

## **NOTICE OF OPEN POSITION Cannabis Regulatory Commission**

**POSITION DESCRIPTION.** There is one (1) open position on the Cannabis Regulatory Commission (“Commission”) for the Pokagon Band of Potawatomi Indians (“Pokagon Band”). The Tribal Council is seeking letters of interest and résumés from persons interested in serving on the Commission. The Commission was created by the adoption of the Cannabis Regulatory Act (“Act”). Broadly, under the Act, the Tribal Council delegated to the Commission sole authority and responsibility to regulate all Cannabis Related Business Activities within the Reservation and to ensure that all such activities are conducted in conformance with the Act, the Regulations and any Compact, including to: (1) make licensing determinations; (2) develop and adopt Regulations; (3) initiate administrative proceedings, including to enforce the Act and any Regulations; (4) settle disputes to which the Commission is a party relating to its authorized activities; (5) investigate, review, decide, adjudicate, and enforce matters within its jurisdiction; (6) conduct hearings under the Act; (7) provide information to law enforcement agencies and cooperate with investigations by such agencies; (8) monitor Cannabis Facilities and Cannabis Suppliers for compliance, including requiring investigations, inspections and audits; and (9) perform all other duties specified in the Act. The Commission is organized into the following two Divisions: (1) Licensing and Investigation Division; and (2) Audit, Compliance and Enforcement Division. Additionally, the Commission is organized under an Executive Director, who subject to Commission supervision, oversees, manages, and supervises the day-to-day operations of the Commission and its Divisions. The Commission has not yet hired any staff and has been fulfilling the responsibilities of the Executive Director. The Commission is exploring whether to hire an Executive Director or engage an independent contractor to perform the Executive Director functions.

**TIME COMMITMENT.** The time commitment required to prepare for and attend Commission meetings and perform the business of the Commission outside of meetings will vary depending on the needs of the Commission. Under the Act, the Commission must hold a regular meeting not less than monthly and special meetings and emergency meetings as needed. The Commission holds a regular meeting each month and typically holds at least one special meeting each month. Meetings are typically held electronically through Microsoft Teams.

**COMPOSITION.** The Commission is governed by three (3) Commissioners appointed by the Tribal Council, **at least one (1) of whom shall be a Pokagon Band Citizen.** Each year, the Commission must select from among the Commissioners, a Chairperson, Vice-Chairperson, and Secretary. Each Commission officer will serve in the officer position for a term of one (1) year but may serve more than one term in the officer position.

**ELIGIBILITY.** To be eligible for appointment to, and to serve on the Commission, a person must:

- (1) be at least twenty-one (21) years of age; and
- (2) possess the experience and training of sufficient scope, depth, and relevancy to enable the person to fulfill all duties as shown through at least five (5) years’ relevant experience at a professional or management level in one or more of the following areas: regulatory compliance or regulatory affairs, law enforcement, criminal or civil

investigation, criminal justice, public safety, law or legal services, judicial services or alternative dispute resolution services, business management or business finance, public administration or public accounting, medicine or public health, pharmacology, laboratory testing, commercial horticulture, or agriculture. A bachelor's degree from an accredited institution in a relevant area of study is required; and

- (3) **not** be:
- (a) a member or officer of the Tribal Council;
  - (b) a judge or employee of the Tribal Court;
  - (c) a convicted felon;
  - (d) an employee or an independent contractor of a Cannabis Facility or Cannabis Supplier, or otherwise have any direct or indirect financial interest in any Cannabis Facility or Cannabis Supplier;
  - (e) employed or otherwise serve in a position with responsibilities that create a conflict of interest or the appearance of a conflict of interest with the duties and responsibilities of the Commission, as determined by the Tribal Council; or
  - (f) unable to establish and maintain eligibility to serve as a Commissioner under the requirements set forth in this Chapter.

**TERMS.** Commissioners serve staggered three (3) year terms.

**COMPENSATION.** Commissioners are compensated for service to the Commission at rates established by the Tribal Council, which currently are as follows:

(1) Chairperson	\$700	per Commission meeting
(2) Vice-Chairperson	\$600	per Commission meeting
(3) Secretary	\$650	per Commission meeting

In addition, Commissioners are entitled to reimbursement for actual expenses incurred on Commission business, including necessary travel expenses, subject to any written guidelines and requirements established by the Tribal Council. Commissioners are not classified as Pokagon Band employees and are not eligible for any Pokagon Band employee benefits.

**APPOINTMENT PROCESS.** The Tribal Council appoints all Commissioners. To be appointed to the Commission, a Commissioner must meet all applicable requirements under the Act, as determined through a comprehensive background investigation to be conducted by the Pokagon Band Police Department prior to appointment. Additionally, all persons who wish to be considered for appointment must be present at the meeting at which the Tribal Council will review the written statements of interest and résumés, but for good cause, the Tribal Council may waive this requirement. Any person who believes that good cause exists to not attend such Tribal Council meeting should contact the Executive Secretary to the Tribal Council, who will share the information with the Tribal Council. Please note that the Tribal Council has not yet established the meeting date at which it will consider the appointment to the Commission.

**HOW TO APPLY.** Any person who is interested in being considered for appointment to the Commission must provide: (1) a current résumé; and (2) a written statement of interest with the person's name, address, and telephone number by one of the following methods:

Mail: Heather Pauley, Tribal Council Executive Secretary  
P.O. Box 180  
Dowagiac, Michigan 49047

Email: heather.pauley@pokagonband-nsn.gov

As stated above, prior to appointment, a comprehensive background investigation will be conducted by the Pokagon Band Police Department to determine whether the potential appointee meets all applicable requirements under the Act. **Therefore, a potential appointee must obtain from Heather Pauley, the required Application for Appointment to the Commission, and return the completed application form to the Pokagon Band Police Department, as specified in the Application.**

If you have previously sought appointment to the Commission pursuant to any previous posting and you are still interested in seeking appointment to the Commission, you must reapply as provided in this Notice.

**QUESTIONS.** Questions concerning the Commission may be directed to Paul Shagen, Assistant General Counsel, at (269) 783-0970 or [Paul.Shagen@pokagonband-nsn.gov](mailto:Paul.Shagen@pokagonband-nsn.gov). The Code is available on the Pokagon Band's website at: <http://www.pokagonband-nsn.gov/government/codes-and-ordinances>.

**ETHICS REQUIREMENTS.** As Public Officials, Commissioners are subject to the Pokagon Band Code of Ethics. The Code of Ethics is available on the Pokagon Band's website at: <http://www.pokagonband-nsn.gov/government/codes-and-ordinances>.

**DEADLINE.** The posting shall be open until May 31, 2023 at 5:00 pm.