LTBB Election Board
Policies and Procedures
Adopted 12/7/2024
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Little Traverse Bay Bands of Odawa Indians
Election Board

POLICIES AND PROCEDURES

I. Purpose

As an independent entity of the Tribe, the Constitution authorizes the Election Board (the "Board") to conduct all general and special elections and to adopt rules and regulations governing elections. In exercise of such authority, the Election Board approves the following Policies and Procedures to conduct elections, register voters, and guide activities of the Election Board. These Policies and Procedures repeal and replace all previous Policies and Procedures adopted by the Election Board.

II. Authority

A. The Election Board is an independent entity created by the Constitution and shall be adequately funded to fulfill its purposes.
B. The Election Board shall adopt rules and regulations governing Elections, Voter Registration, Regular, Special and Emergency meetings, and procedures to execute the duties of the Election Board. These rules and regulations may be amended as needed. However, no amendments to such rules and regulations can take effect while an Election is in progress. Such rules and regulations shall be posted on the Election Board webpage.
C. The Election Board shall adopt policies to implement its rules and regulations. Those policies and procedures may be amended as needed. However, no amendments to such policies and procedures can take effect while an Election is in progress. Such policies and procedures shall be posted on the Election Board webpage.

III. Definitions

The Election Board Policies and Procedures adopt the same Definitions as contained in the Tribal Elections Regulations approved on December 10, 2022.

IV. Appointment and Removal of Election Board Members

A. The Election Board shall be nominated by the Chairperson and appointed by Tribal Council and shall consist of five (5) enrolled Tribal Citizens, eighteen (18) years of age or older who meet the voting eligibility requirements.
B. Two or more members of the same immediate family, as defined in the Constitution, shall not serve on the same Election Board at the same time. Although not included in the constitutional definition of immediate family, Citizens related as son-in-law, daughter-in-law, and persons who reside within the same household of the member cannot serve on the same Election Board at the same time.
C. Election Board members cannot be candidates for any Tribal elected position while serving on the Election Board.
D. Election Board Members are appointed to four-year (4) terms, except when appointed to fill a vacancy, they shall be appointed for the remainder of the vacant term. There shall be no limit on reappointment.

E. Election Board Members are to be sworn in under an oath of office prepared and administered by the Tribal Court within thirty (30) days of their appointment.
F. An Election Board Member may resign from the Board by giving written notice to the Board. The resignation is effective immediately, regardless of the Board's acceptance, unless the resignation specifies a later effective date.
G. In the event a vacancy occurs on the Election Board by virtue of death, resignation, or removal, the Chairperson shall nominate and the Tribal Council shall appoint a Tribal Citizen who meets the eligibility requirements for the remainder of the unexpired term.
H. Upon presentation of a petition signed by at least one hundred (100) members alleging neglect of duties or intentional wrongdoing, and a hearing where the accused is afforded proper due process, the Judiciary may remove Election Board Members for good cause.

V. Compensation and Funding

A. The Tribal Council shall have the power to establish the compensation for the Election Board. No increase or decrease in compensation shall take effect until after the next general election.
B. The Election Board shall prepare and present an annual budget directly to the Tribal Council for funding. Funding for the Election Board shall be based on the need to fulfill its duties as mandated by the Constitution.

VII. Verification of Signatures

A. When presented with a petition, the Election Board must ensure the procedure utilized is consistent and fair.
B. The Election Board must ensure that the minimum number of signatories required are registered voters, and will verify there are no duplicate signatures. Any duplicate signatures will not be counted towards the final count of the minimum number of signatories required.
C. All petition signatures shall be original signatures of registered voters.
D. The Election Board shall perform the verification of signatures process in a closed-session meeting and will document the process taken in the meeting minutes.
E. The Election Board shall randomly select at least twenty percent (20%) of the minimum number of signatories required, and conduct a comparison between the signature on the petition and the signature of the same individual as it appears on voter documents or in the database. In conducting the comparison above, the Election Board, absent of any objective means developed to ascertain the exact similarity of the signatures compared, shall exercise its best judgment, and may rely on external information provided to the Board, such as any impending disability that may prevent the Tribal citizen, whose signature may be in question, to properly sign.
F. Signatures that cannot be verified by the Election Board shall not count toward the minimum number of signatures required.
G. The Election Board may divide the work load of checking each petition sheet containing signatures, for as long as the same petition sheet is reviewed by at least two Election Board members and verified with their signature and date.

VIII. Election Board Forms

A. Election Board forms are available to Tribal Citizens on the Election Board webpage. The forms are printable and are fillable, and may be downloaded. Forms available on the webpage include:

- Form A: Voter Registration Form
- Form D: Public Document Request Form
- Form IN1: Request for Initiative Petition Form
- Form IN2: Request for Additional Initiative Petition Signature Sheets Form
- Form R1: Request for Recall Petition Form
- Form R2: Request for Additional Recall Petition Signature Sheets Form

B. The following forms are available to Tribal Citizens on the Election Board webpage only during the time period applicable to the election cycle:

- Form C1: Nomination Application Form
- Form C2: Criminal Background Authorization Form
- Form C3: Signature Sheet for Tribal Councilor Nomination
- Form C4: Signature Sheet for Chairperson and Vice-Chairperson Team Nomination
- Form C5: Candidate Withdrawal Form
- Form C6: Candidate Team Withdrawal Form
- Form C7: Campaign Finance Statement Form
- Form E1: Ballot Replacement Request Form
- Form PW1: Poll Watcher Appointment Form
- Form S1: Poll Sitter Application Form

C. Other standard forms and templates used by the Election Board that are not publicly available include:

- Form C8: Nomination Packet Checklist Form
- Form IN3: Initiative Petition Issuance Acknowledgement
- Form IN4: Initiative Petition Signature Sheet
- Form IN5: Acknowledgement of Additional Initiative Petition Signature Sheets
- Form IN6: Receipt of Initiative Petition Submission
- Form IN7: Determination of Initiative Petition
- Form PW2: Poll Watcher Acknowledgement Form
- Form R3: Recall Petition Issuance Acknowledgement
- Form R4: Recall Petition Signature Sheet
- Form R5: Acknowledgement of Additional Recall Petition Signature Sheets
- Form R6: Receipt of Recall Petition Submission
- Form R7: Determination of Recall Petition
- Form S2: Poll Sitter Agreement Form
- Form S3: Poll Sitter Acknowledgement Form

D. In addition to the forms used to document Voter Registrations, Candidate Nominations, and Elections, the Election Board maintains several logs such as a Mail Log, Public Documents Request Log, and a Candidate Log to document its processes.

E. The process for Tribal Citizens to submit forms to the Election Board varies depending upon which type of form it is. For each form, the process is given in detail in the Tribal Elections Regulations or the Policies and Procedures section that relates to the form.

F. The Election Board shall create, distribute and utilize additional forms not listed here as deemed necessary.

IX. Retention of Records

A. The Election Board shall maintain all voter registration records. When a Tribal Citizen submits an updated Voter Registration Form, the outdated form may be destroyed.
B. The Election Board shall maintain Public Document Requests for at least one (1) year, after which the documents shall be destroyed.
C. The criminal record information resulting from the Election Board's criminal background checks on candidates shall be kept in a sealed file and destroyed within ninety (90) days of the election certification date for which the candidate nomination was made.
D. With exception of the criminal record information as stated above, the Election Board shall maintain all Candidate Nomination records and Campaign Finance Statements for at least four (4) years from the election certification date, after which the documents may be destroyed.
E. Official Election documents are placed in a sealed container(s) at the polling location on Election Day upon completion of the vote count, including Election Ballots, ballot envelopes, counting machine tapes and hand-tally sheets. The election documents must remain sealed in the container(s) for at least one (1) year from the election certification date. After one (1) year, the Board shall approve the purging of the election documents by a majority vote of a quorum at an Election Board meeting. The container(s) shall be unsealed and all documents within shall be destroyed immediately.
F. The Election Board shall log and maintain all ballots mailed to eligible Registered Voters that were returned as "undeliverable" for at least one (1) year, after which the ballots and envelopes shall be destroyed.
G. The Election Board shall log and maintain all ballots received after the election day for at least one (1) year, after which the ballots and envelopes shall be destroyed.
H. The Election Board permanently destroys, or purges, records by shredding the documents. To destroy electronic records, the Election Board shall permanently delete the documents from the electronic files.

X. Disclosure of Public Documents

A. The Election Board shall obey any statute or tribal legislation as it applies to disclosure of public documents.
B. Any tribal citizen may request a public document from the Election Board by submitting a Public Document Request form and presenting their Tribal identification card to the Election Board. A printable and fillable Public Document Request form is available on the Election Board webpage.
C. The list of Registered Voters and Petitions received by the Election Board are public documents for which contents are not publicly available without an approved Public Document Request form.
D. The Public Document Request form and Tribal identification card may be submitted to the Election Board in person at an Election Board meeting, work session or office hours, or the completed and signed form along with a copy of the Tribal identification card may be emailed to the Election Board or sent by postal mail.
E. The Election Board reserves the right to implement policy requiring a minimal fee per page for release of printed documents.
F. The Election Board publishes a majority of Board documents, so that they are available to tribal citizens, on the Election Board webpage and/or LTBB citizen's portal of the Tribal

website. Such documents include Election Board announcements, meeting and work session schedule, contact information, Tribal Elections Regulations, Election Board Policies and Procedures, minutes of meetings, current election information, previous election results, current and previous legal challenges.

XI. Code of Ethics

The Election Board shall conduct itself in accordance with any Statute, tribal legislation, Election Board regulation, policy, procedure or guideline as is applicable to the ethical conduct of Tribal officials.

XII. Release of Information

The Election Board and Board Members are prohibited from releasing any confidential information related to voters, candidates, ballots, elections, challenges or any information that is not already publicly provided or is otherwise not provided without the requester having submitted an approved Public Document Request form.

XIII. Interaction of Election Board Members with Tribal Citizens

The Election Board is not an advisory board. Its Constitutional mandate is to conduct all general and special elections, to register voters and to adopt the rules and regulations and policies governing elections.

A. Election Board Members are prohibited from accepting official election or voter documents when they are not acting in their official role of an Election Board Member.
B. Official election and voter documents may be accepted during meetings, work sessions, office hours, election day, and at other times and events for which the Election Board is acting in its official duties, such as at the Annual Community Meeting.
C. When approached by a Tribal citizen with questions or comments related to the Election Board, the Board Member should invite the Citizen to attend a Board meeting, suggest the Citizen email the Board, or refer the citizen to where the information can be found on the website.
D. The opinions of individual Board members do not represent nor reflect the position of the Election Board.

XIV. Complaints

A. In the event a Tribal Citizen has a complaint related to the quality of performance or the conduct of an Election Board Member in their capacity as a Tribal official, or related to the Election Board in general, they shall submit the complaint in writing at an Election Board meeting, or may email the written complaint to the Election Board.
B. If the Tribal Citizen would prefer, they may attend an Election Board meeting to informally discuss the situation with the Election Board.
C. The Election Board shall attempt to correct or resolve any complaint to the satisfaction of the Tribal Citizen. The Election Board shall document the complaint and respond to the Tribal Citizen’s complaint in writing within ten (10) business days.
D. If the nature of the complaint is a challenge to an election, petition or election result, or if a remedy cannot be agreed upon, the Election Board shall inform the Tribal Citizen that their complaint must be taken to the Judicial Branch for legal resolution.

XV. Board Member Officers and Duties

The Board officers shall consist of a Chairperson, Vice Chairperson, Secretary, and Treasurer. The officers shall perform such duties and have such responsibilities as provided here or as otherwise determined by the Board.

A. **Chairperson's Duties**. The Chairperson shall call and preside over Board meetings, represent the Board outside of Board meetings as directed by the Board members, and otherwise be responsible for the active management of the business of the Board consistent with the Board's powers, duties and limitations on authority as prescribed by the Board or specified by law. The Board Chairperson or the Chairperson's designee shall sign contracts and documents on behalf of the Board upon authorization from the Board as a whole. The Chairperson must keep a record of all Board member terms, including the date each Board member is appointed, re-appointed, and the date an appointment ends. The Chairperson shall have the authority to delegate to any Board member any of the duties and responsibilities of the Chairperson, and to exercise any other authority delegated to the Chairperson by the Board or by legislation.

B. **Vice Chairperson's Duties**. The Vice Chairperson shall assume the duties and exercise the powers of the Chairperson in the event of the Chairperson's absence or incapacity and shall perform such other duties as the Board may deem necessary or as delegated by the Chairperson.

C. **Treasurer's Duties.** The Treasurer shall serve as the Chief Financial Officer of the Board and be responsible for budget and financial planning, maintenance of financial records, processing expenses and contracts, and financial reporting to the Board. The Treasurer shall perform such other duties as the Board may deem necessary or as delegated by the Chairperson.

D. **Secretary's Duties**. The Secretary shall be responsible for maintaining an attendance record for all regular and special meetings. The Secretary shall be responsible for making a record, or causing a record to be made, of the proceedings of all meetings of the Board and its committees, in the form of minutes. The Secretary will sign and publish the minutes to Election Board citizen's portal of the Tribal website. The Secretary shall maintain a confidential and secure master file of Board documents and records, electronically and at such storage location as agreed upon by the Election Board. The Secretary shall provide the public and the Board members with advance notice of all meetings in accordance with section XVI.B. of these Policies and Procedures, and shall perform such other duties as the Board may deem necessary or as delegated by the Chairperson. If the Board so chooses, the functions of both Treasurer and Secretary may be served by one Board Member.

E. **Board Member's Duties**. Board Members not holding officer titles shall be responsible to assist with Board responsibilities and shall perform such other duties as the Board may deem necessary or as delegated by the Chairperson.

F. **Officer Vacancies**. If any office becomes vacant because of death, resignation, retirement, disqualification, removal, or other cause, the Board shall by majority vote choose a successor from among the remaining Board members who will hold the office for the remainder of the term.

G. **Resignation of Officers**. An officer may resign from their officer position by giving advance written notice to the Board. The resignation is effective immediately, regardless of the Board's acceptance, unless the resignation specifies a later effective date.

H. **Removal of an Officer**. An officer may be removed by a resolution approved by the vote of a majority of the Board members present. Upon removal from the position of an officer, the Board member will remain on the Board unless removal is obtained in accordance with section XIII.D. of the Constitution.

I. **Election of Officers**. The Board may hold elections for officer positions when the composition of the members on the Board change or when deemed necessary to maintain an effectively functioning board.

XVI. Election Board Meetings

A. **Frequency, time and location of meetings**. Meetings of the Board shall be held at least quarterly. The Board may meet as often as necessary to carry out its duties and functions. Each meeting of the Board shall be held at a place and time specified by the advance notice required in section XVI.B. below and shall be open to Tribal citizens and other persons that the Election Board may designate to attend. The Board will hold in-person meetings, however may occasionally meet virtually as deemed necessary by the Board. The Board may also schedule special meetings when necessary to carry out its duties and functions, providing public notice five (5) days in advance. In the event circumstances prevent the Election Board from meeting the advance notice requirement, the Election Board may hold an 'urgent' meeting per section L. below.

B. **Notice of Meetings**
   1. Public Notice. The Board shall schedule regular meetings three (3) months in advance and post a schedule of the meetings on the Election Board. When meetings are held virtually, the Election Board shall provide the login information or link on the website. In the event any regularly scheduled meeting is changed, the Board must provide public notice at least five (5) days in advance by posting the change on the Election Board webpage.
   2. Notice of Board members. If a Board member is present during a Board meeting when the date, time and location of a future meeting is scheduled, that Board member will be deemed to have received notice of the meeting. If any Board member fails to receive notice at a Board meeting, the Secretary shall provide notice to the member by personal communication.

C. **Attendance**. In the event a Board member accumulates three (3) unexcused absences from regularly-scheduled meetings, such absences shall be deemed misconduct and a neglect of duties, and the Board may petition the Tribal Court for removal of the member.

D. **Meeting Agendas**. Each meeting of the Board will proceed in accordance with an agenda prepared in advance by the Chairperson or Secretary. The agenda will include the following items in the following sequence:
   1. Call to Order. The Chairperson calls the meeting to order.
   2. Roll Call. The Chairperson performs roll call, noting all Board members, staff members, Tribal Citizens and others present, and noting any Board member absences and whether the absences are excused.
   3. Public Comment. The Board opens the floor for guests to make comments or ask questions after Roll Call and again before adjournment of the meeting.
   4. Approval of the Agenda. The Board reviews the agenda and notes whether the agenda should be amended to accommodate any special needs during the meeting. The board then approves the agenda as prepared or as amended by motion.

5. Approval of Minutes. The Board reviews the Minutes of the immediately preceding meeting as presented by the Secretary in draft form with numbered lines. The Board then approves the Minutes as presented or as amended by motion.
6. Chairperson's Report. The Chairperson will present a written report summarizing any announcements, activities or concerns that relate to the Board's work.
7. Vice-Chairperson's Report: The Vice-Chairperson will present a written report summarizing any announcements, activities or concerns that relate to the Board's work.
8. Treasurer's Report: The Treasurer will present a written report summarizing any announcements, activities or concerns that relate to the Board's work, and will provide information relevant to the Board's budget when appropriate.
9. Secretary's Report: The Secretary will present a written report summarizing any announcements, activities or concerns that relate to the Board's work and will note the processing of minutes and other documents.
10. Board Members' Reports: Board Members not holding officer positions will present a written report summarizing any announcements, activities or concerns that relate to the Board's work.
11. New Business. The Board will discuss any additional new business not already addressed in the meeting.
12. Action Items. The Board will vote on particular motions not already addressed. All official action must be taken by motion. Motions will be made, supported and read back before taking a vote. Any motion recorded in the Minutes shall be identical to that read back prior to the vote.
13. Next Meeting. The Board will confirm the date, time and location of the next meeting. The Secretary will note this information and ensure that all the Board members and the public receive proper notice in accordance with section XVI.B. above.
14. Adjournment. The Chairperson will adjourn the meeting.

E. **Board Reports**. Board Member reports should include all pertinent information to keep the Board informed of activities, projects, tasks, and notable communications with Tribal Citizens that the Board Member performed since their last report. Board Members shall provide an electronic copy of their written report, and all attachments or related documents, to the Secretary for record-keeping. Board Members presenting only brief or simple reports may opt not to submit a written report. Board Members who have no new information to report may make no report.

F. **Decorum**. The proceedings of Board meetings shall at all times be respectful and maintain a decorum appropriate for the carrying out of official Tribal business.

G. **Public Participation**. When members of the public attend Board meetings, the Chairperson is advised to immediately welcome them and explain that an opportunity for public comments will be available during the Public Comment period on the agenda. If a guest is in attendance for a specific purpose, the Board may move the Public Comment item to an earlier time or add another Public Comment time to the agenda to accommodate guest business.

H. **Quorum**. A simple majority number of Board members regardless of vacancies shall constitute a quorum. Official business shall only be conducted at a meeting when a quorum is present.

I. **Voting**. At all meetings of the Board where a quorum is present, all matters shall be decided by a vote of the majority of all of the Board members present at the meeting and eligible to vote.

J. **Open Session**. The Board will discuss items that relate to its work that do not require the privacy of Closed Session. Such items may include, but are not limited to, finances or budgets, or public communications with the Tribe or persons associated with Board business.

K. **Closed Session**. Meetings are open to the public except when the Board is in Closed Session. Closed Sessions are permitted when the Board considers personnel matters, verification of petition signatures, confidential attorney/client privileged communication or other confidential or sensitive matters as the Board deems appropriate.

L. **Urgent Meetings**. The Board may take official action through phone polls, conference calls, or virtual meetings but only in extraordinary circumstances and only for the limited purpose of addressing a matter which may cause significant harm or damage to the Tribe's interests or the Election Board's ability to perform its duties. In the event the Board acts through such an urgent meeting, the Secretary of the Board or the Secretary's designee must certify that attempts were made to contact each Board member. In the event any Board member cannot be contacted for a phone poll, conference call or virtual meeting, the Secretary must certify that more than one attempt was made to contact the member by any practical means including telephone, e-mail or in-person. The results of any official action taken through an urgent meeting shall be read out loud at the next scheduled Board meeting properly noticed pursuant to section XVI.B. above and will be ratified and recorded in the Minutes of the meeting at which it is presented.

M. **Record of Meetings**. The Secretary of the Board shall keep, or cause to be kept, complete and accurate minutes containing a record of the proceedings of each meeting. Copies of both the draft and approved Minutes shall be made available to each Board member. Approved Minutes shall be posted on the Election Board webpage in the Tribal Citizen's portal of the Tribal website. Closed Session Minutes are exempt from public disclosure unless the Election Board determines that public disclosure will no longer harm or damage Tribal interests.

N. **Recording Devices**. Recording devices may be used by Board Members solely for the purpose of recording and confirming the accuracy of motions made verbally during a regular Board meeting. The official record of meetings shall be the approved written Minutes and all recordings may be erased and/or destroyed upon approval of the Minutes.

O. **Annual Community Meeting**. The Election Board shall attend the Annual Community Meeting as called and officiated by the elected Community Speaker. The Board shall be prepared to give an Election Board presentation when requested or required. The Board shall update voter registrations and register new voters at the meeting. The Board shall conduct the election of the Community Speaker. The Board shall document their participation at the Annual Community Meeting and the election results of the Community Speaker at their next Election Board meeting. The Board shall be available to answer questions and receive comments and feedback from Tribal Citizens.

XVII. Amendments

The Tribal Elections Regulations and/or the Election Board Policies and Procedures may be amended by a majority vote of a quorum of the Board at a meeting. No amendments to the Tribal Elections Regulations or Election Board Policies can take effect while an Election is in Progress. Any amendment adopted by the Board is effective immediately, or after certification of the election if adopted during an election cycle, and continues in effect unless the amendment is subsequently rescinded by the Board. The Election Board shall post all approved amendments on the Election Board webpage.

XVIII. Savings Clause

In the event that any phrase, provision, part, paragraph, subsection or section of these Policies and Procedures is found by a court of competent jurisdiction to violate the Constitution, statutes, or Elections Regulations of the Little Traverse Bay Bands of Odawa Indians, such phrase, provision, part, paragraph, subsection or section shall be considered to stand alone and will be deleted from these Policies and Procedures. The entirety of the balance of the Policies and Procedures shall remain in full and binding force and effect.

CERTIFICATION OF APPROVAL

As Board Members of the Little Traverse Bay Bands of Odawa Indians Election Board, we certify that at a duly-called meeting of the Election Board held on December 7, 2024 these Policies and Procedures were adopted by a vote of 5 in favor, 0 opposed, 0 abstentions, and 0 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Andrea Pierce	X			
Regina Kiogima	X			
Jon Shawa	X			
Carla Osawamick	X			
Melissa Wiatrolik	X			

Date: 12/7/24 Andrea Pierce
Andrea Pierce, Election Board Chairperson

Date: 12-7-24
Regina Kiogima, Election Board Vice-Chairperson

Date: 12-7-24 Jon Shawa
Jon Shawa, Election Board Treasurer

Date: 12-7-24 Carla Osawamick
Carla Osawamick, Election Board Secretary

Date: 12-7-24 Melissa Wiatrolik
Melissa Wiatrolik, Election Board Member