



Eastern Shawnee Tribal Housing Authority

By-Laws

**Adopted: June 21, 2005
Amended: September 18, 2012**

The By-Laws enacted herein supersedes and rescinds all previous By-Laws and practice statements and are the official By-Laws of the Eastern Shawnee Tribal Housing Authority.

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By-Laws

ARTICLE I

THE AUTHORITY

Section 1 **Name of the Authority**

The Name of the Authority shall be “Eastern Shawnee Tribal Housing Authority.”

Section 2 **Purpose**

The Eastern Shawnee Tribal Housing Authority is to provide, safe, decent and sanitary housing for families of low to median income while building stronger, healthier communities and promoting economic independence for such families with preference to Tribal members.

Section 3 **Seal of Authority**

The Seal of the Authority shall bear the name of the Authority and the year of its organization.

Section 4 **Office of the Authority**

The office of the Authority shall be at 69495 E. 105 Road, Wyandotte, OK 74370.

ARTICLE II

BOARD OF COMMISSIONERS

Section 1 **Board Role, Size and Compensation**

The Board of Commissioners (herein called “Board”). The Board is responsible for overall policy and direction of the housing authority, and delegates responsibility of day-to-day operations to housing authority staff. The Board shall have five (5) persons appointed as commissioners of the authority. The Board shall receive no compensation for their services,

except for the necessary expenses, including traveling expenses, incurred in the discharge of their duties and a per diem payment of Eighty-Five Dollars (\$85.00) for Board Secretary or Fifty Dollars (\$50.00) for other Board Members plus mileage for expenses incurred in attending meetings of the housing authority.

Section 2 **Appointment of Commissioners**

The Chief of “The Eastern Shawnee Tribe of Oklahoma” is authorized to appoint commissioners to the Authority. This appointment is subject to confirmation by the Business Committee of the Eastern Shawnee Tribe of Oklahoma. At least one of the persons so appointed shall be a tenant in a housing project under the jurisdiction of the Authority. The term of office of each commissioner shall be for three (3) years. Each commissioner shall hold office until their successor has been appointed and qualified. Each commissioner shall qualify by taking the official oath of office prescribed by statute or ordinance for elected officials of the Authority.

Section 3 **Vacancies**

Should the office of a Board Member become vacant, the Chief shall appoint a successor from applicants and such appointment shall be for the unexpired term of said Board Member.

Section 4 **Resignation**

Resignations from board members must be in writing and received by the Chairman or Executive Director to be reported to the appropriate authority.

Section 5 **Removal of Commissioners**

A commissioner of the authority may be removed by the governing body for inefficiency, neglect of duty or misconduct in office, or allowing any portion of any project to become dilapidate, unsanitary, or unkept. However a commissioner shall be removed only after a hearing before the governing body and after he has been given a copy of the charges at least ten (10) days prior to the hearing and had an opportunity to be heard in person or by counsel. In the event of the removal of any commissioner, a record of the proceedings, together with the charges and findings thereon, shall be filed with the appropriate authorities.

ARTICLE III

OFFICERS

Section 1 Officers

The officers of the Authority shall be a Chairman, a Vice-Chairman, a Secretary, and two Board Members.

Section 2 Election of Officers

The Commissioners of the authority shall elect a chairman, vice chairman and secretary from among the commissioners. The annual election of officers shall take place during the Housing Authority's annual meeting.

Section 3 Term of Office for Chairman, Vice-Chairman and Secretary

Term of office for each of the officers shall be for one (1) year or until their successors are elected.

Section 4 Vacancies

Should the offices of Chairman, Vice-Chairman, or Secretary become vacant, the Authority shall elect a successor from its membership at the next meeting, and such election shall be for the unexpired term of said office.

Section 5 Chairman

The Chairman shall preside at all meetings of the Board of Commissioners. Except as otherwise authorized by resolution of the Board, the Chairman shall sign all contracts, deeds, and other instruments made by the Authority. At each meeting, the Chairman shall submit such recommendations and information, as the Chairman may consider proper concerning the business, affairs and policies of the Authority.

Section 6 Vice-Chairman

The Vice-Chairman shall perform the duties of the Chairman in the absence or incapacity of the Chairman; and in case of the resignation or death of the Chairman, the Vice-Chairman shall perform the Chairman's duties until such time as a new Chairman is appointed.

Section 7 Secretary

The Secretary shall act as secretary of the meetings of the Board and record all votes by roll call, and shall keep a record of the proceedings of the Board in a journal of proceedings to be kept for such purpose, and shall perform all duties incident to his office. In the absence of both the Chairman and Vice-Chairman, the Secretary shall preside.

Section 8 **Board Members**

The Board Members shall perform any duties deemed necessary by the Chairman of the Board and fully participate in all decision-making roles of the Housing Authority.

Section 9 **Additional Duties**

The officers of the Authority shall perform such others duties and functions as may form time to time be required by the Authority or the By-laws or rules and regulations of the Authority.

ARTICLE IV

STAFF

Section 1 **Executive Director**

The Board may employ an Executive Director of the Authority. The Executive Director of the Authority shall have general supervision over the administration of the business affairs of the Authority, subject to the direction of the Board of Commissioners. The Executive Director shall be charged with the management of the housing projects and property of the Authority and shall act as the Assistant Secretary to perform such duties as necessary.

The Executive Director shall have the care and custody of all funds of the Authority and shall deposit the same in the Name of the Authority in such bank or banks as the Authority may select, subject to the direction of the Board of Commissioners.

The Executive Director shall sign all orders, and shall pay out and disburse such monies, and from time to time execute such contracts as necessary to protect and preserve Authority property and advance Authority purposes, as specifically authorized by resolutions of the Board of Commissioners. The Executive Director shall keep regular books of accounts showing receipts and expenditures and shall render to the Authority, at each regular meeting (or more often if requested), an account of these transactions and also of the financial conditions of the Authority. The Executive Director shall keep the records of the Authority, shall keep safe custody the seal of the Authority and shall have power to affix such seal to all contracts and documents that so require, subject to the direction of the Board of Commissioners.

The compensation of the Executive Director shall be determined by the Board of Commissioners.

Section 2 **Additional Personnel**

The Authority from time to time may employ such personnel, as it deems necessary to carry out its powers, duties and functions as prescribed by law.

ARTICLE V

MEETINGS

Section 1 **Regular Meeting**

Monthly meetings shall be held on the 3rd Tuesday of every month at 5:00 o'clock p.m., at the regular meeting place of the Board. In the event such date falls on a legal holiday, the regular meeting shall be held on the next day. A schedule of regular meetings for the year will be provided to the Secretary of State of Oklahoma and the County Clerk's Office of Ottawa County by December 15th of each calendar year.

Section 2 **Annual Meeting**

Annual meeting held on the 3rd Tuesday of October at 5:00 o'clock p.m. at the regular meeting place of the Board. In the event such date falls on a legal holiday; the annual meeting shall be held the next day at the regular meeting place of the Board, which place shall be designated by resolution. In the event such date falls on a legal holiday; the annual meeting shall be held the next day.

Section 3 **Special Meetings**

The Chairman of the Board shall, upon the written request of three members of the Board (which may include the Chairman), call a special meeting of the Board for the purpose of transacting any business designated in the call. Public notice must be given at least forty-eight (48) hours prior to said meeting.

Such public notice of date, time and place shall be given in writing, in person or by telephonic means to the Secretary of State. Actual notice shall be given in writing, in person or by telephonic means to each member of the Board at least twenty-four 24 hours prior to the time of such special meeting. In addition, the Housing Authority shall at least twenty-four (24) hours prior to such special meeting, display public notice of said meeting, setting forth the date, time and place and agenda for said meeting in prominent public view at the Housing Authority Office.

Section 4 **Emergency Meetings**

The Chairman of the Board may, when he deems it expedient, call an Emergency Meeting to deal with an emergency. An emergency is a situation involving injury or damage to public or personal property or immediate financial loss when the time requirements for public notice of a special meeting would make such procedure impractical and increase the likelihood of injury or damage or immediate financial loss. An emergency meeting may be held without public notice. The person calling the meeting shall give as much advance public notice as is reasonable and possible under the circumstances existing, in person or by telephonic or electronic means. No action may be taken without the concurrence of at least three Commissioners.

Section 5 **Quorum**

The powers of the Authority shall be vested in the Commissioners thereof in office from time to time. Three Commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers and all other purposed, but a smaller number may adjourn from time to time until a quorum is obtained. When a quorum is in attendance, action may be taken by the Authority upon a vote of a majority of the Commissioners present except with respect to the adoption of Bond resolutions, which require an adoption by the vote of an absolute majority of the Board.

Section 6 **Order of Business**

At the regular meetings of the Authority, the following shall be the order of business:

- A. Call to Order
- B. Roll Call
- C. Approval of the minutes of the previous meeting
- D. Old Business
- E. New Business
- F. Department Reports
- G. Resident/Tenant Comments
- H. Closed Session
- I. Adjournment

All Housing Authority Resolutions shall be in writing and shall be copied in a Journal of Record and proceedings of the Authority.

ARTICLE VI

AMENDMENTS

Section 1 Amendments to By-laws

The By-laws of the Authority shall be amended only with the approval by a two-thirds vote of Commissioners at any Board meeting provided that at the said meeting the amendments are discussed.