

CONSTITUTION
AND
BY-LAWS OF THE UPPER CUT MEAT COMMUNITY

PREAMBLE

The following By-Laws are enacted by the Upper Cut Meat Community as a recognized community of the Rosebud Sioux Tribe.

ARTICLE I.

MONTHLY MEETINGS

Section 1.

The Regular Monthly Meeting of the community shall be held on the second Monday of each month for the purpose of transacting such business as may come before the meeting.

ARTICLE II.

SPECIAL MEETINGS

Section 1.

Special Meetings of the community for any purpose or purposes, may be called only by the Chairperson of the community.

ARTICLE III.

PLACE OF MEETING

Section 1.

All Regular Monthly Meetings and Special Meetings shall be held at the Sacred Heart Hall in the Upper Cut Meat Community, unless otherwise designated in the Notice of Meeting.

ARTICLE IV.

NOTICE OF MEETING

Section 1.

Written notice stating the place, day and hour of the Regular Meeting, and in case of a Special Meeting, the purpose or purposes for which the meeting is called, shall be posted not less than five (5) days before the date of the Regular Meeting and not less than two (2) days before a Special Meeting with meeting notices to be announced on KINI, St Francis, SD.

ARTICLE V.

QUORUM

Section 1.

A group of at least nine (9) members of the community shall constitute a quorum at community meeting to conduct business. The Community members present at a duly called meeting may transact business until adjournment.

ARTICLE VI.

MANNER OF ACTING

Section 1.

The act of the majority of community members present at a meeting at which a quorum is present shall be the act of the Upper Cut Meat Community.

ARTICLE VII.

VOTING

Section 1.

Each member of the community shall be entitled to one vote upon each matter submitted to a vote at a meeting of the community. All persons age 18 and over, residing within the boundaries and within a period of (90) days, are eligible to vote.

ARTICLE VIII.

OFFICERS

Section 1.

The officers of the community shall be a Chairperson, Vice-Chairperson, Secretary, Treasurer, and Sergeant At Arms, each of who shall be elected by the members of the community.

ARTICLE IX.

ELECTION AND TERM OF OFFICE

Section 1.

The officers of the community shall be elected annually (1 year) during the month of October. Each officer shall hold office until a successor shall have been duly elected and shall have qualified or until his or her death or until he or she shall have been removed in the manner hereinafter provided.

ARTICLE X.

REMOVAL

Section 1.

Any officer of the community who is convicted of a felony or any other offense involving dishonesty during his or her term of office shall automatically forfeit his or her office. The community may, by two-thirds vote (2/3) of its community members, expel any officer for Neglect of Duty or Gross Misconduct, after due notice of charges and an opportunity to be heard.

ARTICLE XI.

VACANCIES

Section 1.

A vacancy in any office because of death, resignation, removal, disqualification, or otherwise, may be filled by the Chairperson of the community for the un-expired portion of the term.

Article XII.

CHAIRPERSON

Section 1.

The chairperson shall be the principal executive officer of the community and subject to the control of the community. He/she shall, in general, supervise and

control all the business and affairs of the community. He/she shall, when present, preside at all meetings of the community. He/she may sign, with the secretary of the community, any deeds, mortgages, bonds, contracts or other instruments which the community has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the community or by these by-laws to some other officer or agent of the community, or shall be required by law to be otherwise signed or executed; and in general shall perform all duties incident to the office of the chairperson and such other duties as may be prescribed by the community from time to time.

Article XIII

VICE-CHAIRPERSON

Section 1.

In the absence of the Chairperson or in the event of his death, inability or refusal to act, the Vice-Chairperson shall perform the duties of the Chairperson, and when so acting, shall have all the powers of and be subject to all restrictions upon the Chairperson. The Vice-Chairperson shall perform such other duties as from time to time may be assigned to him by the Chairperson or by the community.

Article XIV.

SECRETARY

Section 1.

The Secretary shall; a) Keep the minutes of the proceedings of the community; b) See that all the notices are duly given in accordance with the provisions of the by-laws or as required by law; c) Be custodian of the records of the community; d) Keep a register of the names and addresses of each members of the community; e) In general, perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him/her by the Chairperson or by the community.

Article XV.

TREASURER

Section 1.

The Treasurer shall; a) Have charge and custody of and be responsible for all funds and securities of the community; b) Pay all the bills of the community; c) Sign all checks for the community money's issued by the community; d) receive and give

receipts money's due and payable to the community from any source whatsoever, and deposit such money's in the name of the community in such banks or other depositories as shall be selected the by community; e) In general, perform all duties incident to the office of Treasurer and any other such duties as from time to time may be assigned to him/her by the Chairperson or by the community.

Article XVI.

SERGEANT AT ARMS

Section 1.

The Sergeant at Arms shat; a) Keep order at all regular and special community meetings and see that all regular and special meetings are conducted in accordance with Robert's Rules of Order; b) In general, perform all duties incident to the office of Sergeant at Arms and any other such duties as from time to time may be assigned to him/her by the Chairperson or by the community.

Article XVII.

CHECKS, DRAFTS, ETC.

Section 1.

All checks, drafts, or other orders for the payment of money, notes or other evidence of indebt ness issued in the name of the community, shall be signed by the Treasurer after approval of the payment is made by the Chairperson.

Article XVIII.

Section 1.

These by-laws may be adopted, altered, amended or repealed and new By-Laws may be adopted by the community at any regular or special meeting of the community.

ARTICLE XIX.

CERTIFICATION

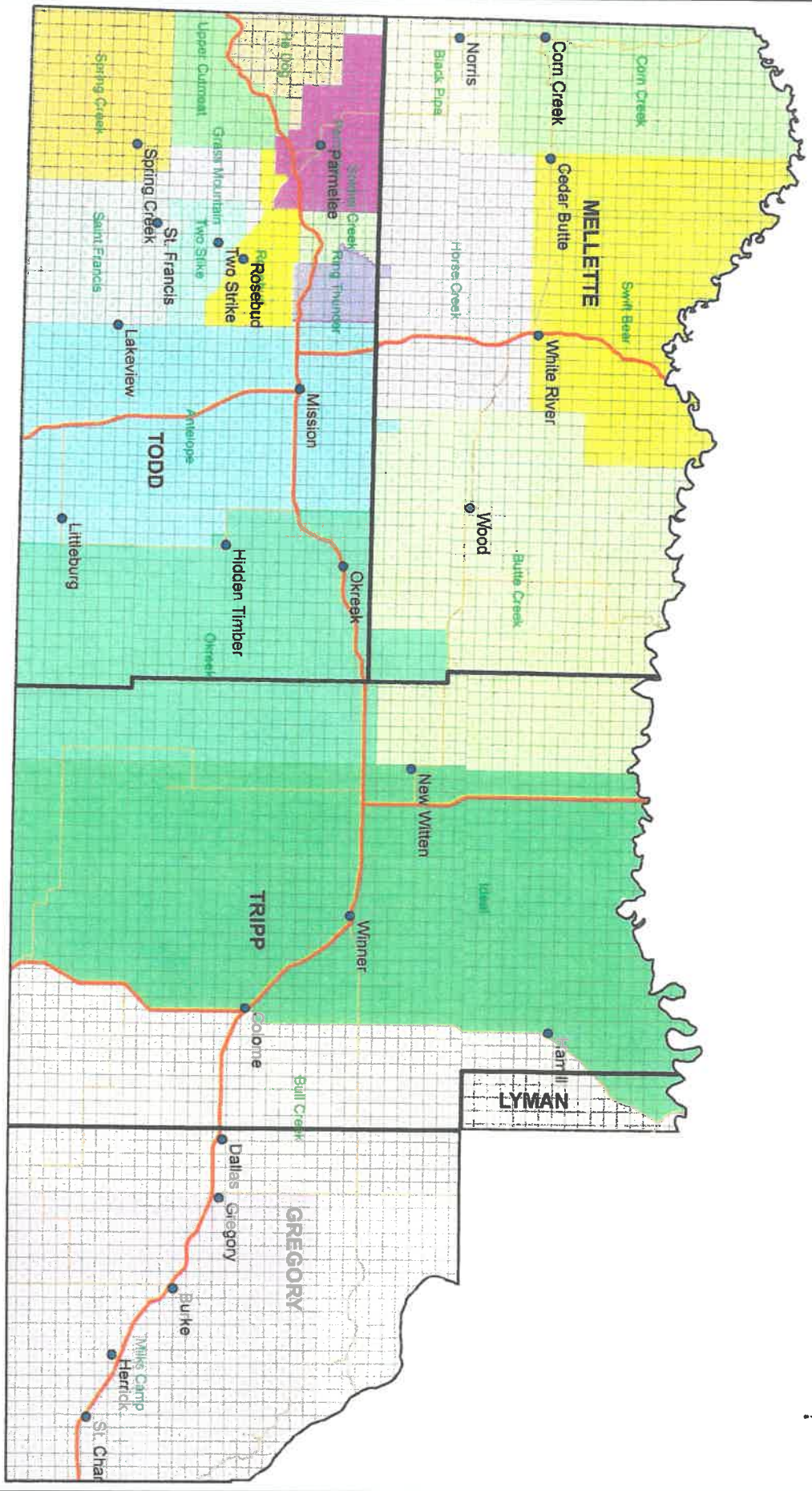
Section 1.

The Chairperson and the Secretary of the Upper Cut Meat Community shall certify all proceedings and documents, hereby adopted at a Special Meeting on the 17th day of JANUARY, 2003.

Estelle Yarrow Eves
Secretary of the Upper Cut
Meat Community

Naomi Good Shild
Chairperson of the Upper
Cut Meat Community
Community

JAN 23 1997



 County Boundary

0 2 4 8 12 16 20 Miles

Five County Reservation Area with Community Boundaries

CONSTITUTION
AND
BY-LAWS OF THE UPPER CUT MEAT COMMUNITY

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Article II.

SPECIAL MEETINGS

Section 1.

Special meeting of the community for any purpose or purposes, may be called only by the Chairperson of the community

Article III.

PLACE OF MEETING

Section 1.

All regular monthly meetings and special meeting shall be held at the Upper Cut Meat Youth Center in Upper Cut Meat Community, Unless otherwise designated in the Notice of meeting.

Section 1.

The officers of the community shall be a Chairperson, Vice-Chairperson, Secretary, Treasurer, and Sergeant At Arms, each of who shall be elected by the members of the community.

Article IX.

ELECTION AND TERM OF OFFICE

Section 1.

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Business and affairs of the community. He/She may sign, with the Secretary of the community, any deeds, mortgages, bonds, contracts or other instruments which the community had authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the community or by these by-laws to some other officer or agent of the community, or shall be required by law to be otherwise signed or executed; and in general shall perform all duties incident to the office of the chairperson and such other duties as may be prescribed by the community from time to time.

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Section 1.

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CERTIFICATION

Section 1.

The Chairperson and the Secretary of the Upper Cut Meat Community shall certify all proceedings and documents, hereby adopted at a special meeting on the ____ day of _____,2007.

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Section 1.

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Article VIII.

OFFICERS

Secretary of the Upper Cut
Meat Community

Chairperson of the Upper
Cut Meat Community

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OFFICE OF

RSTC Meeting Minutes

March 13, 2004

Page 7

Tez Duysak presented amended By-laws of the Upper Cut Meat community.

Motion by Tez Dusyak to accept and approve the Upper Cut Meat community By-laws as amended. Seconded by Michael Boltz. Questioned by Eric Nixon. Vote: 14 for, 0 opposed, 03 not voting. MOTION CARRIED

Motion by Cliff Chasing Hawk to present Resolution 2003-78 from the Milks Camp community as emergency legislation. Seconded by Tez Duysak. Questioned by Eddie Farmer. Vote: 14 for, 0 opposed, 03 not voting. MOTION CARRIED

Motion by Cliff Chasing Hawk to approve Resolution 2003-78 to approve payment by the Rosebud Sioux Tribe of all unpaid medical accounts and any future medical bills for Milks Camp community members up until the community is officially included in the Rosebud Sioux Tribe's Contract Health Service Delivery Area. Seconded by Tez Duysak. Questioned by Rick Young. Vote: 15 for, 01 opposed, 01 not voting. MOTION CARRIED

Motion by Tez Duysak to refer Resolution 2003-78 to the Attorney General and for the Chairman to direct the Attorney General to contact the creditors so we know what the amount is and to work with the District 13 representative and the community chairman and to begin litigation with the Indian Health Service. Seconded by Wayne Ducheneaux. Questioned by Steve Denoyer Jr. Vote: 15 for, 01 opposed, 01 not voting. MOTION CARRIED