

## **Oneida Trust Committee Bylaws**

### **Article I. Authority**

#### 1. Name.

The official name of this committee shall be the Oneida Trust Committee. This committee is also known as the Oneida Trust/Enrollment Committee.

#### 2. Authority.

- A. By the authority of the Oneida Tribe of Indians of Wisconsin, the Oneida Trust/Enrollment Committee was established by General Tribal Council Resolution 4-28-74 and approved by the Oneida General Tribal Council, and charged with duties and responsibilities as set forth in General Tribal Council Resolution 1-8-77-C.
- B. The Oneida Membership Ordinance established by General Tribal Council Resolution 7-2-84-A, charged the Oneida Trust Committee with membership duties and responsibilities.
- C. A Memorandum of Agreement exists between the Oneida Trust Committee and Oneida Business Committee as amended on January 30, 2002.
- D. The purpose of the Oneida Trust Committee is to administer the Emigrant New York Indian Claims Award Docket 75 Trust Fund also known as Elderly Per Capita Payment Distribution Fund, and the Oneida Higher Education Scholarship Fund, and the Minors Per Capita Trust Fund and any other trusts which may be created; monitor funds held in the name of the Oneida Tribe of Indians of Wisconsin at the Bureau of Indian Affairs; exercise exclusive control of the investment and collection of principal, interest and investments of all monies deposited in, and income derived from, all Oneida Tribe endowment fund accounts; maintain the official roll of the Oneida Tribe of Indians of Wisconsin; approve new applications for enrollment; and supervise the Oneida Trust and Enrollment Departments.

#### 3. Office.

- A. The official address of the Oneida Trust/Enrollment Committee, the Trust Department, and the Enrollment Department is P.O. Box 365, Oneida, WI 54155.
- B. The physical address of the Trust Department is 1250 Packerland Drive, Green Bay, WI 54304. The physical address of the Enrollment Department is 210 Elm

Street, located in the Archiquette Building, next to the Oneida Library in Oneida, Wisconsin 54155. The physical address of each Department is subject to change from time to time with approval of the Oneida Trust/Enrollment Committee. These changes do not require the approval of the General Tribal Council.

#### 4. Membership.

- A. The Oneida Trust/Enrollment Committee shall be composed of nine (9) members, one (1) of whom will be a member of and represent the Oneida Business Committee. Committee members are elected by the Oneida General Tribal Council by casting ballots at the annual Tribal elections.
- B. Qualifications. To be eligible to run for the Oneida Trust/Enrollment Committee, a candidate shall have the following qualifications:
  - 1) Shall be an enrolled Oneida Tribal Member who is eligible to vote in tribal elections.
  - 2) Shall live on or near the reservation (within the external boundaries of the Oneida Reservation or in a surrounding community).
  - 3) Shall have the ability to honorably protect and uphold the purpose of the Oneida Trust Committee with integrity, diligence and foresight.
  - 4) Elected members must complete the Trust Committee Member Conflict of Interest Disclosure Form and the Non-Disclosure Agreement. At the commencement of taking office, new members shall complete the forms and provide the completed forms to the Trust Department Director. No committee member shall have the authority to vote or receive a stipend payment before such forms are completed and provided to the Trust Department Director.
  - 5) Must be able to obtain a fiduciary bond.
- C. Vacancies, Appointments, Resignations, Suspensions, and Removals
  - 1) Vacancies and Appointments
    - a) If any member dies, resigns, is removed, is incapacitated, or is otherwise unable to serve, the Chairperson of the Oneida Trust Committee shall select a candidate who, upon approval of the Oneida Trust Committee and the Oneida Business Committee, shall serve the remainder of the former member's term.

b) If, after the annual election, a position on the Oneida Trust Committee remains vacant due to the lack of a sufficient number of qualified candidates in the election, the Chairperson of the Oneida Trust Committee shall select a candidate who, upon approval by the Oneida Trust Committee and the Oneida Business Committee, shall serve as if elected in the annual election.

- 2) Any member desiring to resign shall submit their written resignation at an Oneida Trust/Enrollment Committee meeting.
- 3) Failure to attend three (3) REGULAR Trust or Enrollment meetings without justification within any one (1) calendar year period will be cause for disciplinary or removal action.
- 4) A member of the Trust/Enrollment Committee may be removed pursuant to the procedures outlined in the Oneida Removal Law, which was approved by Oneida Business Committee Resolution 1-30-96-B and Oneida General Tribal Council Resolution 1-17-98-A.

D. Challenged Elections.

In the event of a challenged election, all Oneida Trust/Enrollment Committee members holding positions prior to the election shall remain members of the Oneida Trust/Enrollment Committee until the election dispute is resolved.

E. Duties.

The functions and responsibilities of the Oneida Trust/Enrollment Committee include, but are not limited to the following:

- 1) All enrollment duties as prescribed in the Membership Ordinance and any subsequent enrollment laws.
- 2) Conduct oversight on Trust Fund investment activity, provide due diligence in all matters relating to the Trust, and maintain fiduciary responsibility in management of the funds in accordance with the requirements of the Oneida Trust Agreements.
- 3) To interpret the Oneida Membership Ordinance, all Oneida Trust Agreements, and any other subsequent trust or enrollment laws.

- 4) To provide direction to the Oneida Trust and Enrollment Departments. The Directors of the Trust and Enrollment Departments are responsible to the Oneida Trust/Enrollment Committee, and under the immediate supervision of the Chairperson of the Oneida Trust/Enrollment Committee, or his or her designee. The Enrollment Director and the Trust Department Director shall comply with all directives of the Oneida Trust/Enrollment Committee and cooperate with the members and representatives of the Trust/Enrollment Committee.
- 5) To report to the Oneida General Tribal Council semiannually.
- 6) To develop policy relating to the trust funds and enrollment for adoption by the Oneida Trust/Enrollment Committee and/or the Oneida General Tribal Council.
- 7) Assist with the distribution of per capita payments.

F. Committees

- 1) A special committee may be appointed by the Chairperson of the Oneida Trust/Enrollment Committee to carry out a special mission, when deemed necessary. The special committee shall serve until the duties with which this committee has been charged are completed, and a report has been accepted by the Oneida Trust/Enrollment Committee.
- 2) The Chairperson of the Oneida Trust/Enrollment Committee shall serve as ex-officio member of all established special committees.

**Article II. Officers**

1. Positions: Chairperson, Vice-Chairperson, and Secretary

- A. Chairperson. The Chairperson presides at meetings, appoints committees, oversees all Oneida Trust/Enrollment Committee activities, and schedules Special meetings.
- B. Vice-Chairperson. The Vice-Chairperson acts in the absence of the Chairperson.
- C. Secretary. The Secretary is responsible for correspondence and minutes of all meetings. In the absence of the Chairperson and Vice-Chairperson, in circumstances other than that contemplated by Article III.6., to call the meeting to order and preside until the immediate election of a chair pro tem.

2. How Selected

- A. Officers shall be elected by the Oneida Trust/Enrollment Committee at the first Regular monthly meeting following the final result of a valid annual election of Oneida Trust/Enrollment Committee positions, will take office, and serve a one (1) year term.
- B. If an officer position is vacated, an interim election shall be held by the Oneida Trust/Enrollment Committee to fill the office for the balance of the year.
- C. Any Trust Committee member nominated for an office as defined in Article II of these bylaws, may communicate acceptance of such nomination via correspondence, which may include electronic communications such as email and facsimile and written correspondence.
- D. Any nomination for an officer position defined in Article II can be made only by an Oneida Trust Committee member who is physically present at a duly called meeting of the Oneida Trust Committee.

**Article III. Meetings**

1 Regular Meetings.

The Oneida Trust/Enrollment Committee will meet the first (1st) Tuesday of each month for Enrollments, and the fourth (4th) Tuesday of each month for the Trust. Time and place of meetings shall be established by the Oneida Trust/Enrollment Committee.

2. Emergency/Special Meetings.

The Chairperson may call Emergency/Special meetings. There shall be a minimum of 24 hour verbal notice to all Committee members of any emergency and/or special meeting.

3. Quorums.

A majority of the Oneida Trust/Enrollment Committee shall constitute a quorum. If a quorum is not present within one-half hour of the announced meeting time, the meeting will be declared dismissed.

4. Parliamentary Procedure.

All meetings shall be conducted in accordance with the rules contained in the current edition of ROBERT'S RULES OF ORDER, in all cases to which they are applicable,

unless they are inconsistent with these Bylaws and/or any special rules of order the Oneida Trust/Enrollment Committee may adopt.

5. Voting.

- A. The Chairperson may not vote except in the event of a tie.
- B. Each Oneida Trust/Enrollment Committee member shall have one (1) vote.
- C. Conflicts of Interest. In cases where a conflict of interest exists, a member shall recuse themselves from an action, or the committee can vote by a majority of the quorum present to exclude a member they believe has a conflict.

6. Additional Duties.

In the event no officers are present for a scheduled meeting with a quorum, the Oneida Trust/Enrollment Committee shall conduct a meeting in accordance with the following procedures:

- A. At a previous meeting it shall be established that no officers will be present for an upcoming scheduled meeting and that the meeting cannot be rescheduled so that an officer will be present.
- B. At the previous meeting, a Chairperson pro tem shall be elected who shall hold office during that meeting.
- C. Entrance by a regular officer shall terminate the position of the pro tem Chairperson. The regular officer shall then chair the meeting.

**Article IV. Reporting**

- 1. The Oneida Trust/Enrollment Committee will report to the Oneida General Tribal Council semiannually.
- 2. The Oneida Trust Department will provide copies of minutes of the Oneida Trust/Enrollment Committee meetings pertaining to the Trust, to the Secretary of the Oneida Business Committee quarterly. The Oneida Enrollment Department will provide copies of minutes of the Oneida Trust/Enrollment Committee meetings pertaining to Enrollments to the Secretary of the Oneida Business Committee quarterly. All copies of minutes will be stamped confidential and held by the Tribal Secretary in a sensitive documents area of tribal records.

3. Original minutes of the Oneida Trust and Enrollment Committee meetings will be stamped confidential and held by each respective department in a sensitive documents area.

#### **Article V. Appeal Process**

1. All complaints/appeals shall be made to the Oneida Trust Committee by submitting them in written form. All complaints/appeals of Enrollment matters shall be delivered to the offices of the Oneida Enrollment Office. All complaints/appeals of Trust matters shall be delivered to the offices of the Oneida Trust Department. Upon request for hearing the complainant shall be notified of a hearing date by certified mail, at least twenty (20) days in advance of the scheduled hearing.
2. The complainant shall be responsible for submitting all documentation relevant to the complaint/appeal no later than five (5) days prior to the hearing. All documents shall be submitted to the Oneida Enrollment Department in contested Enrollment matters. All documents shall be submitted to the Trust Department in contested Trust matters.
3. Failure of the complainant to appear before the Oneida Trust/Enrollment Committee shall make the original complaint/appeal null and void.
4. If the complaint/appeal cannot be resolved by the Oneida Trust/Enrollment Committee, the complainant may appeal, in writing, to the Oneida Appeals Commission.

#### **Article VI. Amendments**

1. At the first regular meeting following certification of election results, a review of these Bylaws will be conducted in order to determine that they are current.
2. The Oneida Trust/Enrollment Committee, upon written notice, may at any of its Regular meetings, by majority vote of voting members, present, adopt, amend, or repeal any or all of the Bylaws provided that the amendment or repeal has been submitted in writing at the previous regular monthly meeting.
3. All amendments are subject to subsequent approval by the Oneida General Tribal Council.

Approved by Trust Committee: September 27, 2005

Approved by General Tribal Council: January 9, 2006