

**POLICY AND PROCEDURES FOR
APPOINTMENT FOR VACANCY TO TRIBAL COUNCIL**

SECTION I. PURPOSE

The Little Traverse Bay Bands of Odawa Indians Tribal Council hereby establishes a standard method to fill a declared vacancy on the Tribal Council by virtue of appointment in accordance with the Constitution Article XIII Section (F): "When a vacancy occurs in the Tribal Council, the Tribal Council shall appoint a Tribal member who meets all of the qualifications in Article VII (H) to fill the balance of the unexpired term."

SECTION II. QUALIFICATIONS

In accordance with the Tribal Constitution, eligible candidates will meet the following requirements:

1. Members of the Tribal Council shall be Little Traverse Bay Bands of Odawa Indians members at least eighteen (18) years of age.
2. No person shall be sworn in as a Tribal Council member if he or she is employed by the Little Traverse Bay Bands of Odawa Indians Tribal government, as described in Article XV (A)(2).
3. No person shall serve as a Tribal Council member within seven (7) years of completion of a sentence or probation upon being convicted of a felony, unless such conviction has been vacated or overturned.

SECTION III. DECLARATION OF VACANT SEAT

At a regularly scheduled Tribal Council meeting, the Legislative Leader, or in the absence of the Legislative Leader-the Secretary or where appropriate the Treasurer, shall call for a motion to declare a seat vacant and to post the vacancy.

SECTION IV. POSTING OF VACANCY

Upon the declaration of a vacancy:

1. Tribal Council shall authorize the posting of the vacancy and request for Letters of Interest.
2. The vacancy and request for Letters of Interest shall be posted on the Tribal website and in the Tribal Government Administration building.
3. All candidates shall submit a copy of his/her Tribal Identification card with their Letter of Interest that includes their qualifications, i.e. education, experience, tribal community involvement or participation in other activities, and any other skills or attributes.
4. Candidate interviews will be held at a Tribal Council Work Session as motioned and approved, but shall not exceed thirty (30) days. The vote on filling the vacancy shall occur at the following regularly scheduled Tribal Council meeting following the Tribal Council Work Session.

SECTION V. SELECTION PROCESS

The following process will be used for each vacant seat:

1. If there is more than one vacant seat, each vacant seat will be voted on individually.
2. Legislative staff shall prepare and distribute to each Councilor a typed ballot with a list of each of the names of the candidates.
3. All Tribal Councilors shall have the opportunity for discussion regarding their candidate(s) of choice, prior to the vote.
4. Tribal Councilors shall abstain from voting in accordance with Constitutional Article XII Section (I) Nepotism.

5. Each Tribal Councilor shall rank each of the candidates from one (1) to the number of candidates, with one (1) standing for the best candidate and the highest number standing for the least favorable candidate. The results will be tallied by the Legislative staff and the candidate with the lowest number (best candidate) will be appointed by a majority vote of Tribal Council.

6. If there is a tie, there will be runoff elections between the top contenders until a winner is selected. If after three (3) runoff elections and there is still a tie, the winner will be selected by a coin toss.

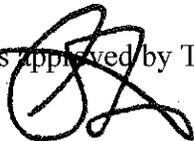
7. All Tribal Councilors shall have the opportunity to view the ballots.

8. A financial disclosure by the Candidate shall be provided in accordance with Waganakising Odawak Statute 2016-003. Financial Disclosure by Tribal Officials, Section III.

9. The appointed person's name shall be given to the Tribal Law Enforcement for a Law Enforcement Information Network (LEIN) check to ensure that no person shall serve on Tribal Council within seven (7) years of completion of a sentence or probation upon being convicted of a felony, unless such conviction has been vacated or overturned.

10. The newly appointed Tribal Councilor shall receive the Oath of Office administered by a member of the judiciary at the next regularly scheduled Tribal Council meeting and shall then assume the Constitutional duties of the position for which they were appointed provided that the person meets the qualifications of the Little Traverse Bay Bands of Odawa Indians Constitution Article VII (H).

This Policy was approved by Tribal Council on:



7-28-16

Aaron Otto, Tribal Council Secretary

Date