

CONSTITUTION AND BYLAWS
OF THE
BUFFALO LAKE DISTRICT,
SISSETON-WAHPETON SIOUX TRIBE
LAKE TRAVERSE RESERVATION

PREAMBLE

We, the members of the Buffalo Lake District, being one of the seven districts which combined, make up the Sisseton-Wahpeton Sioux Tribe of the Lake Traverse Reservation, and according to the Constitution and By-laws of the Sisseton-Wahpeton Sioux Tribe, do hereby declare our unity, integrity, veracity in establishing a non-profit organization to serve, protect, preserve, conserve, and develop the Buffalo Lake District in order to form a better Tribal District in government, to exercise Tribe District rights and responsibilities and to promote the socio-economic welfare of, to become self-sustaining with dignity and with originality as to district identity, with our ultimate goal of self-sufficiency, do hereby establish this Constitution and By-laws of the Buffalo Lake District.

ARTICLE I - JURISDICTION

The jurisdiction of the Indian people of the Buffalo Lake District shall be the boundary lines established by the District Governments of Buffalo Lake, Veblen, Long Hollow, Old Agency, and Enemy Swim, within the original confines of the Lake Traverse Reservation, as described in Article III of the Treaty of February 19, 1867.

ARTICLE II - NAME AND MEMBERSHIP

The name of this organization shall be "The Buffalo Lake District, of the Sisseton-Wahpeton Sioux Tribe, of the Lake Traverse Reservation." This organization shall be comprised of the membership of the Buffalo Lake District, enrolled in the official census roll of the Sisseton-Wahpeton Sioux Tribe. The registered, qualified voters, being 18 years of age and over, of the Buffalo Lake District shall by a majority vote, be the ultimate voice.

ARTICLE III - ORGANIZATION

The organization shall elect from its membership, a Chairman, Vice-Chairman, Secretary, Treasurer and a Councilman. These elected Officers shall receive a

majority of the votes cast, to hold office. **They shall serve for a term of four (4) years.**

Change to:

They shall serve for a term of two (2) years.

Section 1. The Buffalo Lake District shall be governed by the District Council consisting of the Chairman, Vice-Chairman, Secretary, Treasurer, Councilman, and membership.

Section 2. The Buffalo Lake District shall form a District Executive committee comprised of the Chairman, Vice-Chairman, Secretary, Treasurer, Councilman, **Planning Commissioner.**

Delete: Planning Commissioner.

Section 3. The District Executive Committee, in formal session, shall have the power to speak and act for the District, when the District Council is not in session and to carry into effect all properly enacted resolutions and ordinances of the District Council and to appoint any boards, committees, or associations necessary for the transactions of the District's business.

Section 4. There shall be a District Council meeting composed of the Executive Committee and the enrolled members of the Buffalo Lake District, 18 years of age and over.

The District Council shall meet the first Monday of the second week of each month.

Change to: The District shall meet the last Thursday of each month April through September and the last Sunday for the winter months October through March.

ARTICLE IV - OFFICERS

Section 1. Chairman

The chairman shall be the principal officer of the Buffalo Lake District and shall be subject to the service of the membership of the Buffalo Lake District. When present he shall preside at all meetings of the Buffalo Lake District Council. He may sign, with the secretary or any other officer authorized by the District Council, contracts or other instruments which the **executive committee** have

Change to: district membership

authorized to be executed. In general, the chairman shall perform all duties incident to the office of chairman as well as such other duties as may be prescribed from time to time by the executive committee.

Add: The Chairman shall be bonded. This bonding will fall under the Sisseton-Wahpeton Sioux Tribe's Insurance Company.

Section 2. Vice-Chairman

In the absence of the chairman, or in the event of his death, inability, or refusal to act, the vice-chairman shall perform the duties of the chairman, and when so acting, the vice-chairman shall have all the powers of and be subject to all the restrictions of the chairman.

Add: The Vice-Chairman shall be bonded. This bonding will fall under the Sisseton-Wahpeton Sioux Tribe's Insurance Company.

Section 3. Secretary

The secretary shall record and maintain a full report of all proceedings of each meeting of the Buffalo Lake District Council and shall, in general, perform all duties incident to the office of secretary as well as such other duties as may from time to time be assigned to him by the chairman of the District Council.

Add: The Secretary shall be bonded. This bonding will fall under the Sisseton-Wahpeton Sioux Tribe's Insurance Company.

Section 4. Treasurer

The treasurer shall be bonded at the expense of the Buffalo Lake District in such an amount as the Executive Committee shall determine.

Delete this sentence.

The treasurer shall:

(a) have charge and custody of and be responsible for all funds and securities of the Buffalo Lake District and deposits all such monies in such banks or other depositories as may be designated by the **Executive Committee.**

Change to: District membership.

(b) establish and maintain proper books and records accounting for all receipts and disbursements; and cause to be audited such books and records at the end of each fiscal year, with-in a period of thirty (30) days.

(c) in general perform all duties incident to the office of the Treasurer as well as other duties as may from time to time be assigned to the office by the ~~Executive Committee.~~

Add: The Treasurer shall be bonded. This bonding will fall under the Sisseton-Wahpeton Sioux Tribe's Insurance Company.

Section 5. Councilman

The Councilman shall represent the District Council at the tribal council of the Sisseton- Wahpeton Sioux Tribe and be subject to the Buffalo Lake District Council and its membership; and in general perform all duties incident to office of councilman as well as such other duties as may from time to time be assigned to the office by the Executive Committee or by the District Council.

Add: The Councilman shall be bonded. This bonding will fall under the Sisseton-Wahpeton Sioux Tribe's Insurance Company.

ARTICLE V - BY-LAWS

Section 1. Duties of Officials

Chairman:

(a) The chairman shall preside at all District **Council** meetings, Executive Committee meetings and special meetings.

Change to: membership

(b) The chairman shall be an ex-officio member of all subordinate committees.

(c) The chairman shall be the policy making administrator in general and active management of the business activities of the District, except that he shall not act on major matters, binding the District until either the District **Council** has enacted by appropriate resolutions or motions carried.

Change to: membership

(d) The Chairman shall implement all ordinances and resolutions of both the District **Council** and Executive Committee and follow through until their completion.

Change to: membership

(e) The Chairman shall sign on behalf of the District all official Documents, when authorized to do so by the District **Council**.

Change to: membership

(f) The Chairman shall cause a preparation of a report of all the activities of the District **council** and Executive Committee and shall present this report at each District **Council**.

Change to: membership committees.

Change to: meeting

(g) The Chairman shall give supervision to all other officers of the District and see that they carry out their duties.

(h) The Chairman shall not vote in the District **Council**, Executive Committee except in the case of a tie.

Change to: membership meeting.

(i) The Chairman shall not vote in the District **Council**, in matter of his own defense in causes for removal.

Change to: membership meeting

(j) The line of authority of the Buffalo Lake District shall be the Chairman, Vice-Chairman, Councilman, Secretary, Treasurer.

(k) The Chairman shall deliver orally the District minutes to the Tribal Council at each regularly held Tribal Council meeting, special meeting and General Council.

ADD: Section 1. (k)

Section 2. Vice-Chairman

a) The Vice-chairman in the absence of the chairman, or in the event of his death, inability, or refusal to act, shall perform the duties of the chairman, and when so acting, the vice-chairman shall have all the powers of and subject to all the restrictions of the chairman.

ADD SECTION 2.

Section 3. Secretary

(a) The Secretary shall be the administrative officer of all District business activities.

(b) The Secretary shall keep minutes at District Council and Executive Committee meetings and cause to ~~accure~~ accurate records of the District, at the principal place of business.

(c) The Secretary shall give and serve, by mail, all notices of the District Council, Executive Committee meetings one week prior to the regular district meetings, including an agenda.

Change to: The Secretary shall serve and give notice of district meetings and Executive meetings 1 week prior to be published in the Tribal Newspaper and Tribal Radio Station.

(d) The Secretary shall carry out all assignments, assigned to the office of the secretary by the District Council, Chairman, provided the assignment does not conflict with the interest of this constitution and By-laws.

(e) The Secretary shall cause to be kept, the membership roll of the District of the Buffalo Lake District including other pertinent information.

(f) The Secretary shall cause to be kept, the voting roster of the Buffalo Lake District.

(g) The Secretary shall give and serve, by mail or public notice, all Business activities of the Buffalo Lake District, to its members in quarterly reports, with four quarterly reports to comprise the annual report.

DELETE SECTION 3. g.

Section 4. Treasurer

(a) The Treasurer shall keep and maintain all financial records of the Buffalo Lake District. All records shall be kept open to review to the members of the Buffalo Lake District, **Tribal Council and commissioner of Indian Affairs or their legal recognized Representative.**

Delete: Tribal Council and commissioner of Indian Affairs or their legal recognized Representative.

(b) The Treasurer shall deposit all District funds, in the name of and to the credit of the Buffalo Lake District with such depository as the District **Council shall direct, subject to the approval of the Tribal Council, Commissioner of Indian Affairs or their legally recognized Representative.**

Change to: membership

Delete: commissioner of Indian Affairs or their legally recognized Representative.

(c) The Treasurer shall disburse the funds of the District as may be ordered by the Executive Committee, taking proper legal documents for said disbursements and follow through to completion.

ADD: with full approval at the next regular district membership meeting.

(d) All checks shall be signed with two signatures according to the line of authority of Article VI, Section (k) of this Constitution and by-laws.

Change to: All checks shall be signed with two signatures according to the line of authority of Article V, Section 1. (j) of this Constitution and By-Laws.

(e) The secretary shall post a monthly audit and report, a semi-annual, and annual report to the District Council and Tribal Council.

Change to: The treasurer shall post a monthly audit and report to the District membership meeting.

(f) The secretary shall cause to be bonded all employees, in the Treasurer's staff, as required by law of the Sisseton-Wahpeton Sioux Tribe.

DELETE: Section 4 (f)

Section 5. Councilman

(a) The council person shall be the legally recognized Representative of the Buffalo Lake District at the Tribal Council of the Sisseton-Wahpeton Sioux Tribe.

(b) The council person shall be under the direction of the Executive Committee, who shall be responsible to the membership of the Buffalo Lake District.

Change to: The council person shall be under the direction of and be responsible to the membership of the Buffalo Lake District.

(c) The council person shall submit to the District **Council** a written report, delivered orally of all the proceedings of the Tribal Council of the Sisseton-Wahpeton Sioux Tribe.

Change to: membership

(d) In general the council person shall perform all duties assigned and incident to the office of council person as well as such other duties as may from time to time be assigned to the office of the councilman, by the **Executive Committee. The council person shall deliver orally, the District minutes to the Tribal Council at each regularly held Tribal Council meeting, special meeting and General Council.**

Change to: membership

Delete and add to Section 1. (k)

Section 6. **Powers of District Council and the Executive Committee**

Change to: Membership

(a) Operation. The Executive Committee shall administer and carry out the planning, management, Development functions delegated to it by the Buffalo Lake District **Council.**

Change to: Membership

(b) Powers. Except as otherwise provided by law or these By-laws, the Executive Committee shall have all the power and authority that the Buffalo Lake District **Council, by resolution,** shall delegate in the control, planning, management, and development of the Buffalo Lake District.

Change to: Membership **and Delete:** by resolution

(c) Quorum. There shall be four (4) Executive Committee members present to constitute a quorum for the transaction of business at any meeting of the Executive Committee.

(d) Manner of Acting:

1. The action of a simple majority of the Executive Committee members present at a meeting at which a quorum is present shall be final when dealing with matters of minor concern.
2. In dealing with matters of major concern, which will be determined by the Executive Committee members prior to voting, **there must be two-thirds majority reached at a meeting, at which a quorum is present.**

Delete and ADD: must be forwarded to the next regular district membership meeting.

(e) Vacancies. A vacancy in the Executive Committee shall be filled by a member of the Buffalo Lake District, in the event of death, resignation, removal or disqualification.

(f) Removal. The Buffalo Lake District **Council** shall remove any officer or officers or any employee from office for cause, conviction of a felony, bankruptcy proceedings, gross misconduct, action or action contrary to the best interest of the Buffalo Lake District **Council**, at any time as determined by a vote of three fourths of a quorum present at a regular meeting of the District **Council**. The accused shall, upon request be granted a hearing by the District **Council** before his removal. No request from the accused shall be recognized as an admission of guilt and accepts the decision of the District Council. Any action shall be completed within thirty (30) days.

Change: Council to Membership.

ADD: Any officer or officers or district board, committee, commission member having three (3) unexcused absences shall be grounds for removal. The following shall be considered excused absences:

1. death in the family
2. hospitalization or extreme illness of one's self or family
3. official travel status
4. or as deemed excused by the district.

(g) Regular Meetings. The Executive Committee shall provide, by resolution, the time and place for holding regular meetings.

Change to: Regular Meetings. The District Secretary shall provide the time and place for holding regular meetings by publication in the Tribal Newspaper or Tribal Radio Station.

(h) Notice of Regular Meetings. The business to be transacted or the purpose of any regular meeting of the Executive Committee need be specified prior to the meeting.

Delete Section 6. (h)

(i) Special Executive Meetings. Special meetings of the Executive Committee shall be called at the request of the Chairman or at the request of three (3) Executive Committee members.

(j) Notice of Special District Meetings. Notice of special meetings shall be given at least **three days** prior thereto by **written** notice, **delivered personally or by mail** to each member of the Executive Committee. The business to be transacted and the purpose of any special meeting shall be specified.

Change to: seven (7) days, **delete** and **add** by publication in the Tribal newspaper or Tribal Radio Station.

(k) Contracts. The Buffalo Lake District **Council** shall authorized the Executive Committee of the Buffalo Lake District negotiate, execute and deliver any instrument in the name of and or any in behalf of the Buffalo Lake District **Council, and such authority shall be general.**

Change and delete: Council to membership.

(l) Loans. No loans shall be contracted on behalf of the Buffalo Lake District **Council** and no evidence of indebtedness shall be issued in the name of the Buffalo Lake District **Council** unless authorized by **resolution** of the Buffalo Lake District **Council.**

Change: Council to membership and delete resolution

(m) Checks, Drafts, etc. All checks, drafts or other orders from payment of money, notes or other evidence of indebtedness issued in the name or the Buffalo Lake District **Council** shall be signed by two signatures according to the line of authority **of Article IV, Section 1: (k).**

Change to: Council to membership and Article V, Section 1 (j)

(n) Voting. The Executive committee members shall have one official vote. Roll call shall be made to determine official members present.

(o) Resignation. Resignation by any member of the Executive Committee shall be supported by a written resignation and presented to **the chairman of the Buffalo Lake District Council.**

Change to: an Executive Committee member.

(p) Budget. At least thirty (30) days **after** the commencement of the **fiscal** year, the Executive Committee shall prepare or cause to be prepared a budget for the ensuing year. The Buffalo Lake District **Council** shall approve the proposed budget.

Change to: before, calendar, and membership.

(q) Fiscal Year. **The fiscal year shall begin Oct. 1 and end on Sept. 30 of each year.**

Change to: The calendar year shall begin January 1 and end on

December 30 of each year.

(r) Reports. Commencing with the date of this Constitution and By-laws, the Executive Committee of the Buffalo Lake District Council shall cause to be delivered to the District Council a semi-annual and annual report of the business activities of the Buffalo Lake District Council.

DELETE THIS SECTION 6. (r)

ARTICLE VI - NOMINATIONS AND ELECTIONS

Section 1. **The first election of the Buffalo Lake District Council under this constitution shall be called, held and supervised by the present District Council at the next regularly scheduled election. Successful candidates at this first election shall assume office when duly seated at the regular District meeting of the District Council. Where more than two members have filed for an office, a primary election shall be held at least thirty (30) days prior to the general district election. Only the two candidates for each office receiving the most votes at such primary election shall be eligible to run for office in the District General election. Where no more than two members have filed for an office, a primary election will not be necessary.**

Delete this Section and add: The election of the Buffalo Lake District Council under this Revised Constitution shall be called, held and supervised by the present District Election Board, and held in conjunction with the Sisseton-Wahpeton Sioux Tribal Election.

Section 2. Any qualified registered member of the Buffalo Lake District, 18 years of age or over may file his or her candidacy for the District **Council**, notifying the secretary of the District in writing of his candidacy at least sixty (60) days prior to the general election. The primary election shall be at least thirty (30) days before the general election. It shall be the duty of the secretary to post at least ten (10) days before the primary election, the names of all qualifying candidates. Notice of all elections shall be given as prescribed by ordinance. No person may be a candidate for more than one office.

Change to: Executive offices

Section 3. The District **Council** shall appoint an election board, who shall supervise the maintenance of the district voting roster and shall determine rules, and regulations governing elections, including absentee voting setting qualifications and screening candidates for office, election dates, and recall elections. The District **Council** shall certify to the election of members after the

election is held.

Change to: Council to membership

Section 4. Any enrolled member of the Buffalo Lake District, who is 18 years of age and over, on the date of election shall be entitled to one vote in the District.

Add: who is on the voting roster.

Section 5. Enrolled members of the Buffalo Lake District must register at least sixty (60) days prior to the general election to be eligible to vote.

Section 6. **District members who have never been residents, or are non-residents, who have registered in the Buffalo Lake District, cannot change their voting district, unless duly authorized to do so by the District Council.**

DELETE THIS SECTION 6.

ADD THE NEXT TWO ARTICLES.

ARTICLE VII - BOARDS, COMMITTEES, COMMISSIONS

Section 1.

(a) All Board, committee, commissions, trustee member appointed, elected or selected by the Buffalo Lake District memberships are hereby mandated to submit written or oral minutes or will be duly noted as an absence.

(b) All Board, committee, commissions, trustee members appointed, elected or selected will advocate on behalf of the Buffalo Lake District membership.

(c) All Boards, committees, commissions, trustees are bound to Article 5, Section 6 (f).

ARTICLE VII - AMENDMENTS

Section 1.

(a) Manner of review will be by holding a special district meeting.

(b) Informal review of proposed changes at the next regular District Membership meeting for further input.

(c) Publication in the Tribal Newspaper for 30 days.

(d) After the 30 days hold an election on the day of the next regular district membership meeting and tally the results at the meeting.