

Chairman selection should have included members

**DENISE CHASE, DIRECTOR,
UNIT IV**

As you are all aware, on May 10 the former chairman resigned from his position and the board accepted his resignation and declared the chairperson seat vacant. The right action for the board to do would of been to immediately amend Tribal Code Chapter 10-Election Ordinance and do the minor change to remove these five words (six (6) months prior to) which would allow a special advisory election to happen to replace the vacant chairperson position.

Following is the resolution that was first voted on at the May 27 board meeting:

Amending Tribal Code Chapter 10- Election Ordinance-Special Advisory Election-Chairperson
Whereas, Chairperson Darwin “Joe” McCoy resigned his position on May 10th, 2011; and
Whereas, pursuant to Article IV of the constitution the Board of Directors has declared the
Chairpersons seat vacant; and

Whereas, pursuant to Article IV of the constitution the Board of Directors shall appoint to the vacant seat a voting member of the tribe to serve the applicable unexpired term; and

Whereas, Tribal Code Chapter 10: Election Ordinance at subchapter II states that the board of Directors shall call a non-binding special advisory election to assist them in making the appointment if certain time-lines are met; and

Whereas, the time line currently contained in said subchapter II prohibits the calling of a non-binding special advisory election; and

Whereas, the Board of Directors desires to avail themselves of a non-binding Special Advisory Election and in order to do so the prohibitive time line must be amended.

Now, therefore, be it resolved, that the Board of Directors hereby amends Tribal Code Chapter 10: Election Ordinance by amending the second sentence of Section 10.203 to read:

No Special Advisory Election Shall be held if the election date shall be later than the posting of the Notice of Election for the Next General Election.

By removing those five words — “six (6) months prior to” — a Special Advisory Election could of been held immediately, to honor the tribal membership’s right to vote and select who the next tribal chairperson would be, then the board could appoint the highest vote getter into the chairperson position and know that the membership’s voice was heard.

I reported before that at the May 27 board meeting, Tom Miller, Joanne Carr Anderson, DJ Malloy, Cathy Abramson and myself all supported passing this minor amendment and allow the membership the right to VOTE WHO THE NEXT CHAIRPERSON will be. Those who voted against your right to vote were: Keith Massaway, Deb Pine, Catherine Hollowell, Bernard Bouschor, Pat Rickley and Joe Eitrem. The vote was defeated 5-6; it takes seven votes to appoint a replacement chair, or to amend the Election Ordinance to allow a special advisory election.

I asked that the same resolution be put back on the June 7 meeting agenda, because I firmly support the membership having a say in who the leader of this tribe will be. At this meeting soon as the resolution was read, I motioned to approve and Tom Miller supported, and then legal started to come up to the podium to answer any questions, then Pat Rickley motioned to table until after the next general election and Catherine Hollowell supported this motion. I said, wait a minute, it’s my resolution, I have the right to speak first on it, and Lana Causley, who was chairing the meeting, said she wouldn’t allow it — there was a motion to table and supported so they will vote on that. It was obviously well rehearsed by those individuals involved. Lana called for a vote; those approving to table were: Joe Eitrem, Catherine Hollowell, Deb Pine, Keith Massaway and Pat Rickley. Those opposing to table were: Tom Miller, DJ Malloy, Cathy Abramson, Joan Carr Anderson and myself. Imagine that, a tie 5-5 and Lana Causley voted to break the tie and not allow you to VOTE in your next chairperson.

This was the second time that the majority of the board refused the small amendment change to allow you to vote in the most important position of the tribe.

At the Aug. 23 board meeting, DJ Malloy motioned to appoint the second highest vote getter in the last chairperson election. Cathy Abramson and myself supported her motion. The board was given the legal opinion that if Joe Eitrem was appointed chairman then the Board could appoint the Unit I individual with the second highest votes in the last election to fill the remaining term. So why wouldn't that same legal opinion pertain to the second highest vote getter in the chairman appointment? The vote failed 5-6. "Yes" voters were: DJ Malloy, Cathy Abramson, Joan Carr Anderson, Tom Miller and myself. The "no" votes were: Keith Massaway, Pat Rickley, Deb Pine, Catherine Hollowell, Bernard Bouschor and Joe Eitrem.

Then a motion to appoint Lana chairperson was made by Catherine Hollowell and supported by Deb Pine. The vote was defeated: "Yes" votes were: Catherine Hollowell, Deb Pine and Pat Rickley. "No" votes were: Tom Miller, Joan Carr Anderson, DJ Malloy, Keith Massaway, Cathy Abramson, Joe Eitrem and myself. One abstained: Bernard Bouschor.

Now recall that both Tom and I committed to supporting your request to be allowed to vote to advise us who to appoint. Where it takes over 4,000 votes from all units to be elected chair, no one currently seated on the board has received more than 2,000 votes and none from all units. Because some of the board members were blocking the election code amendments, which would allow a special advisory election to occur and after three failed attempts to hear the will of the people, Tom Miller made a motion to appoint Joe Eitrem as the chairperson to fill the remaining term. This was the third time Tom had put the item on the agenda for consideration. I would never of supported any appointments for chairperson but because certain board members were playing their games by not allowing the membership to have their vote by ballot in a special advisory election, and after the two failed attempts to allow you to vote, I did end up supporting the appointment to move forward. Is this the perfect fix? I don't think so — the perfect fix would of been to allow the membership to VOTE IN THE CHAIRPERSON BY BALLOT, but those board members who didn't allow this to happen will have to answer to the membership.

My contact telephone number is (906) 341-6783.

Thanks,
Denise Chase

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