



SENECA-CAYUGA NATION

CONSTITUTION COMMITTEE MEETING

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| DATE | Monday, October 02, 2023 | TIME PLACE | 6pm CDT Tribal HQ + Zoom | FACILITATOR | Carrie Kneeland |
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| MEMBERS | | | |
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| Roberta Smith | Present | Scott B Goode | Present later - Zoom |
| Carrie Kneeland | Present | Angela Anglen Kelley | Present |
| Natalie Dixon | Present | Earlyne Gentry | Present |
| Diana Baker | Present | Jo Lynn Gentry | Present later - Zoom |
| Yvonne Perryman-Matthews | Present – Zoom | Others Present | Vincent Blile Lydia Davis Rebecca DePriest Ryan Birdsong (later) |

| TIME | ITEM | OWNER |
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| 6:00pm | Called to Order - Quorum established at the Seneca-Cayuga Nation's regular Constitution Committee meeting. | Carrie |
| | <p>Approval of Previous Minutes – September 25, 2023 minutes spoken to, no corrections or amendments to the record – minutes APPROVED via Motion 11 (Roberta/Earlyne)</p> <p style="text-align: center;"><u>CERTIFICATION</u></p> <p style="text-align: center;">On <u>10/03/2023</u> the minutes of <u>09/25/2023</u> were approved by unanimous committee consent. Copy emailed to BC Secretary on <u>10/03/2023</u>.</p> <p style="text-align: center;">Attest: <u>Natalie Dixon</u> Natalie Dixon, Secretary</p> | Natalie |

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| | <p>Housekeeping</p> <ul style="list-style-type: none"> i. Roll Call ii. Approval of Previous Meetings Minutes – SEPT 25 2023 iii. Confirmation of next meeting – OCT 16 2023 | Natalie |
| -- | <p>Planned Agenda</p> <ul style="list-style-type: none"> • Housekeeping • Grievance Committee return discussion • Committee meeting updates <ul style="list-style-type: none"> ○ 16th – Tax Commission – Earlyne ○ 23rd – Claims Committee – Diana ○ 30th – Enrollment Committee – Roberta ○ Business Committee – Scott + Natalie • Town Hall discussion <ul style="list-style-type: none"> ○ Communications schedule ○ Snacks + Drinks logistics • Roadmap for future work <ul style="list-style-type: none"> ○ Standing and Business Committees, Code of Ethics ○ Duties of Officers, Qualifications of Officers ○ After that? Be thinking of the next steps for future Town Halls, what makes sense to address next • Open Forum | |
| Minutes Begin | | |
| | <p>Grievance Committee discussion, part 2 begins</p> <ul style="list-style-type: none"> • Lydia Davis + Rebecca DePriest (Secretary) present • Ryan Birdsong is Chair, will be present later | |
| 6:02pm | Jo Lynn arrives | |
| | <p>Grievance Committee discussion continues</p> <ul style="list-style-type: none"> • Grievance Committee met independently twice before this meeting to review and discuss their findings over other tribal Constitutions and recommendations for our own <ul style="list-style-type: none"> ○ Attention paid to what was included in Constitutions as protected rights that cannot be changed by Ordinance • Point of Interest – other tribes have a recall process for elected officials, often times requiring 30-100 signatures on | |

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| | <p>a petition that if fulfilled would remove an elected official from office</p> <ul style="list-style-type: none"> • Tribes fall on a spectrum of full-on separation of powers while others do not have separate Committees eg. Business and Election Committees are entwined similar to ours • Need established for Grievance Ordinance on website – it was on the website prior but with this update it is no longer on there, this currently does not allow citizens to find the info for Grievance procedure via easy access from tribal sources – Grievance Committee contact information also needs to be updated on website • Committees discuss the standard for Grievances showing cause for removal – the elected official has to have done something that results in damage to the tribe, their role needs results • Some tribes have an automatic removal process depending on the severity of an allegation or reality at hand • For example, one tribe says upon “conviction in any court” of a felony it shows that there is a basis for removal based on integrity or lack thereof by having been convicted • Their role currently looks like “Accept a Grievance, look at it, it's a go or a no go” - their powers are within a “narrow” definition of the role at current • Current procedure for Special Meetings does model procedure similar to courtrooms with current due process in Bill of Rights (Article XII) and provisions for attorneys and the procedure of Special Meetings currently outlined in the Grievance Ordinance | |
| 6:15pm | Scott arrives | |
| | <p>Grievance Committee discussion continues</p> <ul style="list-style-type: none"> • Questions of who calls the Special Meetings of the Grievance Committee – Constitution Article X provides for Grievance Committee calling a Special Meeting but in By-Laws Article III Section 2 it says Chief may call Special Meetings, Grievance Ordinance Article IX provides that Grievance Committee will schedule their own hearings in the event there is not proper showing for Special Meeting, Same Ordinance Article II provides that they “may call a special meeting [...] to act on such complaints [Grievances]” <ul style="list-style-type: none"> ○ Need for the enumeration of powers of Grievance Committee established, including the power to call Special Meetings of General Council for Grievance Committee business | |

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| | <ul style="list-style-type: none"> • Only punitive measure of Grievance Committee right now is the removal of office through a Special Meeting of the General Council who vote on removal • Grievance Committee communicates that current level of due process regarding the timeline of a Grievance as provided for in the current Grievance Ordinance is an appropriate amount of time for all in the Grievance process • Debate on absentee balloting for the Removal of Officers as a power of General Council • Debate over hypothetical interim measures that could be taken by Committees when there is a member out of line and/or under investigation and/or acting rogue but it has not risen to the level of a Grievance Committee investigation via Grievance – possible measures including censure by Committee, privilege freezing until next Meeting of the General Council • Discussion over Native Nations and the histories of embezzlement by former employees and cross-pollination and hiring of those people by other Native Nations, as well as the history of prosecutions under Federal purview and the jurisdictional concerns that happen when handing cases over to Federal prosecutors <ul style="list-style-type: none"> ○ There has been a 5-year grant awarded for a Special Assistant US Attorney out of Tulsa to prosecute crimes occurring in Indian Country, intertribally • Grievance and Constitution Committees agree that all elected positions should be subject to lodged Grievances investigated by the Grievance Committee • Grievance Committee brings up punitive measures of other tribal Nations – noting that if someone is found unfit for office and removed, they are barred from serving on any other Committee • Committees agree that Grievance Committee members may only serve on that Committee and no others, only to be elected by General Council, not ever appointed • General Council resolution referenced - doesn't allow for someone to be paid for two positions by the tribe • Need established for clear Committee terms outlined for all Committees including Grievance Committees <ul style="list-style-type: none"> ○ All Grievance Committee members present up for re-election in 2023 • Historically staggered terms using a 1, 3, 5-year system, currently some terms are unstaggered and there is a need | |

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| | to clearly outline how terms should be staggered within the Constitution – currently a 4-year term for Grievance | |
| 6:43pm | Ryan Birdsong, Chair arrives | |
| | <p>Grievance Committee discussion continues</p> <ul style="list-style-type: none"> • Absentee member currently on the Grievance Committee, has attended 1 meeting but missed several recently-called meetings with no communication, is a sworn in member of the Committee <ul style="list-style-type: none"> ○ Grievance Committee in their review did find grounds for removal that include the missing of 3 consecutive meetings by an elected official • Need established for an Oath of Office and the conditions for swearing in upon election outlined in Constitution, testimony given over this regarding General Council 2023 Grievance Committee election and the still unsworn member, Business Committee has not responded to requests of Ryan; to be addressed at 10/03/2023 Business Committee meeting • Historical Grievance Committee experiences spoken to in meeting, current challenges include meeting irregularly • Full-blown budget not in effect for Grievance Committee, they submit funding requests to Business Committee • Grievance Committee brings up the Qualifications of Officers – other Native Nations bar those that have had felonies • No current Grievance Committee tribal phone number, email address, or Post Office box in effect, currently the tribal website is not entirely accurate or up to date on Grievance Committee membership | |
| 7:06pm | Grievance Committee parts ways | |
| 7:07pm | Committee breaks | |
| 7:18pm | Committee returns | |
| | <p>Discussion on future Committee meetings</p> <ul style="list-style-type: none"> • Diana has 2/3 confirmed Claims Committee members for 23rd of October @ 6pm • Scott and Natalie both have emailed the Business Committee regarding meeting with them on 24th October or 31st October (their private Tuesday meetings) | |

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| | <ul style="list-style-type: none"> • Curt to get back to Earlyne regarding Tax Commission on 16th of October @ 6pm • Enrollment meets 10/04, Roberta will ask them to meet on 30th October @ 6pm | |
| | <p>Discussion on the subject matter of future Committee meetings</p> <ul style="list-style-type: none"> • Instructions to Constitution Committee members to reflect on questions to be asking both the Committees and the elected Officers of the Nation regarding the roles, responsibilities, and duties • Need to make sure that we are having members present from all Committees at Town Hall meetings • Further discussion of tribal business structure – 1937 Corporate Charter is what all tribal businesses operate under as corporations, the Business Committee is named as the Board for the corporation like a Board of Directors • Debate over what needs to be enumerated as far as the executive and/or legislative powers for our government <ul style="list-style-type: none"> ○ Natalie to send out relevant Native Americans Rights Fund Tribal Constitution book chapter • Discussion over the appointing of an Economic Development Board to be in charge of corporations established, current structure allows for it to be subject to political issues if existing between administrations • Coporate charter with casino and tobacco – historically our bingo hall was not created as a corporation but was passed via resolution at General Council, likely became a corporation through Business Committee action – Gaming Commission exists, Tobacco Commission does not • Gaming Commission – possible meeting 23rd October @ 7pm with Danielle Brashear – further discussion on them being tribal employees, established office of the Nation, their regulations are separate from the Constitution, no current need to meet with that office at this point in time • Possible question for Committees - “What, if any, relevant language do you think needs to be in the Constitution?” • May discuss Gaming Commission with Business Committee | |
| | <p>Motion #12 (Natalie/Carrie) - \$200/meeting limit stipend for all members of Committees who show up after request from Constitution Committee for their presence and testimony - unanimous committee vote – motion carried</p> | |
| | <p>Discussion on Town Hall logistics</p> | |

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| | <ul style="list-style-type: none"> • Snack – more than a little something, could be apples, Angela will follow-up on snack cakes like Rob Gibson at AOA, need to look at the food service supplier and/or Sam's Club for bulk snacks • Beverages – instead of lemonade, could do hot apple cider, will need crockpots from Committee members as well as lemons, cinnamon, cider, etc | |
| | <p>Discussion on a roadmap for future Town Halls + Committee work</p> <ul style="list-style-type: none"> • After Committees, a Code of Ethics, Duties of Officers, and possibly Qualifications of Officers, then what? • Need to go over Meetings, Elections | |
| | <p>No matters for Open Forum</p> | |
| 8:19pm | <p>Meeting Adjourned by Group Consensus</p> | |