

Little River Band of Ottawa Indians/Election Board Open Meeting Minutes

2/15/2024

I. Call to order

Kathy Gibson called to order the Open Meeting of the Election Board at 7:16 pm

Roll Call:

Kathy Gibson –Yes	Laura Echelbarger - Yes	Janine Sam – Yes
Shawna Gonzalez - Yes	Lee Iverson - Yes	

II. Members in attendance: Sara Agosa, Lei Ann Austin, Bill Ossiginac, Machele Gibbs, Chris McClellan

III. Discussion Period

a) Open Discussion Comments:

Sara Agosa- Can we get an update on the proposed changes to the regulations?

Kathy Gibson- Sara, we are still working on them, we are still in the process so that is what our update is on that.

Sara Agosa- My question is about the election, when does the next election cycle begin?

Laura Echelbarger- August 1st, I believe is the date we will announce the election itself.

Sara Agosa- I did email the Election Board earlier today to follow up on my question. In January's meeting about case gc23-105-GC, I was wondering if the Election Board has had time to review that case with the attorney or if I should bring this question back to the next Election Board meeting.

Kathy Gibson- What is your specific question?

Sara Agosa- I wrote it in the email but really the question is; will this case impact the Election Board, it pertains to voting in closed and open sessions and proper record keeping.

Kathy Gibson- I did not have time to read it, I work full time like the rest of the Election Board members do, so just for myself I can say I have not had time to look at it.

Janine Sam- In follow up to what Kathy is saying, first I want to say thank you for providing the links because that made it super easy to have the documents. Secondly, the Election Board, as non-party to the suit, would not have been involved in any of the communication from the court, so honestly until you brought this to our attention I didn't even know this existed because I don't follow the court cases as closely as others might. And so thirdly, typically when a court rules and they are applying a specific

section. Since the court was ruling in interpretation application of article 4, that article has nothing to do with the Election Board, does not govern the Election Board so we are not bound to that opinion of the court because the court did not make it an opinion that applies beyond the scope of what their specific case and controversy was. So, I do want to make that very clear that even if and when we look at the orders and maybe we see something in there that is valuable as a process it would still be incumbent on us as the Election Board to have to modify our process or adopt a new regulation before any of that would apply to the Election Board. I hope that helps your question.

Bill Ossiginac- You said you haven't come to a decision on this, you're going to keep the election the way it is or have us register, right, that's what you said?

Kathy Gibson- You're correct, we are still in the process of reviewing the comments that have been submitted.

Bill Ossiginac- When do you think you'll have that done?

Kathy Gibson- As an Election Board we don't have a specific time frame right at this point in time, because we need to review it and we need to get with our legal counsel and go over that with her.

Bill Ossiginac- Are you considering the survey's that were returned?

Kathy Gibson- That is all part of the regulations that are being proposed and the survey, all of that information is being compiled. We are making an informed decision and see what the membership is recommending and how we can work with that.

Bill Ossiginac- So that and the comments are what you are working on.

Kathy Gibson- Yes.

Sara Agosa- Will you be getting a legal review on meeting and administrative procedures since you don't have any in place right now?

Janine Sam- I can't really answer for the whole board but I do appreciate you bringing that forward tonight. If people would have gone past the few pages in the regulations, we do have other regulation changes proposed and we are currently looking at the bylaws, so I can't say that once we get the process vetted out for ourselves, we will be asking legal to help us draft possible changes to our administration and administrative procedures. That is all a part of this overall, the regulations are a sizeable document, and we have to have more than certain segments reviewed so it's taking some time. That is on our agenda, we all have it documented and written down as something to look at during our process.

Lee Ivinson- Yes, I can state that we do have it referenced under section 3, Meetings, we do have a comment here 'Meeting and Administrative Procedures'. We do have a certain level of administrative procedures in place right now, but based on feedback, maybe we do need further verification.

Sara Agosa- I have to share a concern about the open ended-ness of finalizing the amendments to the regulations. Since this is such a big change

and if the election cycle will start in August, that its not really a lot of time if registered voting is put back in place because then there is a lot of things that will need to be done for people to register. So, what I would like to see even in next month's meeting, if maybe we could get a better sense of a timeline, just because of the complexity of this change, if indeed it is implemented.

Bill Ossiginac- I agree with Sara, we need to get this done as quick as we can, because if we are going to have to register, that doesn't give us very many months for people to even get to know that it has changed. If you guys can get it done, that would be great.

Lee Ivinson- I can state for myself as well as the rest of the board, but we are working on this diligently and definitely taking into consideration all of the comments and concerns that the membership has conveyed as well as documented. It's the documented comments that will take priority over the commentary that we have received.

Sara Agosa- I just need clarification, Lee, are you stating that documented comments are given priority over commentary, so what does that mean exactly.

Lee Ivinson- It means we received a lot of comments, case in point, at the work session and in receiving all of the commentary and its hard to keep track of all of the information that is given in the commentary, that's why we had requested that they all be placed in written comments to the Election Board. Its not to say that we don't have notes but the comments that are documented will take priority. They will be specific to the word from the individual. I hope that helps.

Sara Agosa- I think that would have been necessary, and this is why the meeting procedures are so important, that members were informed of this in the beginning before the deadline to submit written comments. Even in these meetings, we have been given the impression that just sharing our comments and opinions in these meetings is important and will be taken into account. There was never any specific instructions that they were to be in writing, in order to be prioritized. Additionally, the meeting minutes are also written so that should be sufficient documentation. I just hope that the Election Board does fully consider the commentary equal to any written comments.

Kathy Gibson- We had stated in both of the work sessions and I know that Councilor Wolfe had also stated that comments had to be submitted in writing. Like Lee had stated we were taking notes, but anything in writing that attaches to the members name, we are looking at as well. We are looking at all comments, everyone's opinion is important but the Election Board regulations in the past for the past couple of times we asked that comments be submitted in writing. It has been 6 weeks that this has been posted out there for members comments.

Janine Sam- My response is that yes, we do keep meeting minutes but as you are aware its not like a court transcript. Sometimes things will be

verbatim and sometimes they won't depending on how the production is, and that's true of any set of minutes. The difference here is that commentary is subjective because somebody says something and three different people in the room could interpret those statements however, they would like to, versus when someone puts it in black and white. What they wrote is what they wrote and that's what we have to take into consideration. We are trying to take all commentary and written comments into consideration as much as we can. Lee is not saying because we're giving priority to the written comments that we are not going to listen to commentary but it's better and easier for everyone involved, even for the citizens, that if you're passionate about what we are asking you to look at. Put it in an email and send it. That way no one can put words in your mouth and nobody can interpret what you said because you wrote it in the tone and meaning you intended. We are aware of the election deadlines, none of us want to do anything that is going to harm a voters ability to participate in that election process. Quite frankly, how people are following us and how people are watching every move that we make, I highly doubt that anything could happen that would be a surprise because people have been very good about getting things out and saying what they want to say about what the Election Board is doing. I don't know what else I can say to assure everyone. None of us want to do a half-baked process, and we are going to take the time and the diligence to make sure that if we're going to a registered process its going to be almost as easy as what we are doing now. Citizens have to provide more information through mail...we are looking at everything that other departments are doing and how are they validating citizens and what is their practices? We are looking at other governments, state and local, so we are aware of these deadlines, we are aware that if we are going to change the process, it can't be changed midstream and we appreciate that people did put their comments in writing because that gives us the full and complete viewpoint of that citizen. Bill Ossiginac- I'm confused, what is the difference between comments and commentary?

Laura Echelbarger- They are referring to the written comments that were submitted to the Election Board and the commentaries were made during the work sessions or open meetings.

Bill Ossiginac- The survey, what was the tally from that?

Kathy Gibson-It was 8% of the voting membership that returned them.

Bill Ossiginac-What was the for and against?

Laura Echelbarger- They are in the open minutes from November, there were 390 sent back, 303 that said yes, keep registration as is, 86 that said no, 1 didn't mark yes or no, and there were several, 7 or 10 that stated both yes and no.

Laura Echelbarger- Thank you for attending, our next open meeting is March 21st.

IV. Adjournment

Laura Echelbarger made a motion to adjourn open session at 8:14pm. Seconded by Shawna Gonzalez.

Kathy Gibson - Yes	Laura Echelbarger - Yes	Janine Sam - Yes
Shawna Gonzalez - Yes	Lee Ivinson - Yes	