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**SITKA TRIBAL CODE
TITLE 2 TRIBAL COUNCIL
CHAPTER 3 ORDINANCE GOVERNING
COMMITTEES**

Enacted January 21, 2009; Revised (Section 02.03.06 *only*) May 20, 2020, Revised Date
XX, 2021.

By the Sitka Tribal Council

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02.03 Ordinance Governing Committees

02.03.01 Purpose

This ordinance sets forth the operating procedures for all committees of the Sitka Tribe of Alaska. This ordinance expressly supersedes all previous committee policies and any ordinance provision which is inconsistent with this ordinance except for those provisions which address committees established for the purpose of investigating employee grievances and code of conduct violation. The policy of the Sitka Tribe is to establish standing and ad hoc committees to advise and assist the Tribal Council in fulfilling its obligations in governmental functions. A committee shall provide advice and assistance to the Council in that committee's area of responsibility.

02.03.02 Authority

This ordinance is established pursuant to Article VII, Section 1(f) of the Sitka Tribe of Alaska Constitution, which states

The Tribal Council shall exercise the following powers by appropriate motion, resolution, or ordinance, subject to any limitations imposed by the Constitution or applicable laws of the United States:

(f) To authorize or direct subordinate boards, committees, Tribal officials, or Tribal employees to administer the affairs of the Tribe and to carry out the directives of the Tribal Council.

02.03.03 Definitions

(a) Excused absence is an absence from a committee meeting when the committee member has provided notice to the committee chairperson or the primary committee staff person prior to a committee meeting that the individual is unable to attend the scheduled committee meeting.

(b) Internal motion is a motion that only applies to the internal workings of the committee or is a motion that implements an action already adopted by the Tribal Council.

(c) Primary committee staff person is an individual employed by the Sitka Tribe of Alaska who has been assigned by his or her supervisor to serve as the primary committee staff person for a particular committee.

(d) Tribal citizen is an enrolled member of the Sitka Tribe of Alaska.

02.03.04 Standing Committees

The Sitka Tribal Council shall be assisted by the following standing committees, which this ordinance shall govern : (a) Natural Resources Committee(b) Education/Scholarship Committee, (c) Enrollment Committee, (d) Finance & Economic Development Committee, (e) Health & Human Services Committee, (f)Governance Committee, (g) Transportation & Community Development and (i) Judiciary Committee .

The Sitka Tribal Council shall also be assisted by the following standing committees, which are not governed by this ordinance: (a) Cultural Resources Committee, and (b) Herring Committee.

The Sitka Tribal Council shall also be assisted by certain commissions and boards, which have already been established and are governed by separate Tribal Ordinance.

02.03.05 Ad Hoc Committees

The Tribal Council may establish ad hoc committees as necessary to address specific issues as they arise in order to conduct the business of the Tribe. The Tribal Council shall establish such ad hoc committees by motion, provided the motion indicates the name of the committee, the duration of the committee and whether the committee shall be governed by this ordinance. If the committee shall not be governed by this ordinance, the Tribal Council shall establish the committee structure and membership, responsibilities, reporting requirements and other such sufficient detail necessary to establish and operate the committee.

02.03.06 Committee Composition

- (a) Each committee shall consist of 3-9 voting members, unless the committee recommends, and the Tribal Council authorizes additional voting members. A quorum of 3 voting members shall be required for any committee composed of 5 or less members.
 - (1) Each committee shall consist of at least two Tribal Council members, and at least one staff person.
 - (2) Committee membership is otherwise limited to Tribal Council members, staff of Sitka Tribe, and enrolled tribal citizens of Sitka Tribe.
 - (3) Committees which provide guidance regarding programs which provide services to persons other than tribal citizens may have at-large community

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committee members from the public being served, subject to approval by the Tribal Council.

(4) The Governance Committee membership shall be restricted to members of the Tribal Council only.

(b) Each committee at its discretion can also have non-voting advisory members.

(c) Upon initial adoption of this ordinance, committees are responsible to make a recommendation to Tribal Council regarding the number of members of their respective committee, and the composition of the committee.

(d) After initial adoption of this ordinance, committees may make a recommendation to the Tribal Council altering the number of voting members and the composition of a committee if necessary.

(e) The General Manager is responsible to keep a record of the current composition and membership of all STA committees.

02.03.07 Appointments and Removals

(a) Appointments

The Tribal Council shall appoint Tribal Council members annually to committees at its regularly scheduled meeting held after Election results have been certified and Council Members have been sworn in each year. In addition, the General Manager shall appoint staff members annually to committees by the third Wednesday of December each year. Staff members who are appointed to committees may designate an alternate staff member if the designated staff member is absent or otherwise unable to attend a committee meeting. Other committee members, such as tribal citizens or at-large community members, shall be appointed by the Tribal Council upon nomination from the respective committee within three months of the adoption of this ordinance for indefinite terms.

(b) Removals

(1) Reasons for Removal

(A) Committee members may be automatically removed for unexcused absence from three (3) consecutive, regularly scheduled committee meetings.

(B) Committee members may be removed for gross misconduct, neglect of duty, any offense involving dishonesty, violations of the code of conduct, or acting contrary to the official position of the Tribal Council.

(2) Decision Authority

(A) Any removal pursuant to (b)(1)(B) above, of tribal council, tribal citizen or at-large committee members may only be conducted upon affirmative vote of at least five (5) members of the Tribal Council voting by secret ballot.

(B) Any staff committee member may be removed only by the General Manager.

(3) Process for Removal

(A) In the case of removal for unexcused absence from three (3) consecutive, regularly scheduled committee meetings, the primary committee staff member shall discuss the issue with the committee chair, place the issue on the committee agenda for consideration and present documentation to the committee for review. The committee shall make a recommendation to the Tribal Council. If the General Manager or the Tribal Council finds that the evidence presented sufficiently demonstrates that the committee member has had unexcused absences from three consecutive, regularly scheduled committee meetings, then that member may be removed.

(B) In the case of any other removal of the tribal council, tribal citizen, or at-large committee members, either a Tribal Council member or a committee may recommend providing a recommendation to the Tribal Council for removal. Such recommendation shall contain sufficient justification for the removal action. Prior to taking a vote on the removal of a committee member, Tribal Council shall provide the committee member with at least twenty-four hours' notice of the recommended action and allow that committee member an opportunity to be heard.

(C) In the case of any other removal of a staff member from a committee, a Tribal Council member, another committee member, or the primary committee staff person may provide a recommendation to the General Manager for removal. Such recommendation shall contain sufficient justification for the removal action. Prior to issuing a decision regarding the removal of the staff committee member, the General Manager shall provide notice to the staff

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committee member and allow the committee staff member an opportunity to be heard.

02.03.08 General Responsibilities

- (a) The committee shall be responsible for providing advice and assistance to the Tribal Council in implementing and formulating tribal policy. Committees are advisory in nature and are responsible for making recommendations in the form of motions to the Tribal Council for action unless otherwise authorized or a motion is purely internal. Committees do not have the authority to act on behalf of the Sitka Tribe of Alaska on their own.
- (b) Committee members are subject to the requirements of all ordinances of the Sitka Tribe of Alaska, which apply to committee members, including but not limited to the Code of Conduct, the Criminal Background Check Ordinance, and the Drug and Alcohol-Free Ordinance.
- (c) Neither the committee chairperson nor any committee member has management authority over any staff person at STA. Any concerns regarding staff work should be directed to the General Manager by a committee member. Any action for staff to take may only be suggested in the context of a motion of the committee.
- (d) Committees may, by a majority vote of the committee, create sub-committees to address specific activities of the committee, provided such sub-committee is composed of at least two voting committee members and such other individuals necessary to address the issue at hand. Such sub-committees shall be responsible to and report back to the committee.
- (e) Unless otherwise established by this ordinance or other action by Tribal Council, all committees shall follow Robert's Rules of Order.

02.03.09 Committee Meetings

- (a) Committees shall meet at dates, times, and places selected by the Committee, but in no case less than once every three (3) months.
- (b) The primary committee staff person shall be responsible for providing notice of dates, times, and places of meetings to all committee members and shall draft a committee agenda for the committee chairperson's review prior to the meeting.

- (c) Notice of the date, time, and place of a committee meeting shall be either posted at an STA office and/or published in a public location or STA government Social Media at least three working days prior to the meeting unless the emergency nature of the meeting precludes such notice. In such instances, the committee shall give the maximum amount of notice possible under the circumstances.
- (d) All committee meetings shall be open to any tribal citizen except where otherwise provided by tribal law. Committees that provide guidance regarding programs which provide services to persons other than tribal citizens shall be open to the public to which the program serves except where otherwise provided by tribal law.
- (e) A quorum shall be defined as a simple majority of the Committee membership. No business shall be conducted at a committee meeting unless a quorum is present. In cases where there are five (5) committee members, three (3) members shall constitute a quorum. In cases where there are three (3) committee members, two (2) members shall constitute a quorum.
- (f) Only members of the Committee may be motion-makers and voting members under Robert's Rules of Order.

02.03.10 Committee Chairperson

- (a) Each committee is responsible to nominate a chairperson and a vice-chairperson for the committee.
- (b) The committee chairperson shall ensure that dates, times, and places for committee meetings are set, approve draft agendas prepared by staff prior to each meeting, and may communicate directly with the primary committee staff person with regard to the development of the agenda. Committee chairpersons, or vice-chairpersons in the absence of the chairperson, shall preside over all committee meetings and assume other responsibilities of the chairperson.

02.03.11 Reports to Council

- (a) The primary committee staff person shall be responsible for drafting a written record of each meeting and submitting to the Tribal Council as soon as possible but not later than sixty days after the meeting date. Such record shall be a summary of the meeting, and specifically indicate all motions made. The report to the Tribal Council is accomplished with meeting minutes approved by the Committee.

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(b) The primary committee staff person shall be responsible for submitting all action items to the Tribal Council for consideration as soon as possible.

02.03.12 Ex-Officio Members

The Tribal Council Chairman shall be an ex-officio and voting member of each committee, and his or her attendance at a committee meeting counts towards quorum.

02.03.13 Vacancies

If there is a vacancy on a committee, the committee shall recommend to the Tribal Council an individual to fill the vacancy. To facilitate such a process, the primary committee staff person shall publicly announce the vacancy in the local newspaper or other means.

02.03.14 Date of Enactment and Amendment

This ordinance was enacted on January 21, 2009 after three readings by the Tribal Council. Revised (Section 02.03.06 *only*) May 20, 2020 after three readings by the Tribal Council and Revised Date XX,2021 after three readings by the Sitka Tribal Council.

CERTIFICATION

This Election Ordinance was adopted after three readings at a duly convened meeting of the Tribal Council of the Sitka Tribe of Alaska on **Date XX, 2021** and at which a quorum was present, by a vote of ____ IN FAVOR, ____ AGAINST, ____ ABSTAIN, and ____ ABSENT.



Lawrence Widmark, Tribal Chairman

Attest:

Louise Brady, Tribal Secretary