

TITLE 33  
NISQUALLY PARKS AND RECREATION COMMISSION

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TITLE 33  
NISQUALLY PARKS AND RECREATION COMMISSION

33.01.01 Introduction

The Nisqually Parks and Recreation Commission is created and established by the Nisqually Tribal Council in Resolution 33-2011 to assist the Tribal Council with its objectives of operating, maintaining and developing tribally owned parks, promoting tribal culture and cultural education opportunities, and forging partnership relationships with other governments and private entities for the purposes of park management and development both on and off tribal lands.

The Commission's authority is established and set forth in this Title. This Title shall govern the manner in which the Commission conducts its meetings and its business. Nothing in this Title shall be deemed to be a waiver of tribal sovereign immunity or a diminishment of the Tribal Council's authority.

It is the intent of the Tribal Council that the Parks and Recreation Commission shall be bound by all the provisions of Title 2 (Committees and Commissions) that are not inconsistent with the provisions of this Title 33.

**Historical and Statutory Notes**

1. This name of the Nisqually Parks Commission was changed to the Nisqually Parks and Recreation Commission by Tribal Council Resolution 57-2012, dated June 5, 2012.

33.01.02 Commissionership

(a) Appointment

The Nisqually Parks and Recreation Commission shall consist of five (5) voting members who shall be appointed by the Nisqually Tribal Council. Every Commissioner must be a member of the Nisqually Indian Tribe, be of at least 18 years of age and have concern and interest in the Nisqually people, Nisqually culture, and park management and development. The Tribal Council may also appoint a tribal youth as an additional member of the Commission.

(b) Term

Commissioners will serve staggered terms that shall begin upon appointment. The initial terms shall be as follows: two commissioners will serve four year terms and three commissioners will serve three year terms. All subsequent terms of all commissioners shall be for four years. A person appointed to fill the term of a commissioner who has been removed shall finish the existing term of the commissioner being replaced in order to retain staggered terms.

(c) Removal

Commissioners may be removed by the Tribal Council for just cause, and at any time, upon recommendation of any Tribal Council member or upon a majority vote of the Commissioners. Just cause shall include, neglect of duties, failure to abide by the Tribe's standards of conduct for officials, and/or failure to abide by any other tribal law or policy or any relevant state or federal law.

(d) Vacancies

Any vacancies on the Commission will be filled by the Tribal Council.

33.01.03 Officers

(a) Selection

The Commission shall select from among its members a Chairman, Vice-Chairman, Secretary, Treasurer and Member-at-large.

(b) Term

The term of each officer shall coincide with the term of the commissioner selected for the office.

(c) General Duties

The Chair shall generally preside over meetings, sign documents on behalf of the Commission when authorized by the Commission to do so, and carry out other responsibilities as assigned by the Commission or the Tribal Council.

The Vice-Chair shall preside over meetings of the Commission in the absence of the Chair, and carry out other responsibilities as assigned by the Commission or the Tribal Council.

The Secretary shall keep a record of all matters transacted at meetings, shall maintain all other records and documents of the Commission and shall carry out other responsibilities as assigned by the Commission or the Tribal Council.

The Treasurer shall keep a full and accurate record of all financial transactions related to the operating function of the Commission, shall monitor the budget, and shall participate in the monitoring of any Memorandum of Agreement or other contract with any other entity for the purposes of fund raising or financial management of the Commission's projects and activities. The Treasurer shall also participate in all required audits and carry out other responsibilities as assigned by the Commission or the Tribal Council.

(d) Removal

The Commission may remove an officer from their position as an officer, and thus reinstate them as a non-officer, for cause, by a majority vote.

33.01.04 Meetings

(a) Regular

Regular meetings of the Commission shall be held on a schedule adopted annually by the Commission, but shall be held at least six (6) times per year. Meetings shall be held at times and places convenient to a majority of the Commissioners.

(b) Special

Special meetings of the Commission may be called by the Chair upon his/her own motion or at the request of any Commissioner when there is an action to be considered. Reasonable notice of each special meeting shall be given to each Commissioner.

(c) Location

All meetings of the Commission shall be held at locations which are accessible to the public and to physically handicapped persons to the maximum extent feasible. The Commission shall endeavor to hold meetings on tribal premises whenever possible.

(d) Notice

A schedule of the regular meetings of the Commission shall be provided by the Secretary to each Commissioner and to the Tribal Council. Any change in the date of a previously scheduled regular meeting shall be communicated to each Commissioner a reasonable time in advance of the rescheduled meeting time. The Chair shall send 24 hour notice of special meetings to all Commissioners unless all Commissioners concur on the need to meet earlier.

(e) Quorum

A quorum shall consist of 3 Commissioners at least one of whom must be the Chair or Vice-Chair. No business shall be conducted unless a quorum is present.

(f) Meetings Open to Tribal Members

All meetings of the Commission shall be open to all members of the Nisqually Tribe, except those portions of meetings that are closed by approval of the Tribal Council. The Tribal Council shall be represented at all closed meetings.

(g) Conduct of Meetings and Commission Decision Making

Meetings of the Commission shall be conducted in accordance with Roberts Rules of Order. The Commission shall attempt to reach consensus on all decisions, but in those cases where full agreement cannot be reached, official actions of the Commission shall be determined by vote. The affirmative vote of a majority of the Commissioners shall be required.

(h) Attendance

Commissioners shall diligently attend meetings. Unexcused absences by any Commissioner from three meetings per calendar year shall be cause for removal.

(i) Compensation

Commissioners shall receive stipends and travel reimbursement in accordance with established tribal policies. However, all travel must be approved by the Tribal Council. All compensation shall be subject to the availability of funds.

(j) Administrative Support

The Commission may request of the Tribal Council that the Commission be assisted by the Tribal department staff most closely related to the function of the Commission. Availability of staff support shall be subject to availability of time and/or funds.

33.01.05 Records

(a) Minutes

The Secretary shall maintain a permanent volume of minutes of the Commission, and shall provide copies of the minutes of each meeting to each Commissioner. Minutes must be approved by the Commission and made available for inspection by the Tribal Council and Tribal Commissioners within one month of the meeting. Electronic copies of minutes shall be created for archiving.

(b) Commission Actions

The Secretary shall keep a permanent compilation of reports and documents concerning Commission actions.

33.01.06 Powers

The Commission shall have the following powers which it may exercise, through its Board of Commissioners, consistent with the purposes for which the Commission is established:

(a) To negotiation agreements, contracts, and understandings with any governmental agency, Federal, State or local or with any person, partnership, corporation or Indian tribe,

for the purposes of park acquisition, management or development and for cultural preservation and educational purposes. Such agreements, contracts, and understandings shall also require the approval of the Nisqually Tribal Council;

(b) To raise funds and develop plans for park acquisition, park development and park management and for cultural preservation and educational purposes. Nisqually Tribal Council approval is required prior to the implementation of any plan for the use of funds;

(c) To manage, operate and maintain any buildings or realty designated for park use by the Nisqually Tribal Council, consistent with parks management and operating plans approved by the Tribal Council. Any mortgage or leasehold interest must be approved by the Nisqually Tribal Council;

(d) To implement agreements between the Commission and the Nisqually Tribe or any other governmental agency or private entity that have been approved by the Tribal Council for the purposes of park management, cultural resource education, or park development.

(e) To work with the Tribe's Human Resources Department and the Tribe's Education Department to develop training programs for tribal members to work in state and tribal parks and to locate funding for tribal members to attend such training put on by the state or another organization.

(f) To participate in the placement of tribal members in jobs at state and tribal parks and to facilitate their status as tribal employees consistent with the Tribe's hiring and personnel policies.

(g) To develop job descriptions for Parks and Recreation Commission administrative employees and to supervise such employees consistent with the Tribe's personnel policies and procedures.

### 33.01.07 Duties

Parks and Recreation Commissioners shall conduct themselves in accordance with the Nisqually Tribal Standards of Conduct for Officials set out in Title 1 of the Nisqually Law and Order Code and shall abide by all other provisions of the Nisqually law that are not inconsistent with this Title, including Title 2 (Committees and Commissions).

Commissioners have a duty of good faith and fair dealing to the Nisqually people and the Nisqually community, and shall conduct them in accordance with those duties.