

# LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS ELECTION BOARD

## 2021 ELECTION CYCLE SAFETY PLAN

### PREAMBLE

Pursuant to LTBB Constitution, Article XI, the Election Board is an independent entity of the Tribe, in charge of conducting all general and special elections. Constitutionally the Election Board has the authority to adopt rules and regulations governing elections. As per Waganakising Odawak Statute 2012-020 – Election Board (the “Statute”), Section II.E. “The Election Board shall adopt rules and regulations governing elections. These rules may be amended as needed. The current Tribal Election Regulations (the “Regulations”), adopted by the Election Board on February 16, 2016, state on Section III that: “These rules and regulations govern elections, candidates’ requirements and qualification, and general guidelines and proceedings in accordance with the mandate of the Constitution.” Section V.G. of the Regulations further state as follows: “Election Board Policies and Procedures: Means the guidelines established by the Election Board in exercise of its regulatory authority to determine the procedures for conducting elections and in general to regulate all activities of the Election Board.”

### INTRODUCTION

WHEREAS as of the date of the drafting and approval of this 2021 Election Cycle Safety Plan (the “Safety Plan”), all Tribal agencies and citizens have been subject to the March 17, 2020, Tribal Chairperson’s declaration of State of Emergency to address COVID-19 pandemic. Said Executive Order remains in effect.

WHEREAS the Tribal Executive Branch has developed a protocol to safely reopen the LTBB government and other Tribal activities. These protocols include the identification of Phases I and II. Currently, the LTBB government and any other public activities are subject to the posted Phase II Covid-19 Re-Opening Plan for the LTBB Government (“Phase II Plan”). In accordance with this document, no public gatherings are permitted. The Phase II Plan has been recently extended to January 2, 2021.

WHEREAS the Phase II Plan mandates that all Government buildings will be open to citizens needing to conduct business by appointment only; No social visiting or group socializing or gatherings are permitted; Citizens are encouraged to continue to conduct business by electronic means whenever possible; Temperature checks and questionnaire are required for citizens and guests entering the buildings; All citizens and guests to use main entrance doors and to remain at check-in/check-out stations until department personnel can be called to come escort them to and from the department providing services; All citizens and guests are to practice social distancing, wear masks, and use hand sanitizer station when entering and exiting the building; Vendors will continue to use their usual delivery entrances; and, Office hours will be Monday thru Friday from 8:30 am to 5:00 pm.

WHEREAS the year 2021 is an Election Year. Monday May 3, 2021 is scheduled to be Primary Election Date and Monday, June 28, 2021 is scheduled to be General Election Day. While the Regulations mandate that “voting shall be done by secret ballot mailed via U.S. first class/bulk mail to all Tribal Citizens registered to vote”, and a self-addressed stamped return envelope is provided to encourage full mailing of the ballots, there is a percentage of Tribal Citizens that either deliver the ballots personally to the Polling Place on Election Day, or cast their vote in person on Election Day.

WHEREAS the Election Board must balance the constitutional right to vote granted to all Citizens of the Tribe and the health safety of the Tribal Citizens, Election Board and all other people assisting in the election process on Election Day.

THEREFORE, at a meeting duly called by the Election Board on Saturday, December 5, 2020, it is agreed and decided that an COVID-19 Election Board Safety Plan shall be implemented as follows:

#### COVID-19 ELECTION BOARD SAFETY PLAN

1. The COVID-19 ELECTION BOARD SAFETY PLAN (the “Election Board Safety Plan”, or “EBSB”), issued in response to the novel coronavirus disease (“COVID-19”) pandemic is aimed to be in effect throughout the entire 2021 Election Cycle. The Election Cycle encompasses the date the Election Notice is posted and the date the final certification of the last electoral contest is certified.

2. This Election Board Safety Plan models and abides to the Phase II Plan. It is understood that any changes in the restrictions due to possible increases or reductions of contagion numbers, would require the need to alter some of the provisions that follow. Said changes and amendments cannot be construed as a violation of the ban and amendments to the Election Board Rules and Regulations while an Election is in progress, for as long as the substantive right of Tribal Citizens to exercise their constitutionally guaranteed access to the Election process through vote is not infringed.

3. Call to Election. The Election Notice will be issued no later than Monday January 11, 2021 and will be available on the Election Board webpage <https://www.ltbbodawa-nsn.gov/Election%20Board/Election%20Board.html>.

4. Candidate Nomination Petitions. The Nomination Petition Forms will be available for downloading directly from the Election Board webpage on the LTBB website at [LTBB Election Board \(ltbbodawa-nsn.gov\)](https://www.ltbbodawa-nsn.gov). No in person requests will be allowed. If a Tribal Citizen require Nomination Petition Forms to be mailed, it must request so by email or phone call to Election Board Chairperson, Melissa Shomin, [mshomin@LtbbOdawa-nsn.gov](mailto:mshomin@LtbbOdawa-nsn.gov), (616)206-3990, or Election Board Secretary, Carla Osawamick, [cjowamick@LtbbOdawa-nsn.gov](mailto:cjosawamick@LtbbOdawa-nsn.gov), (517)862-3633. The Election Board is not responsible for any delays in the U.S. Postal Service delivery that may lead to a missed deadline.

5. Nomination Petition Forms – Signatures Required. Aware of the risks of encouraging potentially unsafe in-person contacts, the Election Board, for this Election cycle only, will allow for the collection of signatures via fax (231)622-8791, and electronic mail, provided that the forms still contain the required Tribal enrollment number and birth date of the signatory. The Election Board will allow multiple pages of Nomination Forms, for as long as the required data and signature is clear and legible. Electronic signatures are not allowed.

6. The Election Schedule and Calendar, including the deadline for submission of the Nomination Petitions, remains unaltered.

7. Election Day Procedures. The Poll location will be the Tribal Government building – Commons Area (the “Commons”). The Polls will remain open between 9:00 am and 6:00 pm. Everyone inside the Commons is mandated to wear a face covering to avoid the spread of the virus following the LTBB Guidelines. Two Polling Stations will be set plus the Election Board tables, properly separated to ensure social distancing. Poll Watchers will be located in the Commons area in designated chairs that secure them the ability to follow the process and perform their duties as mandated. It is expected that no more than 35 people at any given time will be inside the Commons and the open surrounding areas. The square footage of the Commons and surrounding open areas is approximately XXXX square feet. The normal capacity of the area as posted is XXXX people.

8. Tribal Citizens Dropping Off Ballots. A Drop-Box properly sealed and secured will be staffed and made available outside of the polling location. Tribal Citizens who are dropping their ballots will approach the box, maintaining the proper social distancing and will drop their ballots in the secure box provided by the Election Board.

9. Tribal Citizens who Chose to Cast their Vote in Person at Election Day. Only four voters shall be allowed to enter the Commons at a time, following a queue established outdoors, by standing in line maintaining the recommended social distancing, and/or waiting inside their vehicles. To facilitate and maintain order, upon arrival each Tribal Citizen shall check in with the Election Board staff person at the outdoor station. Election Board staff may use proper judgement when an elder or handicap Tribal Citizen appears to vote in person and could allow him/her to enter into the building ahead of the line. All persons who enter the building will be temperature checked and will be also asked to answer the COVID-19 questions as recommended by the Tribal protocols or phase in place.

10. Hand sanitizer as well as sanitized pens/pencils will be made available to everyone.

11. The Election Board will process all ballots received. Per unaltered routine, Post Office runs will be done mid-morning and in the afternoon prior to closing of the Post Office. Processing of the ballots will begin mid-afternoon and continue until all ballots, received by 6:00 pm when the polls close, are processed.

12. Poll Watchers. Only one Poll Watcher per candidate or team will be allowed inside the commons area polling location. Areas where they will be allowed to observe and perform their duties will be strictly marked. The Election Board reserves the right to remove a Poll Watcher

from the Polling area if his/her behavior becomes disruptive or endangers the safety of the people inside the room. Candidates or Teams of Candidates are allowed to designate more than one Poll Watcher. However, only one can be present inside at any given time. If a Candidate or Team of Candidates designates one or more persons to serve as Poll Watcher(s), it must notify the Election Board by emailing a completed Candidate Poll Watcher Appointment form, available on the Election Board webpage, to the Election Board Chairperson, Melissa Shomin, mshomin@LtbbOdawa-nsn.gov, no less than three days in advance per Election Board Regulations Section XIII. B.

13. To ensure full transparency of the process the Election Board will secure the broadcast of the Election Day process via live streaming. Further details will be disclosed as they become available.

14. The Election Board reserves the right to amend the present EBSP as the need and current status of the pandemic progresses, allowing for further restrictions or liberalizing some of the restrictions above.

#### CERTIFICATION OF APPROVAL

As the Election Board of the Little Traverse Bands of Odawa Indians, we certify that at a duly-called meeting of the Election Board held on December 5, 2020, this COVID-19 Election Board Safety Plan was approved by a vote of 4 in favor, 0 opposed, 0 abstentions, and 0, absent.

Date: 12/05/2020

Melissa Shomin  
Melissa Shomin, Election Board Chairperson

Date: 12/05/2020

Alice Hughes  
Alice Hughes, Election Board Vice-Chairperson

Date: 12/05/2020

Jon A. Shawa  
Jon A. Shawa, Election Board Treasurer

Date: 12/05/2020

Carla J. Osawamick  
Carla J. Osawamick, Election Board Secretary