings of ONCOA meetings shall be maintained by the Oneida Business Committee Support Office.

- (b) *Exception:* Audio recordings of an Executive Session portion of a meeting shall not be recorded.

Article VII. Amendments

7-1. *Amendments.* ONCOA shall adopt, amend, or repeal any provisions of these bylaws at a meeting of an established quorum by a majority vote of the Commissioners in attendance; provided, the proposed amendments had been submitted in writing at a regular meeting of ONCOA.

- (1) Any amendments to these bylaws shall conform to the requirements of the Boards, Committees and Commissions law and any other policy of the Nation.
 - (a) ONCOA shall conduct a review of these bylaws to ensure they remain current at the beginning of each fiscal year.
 - (b) Amendments shall be approved by ONCOA and the Oneida Business Committee before implementation.

These By-laws, as amended and revised, are hereby approved by the Oneida Business Committee at a duly called meeting held on October 9, 2019, by the Secretary of the Oneida Business Committee's signature.



Lisa Summers, Secretary
Oneida Business Committee