



THE MILLE LACS BAND OF  
**OJIBWE INDIANS**

*Legislative Branch of Tribal Government*

**JOINT RESOLUTION 14-01-38-10**

**A JOINT RESOLUTION APPROVING THE USE OF AN AUTOMATED  
BALLOTING SYSTEM FOR THE 2010 MCT ELECTION ON THE MILLE  
LACS RESERVATION**

- WHEREAS, the Mille Lacs Reservation Band Assembly is the duly elected governing body of the Mille Lacs Band of Ojibwe, a federally-recognized Indian Tribe; and
- WHEREAS, the Band Assembly is empowered by Band Statue 3 MLBSA § 2, to adopt Resolutions which promote the general welfare of the Mille Lacs Band and its members; and
- WHEREAS, the Chief Executive of the Band is empowered to exercise the Executive Branch powers of the Band; and
- WHEREAS, the Mille Lacs Band of Ojibwe is one (1) of the six (6) Ojibwe Bands forming the Minnesota Chippewa Tribe (“MCT”); and
- WHEREAS, Article IV of the Minnesota Chippewa Tribe Revised Constitution mandates that all tribal elections on the six (6) reservations shall be in accordance with a uniform election ordinance adopted by the Tribal Executive Committee (“TEC”), the entity recognized as the MCT governing body; and
- WHEREAS, the Secretary-Treasurer and the Chief Executive are voting members of the TEC; and
- WHEREAS, the MCT Election Ordinance #10 (As Amended to December 8, 2009) has been adopted by the TEC as the official Election Ordinance for the 2010 MCT Election to be held on the Mille Lacs Reservation; and
- WHEREAS, Chapter II of the MCT Election Ordinance #10 (As Amended to December 8, 2009), entitled Conduct of Elections authorizes the General Reservation Election Board of each Band to be responsible for the overall conduct of the election and to perform all duties assigned to it according to the MCT Election Ordinance; and
- WHEREAS, Chapter II, Section 1.A.1. of the MCT Election Ordinance #10 (As Amended to December 8, 2009), requires the Tribal Executive Committee (TEC) to prepare ballots for all MCT elections “except when a Band governing body has decided to use an automated ballot tabulation system;” and

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WHEREAS, Chapter II, Section 1.A.1. of the MCT Election Ordinance #10 (As Amended to December 8, 2009) further requires that the TEC ensure the secure storage of all ballots prior to and during delivery to the General Reservation Election Boards, except when an automated system is used, "the supplier shall also be responsible for ballot security and other measures related to the integrity of the election process;" and

WHEREAS, Chapter II, Section 2 of the MCT Election Ordinance #10 (As Amended to December 8, 2009) entitled "Voting Procedures" exempt the General Reservation Election Board from some of the procedural requirements of this section if the Band governing body chooses to use an automated ballot tabulation system and requires the Election Board to "apply the controls and procedures prescribed by the vendor to ensure the integrity of the process of casting and counting all valid ballots;" and

WHEREAS, Chapter II, Section 3 of the MCT Election Ordinance #10 (As Amended to December 8, 2009) entitled "Counting of Votes" requires the District Election Board to unlock the ballot box(es), remove the regular ballots, and tabulate the votes according to the MCT Election Ordinance "or such other process as may be required by an automated election system;" and

WHEREAS, the Chief Executive and Band Assembly believe that it is in the best interest of the Mille Lacs Band of Ojibwe to institute the use of an automated balloting system to ensure the integrity of the election process on the Mille Lacs Band Reservation for the 2010 MCT Election cycle.

NOW THEREFORE BE IT RESOLVED, the Band Assembly and Chief Executive hereby approve of the use of an automated balloting system and have formalized an agreement with Automated Election Services to assist the General Reservation Election Board with its duties under the MCT Election Ordinance.

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 11<sup>th</sup> day of February, 2010 at Isle, Minnesota by a vote of 2 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

IN CONCURRENCE, with the action of the Speaker of the Assembly, I, hereunto set my hand to this resolution.

  
\_\_\_\_\_  
Marge Anderson, Chief Executive