

BAD RIVER COMMITTEE LIST
AS OF 4/9/10

Elderly Advisory Committee

Chair: VACANT

Vice-Chair: Dale Wolf

Secretary: Debbie Wolf

Treasurer: Ethel Plucinski

Member: Bernice Wiggins

Member: Viola Neveaux

Member: Jan Madosh-Smart

Meets: 3rd Tuesday of the month

Time:

Where: Elderly Building

Elections: May

Contact Person: Sandy Corbine, Aging Director

Phone: 715-682-7150, ext. 1495

Fax: 715-685-2741

BAD RIVER ELDERLY COUNCIL
CONSTITUTION AND BY-LAWS

I. NAME

There is hereby established a committee to the Bad River Tribal Council which shall be known as the Bad River Elderly Council.

II. PURPOSE

The purpose of the Elderly Council shall be to:

- (a) Assist in the development of funding applications for elderly service projects,
- (b) Assist in the implementation of any grants received for elderly service projects,
- (c) Provide advice and guidance to the Tribal Council and Project Director on matters concerning older Indians.

III. POWERS

The Elderly Council shall be consulted by the Bad River Tribal Council and by the elderly service project staff on all issues of major policy significance including those issues enumerated in Section II, and shall be empowered to give advice on all such issues.

IV. MEMBERSHIP

All participants in either Title III, 42, U.S.C. § _____, et. seq. or Title VI, 42 U.S.C. §§ 3045 et. seq., are members of of the Elderly Council. For purposes of developing or implementing the Title VI program, the programs project director shall certify semi-annually that at least 50 percent of the Elderly Council is composed of Older Indians, as defined by 45 CFR §§ 1328.3.

V. MEETINGS

The Bad River Elderly Council shall meet annually in May and at such times as the Executive Committee shall call a meeting. The time and date of all meetings shall be posted at the elderly nutrition site for at least one week. The attendance of 15 percent of the membership shall constitute a quorum.

VI. EXECUTIVE COMMITTEE

(a) An Executive Committee shall be composed of the following: Four members of the Elderly Council elected by a majority vote of the Council membership present at the annual meeting, and two (2) Bad River Community members, not necessarily an elder, elected by a majority vote of the council membership present at the annual meeting. From amongst themselves the Executive Committee shall select a Chairman, Vice-Chairman, Treasurer, and a Secretary. Terms of office shall be for one year, starting on each June 1, except that interim terms to last until May 30 of each year, and shall be established and filled immediately upon passage and approval of this section.

(b) The Executive Committee shall exercise all powers of the Elderly Council between meetings, shall call annual meetings, and shall receive the certification described in Section IV. The Executive Committee shall meet once a month at the Bad River Community Center, and at such times as shall be noticed at the Elderly Nutrition Site for at least one week prior to meeting. The attendance of three (3) Executive Committee members shall constitute a quorum.

(c) The position of any Executive Committee member who is unable to attend regularly planned meetings or feels he/she cannot fulfill the duties of their office shall in writing resign from the Bad River Elderly Executive Committee.

VII. ADOPTION

This document shall be adopted by a majority vote of the Elderly Council at a meeting called for that purpose and announced as provided in Section V, and shall be subject to approval by the Bad River Tribal Council.

VIII. BY-LAWS

(1) The Chairman shall have all the responsibilities and duties customarily exercised by the president or chairman of a Tribal Council committee, and shall in addition be empowered to countersign checks with the Elderly Council Treasurer for all elderly service project expenditures.

VIII. BY-LAWS, cont.

(2) The Vice-Chairman shall exercise all of the Chairman's responsibilities and duties in the Chairman's absence except that he/she shall not be empowered to countersign checks.

(3) The Treasurer shall keep account of all funds within the control of the Elderly Council, shall report monthly to the Executive Committee, shall be empowered to countersign checks with the Elderly Council Chairman for elderly project expenditures.

(4) The Secretary shall maintain the minutes of all Executive Committee and Elderly Council meetings and shall promptly submit copies to the Executive Committee and the Elderly Project Director.

(5) The Representatives shall be considered officers of the Elderly Council and shall faithfully present the views of the membership in any discussion.

IX. AMMENDMENTS

This document may be ammended by a majority vote of the Elderly Council present at any annual or special meeting, subject to approval by the Tribal Council.

TO: All Bad River Elders 55 years or older and living in the Service area of the Bad River Aging Program

FROM: Bad River Elderly Advisory Council

The Bad River Elderly Advisory Council is seeking your input in updating the By-Laws. We have gone over these By-Laws with the Bad River Legal Department

The major changes:

Meeting – Changed to every third Tuesday of the month at 12:30 p.m. instead of Monday.

Elections – Stagger the Annual election so approximately half elected one year, remainder the following year; like our tribal council does, do we have some continuity. At present we elect all members annually.

If you agree with these By-Laws you need do nothing. If you have suggestions or changes you think necessary, please write these changes on the back side of the By-Laws, and return to the Bad River Nutrition Center as soon as possible, but no later than August 31st, 2002. So there is time to make the necessary changes and still vote on them at the Bad River Elderly Annual meeting for these specific issues, This meeting will be held on September 17th, 2002 at 12:30 p.m. at the Bad River Elderly Center.

BY LAWS OF THE BAD RIVER
ELDERLY COUNCIL

ARTICLE I - Purpose

This Elderly Council is organized to operate exclusively for non-profit for the following purposes but not limited to these purposes:

- Section (1) To assist and provide services to older persons and persons who are handicapped living at Bad River.
- Section (2) To assist in the development of funding applications for Elderly and Handicap Service Projects.
- Section (3) Assist in the implementation of any grant received for elderly and handicap service project.
- Section (4) Provide advice and guidance to the Tribal Council and Elderly Project Director on matters concerning older and handicapped persons.
- Section (5) Any lawful activity within the purposes of this Elderly Council.

ARTICLE II - Powers

The Elderly Council shall consult with the Bad River Tribal Council and the elderly service project staff on all issues of major policy significance including those issues enumerated in Section I, and shall be empowered to give advice on all such issues.

ARTICLE III - Location

The principal office of the Elderly Council will be at the Bad River Elderly Center, located in Odanah, Wisconsin at P.O. Box 55 at which the general business of the Elderly Council will be transacted and where the records will be kept. The Board of Directors may from time to time fix another location for its meetings.

ARTICLE IV - Membership

- Section (1) All eligible participants in either Title III, 42, U.S.C. 3021, et. seq. or Title VI, 42 U.S.C. §3045 et. seq., are members of the Elderly Council. For purposes of developing or implementing the Title VI program, the programs project director shall certify semi-annually that at least 50% of the Elderly Council is composed of older Indians, as defined by 45 CRF §1328.3.

- Section (2) The qualifications for membership will be any person 55 years or older or who are handicapped, and live in the service area on or adjacent to the Bad River Reservation.
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- Section (3) Persons will be selected for membership if they meet the qualifications set forth in Section (1) of this article.
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- Section (4) Membership will only be terminated upon death, voluntary resignation or moving out of the service area.
- Section (5) The duties of the membership of the Elderly Council will include the right to have input in and decide upon any and all other matters which do not entail the day-to-day operation of the Elderly Council.
- Section (6) The Bad River Elderly Council shall meet annually in _____ and at such times as the Board of Directors shall call a meeting. The time and date of the annual meetings shall be posted for 30 days prior to the meeting date.
- Section (7) The time and date of all regular monthly meetings or special meetings (other than annual meetings) shall be posted at the Elderly Nutrition Site for at least 3 days.
- Section (8) Board of Directors and membership in attendance shall constitute a quorum.

ARTICLE IV - Board of Directors

- Section (1) The number of members of the Board of Directors of this Elderly Council will be set at seven.
- Section (2) Directors will be representatives of the membership.
- Section (3) The Directors shall be elected at the annual meeting in _____ by a majority vote of the members present and must be present to accept the position.
- Section (4) The board members shall serve for 2 year terms and may serve consecutive terms.
- Section (5) The election of Board Members shall be staggered with elections occurring every year. The offices of Chairman, Secretary and one Council member shall only serve one year for the first year after adoption of this change and from then on shall serve for two year terms.
- Section (6) If a vacancy occurs, the next highest vote for that specific office shall be appointed. If the next highest eligible vote for a specific office declines that position, then the Board of Directors shall post the vacancy for a minimum of 10 days. The vacancy will be voted on at the next regular meeting following the

minimum 10 day posting. Members present at the next meeting will vote to fill the vacancy. Individual must be present to accept position. The term shall end at the regular established time for the position.

Section (7) Any board member shall resign if they are unable to attend regular planned meetings or if they believe they cannot fulfill their duties of office. The resignation shall be given in writing to the Board of Directors. If a Board member misses two unexcused consecutive meetings, the position will be declared vacant.

Section (8) If funds are available, the board members may be compensated for actual expenses incurred.

ARTICLE V - Meetings of Board of Directors

Section (1) The minimum number of times that the Board of Directors shall meet once every month on the third Tuesday.

Section (2) A special meeting may be called by the Chairperson or by three members of the Board of Directors.

Section (3) Notice shall be given three days prior to the meeting.

Section (4) A quorum shall consist of at least four out of seven board members. A motion at the board meeting shall be passed by a majority vote.

Section (5) Roberts Rules of Order shall be used to conduct the meetings.

Section (6) Committees may be established by the board as needed.

ARTICLE VI - Officers

Section (1) The Executive Committee shall consist of four officials composed of the Chairperson, the Vice-chairperson, the Secretary and the Treasurer.

Section (2) The officers shall be elected at the annual meeting by a majority vote of the general membership and shall serve for two years. The terms of office shall be staggered as set forth in Article IV, Section 5.

Section (3) The powers and duties of the officers shall be:

(a) The Chairperson will be the Chief Executive Officer of the Elderly Council. It will be the duty of the chairperson to preside at all meetings of the Board of Directors and to have general supervision of the affairs of the Elderly Council. He or she will execute on behalf of the Elderly Council

all contracts, deeds, conveyances, and other instruments in writing that may be required by the Board of Directors for the proper and necessary transaction of the business of the Elderly Council.

- (b) The Vice-chairperson shall exercise all of the chairperson's responsibilities and duties in the chairperson's absence.
- (c) The Treasurer shall keep account of all funds within the control of the Elderly Council, shall report monthly to the Board of Directors, shall be empowered to countersign checks with the Elderly Council Chairperson or Vice Chairperson for Elderly Council project expenditures. In addition the Treasurer shall submit a report to the membership at the annual meeting.
- (d) The Secretary will be responsible for keeping the ^{council} corporate records. He or she will give or cause to be given all notices of meetings of the Board of Directors and all other notices required by law or by these by-laws. The Secretary will be the custodian of all books, correspondence, and papers relating to the business of the Elderly Council, except those of the Treasurer. The Secretary may delegate the responsibility for keeping the books of the Elderly Council to the Elderly Project Director so that the records are readily available at the Elderly Center. The Secretary will present at each annual meeting of the Board of Directors, a full report of the transactions and affairs of the Elderly Council for the preceding year and will also prepare and present to the Board of Directors such other reports as it may desire and request at such times or times as it may designate.

ARTICLE VII - Miscellaneous

Section (1) All contracts shall be subject to and approved by the Board of Directors and the Tribal Council.

Section (2) The fiscal year of the Elderly Council shall be October 1 to September 30.

ARTICLE VIII - Amendment

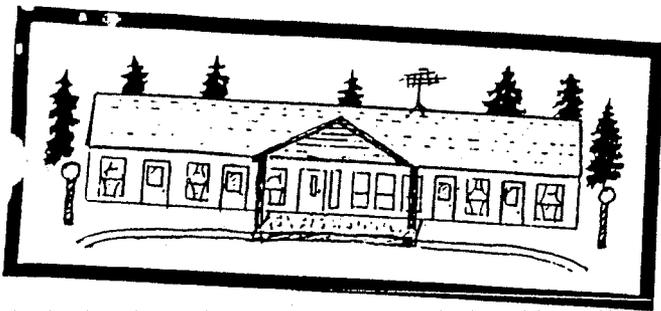
Section (1) The By-laws shall only be amended by a majority vote of the general membership at the annual meeting, or when deemed necessary by the Board of Directors, at a special meeting, called for the specific purpose of modifying these by-laws. The

special meeting to modify the By-laws must be circulated at least thirty days in advance of the day the meeting is to be held. A quorum at these meetings shall consist of the general membership in attendance.

Section (2) The proposed changes or amendments shall also be circulated for at least thirty days before the annual meeting or the special meeting called specifically for changing or amending these By-laws.

ARTICLE IX - Dissolution

- Section (1) If the Elderly Council should dissolve, all of the assets will revert to the Bad River Band of Lake Superior Tribe of Chippewa Indians.
- Section (2) The Elderly Council as designated by federal law shall exist as long as Title VI and Title III are funded under the Older Americans Act.
- Section (3) There shall be a 30 day posted notice to dissolve.



Telephone: (715) 682-7150
Fax: (715) 682-7883

Kathleen L. Bender
Aging Director/
Coordinator

BAD RIVER ELDERLY CENTER
BAD RIVER ELDERLY NUTRITION PROJECT
P.O. Box 39, Odanah, Wisconsin 54861

BY-LAWS OF THE BAD RIVER AGING
AND HANDICAPPED UNIT INCORPORATED
(revised August 1994)

ARTICLE I Purpose

This corporation is organized to operate exclusively for non-profit for the following purposes but not limited to these purposes:

- Section (1) To assist and provide services to older persons and persons who are handicapped living at Bad River.
- Section (2) To assist in the development of funding applications for Elderly and Handicap Service Projects.
- Section (3) Assist in the implementation of any grant received for elderly and handicap service project.
- Section (4) Provide advice and guidance to the Tribal Council and Elderly Project Director on matters concerning older and handicapped persons.
- Section (5) Any lawful activity within the purposes of this corporation.

ARTICLE II Location

The principal office of the corporation will be at the Bad River Elderly Center, located in Odanah, Wisconsin at P.O. Box 39 at which the general business of the corporation will be transacted and where the records will be kept. The Board of Directors may from time to time fix another location for its meetings.

ARTICLE III Members/membership

- Section (1) The qualifications for membership will be any person 55 years or older or who are handicapped, and live in the service area on or adjacent to the Bad River Reservation.
- Section (2) Persons will be selected for membership if they meet the qualifications set forth in Section (1) of this article.
- Section (3) Membership will only be terminated upon death, voluntary resignation or moving out of the service area which is on or adjacent to the Bad River Reservation.

Section (4) The duties of the membership of the corporation will include the right to have input in and decide upon any and all other matters which do not entail the day-to-day operation of the corporation.

Section (5) The members shall hold an annual meeting in May with at least one other meeting within that year.

Section (6) There shall be at least 15% of the members present at the annual meeting for a quorum in order to do additional business.

Section (7) The Chairperson of the Board of Directors or three other members of the Executive Committee of the Board of Directors can call a meeting with at least 3 days posted notice to be given.

ARTICLE IV Board of Directors

Section (1) The number of members of the Board of Directors of this corporation will be set at seven.

Section (2) Directors will be representatives of both the Elderly and the Handicapped members with at least one director from the handicapped population.

Section (3) The members shall be elected at the annual meeting in May by a majority vote of the members present and must be present to accept the position.

Section (4) The board members shall serve for 2 year terms and may serve consecutive terms.

Section (5) The election of Board Members shall be staggered with elections occurring every year. The offices of _____ and _____ shall only serve one year for the first year of the corporation and from then on shall serve for two years.

Section (6) If a board member resigns during his/her term, there shall be a meeting of the members called which need not be the annual meeting at which time the members will vote to fill the vacant position. The term shall end at the regular established time for that particular position.

- Section (7) Any board member shall resign if they are unable to attend regular planned meetings or if they believe they cannot fulfill their duties of office. The resignation shall be given in writing to the executive committee.
- Section (8) If funds are available, the board members may be compensated for actual expenses incurred.

ARTICLE V Meetings of Board of Directors

- Section (1) The minimum number of times that the Board of Directors must meet shall be once every month on the third Monday.
- Section(2) A special meeting may be called by the Chairperson or by three members of the Board of Directors.
- Section (3) Notice shall be given three days prior to the meeting.
- Section (4) A quorum shall consist of at least four out of seven board members. A motion at the board meeting shall be passed by a majority vote.
- Section (5) Roberts Rules of Order shall be used to conduct the meetings
- Section (6) Committees may be established by the board as needed.

ARTICLE VI Officers

- Section (1) The Executive Committee shall consist of four officials composed of the Chairperson, the Vice-chairperson, the Secretary and the Treasurer.
- Section (2) The officers shall be elected at the annual meeting by a majority vote of the general membership and shall serve for two years. The terms of office shall be staggered as set forth in in ARTICLE (VI) Section (5).
- Section (3) The officers shall give written notice of their resignations and the reason for resignation. The vacant position may be filled by the Board of Directors at their next monthly meeting. The term shall end at the regular established time for that particular position.

Section (4) The powers and duties of the officers shall be:

- (a) The Chairperson will be the Chief Executive Officer of the corporation. It will be the duty of the chairperson to preside at ~~all meetings of the Board of Directors~~ and to have general supervision of the affairs of the corporation. He or she will execute on behalf of the corporation all contracts, deeds, conveyances, and other instruments in writing that may be required by the Board of Directors for the proper and necessary transaction of the business of the corporation.
- (b) The Vice-chairperson shall exercise all of the chairperson's responsibilities and duties in the chairperson's absence except that s/he shall not be empowered to sign checks.
- (c) The Treasurer shall keep account of all funds within the control of the Elderly Council, (except for the Monday Night BIBGO fund which will be under the control of the Recreation Director and two other members of the Board of Directors), shall report monthly to the executive committee, shall be empowered to countersign checks with the Elderly Council Chairperson or Elderly Project Director for corporation project expenditures. In addition the Treasurer shall submit a report to the membership at the annual meeting.
- (d) The Secretary will be responsible for keeping the corporate records. S/he will give or cause to be given all notices of meetings of the Board of Directors and all other notices required by law or by these by-laws. The Secretary will be the custodian of all books, correspondence, and papers relating to the business of the corporation, except those of the Treasurer. The Secretary may delegate the responsibility for keeping the books of the corporation to the Elderly Project Director so that the records are readily available at the Elderly Center. The Secretary will present at each annual meeting of the Board of Directors, a full report of the transactions and affairs of the corporation for the preceding year and will also prepare and present to the Board of Directors such other reports as it may desire and request at such times or times as it may designate.

ARTICLE V Miscellaneous

Section (1) All contracts shall be subject to and approved by the general membership and the Tribal Council.

Section (2) The checks and deposits shall be handled through the Treasurer and the Bad River Accounting Office.

Section (3) The fiscal year of the corporation shall be October 1 to September 30.

ARTICLE VI Amendment

Section (1) The By-laws shall only be amended by a majority vote of the general membership at the annual meeting, or when deemed necessary by the Board of Directors, at a special meeting, called for the specific purpose of modifying these by-laws. The special meeting to modify the By-laws must be circulated at least thirty days in advance of the day the meeting is to be held. A quorum at these meetings shall consist of 15% of the general membership.

Section (2) The proposed changes or amendments shall also be circulated for at least thirty days before the annual meeting or the special meeting called specifically for changing or amending these By-laws.

ARTICLE VII Dissolution

Section (1) If the corporation should dissolve, all of the assets will revert to the Bad River Band of Lake Superior Tribe of Chippewa Indians.

Section (2) There shall be a 30 day posted notice to dissolve.