

## **Title**

# **2009-ORD-007, Meetings of the Tribal Council**

## **Synopsis**

Notice is hereby given pursuant to Article IX, § 3(2) of the Constitution of the Mashpee Wampanoag Tribe, that the Mashpee Wampanoag Tribal Council is proposing to adopt the 2009-ORD-007, Meetings of the Tribal Council Ordinance.

The purpose of the Ordinance is to implement Article IX, § 1(a) of the Constitution and to set forth rules governing the meetings of the Mashpee Wampanoag Tribal Council in order to conduct the affairs of the Council in an orderly manner. The Tribal Council finds it essential for the orderly management of the Tribal Council to set forth rules governing meetings. In particular, such rules will be beneficial to the general public and Tribal members. The Ordinance is not intended to address rules regarding the Tribal Council's own internal organization and procedure, which rules shall be addressed separately in compliance with Article IX, § 1(d) of the Constitution.

The Ordinance sets forth the rules governing regular meetings of the Tribal Council. It establishes the time and place for the Tribal Council to meet on a monthly basis. It sets forth the attendance guidelines for enrolled members of the Tribe and invited guests. It also provides for the proper procedure in requesting additions to an upcoming meeting agenda. Additionally, the Ordinance gives guidance on the duties and responsibilities of the Presiding Officer at any regular meeting of the Tribal Council. The Ordinance also provides for: (1) the rules of debate; (2) the rules of order; (3) the rules of decorum for the Tribal Council and staff members; and (4) the rules of decorum for Tribal members. It details the general order of business for meetings and the proper preparation of the minutes for regular meetings of the Tribal Council. It also includes brief provisions related to the following: (1) quorum requirements; (2) correspondence addressed to the Tribal Council; (3) the consideration of motions; (4) the reading of ordinances; (5) the duties of all committees and appointed officers; and (6) the presence of dangerous instruments during a meeting of Tribal Council.

The Ordinance also sets out the requirements for calling special meetings, emergency meetings and executive sessions. It makes clear that all special and emergency meetings shall be open to all enrolled members of the Tribe, unless the Tribal Council conducts an executive session during the special or emergency meeting. It also requires that each Council member receive seventy-two hour notice prior to a special meeting, and may receive less than 72-hours notice for an emergency meeting. The Ordinance limits the scope of special and emergency meetings to the business specified in the notice provided to Council members. The Council may exclude all persons from an executive session for the following reasons: (1) discussion of Tribal enrollment or membership issues; (2) discussion of personnel matters; (3) discussion of a claim against the Tribe; (4) legal consultation and advice; (5) discussion of litigation; (6) deliberation or review by the Council in a quasi-judicial capacity; and (7) deliberation on any business

proposals, property and contract negotiations. It also allows for the Council to not keep a record of any part of the discussion or all of the discussion during an executive session. The Ordinance prohibits a vote from occurring by the Council during an executive session.

The Ordinance also provides for the posting of Tribal ordinances and other tribal public documents in two specified public places.

It also repeals Sections 9(a)(1)(B) and 9(a)(2)(B) of 2009-ORD-003, Regulating Adoption, Amendment or Repeal of Ordinances and Resolutions.

Any person interested in obtaining the ordinance in its entirety may contact the Mashpee Wampanoag Tribal Council at 508-477-0208, or P.O. Box 1048, Mashpee, MA 02649.