



Ottawa Tribe of Oklahoma

P.O. Box 110 Miami OK 74355

RESOLUTION 2024 - 02

RESOLUTION TO CHANGE ELECTION ORDINANCES FOR THE PURPOSE OF NOMINATION MEETINGS AND ELECTIONS OF THE OTTAWA TRIBE OF OKLAHOMA

WHEREAS: The Ottawa Tribe of Oklahoma is a federally recognized Indian Tribe, organized under the Oklahoma Indian Welfare Act of 1936, with a Constitution and By-laws approved by the Secretary of the Interior on October 15, 1979; and

WHEREAS: the Business Committee of the Ottawa Tribe of Oklahoma is authorized to act on behalf of the Tribe, under Article VI of the Constitution and By-laws; and

WHEREAS: the proposed Election Ordinance will be consistent with Article VIII - Elections, of the Constitution and By-Laws of the Ottawa Tribe of Oklahoma; and

WHEREAS: the Ottawa Tribe of Oklahoma Election Committee, meeting on February 6, 2024, approved in substantial part the suggested changes to be found in this Election Ordinance;

NOW, THEREFORE, BE IT RESOLVED, the Business Committee of the Ottawa Tribe of Oklahoma, upon the reasoned advice of the Election Committee, hereby

Resolution 2024 – 02 and Election Ordinance

adopts the attached Election Ordinance, repealing those of March 6, 1981 and March 16, 2001 (Resolution 2001-5), to be helpful in conducting any such election that may be necessary to the Ottawa Tribe of Oklahoma.

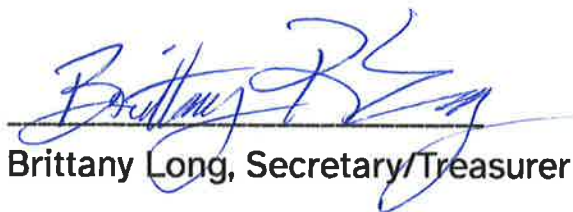
CERTIFICATION

The foregoing resolution was passed by vote of the elected Business Committee of the Ottawa Tribe of Oklahoma on February 7, 2024, with a vote of 4 for; 0 against; and 0 abstaining.



Kalisha Dixon, Chief
OTTAWA TRIBE OF OKLAHOMA

ATTEST:



Brittany Long, Secretary/Treasurer

ELECTION ORDINANCE

1. The Election Ordinance will be consistent with Article VIII – Elections, of the Constitution and By-Laws of the Ottawa Tribe of Oklahoma.
2. The Election Committee shall choose from among its membership a Chairman and other officers as it deems necessary. The Chairman of the Election Committee will vote only in the event of a tie vote.
3. Any member appointed to the Election Committee who fails to present himself on election day to perform his Election Committee duties, or any member of the Election Committee desiring to be relieved of his appointment, where such desire is not made known to the Business Committee before election day, shall be replaced by an appointee of the remaining members of the Election Committee.
4. The Election Committee will call and conduct Nomination Meetings and Elections as set forth in the Constitution and By-Laws. The Election Committee shall publicize the Nomination Meeting and Election (date, place and time) in a local newspaper, and in other media as they deem appropriate, at least 10 days prior to the Nomination Meeting and the Election. The Election Committee will also be responsible for other tribal elections during the year.
5. The Nomination Meeting shall be held on trust land, at least thirty (30) days prior to the Election.
6. At the Nomination Meeting, nominations from the floor shall be asked for and accepted three (3) times before a motion to cease nominations may be accepted.
7. All eligible voters shall be entitled to vote by secret ballot on

election day after signing the register at the polling place. Write-in votes will not be accepted or counted.

8. Absentee ballots shall be made available within two (2) business days following the Nomination Meeting.

9. Absentee ballots must be requested in writing by each eligible voter, individually, and returned by mail, received no later than 4:00 PM the Friday prior to election day.

10. All votes will be tabulated by the Election Committee. The candidate receiving a majority of the votes cast shall be declared elected.

11. The Election Committee shall publish and post the results of the election within ten (10) days of the election date, in the voting precinct and in other public places in the community for the information of the General Council members.

12. Any voter may protest an election. The written notice of protest of an election must be made to the Election Committee within ten (10) days after the election. The notice must clearly set out the grounds of the protest. The Election Committee shall schedule a hearing on the protest within twenty (20) days of receipt of the written notice. The decision of the Election Committee will be final.

13. When a Vacancy arises under Article IX, Section 3 of the Constitution, the Election Committee shall follow the procedures outlined in Resolution 2023-07, the text of which is incorporated into this Election Ordinance as an addendum.

14. To the greatest extent possible, Recall, Referendum and Initiative elections under the Constitution and By-Laws of the Ottawa Tribe of Oklahoma shall be conducted according to the procedures listed above.



Ottawa Tribe of Oklahoma

P.O. Box 110 Miami OK 74355

RESOLUTION 2023 - 27

RESOLUTION REGARDING VACANCY PROCEDURES UNDER ARTICLE X OF THE CONSTITUTION OF THE OTTAWA TRIBE OF OKLAHOMA

WHEREAS: The Ottawa Tribe of Oklahoma is a federally recognized Indian Tribe, organized under the Oklahoma Indian Welfare Act of 1936, with a Constitution and By-laws approved by the Secretary of the Interior on October 15, 1979; and

WHEREAS: the Business Committee of the Ottawa Tribe of Oklahoma is authorized to act on behalf of the Tribe, under Article VI of the Constitution and By-laws; and

WHEREAS: the Business Committee of the Ottawa Tribe of Oklahoma now desires to formalize procedures regarding the filling of Vacancies under Article X of the Constitution;

NOW, THEREFORE, BE IT RESOLVED, the Business Committee of the Ottawa Tribe of Oklahoma hereby affirms the following additional provisions regarding Vacancies under Article X of the Constitution as addenda to the existing Election Ordinances of the Tribe:

When a vacancy arises under Article IX, Section 3 of the Constitution, the affected governmental body shall proceed to declare the position vacant and shall inform the Election Committee of the need to invoke these procedures.

To the greatest extent allowed by the Constitution and by this Resolution, use of these procedures shall be considered to be filling the vacancy “promptly” as required by Article IX, Section 3.

The Election Committee shall determine appropriate dates for a nomination meeting and, at least 30 days subsequent to the nomination meeting, a meeting to finalize the election of a candidate to fill the unexpired term of the vacant position. The Election Committee shall publicize the date, place and time of the nomination meeting and the election meeting in a local newspaper at least ten (10) days prior to each meeting. The Election Committee shall call and conduct both meetings.

Nominations must be made and seconded at the nomination meeting to be valid. Nominations shall be asked for and accepted three (3) times before a motion to cease nominations may be entertained. If only one candidate is nominated, that candidate may be deemed elected by acclamation and the subsequent election meeting need not be called.

A quorum of the Ottawa Council must be present at both meetings.

Absentee ballots must be requested in writing by each eligible voter individually and returned by mail by a date specified by the Election Committee, such date to be no later than four (4) days prior to the

election meeting. Tribal members living within the Miami Agency area will not be allowed to cast an absentee ballot unless they will be away from the area on the day of the election meeting or if they are unable to attend due to illness or physical disability.

Absentee ballots may be requested beginning the first business day following the nomination meeting but the actual ballot may not be available until the second business day following that meeting.

All eligible voters shall be entitled to vote by secret ballot on the day of the election meeting, after signing the register at the polling place. There will be no write-in candidates.

All votes, absentee and in-person, will be tabulated by the Election Committee following the close of polls. The candidate who received the most votes shall assume office immediately for the remainder of the unexpired term.

The Election Committee shall publish and post the results within ten (10) days of the election meeting at the tribal office and in other public places throughout the community as they deem necessary.

Any voter may protest the election. Written notice of the protest must be made to the Election Committee within ten (10) days after the election meeting and must clearly set out the grounds of the protest. The Election Committee shall schedule a hearing on the protest within 22 days. Only matters covered in the written protest shall be addressed at this hearing. The decision of the Election Committee regarding the protest shall be final.

CERTIFICATION

The foregoing resolution was passed by vote of the elected Business Committee of the Ottawa Tribe of Oklahoma on November 8, 2023, with a vote of 4 for; 0 against; and 0 abstaining.



Kalisha Dixon, Chief

OTTAWA TRIBE OF OKLAHOMA

ATTEST:



Brittany Long, Secretary/Treasurer