

# KICKAPOO HOUSING AUTHORITY BY-LAWS

## KICKAPOO TRIBE IN KANSAS

The By-Laws enacted herein supersedes and rescinds all previous By-Laws and practice statements and are the official By-Laws of the Kickapoo Housing Authority of the Kickapoo Tribe in Kansas.

Date Adopted: April 15, 2020

Resolution #: 2020-11

# **Housing Authority of the Kickapoo Tribe in Kansas**

## **By-Laws**

### **Article 1 – The Authority**

#### **Section 1 – Name of Authority**

The name of the Authority shall be Kickapoo Housing Authority of the Kickapoo Tribe in Kansas.

#### **Section 2 – Purpose**

The Kickapoo Housing Authority is to provide safe, decent, and sanitary housing for families of low to medium income to its projects, while building a stronger and healthier community.

#### **Section 3 – Seal of Authority**

The seal of the Authority shall be in the form of a circle and shall bear the name of the Authority and the year of its organization.

#### **Section 4 – Office of Authority**

The office of the Authority shall be at such a place in the COUNTY OF BROWN, KANSAS, as the Authority may from time to time designate resolution.

#### **Section 5 – Board of Commissioners**

The Board of Commissioners (herein called "Board") is responsible for overall policy and direction of the Housing Authority. The Board of Commissioners of the Authority shall be a Chairperson, Vice-Chairperson, Secretary / Treasurer, Board Member and a Tribal Council Liaison.

## **Article II – Officers**

#### **Section 1 – Officers**

The Board of Commissioners of the Authority shall be a Chairperson, Vice-Chairperson, and Secretary / Treasurer.

## **Section 2 – Chairperson**

The Chairperson shall preside at all meetings of the Board of Commissioners. Except as otherwise authorized by resolution, the Chairperson shall sign all contracts, deeds, and other documents when deemed necessary. The chairperson shall submit recommendations and information as he/she may consider proper concerning the business affairs and policies of the Housing Authority. The Chairperson is the official signer with the bank institute. The Chairperson abstains from voting except to break a tie.

## **Section 3 – Vice-Chairperson**

The Vice-Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson, the Vice-Chairperson shall perform the Chairperson's duties until such time as the new Chairperson is appointed. The Vice-Chairperson shall be a signer with the bank institute.

## **Section 4 – Secretary / Treasurer**

The Secretary shall have the authority to affix the Authority seal, attesting the Chairperson's signature on all contracts, deeds, and other documents made by the Authority. The Secretary shall preside meetings in the absence of the chairperson and the Vice-Chairperson. The Secretary shall prepare the meeting agenda and keep accurate minutes of all meetings. In the absence of the Secretary, the Chairperson may designate someone to keep meeting minutes.

## **Section 5 – Board Member**

The Board Member shall perform any duties deemed necessary by the Chairperson and fully participate in all decision-making roles of the Board of Commissioners.

## **Section 6 – Tribal Council Liaison**

The Tribal Council Liaison shall be appointed by the Tribal Council. The Liaison shall be a member of the Kickapoo Tribal Council. The Liaison will carry information back and forth between the Board and Tribal Council. The Liaison will be a voting member of the Board. The Liaison will not receive compensation but may receive travel expenses when representing the Kickapoo Housing Authority.

## **Section 7 – Additional Duties**

All Board Members shall perform such duties and functions as may from time to time be required by the Board, or the By-Laws or Rules and Regulations of the Authority.

## **Article III – Election or Appointment**

### **Section 1 – Board of Commissioners Role**

The Board of Commissioners (herein called "Board") is responsible for overall policy and direction of the Housing Authority.

### **Section 2 – Election of Board of Commissioners and Term**

An annual election shall be held every year on the first Wednesday in October. The Tribal Council Liaison will conduct the election. Eligible voters must be an enrolled member of the Kickapoo Tribe in Kansas, and must be a minimum of 21 years of age. Candidates for the Board must submit a letter of interest and be an enrolled member of the Kickapoo Tribe in Kansas, and must be 21 years of age or older. Candidates must abide by the Code of Ethics of the Kickapoo Tribe in Kansas and in good standing with the Housing Authority. Employees of the Housing Authority shall not be allowed to serve on the Board. Previous employees of the Kickapoo Housing Authority must be separated from employment with the Authority one year to be eligible as a candidate. Eligible candidates must not have received a Felony conviction. Background checks will be administered. A Polling station will be set up at the Kickapoo Housing Authority conference room.

### **Section 3 – Term of the Commissioner**

The term for each commissioner is 4 years, with each staggering term. After election results, the Board will vote for each position. In the case of a Board member becoming a member of the Kickapoo Tribal Council, he or she must resign within two weeks but may become the Board Liaison if appointed by the Tribal Council.

### **Section 4 – Compensation**

The Board, with the exception of the Tribal Council Liaison, shall receive compensation for their services. The rate for services will be set by the Board by Resolution. Board members will be required to complete appropriate employment forms to ensure KHA maintains compliance.

### **Section 5 – Vacancies of the Board of Commissioners**

Should a vacancy occur on the Board, the Board may fulfill the vacancy by considering letters of interest submitted with a specified time. This appointment will be for the unexpired term ending as indicated. This will not be a four year term.

## **Section 6 – Removal of a Board of Commissioner**

Absent from three consecutive board meetings without good cause will be dismissal from the board. Neglect, abuse of power, breaking confidentiality, and/or violating the Code of Ethics can lead to suspension or dismissal, depending on the severity.

## **Section 6 – Appeal of a Removal**

A written appeal request must be submitted within 10 business days after removal. The Board must schedule to hear the appeal within 10 business days. The Board's decision will be final.

## **Section 7 – Executive Director**

The Executive Director of the Housing Authority shall be appointed by the Board. Subject to the direction of the Board, he or she shall have the general supervision over the administration of the business affairs of the Housing Authority. The Executive Director shall be charged with the management of the housing projects and property of the Authority. The Executive Director shall have the care and custody of all funds and shall deposit the same in the name of the Authority in such bank or banks the Authority may select, subject to the direction of the Board. The Executive Director shall execute contracts as necessary to protect and preserve Housing Authority property. The Executive Director shall be responsible and keep regular books of accounts and shall render to the Authority, at each regular meeting, or when requested by the Board, an account of transactions and the financial condition of the Authority.

## **Section 8 – Additional Personnel**

The Authority may from time to time employ such personnel as it deems necessary to exercise its powers, duties and functions as prescribed by the Housing Ordinance.

# **Article IV- Meetings**

## **Section 1 – Annual Meeting**

The annual meeting will be the on the second Wednesday in December. The meeting will be advertised two weeks in advance.

## **Section 2 – Regular Meetings**

Regular meetings shall be held on the second Wednesday of every month at 4:00 P.M., in the conference room at the Housing Authority Office. The Board of Commissioners may change the date, time and location by motion during a scheduled meeting and included in the minutes. The time and place of said meeting shall be published in the KHA newsletter and posted on the KHA bulletin board at least three (3) days prior to said meeting. Meetings may also be scheduled by consensus with documentation.

When necessary, meetings can be held with telecommunications.

## **Section 3 – Special Meetings**

The Chairperson of the Board shall, upon the written request of two members of the Board, call a special meeting of the Board for the purpose of transacting any business designed in the call. A formal notice by telephone or email notifying Board members will be two days prior to the time of such special meeting. The Board may set a date and time for a special meeting in a regular meeting, providing a motion is passed by the majority of the members present. At such special meeting, no business shall be considered other than as designated in the call.

## **Section 4 – Emergency Meetings**

The Chairperson of the Board shall call an emergency meeting for the purpose of transacting any business designed and / or required for the call of the business. In the absence of the Chairperson, the Vice-Chairperson may call for the meeting. In the absence of both the Chairperson and Vice-Chairperson, the Secretary may call for the meeting. The call for the emergency meeting may be by phone or email 24 hours prior to the time of the emergency meeting. The call for the meeting shall be posted at the Housing Office. At such emergency meeting no business shall be considered other than that as designated in the call, and no action may be taken without the concurrence of a majority of the full Board.

## **Section 5 – Quorum**

The powers of the Authority shall be vested in the commissioners thereof in office from time to time notwithstanding, the existence of any vacancies on the Board. Three (3) members of the full Board shall constitute a quorum for the purpose of conducting its business and exercising its powers and all other purposes. When a quorum is in attendance, or by telecommunications, action may be taken by the Authority only upon a vote of a majority of the Commissioners, and with respect to the adoption by the vote of an absolute majority of the Board.

## **Section 6 – Order of Business**

At the regular meeting of the Authority, the following shall be the order of business with the action items designed:

- I. Call to Order
- II. Approval of Agenda
- III. Roll Call
- IV. Guests
- V. Approval of Minutes from previous meeting (s)
- VI. Executive Directors report
- VII. Old/New/Other Business
- VIII. Executive Session
- IX. Open Discussion
- X. Adjournment

Guests who would like to be added to the Agenda for a regular meeting must request in writing to the Board Secretary at least three (3) days before the meeting.

All resolutions shall be in writing, signed, and placed in the book of Resolutions and attached with the minutes of the meeting.

## **Section 7 – Manner of Votes**

The voting on all motions coming up before the Board shall be called by the Secretary, the minutes shall reflect the individual votes, yes or no, or no if by ballot. The Chairperson shall abstain from voting, except to break a tie vote of the Board of Commissioners.

# **Article V – By-Laws Amendments**

## **Section 1 - Amendments to By-Laws**

The By-laws of the Authority shall be amended only with the approval of at least three commissioners at any regular or special meeting which has been duly called, but no such amendment shall be adopted unless at least ten (10) days written notice thereof has been previously given to all commissioners.

