

**LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS  
ELECTION BOARD  
PROCEDURES MANUAL**

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**MEETING POLICY**

**CALL TO ORDER**

- 1. Meeting called to order by the Chairperson and time stated.**
- 2. Chairperson conducts the roll call.**
- 3. If absent, it is noted excused if the Board Member has notified the Chairperson.**
- 4. Absence is unexcused if no contact has been made with the Chairperson or any other member of the Election Board as to the nature of the absence.**

**ADOPTION OF THE AGENDA**

- 1. Chairperson asks for the adoption of the agenda and asks if there are any additions and/or deletions for the agenda from Board Members.**
- 2. Additions and/or deletions are made to the agenda if needed. Chairperson asks for a motion to accept the agenda as presented or with the additions and/or deletions made.**
- 3. A Board Member will make the motion.**
- 4. Chairperson asks if there is support for the motion.**
- 5. A Board Member supports the motion.**
- 6. Secretary/Treasurer repeats the motion stating who made and who supported the motion.**
- 7. Chairperson asks if there is any discussion from the Board.**
- 8. Secretary/Treasurer repeats the motion in its entirety and asks for a vote.**
- 9. Secretary/Treasurer than states whether the motion passed or failed and states the reason if the motion fails.**

**MINUTES**

- 1. The Election Board reviews the minutes of the last meeting.**
- 2. The Chairperson asks if there are corrections and or amendments needed for the minutes. If there are correction and /or amendments needed they are noted and made at this time.**
- 3. The Chairperson then entertains a motion to accept the minutes as presented or as corrected and/or amended.**
- 4. A Board Member makes the motion.**
- 5. The Chairperson asks for support for the motion.**
- 6. A Board Member supports the motion.**
- 7. The Secretary/Treasurer repeats the motion stating who made and supported the motion and calls for a vote.**

8. **Secretary/Treasurer then states whether the motion passed or failed and states the reason if the motion fails.**
9. **The Secretary/Treasurer will make the corrections and/or amendments, sign and submit them to the Chairperson for submission to the Tribal Chair's Administrative Assistant.**

#### **CHAIRPERSON'S REPORT**

1. **The Election Board Chairperson reports on all activities since the last meeting.**
2. **The Chairperson asks the Secretary/Treasurer to note items that need to have action taken and/or entered into the record by motion after the Chairperson's report is completed.**
3. **The Chairperson asks for a motion to accept their verbal and/or written report as presented.**
4. **A Board Member makes the motion to accept report and enter it into the record.**
5. **Chairperson asks for support of the motion.**
6. **A Board Member supports the motion.**
7. **The Secretary/Treasurer repeats the motion stating who made and supported the motion and calls for a vote.**
8. **The Secretary/Treasurer states whether the motion passed or failed and states the reason if the motion fails.**
9. **The Chairperson asks the Secretary/Treasurer to read the items that need action taken or entered into the record.**
10. **The Chairperson asks for a motion to accept and/or approve the noted items.**
11. **The Chairperson calls for support of the motion.**
12. **The Secretary/ Treasurer reads back the motion and calls for a vote.**
13. **The Secretary/Treasurer states whether the motion passed or failed and states the reason if the motion failed.**
14. **These steps are repeated until each item has been acted on.**

#### **VICE-CHAIRPERSON'S REPORT**

**The same steps are followed that are used for the Chairperson's report.**

#### **SECRETARY/TREASURER' REPORT**

**The same steps are followed that are used for the Chairperson's report.**

#### **OLD BUSINESS**

1. **This where all items that need action from previous meetings are listed until completed or appropriate action has been taken by the Election Board.**
2. **The following may occur on all Old Business items;**
  - a) **Discussion at meeting**
  - b) **Up-date on progress**

- c) **Approval of project if needed**
- d) **No report if nothing to discuss, up-date or approve**
- 3. **Chairperson entertains a motion when an item needs to be accepted and/or approved by the Election Board.**
- 4. **A Board Member makes a motion.**
- 5. **The Chairperson asks for support of the motion.**
- 6. **A Board Member supports the motion.**
- 7. **The Secretary/Treasurer repeats the motion stating who made and supported the motion and calls for a vote.**
- 8. **The Secretary/Treasurer states whether the motion passed or failed and the reason if the motion fails.**
- 9. **These steps are repeated until all the items that need action are dealt with.**

#### **NEW BUSINESS**

- 1. **New Business items are listed from discussion at the meeting.**
- 2. **They are dealt with according to urgency.**
- 3. **The same process is followed with these items as with Old Business.**

#### **NEXT SCHEDULED MEETING**

- 1. **The Chairperson announces the date, time and place for the next Meeting/work session.**

#### **ADJOURNMENT**

- 1. **The Chairperson entertains a motion to adjourn.**
- 2. **A Board Member makes the motion.**
- 3. **A Board Member supports the motion.**
- 4. **The Secretary/Treasurer reads back the motion and calls for a vote.**
- 5. **The Secretary/Treasurer states the results of the vote and announces the time of adjournment.**

## **CANDIDATE NOMINATION PROCEDURES**

### **A. NOMINATION PROCEDURES**

- 1. Nominations for Candidates must be on forms designated by the Election Board.**
- 2. Candidates must be enrolled Tribal Citizens eighteen (18) Years of age or older.**
- 3. 25 Registered Voters must sign the nomination petition. A Registered Voter list is available upon request by Tribal Citizens.**
- 4. A Registered Voter may sign more than one nominating petition.**
- 5. A fax signature will be accepted if it is legible and verifiable with documentation on file with the Election Board.**
- 6. Petitions will be prepared and mailed by the Election Board to all citizens eligible to vote at least one hundred thirty-four (134) days prior to the Election.**
- 7. Completed nomination petitions must be submitted to the Election Board no less than one hundred four (104) days prior to the Election.**
- 8. Candidates shall submit a statement on a form prepared by the Election Board along with any other documentation requested along with their nomination petition.**
- 9. The Election shall review and validate all petitions received within the time frame of one hundred four (104) days and prepare a final candidate list no later than ninety (90) days prior to the Election.**
- 10. Candidates wishing to withdraw their names will do so in writing no less than forty-five (45) days prior to the Election.**
- 11. The Election Board shall prepare the Election Ballots and mail them to all eligible Registered Voters no less than thirty (30) days prior to the Election.**
- 12. Names on the ballot will appear in the order in which their nomination petitions are received.**

- 13. Names shall appear on the ballot as they are printed on the nomination petition.**
- 14. No Election Board Member may sign a petition except in the petition validation process.**
- 15. Two (2) Election Board Members shall sign and date all petitions after the validation process.**

## **ELECTION DAY PROCEDURES**

### **A. ELECTION DAY PROCEDURES**

- 1. Polls open at 9 a.m. at a place designated by the Election Board and announced to the Citizenship through the Election Notices.**
- 2. The Election Board Chairperson or Election Board Chairperson and one other member of the Election Board and a Tribal Police Officer will go to the Post Office to retrieve the ballots.**
- 3. The ballots are brought back to the polling place, removed from the envelopes and placed in the ballot box.**
- 4. The envelopes are counted and the Citizenship numbers are recorded by the Election Board.**
- 5. Ballots are opened and tabulated. Results of the tabulations are recorded by the Election Board. The Election Board may use electronic means to tabulate.**
- 6. At 4 p.m. the Election Board Chairperson or Vice-Chairperson and another member of the Election Board and a Tribal Police Officer leave to make the final pick up from the Post Office.**
- 7. These ballots are processed as described above.**
- 8. Polls close at 6 p.m. and the counting and recording continue until all ballots are recorded and tabulated.**
- 9. Ballots will not be accepted after 6 p.m. Eastern Standard Time**

**10. The Preliminary results are posted as follows:**

- a. In one visible and accessible place designated by the Election Board within twenty-four (24) hours after the closing of the polls.**
- b. Within three (3) business days on the Little Traverse Bay Bands of Odawa website.**

**B. TIES**

**1. GENERAL ELECTION**

- a. In the event that at the completion of the canvas of the the General Election results the tally reveals that any candidate has received the same amount of votes as received by another candidate in that contest, the Election Board will conduct a recount of the ballots cast in that contest. Should a tie exist at the completion of the recount, the Election Board will conduct a special run-off election limited to the tied candidates unless the breaking of such tie will not effect the outcome of the election. Such a run-off election shall be immediately noticed to be held not more than forty-five (45) days from the General Election.**
- b. The same procedure will be followed for a tie in a Referendum election.**

**C. RECOUNTS**

**Any contest that ends with a margin of less than on percent shall be subject to an automatic recount. A second machine will be used for the recount. Recount of elections that end with a margin of on percent or greater shall not be subject to a recount except in cases where a candidate has shown to Tribal Council credible evidence of fraud that would change the election results.**

#### **D. REPLACEMENT BALLOTS**

**An eligible voter may receive a replacement ballot by**

- 1. Requesting one by mail or phone to the Election Board or:**
- 2. Requesting one in person at the polling place the day of the election.**
- 3. Give reason to why a replacement ballot is needed**
  - a. Was lost**
  - b. Was spoiled**

**Only one ballot per voter will be counted.**

#### **PROCEDURES FOR ELECTION BOARD BACKGROUND CHECKS FOR CANDIDATES**

- 1. In accordance with LTBB Constitution Article VII H 3 the Election Board will run Criminal background checks on certified candidates running for Chairman, Vice-Chairman and Tribal Council.**
- 2. The Election Board will determine certified candidates through the Petition Process and prepare a list for Tribal Law Enforcement to run through the LEIN database.**
- 3. Within seventy-two (72) hours of determining eligibility, the Election Board will have the Tribal Police run the candidates name through the LEIN database.**
- 4. No person shall serve as a Tribal Chairman, Vice-Chairman or Tribal Council Member within seven years (7) of completion of a sentence or probation upon being convicted of a felony, unless such conviction has been vacated or overturned.**
- 5. Candidate Information will be kept on file with the Election Board until the election has been certified. Information of elected officials will be kept on file for the duration of their term.**
- 6. The results of the background check will not be released for Tribal member review. Only a candidate's eligibility to serve will be public.**
- 7. If a candidate is found to be ineligible for service as Tribal Chairman, Vice-Chairman, or as a Tribal Council Member, the Election Board will remove the candidate's name from the ballot and send the candidate the result of the background check by certified mail.**

## **REQUEST OF INFORMATION PROCEDURES**

**The procedures for requesting information from the Election Board are as follows:**

- 1. To request a Voter Registration List you must submit a request in Writing to the Election Board either on the form established by the Election Board or in letter form addressed to the Election Board. When your request is received it will be fulfilled by the Election Board.**
- 2. To request financial disclosure information you must sign and date a request form. When your request is received by the Election Board it will be fulfilled in the following manner:**
  - a) An appointment will be made with an Election Board Member to review the documents. No copies of the information will be given out.**

## **FINANCIAL DISCLOSURE PROCEDURES**

**The Election Board has a two fold responsibility in collecting financial information from tribal Citizens.**

### **1. FINANCIAL DISCLOSURE BY TRIBAL OFFICIALS (ELECTED AND APPOINTED OFFICIALS)**

**Waganakising Odawa Statute 2006-023 mandates the LTBB Election Board to develop procedures to collect financial information from all elected and appointed officials on a yearly basis. The following are those procedures:**

- 1. Financial information requested is listed on a form developed by the Election Board and at the beginning of each year and/or term of Office the forms will be submitted to the Chairpersons of each Commission, Committee and Board, Tribal Council, Tribal Chairperson and Vice-Chairperson, and appointed Tribal Judicial personnel. Should your information change it is your responsibility to request a new form.**
- 2. The forms are returned to the Election Board and placed in a file.**
- 3. Members requesting to view the information will be asked to sign and date a request form.**

**4. An appointment will be made with a member of the Election Board to review the information.**

**5. No copies of the information will be given.**

**2. FINANCIAL DISCLOSURE OF CAMPAIGN FUNDS  
( CANDIDATES RUNNING FOR OFFICE)**

**Each candidate running for any Tribal Council position or Tribal Chair/Vice-Chair shall submit a financial statement on the form enclosed in the candidate packet they receive after their candidacy has been approved by the Election Board. A statement is required for both the Primary and General Elections. These statements become the property of the Election Board and are available for public review. No copies of the information will be given.**

**CHANGE OF INFORMATION PROCEDURES**

**The procedures for changing information with the Election Board are as follows:**

- 1. Submit in writing to the Election Board the information you wish to change.**
- 2. The information may be delivered in person or via the USPS mail.**
- 3. Information such as a name change needs to be accompanied with appropriate documentation (i.e. driver's license, state or Tribal identification card with the name change.**
- 4. The information received will be up-dated electronically and the documentation will be filed in the Election Board's office.**

**PHONE POLL POLICY**

- 1. In the event that action needs to be take out side of a regular Meeting, the Chairperson or Vice-Chairperson may initiate a phone poll.**
- 2. Election Board members will be called and Chairperson or Vice-Chairperson will record the date, time and the vote.**
- 3. The results will be entered into the record at the next regularly scheduled meeting.**

**FOR ALL OTHER PROCEDURES RELATED TO THE ELECTION AND ELECTION BOARD SEE THE ELECTION BOARD STATUTE WOS 2006-026 AND THE LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS CONSTITUTION.**

**THIS PROCEDURES MANUAL WAS APPROVED AND ADOPTED A REGULAR MEETING OF THE LTBB ELECTION BOARD ON FRIDAY, JANUARY 9, 2009.**