

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS ELECTION BOARD

2021 ELECTION CYCLE SAFETY PLAN

UPDATE 6/5/2021

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 Updated 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, II and III. Currently, the LTBB government and any other public activities are subject to the posted LTBB Phase III Re-Opening Plan for the LTBB Government (“Phase III Plan”). The Phase III Plan is effective May 30, 2021, through July 3, 2021.

WHEREAS the Phase III Plan mandates that all Government buildings will be open to citizens needing to conduct business, yet are encouraged to make appointments and 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; All citizens and guests are to practice social distancing, use hand the sanitizer station(s), and wear masks if unvaccinated 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, 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, June 19, 2021, it is agreed and decided that an Updated COVID-19 Election Board Safety Plan shall be implemented as follows:

COVID-19 ELECTION BOARD SAFETY PLAN UPDATE

1. The COVID-19 ELECTION BOARD SAFETY PLAN UPDATE (the “Election Board Safety Plan”, or “EBSP”), issued in response to the novel coronavirus disease (“COVID-19”) pandemic is aimed to be in effect Saturday, June 19, 2021, and throughout the remaining 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 LTBB’s Phase III 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. The Election Schedule and Calendar remains unaltered.
4. 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, who is not fully vaccinated (received two shots or the single shot of the Johnson’s vaccine), is required 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. Candidates, or their appointed 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.
5. Tribal Citizens Dropping Off Ballots. A Drop-Box 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, will check in their ballot and will drop their ballot in the secure box provided by the Election Board.
6. 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.

7. Hand sanitizer as well as single-use pens/pencils will be made available to everyone.

8. 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.

9. Candidates. Candidates will be allowed inside the commons area and seated in the designated area. Candidates must follow Phase III guidelines, wearing masks if not fully vaccinated and maintaining social distancing. Candidates are the only public persons permitted to attend the election proceedings. However, if a Candidate chooses, they may appoint a Poll Watcher to attend in their place.

10. Poll Watchers. Only one Poll Watcher per candidate or candidate 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. 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 Vice-Chairperson, Andrea Pierce, apierce@ltbbodawa-nsn.gov no less than three days in advance of the election per Election Board Regulations Section XIII. B.

11. Election Day Order. The Election Board reserves the right to remove a Candidate or Poll Watcher from the Polling area if his/her behavior becomes disruptive or endangers the safety of the people inside the room.

12. 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.

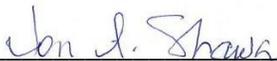
13. The Election Board reserves the right to amend the present EBSP as the need and current status of the pandemic progresses, allowing for further restrictions or liberalizing some of the restrictions above.

CERTIFICATION OF APPROVAL

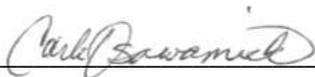
As the Election Board of the Little Traverse Bands of Odawa Indians, we certify that this COVID-19 Election Board Safety Plan was approved by a vote of 5 in favor, 0 opposed, 0 abstentions, and 0, absent on Tuesday, June 22, 2021.



Andrea Pierce, Election Board Vice-Chairperson



Jon Shawa, Election Board Treasurer



Carla Osawamick, Election Board Secretary



Alice Hughes, Election Board Member



Melissa Shomin, Election Board Member