



The Grand Traverse Band of Ottawa and Chippewa Indians

Legal Department

2605 N. West Bay Shore Drive • Peshawbestown, MI 49682-9275 • (231) 534-7601 • FAX 231-534-7600

MANDATORY 30-DAY POSTING

MEMORANDUM

TO: Tribal Membership
FROM: GTB Legal Department
RE: 30-day posting regarding Remote Meeting Act for GTB Tribal Council Meeting called pursuant to Article III § 5 of the GTB Constitution.
DATE: October 26, 2023

Please post the attached proposed amendments to the above referenced ordinance that was approved for a 30-day posting by Tribal Council at the Tribal Council Special Session on October 25, 2023. Please post the above referenced ordinance in an area where GTB tribal members can review it for 30 days. This is an opportunity for tribal members to provide comments, if any, about this proposed ordinance. Your comments will be provided to Tribal Council prior to the adoption of this ordinance. This posting will end on November 25, 2023 and can be removed at that time.

Any comments regarding the above referenced should be directed to the GTB Legal Department either by writing to the GTB Legal Department, 2605 N.W. Bayshore Dr., Peshawbestown, MI 49682, or by telephone (231) 534-7601, or by e-mail, to page.paul2@gtb-nsn.gov

Posting Sites: sent via email

Administration Building
Accounting Department Annex
Annex II – Human Resources Building
Benodjehn Child Care Center
Clinic
Elder's Complex
Housing
SBR Plant
Natural Resources/Conservation
Maintenance Department
Benzie Satellite Office
Charlevoix Satellite Office
Traverse City Satellite Office
Strongheart Center
Library/Yo Building/Youth Center
Tribal Court

EDC Building

Leelanau Sands Casino –
Employees/Supervisors' Break-room

Leelanau Sands "The Lodge" –
Employees/Supervisors' Break-room

Turtle Creek Casino – Employees/Supervisors'
Break-room



**The Grand Traverse Band of
Ottawa and Chippewa Indians**

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Certification of Tribal Council Action
Special Session of October 25, 2023

**I hereby certify as the Tribal Council Secretary that the foregoing
Motion was Approved and Adopted at the Special Session of the
Grand Traverse Band of Ottawa & Chippewa Indians Tribal Council**

30-day Posting Request- Remote Meeting Act for GTB Tribal Council

Motion made by Tribal Council Member Rohl and Supported by Tribal Council Treasurer Swallows to approve posting of Proposed Remote Meeting Act for GTB Tribal Council for 30 days.

5-FOR; 0-AGAINST; 1-ABSENT (Frankenberger); 0-ABSTAINING
Motion Carries


Theresa M. Marshall, GTB Tribal Council Secretary

CC: John Petoskey- Legal

GRAND TRAVERSE

CHARLEVOIX

LEELANAU

BENZIE

MANISTEE

ANTRIM

**REMOTE MEETING ACT FOR GTB TRIBAL COUNCIL MEETING
CALLED PURSUANT TO ARTICLE III § 5 OF THE GTB
CONSTITUTION**

(1) This act shall be known and may be cited as the "Amendment to the Emergency Meeting Act".

(2) This act shall supersede all ordinances, or resolutions which relate to requirements for meetings of the Tribal Council to be open to the public.

(3) After the effective date of this act, nothing in this act shall prohibit the Tribal Council from adopting an ordinance, resolution, rule, or charter provision which would require a greater degree of openness relative to meetings of the Tribal Council than the standards provided for in this act.

Sec. 2. Definitions

As used in this act:

(a) "Tribal Council" means Article III Legislative/Executive Branch under the GTB Constitution.

(b) "Meeting" means the convening of the Tribal Council at a formal meeting of the Council called pursuant to Article III § 5 at which a quorum is present for the purpose of deliberating toward or rendering a decision on a public policy, by motion ordinance or resolution.

(c) "Closed session" means a meeting or part of a meeting of the Tribal Council that is closed to the public under the provisions Art. III § 5 (d).

(d) "Decision" means a determination, action, vote, or disposition upon a motion, ordinance or resolution, or measure on which a vote by members of a Tribal Council is required and by which a Tribal Council effectuates or formulates public policy.

Sec. 3. Article III § 5 Regular and Special Meetings of the Council

(1) All meetings called pursuant to Art. III § 5 must be open to the tribal membership and must be held within Indian Country in a place available to the Tribal Membership. All Tribal Members must be permitted to attend any meeting except as otherwise provided in this act. The right of a tribal member to attend a meeting of an Art. III § meeting includes the right to record by any technological means providing however, that the recorder gives notice to the Tribal Council and providing that the Tribal Council member's recording does not interfere with the official transcription and recording of the Tribal Council. Providing further

(a) To the extent feasible under the circumstances, ensure adherence to social distancing and mitigation measures recommended by the Centers for Disease Control and Prevention for purposes of preventing the spread of COVID-19, including the measure that an individual remain at least 6 feet from anyone from outside the individual's household.

(b) Adopt heightened standards of facility cleaning and disinfection to limit participant exposure to COVID-19, as well as protocols to clean and disinfect in the event of a positive COVID-19 case in the public body's meeting place.

(2) All decisions of the Tribal Council must be made at a meeting open to Tribal Membership. For purposes of any meeting subject to this section, the Tribal Council shall establish the following procedures to accommodate the absence of any member of the Tribal Council due to a medical condition, or a statewide or local state of emergency or state of disaster declared pursuant to Tribal law or Tribal ordinance by the Tribal Council or a Tribal official with delegated authority under an emergency management plan, that would risk the personal health or safety of members of the public or the public body if the meeting were held in person.

Sec. 4 Remote Meeting Procedures

(a) Procedures by which the absent member may participate in, and vote on, business before the Tribal Council, including, but not limited to, procedures that provide for both of the following:

(i) Two-way communication.

(ii) For each member of the Tribal Council attending the meeting remotely, a public announcement at the outset of the meeting by that Council member, to be included in the meeting minutes, that the Council member is in fact attending the meeting remotely. If the Council member is attending the meeting remotely for a purpose other than for compliance with a medical condition or emergency, the member's announcement must further identify specifically the member's physical location by stating the county, city, township, or village and state from which he or she is attending the meeting remotely.

(b) Procedures by which the Tribal membership is provided notice of the absence of the member and information about how to contact that member sufficiently in advance of a meeting of the Tribal Council to provide input on any business that will come before the Council.

(3) All deliberations of the Tribal Council constituting a quorum of its members must take place at a meeting open to the public except as provided in this § 3 (1)(2) where infectious condition and cleaning require remote spacing for Tribal members to protect the health and welfare of tribal members in physical attendance.

(4) A Tribal Member must not be required as a condition of attendance at a meeting of the Tribal Council to register or otherwise provide his or her name or other information or otherwise to fulfill a condition precedent to attendance.

(5) A Tribal member must not be excluded from a meeting otherwise open to the Tribal membership except for a breach of the peace committed at the meeting.

(6) This act does not apply to a meeting of the Tribal Council that is a work session of the Tribal Council, or, a meeting of the Tribal Council with departmental personnel for management purposes, or, for the Council to acquire information to take subsequent official action by motion ordinance or resolution in a properly called meeting pursuant to Art. III § 5.

(a) "Formal vote" means a vote on a bill, amendment, resolution, motion, proposal, recommendation, or any other measure on which a vote by members of the Tribal Council is required and by which the Tribal Council effectuates or formulates public policy.

(b) "Medical condition" means an illness, injury, disability, or other health-related condition.