

THE MINNESOTA CHIPPEWA TRIBE
Tribal Executive Committee
Special Meeting
December 9, 2019

A Special meeting was called to order at 10:46 a.m. by President Catherine Chavers, at Black Bear Casino Hotel, Carlton, Minnesota.

Invocation: Charlie Smith

President Chavers requested a moment of silence for Mark Anderson former Minnesota Chippewa Tribe attorney.

Roll Call: Michael Fairbanks, Chairman, White Earth; Alan Roy, Secretary-Treasurer, White Earth; Archie LaRose, Secretary-Treasurer, Leech Lake; Faron Jackson, Chairman, Leech Lake; Catherine Chavers, Chairwoman, Bois Forte; Kevin Dupuis, Chairman, Fond du Lac; Ferdinand Martineau, Secretary-Treasurer, Fond du Lac; Melanie Benjamin, Chief Executive, Mille Lacs; David Morrison, Secretary-Treasurer, Bois Forte, Beth Drost, Chairwoman, Grand Portage; April McCormick, Secretary-Treasurer, Grand Portage.

Quorum Present

Sheldon Boyd, Secretary-Treasurer, Mille Lacs arrives at 11:12 a.m.

Others: Roger Smith, Rep. Fond du Lac; Wally Dupuis, Rep., Fond du Lac; Peter Boney, Rep., Bois Forte; Travis Morrison, Rep., Bois Forte; Eugene Tibbetts, Rep., White Earth; Randy Goodwin, Executive Director, White Earth; Faith Algren, Nijjii Radio, White Earth; Steve White, Rep., Leech Lake; Tammy LaRose, Enrollment Coordinator, Leech Lake; Wally Storbakken, Leech Lake; Syngen Kanassataga, Legal and Policy Counsel, Mille Lacs; Emily Johnson, Strategic Initiatives Coordinator/Deputy Assistant, Mille Lacs; Shena Matrious, Government Affairs Area Relations/Special Projects, Mille Lacs; Nora Benjamin, Special Events Coordinator, Mille Lacs; Shelly Day, Mille Lacs; MCT Staff and other interested parties.

President Chavers informed the Committee that the agenda was specifically for approving the Election Ordinance and calendar and stated the Sandy Lake - East Lake informational presentation would follow the Tribal Executive Committee meeting.

Motion by Secretary-Treasurer Morrison to approve agenda specifically for approval of Election Ordinance and calendar. Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent. Carried.

Phil Brodeen informed the Tribal Executive Committee of the changes presented in the drafted revision of the Election Ordinance. Phil described the process of the group of appointed individuals by each band to review the Election Ordinance: the first meeting was for brainstorming and the second meeting focused on specific language recommendations to be added to the Election Ordinance. The current Election Ordinance revision was enacted on 12/14/2017 and would still be in effect if this draft is not acted on today.

Phil described changes proposed in the draft Election Ordinance as presented in redlined text within the draft.

Discussion and question and answer session regarding the process for verifying criminal record proof, on Page 8 – in regards to criminal record proof for certification. Phil restated these are proposed amendments. If the Tribal Executive Committee doesn't act on the Election Ordinance it would remain as-is. Further discussion on defining conviction, felony, and the impacts of revising the ordinance in relationship to past decisions of Minnesota Chippewa Tribe Court of Appeals. After additional questions and answers were presented, President Chavers stated we need more clarification. We can remove this revision if we need to; the intent was to define the felony issue. We can move on to the rest of these changes come back to this one and then decide what to do.

Discussion on maintaining a published address for Election Board by each Band, citing 1.7 (B) (1) for election related documents to be sent.

Discussion on Independent Investigations on Page 14, responsibilities of the Election Board including protocol and electioneering.

Discussion on eligible voter residency and proof of identification within voting districts (applies to reservations who have districts).

Discussion on Vacancies in Office Page 16, Phil explained way the ordinance reads in this section is if a seated tribal council member submits a resignation to run for a vacant seat, the resignation isn't in effect until the position they filed for is filled. Meaning their resignation is effective the date the position (filed for, that is vacant) is filled.

Discussion on the value of the filing fee for contesting election results as recommended by the proposed draft, because each band incurs cost for the appeals court and hearing process. Page 24 – remove recommended language in Section 3.2(A)(1) regarding charging a filing fee of \$300 for contesting election.

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Secretary/Treasurer McCormick asked for each Band's thoughts on keeping the recommendation to include a filing fee for contesting an election: Mille Lacs, Fond du Lac, White Earth, Bois Forte, and Leech Lake were not in favor of keeping proposed language in revision.

Motion by Chief Executive Benjamin to remove filing fee. Seconded by Chairman Jackson. 11 For, 0 Against, 0 Silent. Carried.

Tribal Executive Committee returned to discussion on Proof of Criminal Record, Page 8.

Motion by Secretary-Treasurer Roy to approve the ordinance with omitting proposed language in Section 1.3 (D)(6) Proof of Criminal Record and Section 1.3(D)(7) Fees for candidate criminal history checks. Seconded by Secretary-Treasurer Martineau. 11 For, 0 Against, 0 Silent. Carried.

Discussion on establishing the Election Calendar. Motion by Secretary-Treasurer Morrison to approve the proposed Calendar with the first date of December 27, 2019. Seconded by Chairman Dupuis. 11 For, 0 Against, 0 Silent. Carried.

Motion by Secretary-Treasurer McCormick to adjourn the meeting at 1:44 p.m. Seconded by Secretary-Treasurer Morrison. 11 For, 0 Against, 0 Silent. Carried.

Notes on the content/sections covered/not minutes:

Page 4 – (name), Ensure legitimate nickname. (how names will appear on ballot)

Page 6 – Challenges to get certified. Built in more to process for candidate and challenger. This portion was made more responsive to needs that it is being used for. Submitted to Executive Director the 2nd business day, the timeframe was expanded to 48 hours to convene, as 24 hours is just not enough time.

Page 6 – referred back to documentation.

Page 8 – in regards to criminal record proof for certification.

Page 11. 1.6 (C) – not involved this much. By the time information was sent back and forth with mailing. If a person does not specify district, they would vote only At-Large positions. Phil stated if you show up you have the right to declare that district right then and there. This language is more for the person that sends in an absentee ballot request for the first time. Further clarification given on voting only on the at large positions.

Section 1.7 (E) – specified language.

Section 1.8 – clarifying language.

Section 1.10 – Independent Investigations. Inclusion other violations. Specify to band governing body.

Page 16 –Vacancies, Phil explained way the ordinance reads in this section is if a seated tribal council member submits a resignation to run for a vacant seat, the resignation isn't in effect until the position they filed for is filled. Meaning their resignation is effective the date the position (filed for, that is vacant) is filled.

Page 16 – All Election records and correspondences.

Page 19 – Absentee ballot voting – designate district – if not designated, only at large positions can be voted on.

Page 23, Section 2.5 Election signage. The area, when and how long signage can be posted and taken down.

Section 3.2 –Contest of primary/regular election.

Filing fee – limiting contest. Individuals are able to file themselves.

Page 26 – record established. Court reporter, evidence can be offered and received document by audio or video. Turn around period for court reporter was too short.

Page 27 – as determined by the band.

Page 9, remove recommendation.

Page 24 – remove recommended language in Section 3.2(A)(1) regarding charging a filing fee of \$300 for contesting election.