TRIBAL COUNCIL RESOLUTION NO. SWO-09-130

Repeal SWO Chapter 74 – District Audit Ordinance

WHEREAS, The Sisseton-Wahpeton Oyate is organized under a Constitution and By-laws adopted by the members of the Tribe on August 1-2, 1966, and approved by the Commissioner of Indian Affairs on August 25, 1966, and last amended effective November 15, 2006; and,

WHEREAS, The Constitution ARTICLE III, Section 1, states that, the Sisseton-Wahpeton Oyate shall be governed by a Council, and ARTICLE VII, Section 1, states that, the Council shall have the following powers: (a) to represent the Tribe in all negotiations with Federal, State and local governments; (c) to engage in any business that will further the economic development of the Tribe and its Members, and to use Tribal funds or other resources for such purposes; (d) to make rules governing the relationship of the members of the Tribe, to Tribal property, and to one another as members of the Tribe; (f) to deposit Tribal funds to the credit of the Tribe, without limitations of the amount in any account; (g) to take any action by ordinance, resolution, or otherwise which are reasonably necessary through committees, boards, agents or otherwise, to carry into effect the for-going purposes; (h) to promote public health, education, charity, and such other services as may contribute to the social advancement of the members of the Sisseton-Wahpeton Oyate; (i) adopt resolutions regulating the procedures of the Tribal Council, its officials and committees in the conduct of Tribal Affairs; and,

WHEREAS, Historically, the seven (7) districts of the Sisseton-Wahpeton Oyate have not developed, approved, or implemented accounting standards that would make the district financial transactions auditable according to the Generally Accepted Accounting Principles (GAAP); and,

WHEREAS, The overall audit for the central government of the Sisseton-Wahpeton Oyate is hindered by the lack of acceptable audits from the seven (7) districts; and,

WHEREAS, The impact of negative and inconclusive audit findings in the district finances, affects the Sisseton-Wahpeton Oyate as a whole, wherein the Tribe becomes ineligible for Federal funding, such as grants; and,

WHEREAS, The Tribal Council of the Sisseton-Wahpeton Oyate has deemed it in the best interest of the Tribe as a whole, to repeal Chapter 74, District Audit Ordinance; and,
WHEREAS, On October 6, 2009, Tribal Council passed Motion No. 8, in resolution form, to repeal Chapter 74, District Audit Ordinance.

NOW, THEREFORE BE IT RESOLVED, That the Tribal Council of the Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, hereby repeal Chapter 74, District Audit Ordinance.

CERTIFICATION

We, the Undersigned duly elected Tribal Chairman and Tribal Secretary of the Sisseton-Wahpeton Oyate Tribal Council, do hereby certify that the above resolution was duly adopted by the Sisseton-Wahpeton Oyate Tribal Council, which is composed of 10 members (representing a total of 15 Tribal Council weighted votes and two Executive Committee votes for a total of 17 votes) of whom 10 constituting a quorum, were present at a Tribal Council meeting, duly noticed, called, convened and held at the TiWakan Tio Tipi, Agency Village, South Dakota, October 6, 2009, by a vote of 17 for, 0 opposed, 0 abstained, 0 absent from vote, 1 not voting, and that said Resolution has not be rescinded or amended in any way.

Dated this 23rd day of October, 2009.

Michael I. Selvage, Sr., Tribal Chairman
Sisseton-Wahpeton Oyate

Delbert Hopkins, Jr., Tribal Secretary
Sisseton-Wahpeton Oyate

Original copy to: SWO Judicial Committee

cc: SWO Legal Counsel