



THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

RESOLUTION 13-02-79-08

**A RESOLUTION APPOINTING A COMMITTEE TO
AUTHENTICATE THE SIGNATURES ON A PETITION
IN SUPPORT OF ACTION TO REMOVE MLBO ELECTED
OFFICIAL FOR ETHICAL VIOLATIONS OF BAND STATUTE
AND THE MCT CONSTITUTION AND FOR VIOLATION OF
GAMING LAWS**

- WHEREAS, the Mille Lacs Band Assembly is the duly elected governing body for the Mille Lacs Band of Ojibwe, a federally-recognized Indian Tribe; and
- WHEREAS, 3 MLBSA § 1 authorizes the Band Assembly to act as the body referred to as the Reservation Business Committee (RBC) as described in the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe; and
- WHEREAS, 3 MLBSA § 2(d) empowers the Band Assembly to adopt resolutions; and
- WHEREAS, the Band Assembly acknowledges that notice of ethical violations and gaming law violations against Chief Executive Melanie Benjamin are stated causes for removal and supported by a petition submitted to the Secretary-Treasurer and Band Assembly on September 29, 2008; and
- WHEREAS, according to the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe, Article X, Sec. 3, the Band Assembly must determine whether or not the petition is supported by the signatures of no less than 20 percent of the resident eligible voters of the Mille Lacs Band of Ojibwe Reservation; and
- WHEREAS, the Band Assembly acknowledges that an MCT protocol has been established to authenticate the signatures attached to said Petition in Support of Removal of an Elected Official; and
- WHEREAS, according to the aforementioned MCT protocol, the Band Assembly hereby appoints a committee to authenticate the signatures to determine the sufficiency of the petition under Article X, Sec. 3.

NOW, THEREFORE, BE IT RESOLVED, the Band Assembly of the Mille Lacs Band of Ojibwe hereby appoints a committee charged with the responsibility of determining the number of valid signatures on the Petition. This committee shall be composed of three individuals: (1) Election Board Chair (Roberta Fox); (2) Director of Enrollments (Caryn Day); and (3) the individual responsible for the distribution of Per Capita payments (Kathy Heyer). The Committee shall - authenticate the signatures attached to the "Petition in Support of Action to

DISTRICT I

43408 Oodena Drive • Onamia, MN 56359

DISTRICT II

36666 State Hwy 65 • McGregor MN 55760

DISTRICT III

Route 2 • Box 233-N • Sandstone, MN 55072

remove MLBO Elected Official for Ethical Violations of Band Statute and the MCT Constitution and for Violation of Gaming Laws.”


BE IT FURTHER RESOLVED, that the following definitions and guidelines shall be applied by the committee appointed herein to authenticate the signatures on the Petition:

- a. “Resident eligible voters” shall mean those enrolled members of the Mille Lacs Band of Ojibwe eighteen (18) years or older and who reside as follows: (1) District I and District II(a) and are within the boundaries of the 1855 Treaty; and (2) District II and District III who live outside the 1855 Treaty boundaries, but who live on Band owned fee lands, trust and allotted lands. *See* Joint Resolution 12-01-66-06 attached as Exhibit A.
- b. In the event that a resident eligible voter’s signature appears more than once, only one signature is valid.
- c. The most current enrollment list shall be used to establish the validity of the signatures, along with such other documents or information that is available to the committee.
- d. No signatures may be added to the Petition submitted on September 29, 2008, nor may signatures be deleted for any reason, except that invalid signatures shall not be counted.

BE IT FURTHER AND FINALLY RESOLVED, that this Committee shall make a report and submit the same to the Secretary-Treasurer immediately after authenticating the signatures attached to said Petition and shall set out the total number of resident eligible voters and the number of resident eligible voters whose signatures appear on the Petition to determine whether or not the requirements of Article X, Sec. 3 of the Minnesota Chippewa Tribal Constitution have been fulfilled in that 20 percent of the eligible resident voters of the Mille Lacs Band of Ojibwe Reservation support the Petition.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present held on the 29th day of September, 2008 at Vineland, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.



Herb Weyaus, Speaker of Assembly

OFFICIAL SEAL OF THE BAND