

**BIG COUNTRY  
DISTRICT**

**CONSTITUTION  
AND**

**BY-LAWS**

**DOCUMENT OF JURISDICTION AND PROCEDURE  
BIG COULEE DISTRICT  
LAKE TRAVERSE SIOUX RESERVATION**

**PREAMBLE**

We, the members of the Big Coulee District, in order to form a unified district and responsible district government, do hereby declare our right to administer and exercise all policies, responsibilities and other rights by this Document of Jurisdiction and Procedure, and do further recognize this right as described in the revised Constitution and By-laws of the Sisseton Wahpeton Oyate of the Lake Traverse Reservation approved by the Commissioner of Indian Affairs on August 26, 1966.

**ARTICLE I – JURISDICTION**

The jurisdiction of the Big Coulee District shall include District Membership described in Article II of this Document and lands as mutually agreed upon by each District with boundary lines established to lands lying in the territory within the original confines of the Lake Traverse Reservation as described in Article III of the Treaty of February 19, 1867.

**ARTICLE II – DISTRICT MEMBERSHIP**

- Section 1. The membership of the Big Coulee District shall consist of:
- (a) All persons of Sisseton Wahpeton Sioux Indian Blood registered in the District of Big Coulee.
  - (b) All persons that have resided in the district for a period of at least one year and request acceptance by the membership as honorary members.
- Section 2. Honorary members are ineligible to hold office and vote in all Tribal elections and District business. Honorable members may receive certain district benefits, as determined by the District.

**ARTICLE III – ORGANIZATION**

- Section 1. The Big Coulee District shall be governed by the District membership. Four elected officers, the District Chairperson, Vice-Chairperson, Secretary and Treasurer shall serve on the District Executive Council.
- Section 2. The District Executive Council, in formal session, shall have the power to initiate and execute for the District. When not in session, the Executive Council shall have the power to carry out all properly enacted resolutions and ordinances of the District and to appoint any boards, committees, or associations as necessary to the transaction of District business. The District members shall review any actions taken by the Executive Council at the next District meeting.

Section 3. A District councilperson shall be elected by the District as the representative to speak and act on behalf of the members of Big Coulee in conjunction with other members' districts of the Lake Traverse Reservation and to carry out all properly enacted recommendations, resolutions and ordinances of the District and the Tribal Council.

Section 4. The Executive Council shall consist of at least three members to constitute a quorum.

#### **ARTICLE IV – NOMINATIONS AND ELECTIONS**

Section 1. Any qualified District member may announce his/her candidacy for District Councilperson by notifying the Secretary of the Tribal Council in writing at least forty-five (45) days prior to Tribal Elections. If no one files for the District Councilperson an election will be held at the last District meeting in December.

Section 2. The members of the Executive Council shall hold office for a term of four (4) years commencing in January of odd number years.

- (a) The members of the Big Coulee District will elect for their district:
- i. Chairperson
  - ii. Vice-Chairperson
  - iii. Secretary
  - iv. Treasurer

Section 3. All members of the Big Coulee District shall have the right to exercise their voter rights by absentee ballot or in person, except honorary members. This right shall not be denied any person registered in the District of Big Coulee.

Section 4. Except honorary members, all members of the Big Coulee District eighteen (18) years or over will have the right to participate in:

- (a) Being a candidate for Big Coulee District Office.
- (b) Voting for Big Coulee District officers.
- (c) Voting to Tribal offices.
- (d) Voting on all district and tribal issues

Section 5. Any person owing a debt to the Big Coulee District shall not be eligible to hold office or sit on any boards or committees on behalf of Big Coulee District until the debt is paid in full. (Pursuant to Chapter 55 of the Tribal Constitution)

## **ARTICLE V – VACANCIES, REMOVAL AND RECALL**

- Section 1. If a Councilperson or any of the Big Coulee District officers shall die, resign or be removed from office for cause, the Big Coulee District shall immediately recommend an interim Tribal Councilperson for Tribal Council appointment ( Pursuant to Tribal Constitution Art. VI, Sec 1)
- (a) District office positions shall be decided by the District at its next meeting.
- Section 2. Any District Officer who is proven guilty of improper conduct or gross neglect of duty may be removed from office by the District, provided that the officer shall be given full opportunity to reply to any and all charges at a designated District meeting, and provided further that the member shall have been given a written statement of the charges against him/her at least five (5) days before the meeting at which he/she is to be given an opportunity to reply.
- Section 3. The registered members of the Big Coulee District, by petition signed by ten (10) percent of the registered voters in the District, may request the recall of its District Councilperson for improper conduct. The recall of members of the District Executive Council may be requested by a petition signed by ten (10) percent to the registered voters. The District shall hold a special election on all such recall petitions that result in removal from office. Vacancies shall be filled under Sec.1 of this Article. No more than one recall election for each Councilperson or Officer shall be held for each term of office.
- Section 4. Any District Officer who fails to attend three (3) consecutive regularly scheduled District meetings without excuse, shall be considered to have resigned his/her office. The District shall then declare the position vacant and fill the vacancy pursuant to the provisions of Sec.1, of this Article.

## **ARTICLE VI – POWERS**

- Section 1. The District members shall have the following powers which may be exercised according to this Document of Jurisdiction and Procedures.
- (a) To represent the District in all negotiations with the Tribal Council.
- (b) To acquire, own, use, manage, lease and otherwise encumber, and to dispose of District property, both real and personal wherever situated, with concurrence of Tribal Constitution, Art. VII Sec.1.(b).
- (c) To engage in any business not contrary to Tribal law.

- (d) To make rules governing the relationship of the District members, to District property, and to one another as members of the Tribe, and to assess fees of members to implement the District goals.
- (e) To hire any employee or agent with District resources, and to compensate them for their services.
- (f) To deposit District funds to the credit of the District without limitation of the amount in any account, in any bank, or savings and loan association, and to invest or reinvest District funds (subject to district membership concurrence)
- (g) To take any action by Ordinance or resolution which are reasonably necessary through committees, boards, agents, to carry into effect the foregoing purposes and to add such further powers as may be permitted by Tribal law, through appropriate amendment to this document.
- (h) To promote health, education, welfare and such other services as may contribute to the social advancement of all members of the Sisseton Wahpeton Oyate.
- (i) To adopt resolutions regulating the procedures of the District members, its officials and committees in the conduct of Tribal affairs.

#### Section 2. Manner of review

Any Ordinance or Resolution which may be subject to review by the Tribal Council shall be presented to the Tribal Chairperson, who shall, present same to the Tribal Council for approval. If the Tribal Council shall approve said Ordinance or Resolution, it shall thereupon become effective, but the Tribal Chairperson shall transmit a copy of the same, bearing Tribal Council endorsement, to the District Councilperson. If the Tribal Council should disapprove any Ordinance or Resolution, it shall within ten days after its action, advise, in written form, the District Councilperson, reasons thereof.

### ARTICLE VII – MEETINGS

- Section 1. The Big Coulee District shall meet for their regularly monthly meeting on the 4<sup>th</sup> Thursday of each month for all committee reports, district Councilperson reports, etc.

## **ARTICLE VIII – BILL OF RIGHTS**

- Section 1. All the members of Big Coulee District shall be accorded equal rights and equal opportunities to participate in the economic development, resources and activities of Big Coulee District, and no member of Big Coulee District shall be denied freedom of conscience, speech, association, assembly or due process of law, or the right to petition for the redress of grievances. The members of Big Coulee District shall continue undisturbed in their religious beliefs and nothing in this Document of Jurisdiction and Procedure will authorize the Big Coulee District, the Tribal Council or the General Council to interfere with these religious practices according to their custom.

## **ARTICLE IX – AMENDMENTS**

- Section 1. This Document of Jurisdiction and Procedure may be amended by a majority vote of the members of Big Coulee District at any regular or special district meeting. Any member of Big Coulee District may present to the District Chairperson any deletions or additions which may in the past, present or future have any effect on any member of the Big Coulee District.

## **DUTIES OF OFFICIALS**

### Chairperson

- (a) Shall preside at all regular and special meeting of the District and Executive Council. The Chairperson shall be ex-officio member of all subordinate committees.
- (b) Shall have general and active management of the business activities of the District except that he shall not act on matters binding the District until either the Executive Council, the District or the Tribal Council has deliberated and enacted appropriate resolutions or motions.
- (c) Shall see that all ordinances and resolutions of the District are carried into effect.
- (d) Shall sign on behalf of the District all official papers when authorized to do so.
- (e) Shall give supervision to all other officers and committees of the District and see that they carry out their duties.
- (f) Shall not vote in the District except in case of a tie or by secret ballot.

### Vice-Chairperson

- (a) Shall assume all duties of the Chairperson in his absence.
- (b) Shall provide leadership and assistance to all Committees formed by the District.

### Secretary

- (a) Shall record and keep minutes at the principal place of business of all meetings of the District and Executive Council and will keep on file all Tribal Council minutes and records of other committees.
- (b) Shall give and serve all notices of the District meetings as required by this Document.
- (c) Shall keep the membership roll of the District showing all changes as required. In addition, will keep a current voting list.
- (d) Shall attend to all such correspondence assigned by the District Chairperson and perform all other duties of the office or as prescribed by the District or Tribal Council.

### Treasurer

- (a) Will keep and maintain, open to inspection by members of the District or representatives of the Tribal Council at all reasonable times, adequate and correct accounts of the properties and business transactions of the District.
- (b) Will have care and custody of the funds and valuables of the District. Will deposit all funds in the name and to the credit of the Big Coulee District with such depository as the District may direct.
- (c) Will disburse the funds of the District as may be ordered by the District, taking properly signed invoices, vouchers or other instruments for said disbursements. All checks shall be countersigned by the District Chairperson or in his absence, his authorized designee.
- (d) Will make a monthly report to the District and account for all transactions involving the disbursement, collection and obligation of District funds.
- (e) The Treasurer and all officers and employees whose duties involve handling of District money or other valuables shall be bonded as required by the District.
- (f) The books and records of the Treasurer shall be reviewed at least once each year by an accountant or bookkeeper employed by Tribal Council and at such times as the District may direct.

### Oath of Office

Before assuming a position in the District, each member shall subscribe to the following oath or affirmation:

"I, \_\_\_\_\_, do solemnly swear (or affirm) that I will support the Revised Constitution and Bylaws of the Sisseton Wahpeton Oyate and the Constitution of the United States, and will faithfully and impartially perform the duties of my office to the best of my ability and will work to promote and protect the best interest of the Indians of the Sisseton Wahpeton Oyate, and will assist them in every way within my power toward better citizenship and progress"