

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

June 23, 2021

## **I. Call to order**

Val McDonnell called the meeting to order at 5:15pm

## **II. Roll call**

Val McDonnell conducted a roll call. The following persons were present: Laura Echelbarger – online attendance. The following attended in the office: Mike Ceplina, Karen Love, Kathy Gibson.

## **III. Attendee's:**

Responses from attendee's: Arlene Beckton, Delia Ross, Larry, Jolene Osignac, LeeAnn Willea, Chelsea Densmore, Staci Cheney, Dawn Moneyhan, Sara Agosa, Michelle Sinclair, Virginia Lanier, "Bills Ipad"

## **IV. Open Issues: emailed questions from members**

- a) Question: What is required for the members to use internet and/or fax to participate in a recall petition? Answer: Look to the regulations chapter 7 section 6 talks about the petition process on page 33 and 34, under G it talks about signing the petition. It talks about any registered voter who signed a petition must do so in the presence of a circulator. Follow Up Question: How can this be accomplished with many dispersed outlying members? Answer: This can be done with the two principal sponsors allowed in a recall. The principal sponsors can contact someone in the outlying area to be a circulator to take signatures and there is no limit as to the number of circulators. There must be only 2 principal sponsors but there can be an unlimited number of circulators, with the only limit to the circulators is the sponsors must add their name to the list before any signatures are taken and send that list to the Election Board. Follow Up Question: How then can the outlying have a circulator get to every member in the outlying? Since the signature must be signed in the presence of the circulator, how can the outlying accomplish both the signing in person with the circulator and also trying to gain as many signatures as possible? Answer: At this point and time there is nothing in our regulations that allot for a signature on a recall that does not have to be signed in front of the circulator. There is no limit to the number of circulators, that person can contact the sponsor and that person can be on a list and be the only one signing it.

- b) Question: Can the circulators be added as they come up. Answer: No, before any signatures can be taken, the person must be on the list of circulators before any signatures can be taken. The circulators name could be the only one on the list.
- c) Question: One person could be their own circulator? Answer: Yes, as long as their name is on the list of circulators given to the Election Board by the two sponsors prior to getting any signatures.
- d) Question: Can the circulators be their own witness when signing their own petition pages? Answer: The Election Board will look into this and answer once we find the info. (also answered in Y)
- e) Question: Technically, could every single person who wanted to sign a petition be named a circulator and sign one sheet and mail it in? Answer: They could, but again, it has to be presented to the principal sponsor and there are only two principal sponsors allowed and there is not a limit to the circulators. If you look at page 34, under G, the rules for signing petitions it goes into detail in 8 different bullets regarding signing petitions. The main point to be stressed is that it must be presented to the sponsor if you want to be a circulator prior to accepting signatures and sent to the Election Board.
- f) Question: Can petition collectors sign their own pages? Answer: Yes, Chapter 7 recall, page 34, g, states you can sign it as your own. It also states a circulator may sign a petition if he/she is a registered voter, and we know that all members aged 18 and above are currently registered voters.
- g) Question: Is there a limit as to the number of collectors to a recall petition? Answer: No, there is no limit as to the circulators you have for a petition.
- h) Question: What is the proper required procedure for collectors (circulators) to sign a recall petition they are collecting for? Answer: The proper procedure indicates you should be 18 years of age or older, and a member of our tribe.
- i) Question: Can the Election Board please define how outlying members are able to participate in a recall without becoming a collector/circulator? Answer: They would contact a principal sponsor prior to the sponsor submitting the list to the election board so the sponsor could add their name to the list of circulators. This list must be sent to the Election Board prior to gathering signatures.
- j) Question: The collectors that are signing their own pages do not have to have a witness or notary to sign their own pages? Answer: The Election Board is verifying that question before answering.

- k) Question: Is there an option for online signatures by email or text or video?  
Answer: At the present time it goes back to looking into video streaming or online signatures email or texting to sign a petition, at the present time we have nothing in our regulations to allow for that option. We will look at this when we look into updating our regulations after the special election. Regulations cannot be updated during an election, and we have a special election currently underway.
- l) Question: Can I submit a formal request for this option to be updated in the regulations as quickly as possible? Answer: Yes, we will entertain that request and will work on updating regulations. It could take up to 6 months to a year due to the current election and the special election.
- m) Question: In the collection of the signatures, how do the names have to be as they are stated per their tribal id cards? Will the signature be disqualified if the signatures do not match the petition and the tribal id? Answer: Prior to this board, that is what was done but looking at the regulations there is no indication that will eliminate a signature.
- n) Question: Does it have to be signed per your name on your enrollment file?  
Answer: No, the enrollment record would be the same as your tribal id. What it is asking for on a petition for recall it is asking you to print your name, it asks for a signature, it asks for a mailing address, it asks for tribal id. The main thing to remember if you have not updated your address with enrollment and the addresses do not match that will throw your signature out. That is the main thing we have problems with. Section 8-E, review of signatures lists the reason why signatures would be invalidated.
- o) Question: Does it state in the review of signatures that the tribal id cannot be expired? Answer: No, it does not state that in that section. If the tribal id is expired when we ask enrollment for your information the enrollment department may flag it but looking at the regulations it does not say anything about an expired tribal id.
- p) Question: So, the signers do not have to show their tribal id they are only listing their id number and the circulator must verify their address? Answer: The tribal id and the number is the same.
- q) Question: When the circulator is getting signatures do the tribal members have to provide their tribal id and their driver's license to have two forms of id?  
Answer: When the circulator is getting signatures, it is up to the tribal member to add the correct information. Their name, signature, mailing address, tribal id number and the date they are signing. Then when the circulator sends the paper to the sponsor the sponsor would then send all pages to the Election Board. At that

point, the Election Board will be comparing that information with the list that we get from the Enrollment Department. There is no verification of mailing addresses when the member is signing.

- r) Question: Clarification of the special election. Answer: The special election is to fill the empty seat for Associate Judge.
- s) Question: Where does it state in the regulations what the procedure to change regulations? Answer: There is nothing in the regulations that requires the regulation changes in a certain time frame.
- t) Question: Clarification of the special election. Answer: Sept 7
- u) Question: Will that time frame change if the Election Board is in a lawsuit for impropriety? Answer: No.
- v) Question: Requesting more accurate transcript of minutes. Answer: We do very general meeting minutes, but the minutes will be changed slightly and an offer to take Sara Agosa's request for more detail was taken.
- w) Question: Regarding the recall petition process, the regulations state that the recall petition will be made available publicly. How are they made available? Answer: The process is in our regulations, so that explains what the process is for recalls, in chapter 7.
- x) Question: Clarification of the public availability? Where will it be posted publicly? Answer: It is up to the sponsor as to where they will post it. Each person who signs agrees to the information to be posted publicly.
- y) Question: Notarizing of collectors signing their own pages? Answer: The circulator could not sign their own. Another tribal member will need to witness the signature on their page.
- z) Question: Can you tell me where to find the regulations that says the collectors are not allowed to sign their own pages? Answer: It is not actually in the regulations, but it is part of principal sponsor authorization, and we can put it out there so you can see where it states that.
- aa) Question, Can you email that? Answer: Yes.
- bb) Question: Could the circulator get their signature notarized on their sheet instead of getting with another member? Answer: Yes, I think we can add that to our regulations.

- cc) Question: Is that something that could apply soon? Answer: We are not sure if it could be soon, but the Election Board will look at it on Monday's meeting.
- dd) Question: Can we work toward Doc Sign instead of notarizations? Answer: Yes, that is something we will look at. Current regulations state the circulator must be on the list from the sponsor prior to getting any signatures.
- ee) Question: The Members Assistance attorney is notarizing on zoom so can we also use that avenue to acquire signatures? Answer: That is something the Election Board will look at also but at this time it is not part of our regulations.
- ff) Question: Please provide an example of signatures that are acceptable and signatures that are not. Answer: A signature that would not be acceptable would be one that the mailing address does not match. A review of signatures will show other examples. If a page was not prepared by the Election Board and there was a copy made, that would invalidate the sheet. No mailing address with the signature, no tribal id, etc....would throw the signature out. Penmanship will not eliminate a signature.
- gg) Question: Can the forms be copied, or do they have to come directly from the Election Board? Answer: Page 35 shows that the Election Board must print the sheets because the forms show numbers and information on each sheet, and they cannot be printed.
- hh) Question: Will this election board take the outlying needs into consideration when approving new regulations, so all members of the tribe are equal? Answer: The new election board member is also an outlying member and will take that into consideration when approving regulations and each member affirmed that same sentiment.

## **V. Adjournment**

Val McDonnell adjourned at 6:21

Minutes submitted by: Laura Echelbarger

Minutes approved by: Val McDonnell, Laura Echelbarger, Mike Ceplina, Kathy Gibson, Karen Love