

New Details Released on Replacing Chairperson McCoy

Contributed by Michelle Bouschor
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Sault Ste. Marie, MI – There will not be an election to fill the seat left vacant by Sault Tribe Chairman Darwin "Joe" McCoy, who announced his immediate resignation as the elected leader Tribe on Tuesday, May 10.

“After further review of our election ordinance and upon advice from our legal team and Tribal Election Committee, it has been determined that an advisory election to fill the vacant chairperson seat is prohibited under our Tribal Law,” said Lana Causley, Vice Chairperson. “Chapter 10 of the Tribal Code is the Tribe's Election Ordinance. The relevant provisions are sections 10.107 (Notice of Election) and 10.203 (Date of Election) that state: “The date of the (special) election shall not be earlier than ninety (90) days after the Election Announcement. No Special Advisory Election shall be held if the election date shall be later than six (6) months prior to the posting of the Election Announcement for the next general election.”

Under this Election Ordinance, the Tribe cannot hold a Special Advisory Election because, assuming the Board posted the announcement for the Special Advisory Election May 24, 2011, the earliest the Special Advisory Election could be held under section 10.203 would be August 22, 2011 (August 22 is ninety days from May 24, 2011), which is less than six months from the posting of the Election Announcement for the next general election, which is July 27, 2011. In order to hold a Special Advisory Election, the Election Announcement would have had to been posted 90 days prior to July 27, 2011, which has already passed. According to section 10.107 “The Notice of Election shall be sent to all Adult Members (at least one notice per household) by means of letter, and shall also be publicized in the tribal newspaper, on the Tribe's official website, and posted at all Tribal Offices on the last Friday in January in the year in which a general election occurs”, which is 2012 in this case.

The board did consider a resolution which would allow them to have a special advisory election by changing tribal law eliminating the 6 months prohibition, and the resolution failed on a vote of six to five. Therefore, under the Election Ordinance, the Board may not authorize a Special Advisory Election to assist it in appointing a replacement to fill the unexpired term of former Chairman McCoy. There will not be a Special non binding Advisory Election.

Causley said the entire board apologizes to tribal members and other audiences about any confusion caused by reports that an advisory election could be held to fill the position. It is the first time the Tribe has had a chairman resign near the end of his term.

“Our goal is to make sure we are following our Constitution and Tribal Laws, which clearly state that calling a special election in this instance would be prohibited,” said Causley. “On behalf of the entire Board, I apologize for any confusion caused surrounding this issue.” Causley also cautioned to be aware of any notices surrounding this and other Tribal issues to be certain they are coming from the Tribe and not an outside source.

Under the Tribe's Constitution, Board Vice Chairperson Lana Causley has assumed duties of Chairperson until a successor is appointed. “We will begin discussing who will be appointed to the Chairperson's position at our next general meeting on Tuesday May 31,” said Causley.

Updates on the Board's decisions will be posted on line and on the Tribe's Facebook page. Sault Tribe official press releases, election code and constitution documents can be found at www.saulttribe.com.