

CATAWBA NATION
GENERAL COUNCIL MEETING

Saturday January 16, 2016



MEETING PACKET



Catawba Indian Nation

General Council Agenda

January 16, 2016 @ 10:00 a.m.

- I. Drum
- II. Welcome
- III. Opening Prayer
- IV. Approval of minutes/Financial report
- V. Opening Comments
- VI. Old Business
 - A. Election Committee
 - B. Economic Development
- VII. Economic Development
- VIII. New Business
- IX. Door Prize
- X. Drum
- XI. Closing
- XII. Adjourn

Approval of Minutes/Financial Report

CIN General Council Meeting
Saturday, July 11, 2015 @ 10:00 A.M.
Minutes of the Meeting

- I. **Drum:** Drum @ 10:00 A.M.

- II. **Welcome:**
 - Chief Bill Harris- 80 sign in if not signed - sign in need 86 for a quorum. This is a General Council Meeting - Constitution - move forward if we get a quorum - at the meeting it is all about respect.

- III. **Opening Prayer** - Thomas Cabaniss.

- IV. **Comments:**
 - Chief Bill Harris - everybody has the minutes - move forward.
 - Audit - had some bad luck got the audit in a bad situation - had to terminate the people doing our audit - had to hire a CPA to go over our books on June 26th - the last conversation I had with the firm audit to be done by the end of July - another issue in the past we ask for a Transition of the new government - with the old government you (GC) approved this in September 2011 - like to have a motion to re-affirm - 85 present cannot take a vote - we can do no business until we reach a legal quorum - do you wish to move forward with the agenda - move to an informational meeting - choice is yours - 86 has signed in you now have a quorum - go back to the agenda approve of minutes.

- V. **Minutes/Financial Report:**
 - Rod Beck - as in the past there two versions of the GC minutes of January 10, 2015 - a business version (short version) and a long version in the packet - how do you wish to precede - do you want the minutes read or review them - directions from GC of how to handle.
 - Jeannie Sanders - motion to read the short version - second by Debra Crisco.
 - Chief Bill Harris - call for a vote - 59 yes - 1 no - 0 abstain - at last meeting failed to get.
 - Rod Beck - read the minutes of GC Meeting, Saturday, January 10, 2015 - is there a motion to accept or not to accept the minutes as read.
 - Keith Brown - motion to accept the minutes -second by Brian Harris - 75 yes - 0 no - 13 abstain - 88 present motion approved.

VII. Planning Board:

- Amy Canty - presented.
- **Dawn Canty - motion to approve Resolution 20150711C approval of Tribal Planning Board members as written - second by unknown male.**
- **75 yes - 0 no - 0 abstain - motion approved.**

VIII. Real Estate:

- No report.

IX. Economic Development:

- Jackie Canty -presented the Studio South Project that was approved by the EDB and EC -
- Chief Bill Harris - shot clock ran out.
- **Melissa Harris - motion to continue the discussion - second by Brian Harris - 87 present - 37 yes - 19 no - 0 abstain - motion approved.**
- Chief Bill Harris - currently do not have a quorum (12:52 PM) shot clock expired on this topic - you are without a legal quorum.
- Door prizes:
 1. Faye Griener
 2. Nicki George - not present
 3. Jeremy Beck
 4. Dean Canty
 5. Anthony Nichols
 6. Quinlan Canty

X. Benediction: No closing prayer.

XI. Adjourn: The meeting adjourned @ 12:55 P.M.

- **Keith Brown - motion to accept the minutes -second by Brian Harris - 75 yes - 0 no - 13 abstain - 88 present motion approved.**

VI. Election Committee:

- Mike Harris -two resolutions to present - first one approval of Election Committee members - start with line 32 - Shana George Perry - like to nominate Beth Rodgers.
- Thomas Cabaniss - do not vote to determine what office to hold - not appropriate for a resolution - the board of the committee would approve -not be something approved by us (GC).
- Mike Harris - this pertains to the GC what they want to pass.
- Melissa Harris - can you vote on that individual.
- Mike Harris - any other comments.
- Shana George Perry - the motion was for Beth Rodgers to be on the Election Committee for 2015.
- Mike Harris - a motion by Shana George Perry and a second by Jo Ann Bauer to add Beth Rodgers to the board - how many agree - asking for a yes vote to approve that.
- Melissa Harris - is she an alternate - thought there was seven members.
- Mike Harris - I believe they are voting to bring her on as a full committee member.
- Melissa Harris - going from seven to eight committee members.
- Mike Harris - no.
- Chief Bill Harris - there is a motion and now in discussion - it was voted for a discussion you pulled it down - unless you wish to have the motion read from the floor and open for discussion we will have to move forward with the motion and place her on the board - the motion is to add Beth Rodgers to the Election Committee - there is a motion and a second for the voting process - the motion is to add her to the Resolution that has been presented then restate your motion.
- Shana George Perry - I will take that back and let him read the Resolution then vote on the nominations.
- Chief Bill Harris - need a second.
- Jo Ann Bauer - second that.
- Chief Bill Harris - now the motion is off the floor.
- Mike Harris - read the Resolution (approval of Election Committee members - start with line 30) need a motion to accept each member as stated - now it is for discussion.
- Dawn Canty - in the procedures it says that anyone that worked like to get on the board is to write to the GC - the GC makes a motion of who they would like on the board - why are you putting in there - these are the people.
- Mike Harris - we are not putting them - we have two alternates - that are on the list - we asking to approve these people that the candidates and EC approved so we can move forward.

- Thomas Cabaniss - the motion was to add more people - there is seven people - you have to amend or remove some of the alternates or amend the Election Procedures - there is more to do before we follow through with the motion - to make it legal under the Election Procedures.
- Chief Bill Harris - did everybody get that - currently under the Election procedure it only has seven members - plus alternates - now ask to move forward with Shana Perry's motion to keep the people that are there and add to it - there by violating your Election Procedures as approved.
- Jeannie Sanders - how many are active now.
- Mike Harris - three that are actually active - two become alternate and people that have been ask to be part of it.
- Jeannie Sanders - they are actually on the committee - need four more.
- Mike Harris - if you accept the Resolution as is - if you do not accept the Resolution will have to redo the Resolution.
- Chief Bill Harris - for the record when I hand the mic to you please state your name.
- Melissa Harris - these individuals have they been actively engaged in the last month.
- Mike Harris - yes.
- Melissa Harris - are they aware of what is going on.
- Mike Harris - two of them have and the rest of them have been active in the last two meetings that we had.
- Geneva Gunton - there were two alternates - Chris Grosbusky and David Gunn - David Gunn came to one - Chris Grosbusky does not come to any - Tonda has come on with the other two.
- Mike Harris - the question ask was who attended the meetings as far as alternates.
- Geneva Gunton - you could make the motion to accept everybody and to accept the alternates since they ae only three of us - activate members that have been confirmed.
- Mike Harris - the alternates have already been voted on by the original committee that was there - they are already in place.
- Geneva Gunton - they were voted on as alternates.
- Mike Harris - by the entire committee we voted on them one on one.
- Shana George Perry - I was on the Election Committee when we voted on this - we vote to ask them if they wanted to be there election day only or alternates or go full time - we had a list of names and vote on the names individually but we have not contacted them at all at that point - they have not attended and that was January 26 - I ask to keep the three current members you have on there - Geneva, Violet and Mike - then open the floor - there are four open spots - you can have as many alternates you want - we change the motion to add alternates - open to have alternates leave the three people that is on there.
- Dawn Canty - you want to amend the Resolution to keep three that have already been on and vote from the floor - the others you want to go in as alternates.

- Shana George Perry - they will have to vote on that - all I am doing is making a motion to leave the three that are on there and let everybody else make their-
- Mike Harris - we have a motion on the floor to keep.
- Susan George - I second it.
- Mike Harris - now you have a second to keep the three original members on there - myself, Violet Wilson and Geneva Gunton and we have a second on the floor for that motion - so let us take a vote all that approve.
- **Chief Bill Harris - hold on a second since I am the Chair - the motion is to keep three and move forward - you have got a motion on the floor and it is second - it has come to a vote to accept the three on there and move to nominations all those in favor - raise your hand - 48 yes - 19 no - 3 abstains - 91 present - motion approved.**
- Scotty Sanders - motion to remove Mike Harris due to no respect to our elderly women - I do not tolerate that at all - thank you - second by Jackie Petty.
- Chief Bill Harris - to remove Mike Harris from the Election Committee.
- Rita Williams - what is the reason.
- **Chief Bill Harris - all those in favor to remove Mike Harris from the Election Committee due to no respect to an elder that is what was stated - so remove Mike Harris from the Election Committee - show of a yes vote to remove raise your hand - 34 yes - 26 no - 5 abstain - motion approved - now you do not have a chair.**
- Lee Ann Bickett - motion to add Pam Wright to the Election Committee.
- Chief Bill Harris - under your current procedures the Election Board can appoint members - right are you in violation asking the GC - the Election Committee does that - not the General Council.
- Amy Canty - per Article 15 Section 6 Number A.6 a board vacancy - in case of vacancy - in case of vacancies on the Committee through death, resignation, disqualification, disability or any other cause the unexpired term of such vacancy shall be filled by appointment by the General Council.
- Chief Bill Harris - okay so are you here to fill vacancy.
- GC - yes (several).
- Chief Bill Harris - how many members of Election Committee have here currently - two members - do you wish to take nominations from the floor - then we can move forward.
- **Dawn Canty - motion to accept nominations from the floor - second by Pam Wright - 76 yes - 0 no - 0 abstain - 93 present - motion approved.**
- **Chief Bill Harris - vote on one nomination at a time - nominate Kenny Carver - second by Jeannie Sanders - 83 yes - 0 no - 0 abstain - motion approved.**
- Denise Nichols - nominate Pam Wright - second by Ellen Bridges - 64 yes - 7 no - 0 no - motion approved.
- Debra Crisco - nominate David Gunn - second by Ann Branham - 46 yes - 18 no - 7 abstain - motion approved - 93 present.

agreement - just an understanding - will construct an agreement to protect you - creating jobs for our people like they never had before - any questions on the Studio Project.

- Scotty Sanders - these jobs are they for anybody - I am a convicted felon.
- Jackie Canty - tribe could create codes and how it would affect our people.
- Brian Harris - what is the total cost of the project.
- Jackie Canty - 30 to 50 million - a lot of potential investors - to formulate a structure on how all can work together - cannot give too many details at this point not public.
- Brian Harris - what is the time frame - 5 years or 10 year project.
- Jackie Canty - to get 30 million for the first phase as a Federal tribe can offer opportunities to others.
- Brian Harris - what about tax credits - the 120 acres is it part of Green Earth.
- Jackie Canty - it will be located over there (Green Earth) - Denzel Washington could help - some want to help with a music school.
- Brian Harris - back to the time frame.
- Jackie Canty - first phase break ground by the end of the year.
- Brian Harris - you apply for the grants where does the investors come in - is in as agreement on paper or just talking.
- Jackie Canty - they like the idea have met with the EDB and EC.
- Brian Harris - why did they back down in North Carolina - they did not want full disclosure with Charlotte.
- Jackie Canty - we have done our due diligence.
- Brian Harris - the company (a partner was investigated by the FBI for fraud.
- Jackie Canty - we did our due diligence it was with a contractor in Albuquerque - a disagreement with - the reason they left Charlotte was problems with Mayor Cannon and NC reduced the tax benefits.
- Dawn Osborn - what is the total cost.
- Jackie Canty - the three districts on estimate cost like Albuquerque is 300 million - already have investors for the music and entertainment with Denzel Washington - Winthrop College for the Film School and an individual for a Magnet School - everything sod out there will have Catawba brand.
- Chief Bill Harris - shot clock ran out.
- **Melissa Harris - motion to continue the discussion - second by Brian Harris - 87 present - 37 yes - 19 no - 0 abstain - motion approved.**
- Dawn Osborn - what is the return.
- Jackie Canty - in the previous talks it will have to be 51%/49% on the reservation - that is the minimum - it could be more.
- Dawn Osborn - how many dollars are we going to get after putting all this money in this project.

30 year loan or a BIA guarantee loan payments would be about \$14,000 a month - got a potential of making millions of dollars and paying back \$14,000 - that is just a comparison - we are restructuring our lease - will be \$10,000 less that will be \$10,000 we will save - to be able to put it in other areas.

- Chief Bill Harris - currently do not have a quorum (12:52 PM) shot clock expired on this topic - you are without a legal quorum.
- Door prizes:
 1. Faye Griener
 2. Nicki George - not present
 3. Jeremy Beck
 4. Dean Canty
 5. Anthony Nichols
 6. Quinlan Canty

X. Benediction: No closing prayer.

XI. Adjourn: The meeting adjourned @ 12:55 P.M.



Bank of America Private Wealth Management

Reconciliation of Balances: January 1 - December 31, 2015							
	Per Capita	Education	Economic Development	Social Services	Land	Per Capita (Custody)	Total
Beginning Market Value	\$ 79,448	\$ 7,672,984	\$ 1,776,946	\$ 354,728	\$ 558	\$ 221,070	\$ 10,105,734
Inflows (Additions and Income)	\$ 753	\$ 521,839	\$ 88,734	\$ 23,480	\$ -	\$ 7,270	\$ 642,076
Appreciation/Depreciation	\$ (558)	\$ (377,790)	\$ (52,825)	\$ (22,144)	\$ 1	\$ -	\$ (453,316)
Outflows (Fees and Distributions)	\$ (57,834)	\$ (429,178)	\$ (465,661)	\$ (8,149)	\$ -	\$ (15,009)	\$ (975,831)
Accrued Income	\$ -	\$ 12,376	\$ 1,274	\$ 468	\$ -	\$ 14	\$ 14,132
Ending Value + Accrued Income	\$ 21,809	\$ 7,400,231	\$ 1,348,468	\$ 348,383	\$ 559	\$ 213,345	\$ 9,332,795

Cash Allocation as of January 13, 2016							
Principal Cash	\$21,809	\$295,550	\$42,107	\$36,551	\$160	\$213,345	\$609,523
Income Cash	\$ -	\$319,903	\$30,882	\$13,720	\$399	\$ -	\$364,904
Total Cash	\$21,809	\$615,453	\$72,989	\$50,271	\$559	\$213,345	\$974,427

Asset Allocation as of December 31, 2015						
Cash	100.00%	8.24%	5.30%	14.30%	100.00%	100.00%
Equities	0.00%	36.83%	38.10%	32.80%	0.00%	0.00%
Fixed Income	0.00%	42.50%	49.00%	46.20%	0.00%	0.00%
Hedge Fund	0.00%	6.12%	3.50%	2.10%	0.00%	0.00%
Real Estate	0.00%	4.71%	3.00%	3.30%	0.00%	0.00%
Tangible Assets	0.00%	1.60%	1.10%	1.40%	0.00%	0.00%

Total Portfolio Return Jan - Dec 31, 2015 -0.21% -0.70% 0.04% -1.30% 0.06% 0.03% -0.60%

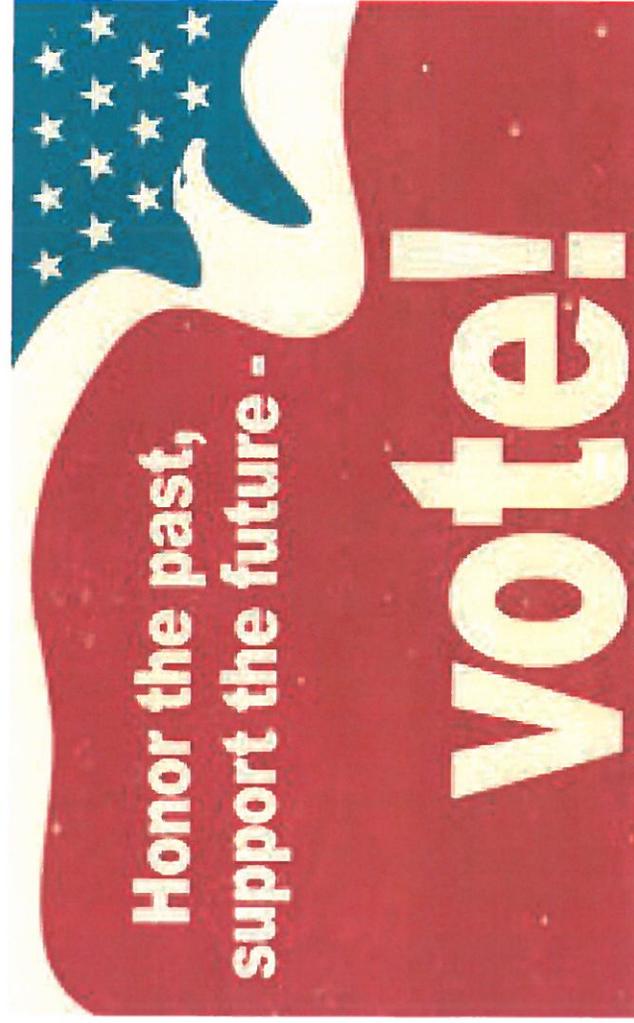
*Education consists of Weighted Avg of SMA account and main account

Opening Comments

We the First People

CREATING LAWS TO PROVIDE HARMONY

Constitution by the People for the People



To review the steps we have taken to create the proposed
Constitution please visit:

<http://catawbaindian.net/constitution-initiative/>

If you have any questions please contact:

catawbaconstitution@gmail.com

We Need YOUR Feedback!

Public Input Sessions

Sat March 12th at 11 am

Lunch and Door Prizes

Tues March 22nd at 6 pm

Dinner and Door Prizes

Survey available online for all citizens
from

March 11th-23rd

Old Business

-Election Committee

-Economic Development

CATAWBA INDIAN NATION ELECTION PROCEDURES

As Proposed January 16, 2016

ARTICLE I – PURPOSE

To provide for procedures, as authorized by the General Council of the Catawba Indian Nation, establishing regulations for Tribal Elections. The intent and purpose of these procedures is to establish fair elections and to ensure the secrecy and sanctity of the ballot, as well as to ensure the Election Committee conducts its affairs in a manner to avoid what could be perceived as an elections irregularity. The regulations contained in these Election procedures shall be administered in such a way as to accomplish these purposes.

ARTICLE II – AUTHORITY

These Election procedures are authorized by the Constitution and Bylaws of the Catawba Nation of South Carolina, ratified August 30, 1975, and by General Council Resolution #20080223, dated February 23, 2008.

ARTICLE III – VOTER REGISTRATION

Section 1

Eligible voters shall be those tribal members who are duly registered to vote pursuant to Article III, Section 2, of these procedures.

Section 2

To register to vote and to receive a ballot, a person must:

- A) Be an enrolled member of the Catawba Indian Nation Tribe.
- B) Be at least eighteen (18) years of age on the date of the election.
- C) Show some form of governmental identification, such as a CIN Tribal card, drivers license or other governmental picture ID) to a member of the election committee prior to signing the Registry on the day of the elections;
- D) A member of the Election Committee must verify the person's name against a current Catawba Indian Nation roll, and mark, check, highlight or otherwise validate the printed name on the roll; and
- E) The voter must sign the Registry provided for at the Polling Place.

Section 3

- A) The Registry shall be the specific responsibility of the Secretary of the Election Committee, while the Chairperson shall be responsible for all records including the Registry.
- B) During registration of voters and voting, there shall be no less than 3 Election Committee members always present, with at least 2 at sign in and at least 1 at the ballot box.
- C) The Election Committee shall, after each election and prior to Certification of the results, cross-check the membership listings used at the Polling Place to determine if an individual has voted more than one time in the election.
- D) Any person or persons voting more than one time in any election shall be prohibited from voting in tribal elections for a period of five (5) years from the date of the offense.

Deleted: (with the exception of absentee ballots)

would be seeking; nor can an official who resigns run for another office during his or her original term if that term would overlap with the term of the office he or she would be seeking.

Section 5

In the event that there is no candidate that has filed for an elective office at the first General Council Meeting of the year, the vacancy shall be filled pursuant to Article V, Section 1 of the Catawba Indian Nation Constitution.

ARTICLE V. ELECTIONS

Section 1

Elections for Executive Committee positions shall be held every four years ~~in July~~. Elections for other positions shall be held in accordance with General Council resolutions or ordinances establishing such positions.

Section 2

Special elections shall be held by the Elections Committee pursuant to Article V, Section 1 of the CIN Constitution.

ARTICLE VI – TERMS OF OFFICE

Section 1

The Terms of Office of the Executive Committee members shall be four years in accordance with Article III, Section 4 of the Catawba Indian Nation Constitution.

Section 2

Vacancies in the Executive Committee shall be filled in accordance with Article V of the Catawba Indian Nation Constitution and these procedures, where applicable.

ARTICLE VII – BALLOTS AND ELECTION RECORDS

Section 1

The Election Committee shall have the duty and responsibility to design and update ballots and any other documents that may be necessary to conduct Tribal Elections. This shall include but not be limited to the order of offices on the ballot, the order of names on the ballot, and the posting of sample ballots.

Section 2

Election Records shall be maintained by the Election Committee at all times. The results of official voting returns and other pertinent documents shall be stored as official documents of the Catawba Indian Nation and shall be kept in a safe and secure manner.

Section 3

Election Records shall be preserved and maintained by the Election Committee for a period of not less than four (4) years after an election.

Deleted: ¶

Deleted: during the

Deleted: meeting of the General Council

Commented [EH1]: What does the General Council think is needed for preservation?

Section 3

The registered voter shall use only the ballot given to him or her at the time of signing the register book.

Section 4

There shall be one person in a voting booth at a time with the following exceptions at the request of the voter:

- A) Physically disabled person may have assistance in marking a ballot. The person assisting the disabled person shall swear (affirm) that he or she shall not discuss the voter's casting of his or her ballot with any person. They will not influence the voter in casting a ballot. They will assist only in marking a ballot as the voter wishes.
- B) Visually impaired persons may have assistance in marking a ballot.
- C) Non-reading and non-English speaking persons may have assistance in marking a ballot.
- D) Minor children of a qualified voter may accompany the qualified voter in the voting booth while he or she is casting his or her ballot. The qualified voter shall attest that the person or persons accompanying him or her are the minor children of the voter.

Section 5

The voter, after receiving an official ballot shall immediately enter an unoccupied booth. If all booths are occupied, the voter shall wait in an orderly line and enter the first unoccupied booth when his/her time in line comes to enter a booth.

Section 6

Except as otherwise provided in these procedures, only ballots marked in a booth shall be put into the ballot box.

Section 7

Ballots shall be marked in ink and in spaces provided on the ballot.

Section 8

After marking of the ballot the voter shall fold the ballot or otherwise cover the face of the ballot, such as in an envelope, in accordance with instructions provided by the Election Committee and physically put the ballot into the slot in the ballot box.

Section 9

If for any reason a ballot becomes spoiled, the voter shall return the ballot in his possession to the issuing Election Committee Member where the ballot will be voided in the presence of the voter and a new ballot will be issued. The register book will be noted that a spoiled ballot has been returned.

Section 10

At the closing of the polls, all persons in line at the closing hour shall be given an opportunity to cast a ballot. No others will be allowed to join the line past the closing hour.

Section 11

All registered voters of the Catawba Indian Nation will be mailed an absentee ballot thirty (30) days before the day of the election so that each member of the tribe has an equal opportunity to participate in elections.

5. Two Committee members shall immediately return the curbside ballot box to the voting ballot box area.

ARTICLE X – CANVASS OF ELECTION RETURNS

Section 1

Immediately after the polls are closed all ballots shall be returned to the Catawba Indian Nation Longhouse Tribal Office in Rock Hill, South Carolina where the counting of the Ballots shall commence. The official counters shall be the Election Committee. [Note: Conflicts of Interest are dealt with below.] The Election Secretary shall be the official recorder of the counting process. The Election Committee shall be responsible to determine conflict of interest situations, and if so determined, the committee shall have the duty and authority to correct the situation by replacing the counter(s) affected.

Section 2 Procedures for Counting of Ballots

At the time of poll closing and after the last ballot has been cast the ballot boxes will be taken to a private room. There shall be present at the counting:

- 1) Election Committee members(s);
- 2) Two Readers of Ballots (Election Committee members);
- 3) Counters of Votes (to run separate tallies); and
- 4) Watchperson(s), of which each candidate shall be allowed one. Watchpersons must be Catawba Indian Nation members of legal voting age.

The Ballot Boxes will be unlocked by the Chair of the Elections Committee and the other Election Committee member holding a key. There shall be no candidate for election among those counting votes or in the counting room. As each ballot is pulled from the ballot box, both readers will simultaneously read the ballot and announce the vote to the tally counters, who will mark their tally sheets. As the last ballot is tallied from each ballot box the ballot box will be shown to all that it is empty and that all legal votes have been tallied. The tally sheet will be compared after every 25 votes are counted and if discrepancies appear the votes will be retabulated. When tally sheets are identical and correct in count each tally sheet will be signed by the Committee Chairperson and Committee Secretary. Marked ballots and tally sheets will be relocked in the ballot boxes and kept in a safe place until the next election or if there is a challenge of the voting or counting procedure. No cell phones or other electronic devices will be allowed during counting of ballots. No one present for the ballot counting will be allowed to leave the building and return.

Section 3

The ballot boxes may be opened for removal of ballots for the purpose of counting on the day of the elections, but only in the presence of the Election Committee Chairperson, and Secretary, at least two (2) Election Committee members designated by the Election Committee and the other witness provided for in Article X, Section 2, above. The ballot boxes may only be opened on other occasions when authorized by these procedures and then only in the presence of the Election Committee Chairperson, Secretary, and at least two (2) Election Committee members designated by the Election Committee.

Deleted: 5

ARTICLE XII – SETTLING OF ELECTION DISPUTES

Section 1

In the event that any registered voter or candidate for Tribal Office wishes to contest any election results, the registered voter or candidate must notify the Election Committee, in writing within five (5) days after notification of the election results, excluding weekends and Holidays.

- A) The notification in writing to the Election Committee must be addressed to the Election Committee and must include the following: contestants name, address and enrollment number; which election the contestant wishes to contest; the specific reasons why the contestant wishes to contest the election; and that the contestant desires the Election Committee to recount the ballots or otherwise invalidate the election for any valid reason.
- B) In the event of an Election Protest, the Election Committee shall, within ten working (10) days of receipt of the protest, excluding week-end and Holidays, recount those ballots of the election protested, in the same manner as the original election or to otherwise meet to consider the contestant's election challenge. The election committee will review and take necessary actions.

Deleted: Chairperson

Section 2

All those persons present at the original ballot count shall be permitted to attend the recount.

Deleted: ¶

Section 3

The Election Committee's Decision as to the Recount:

- A) The Election Committee Chairperson after the recount shall announce to the parties the decision as to whether the original election count will stand and the protest will be held valid.
- B) Votes that are one (1%) percent of each other, in each position, would automatically be a recount.
- C) Individual bases at the discretion of the Election Committee.

Formatted: Indent: Left: 0", Hanging: 0.5"

Section 4

If the Election Committee declares an election void, another election shall be called within 90 days of the declaration. An election may only be declared void if the Election Committee determines that irregularities in the election process were so grave as to have actually affected which candidate prevailed in the vote.

ARTICLE XIII – INSTALLATION OF ELECTED OFFICERS OF THE CATAWBA INDIAN NATION

Section 1

The installation of the newly elected officers of the Catawba Indian Nation shall be the responsibility of the Election Committee.

to explain in greater detail said Petition. Failure to comply with this requirement shall be cause for voiding said Petition.

- C) The Recall Petition shall contain the name of the Elected Tribal Official and his office, under consideration for Recall, on each sheet of the Petition. A Recall Petition may only be for one (1) official. This does not preclude the possibility of more than one Recall Petition being under consideration at the same time.

Section 5

The Election Committee, upon validation of a proper Recall Petition, shall, within twenty-four (24) hrs, notify the Oversight Committee and the accused, in writing that said Petition has been filed with the Election Committee and a copy of said Petition (without signatures) will be sent to the Oversight Committee.

Deleted: Chief

Deleted: .

Deleted: accused

Deleted: In accordance with the Constitution, the petition will then be presented at a regular or special meeting of the General Council. The accused official shall be notified in advance of such meeting of the charges and shall have an opportunity to defend himself at such meetings. A majority vote of all eligible voters shall be necessary to remove an official from office. A tribal official may only be removed in cases of misconduct, immorality, or neglect of duty.

ARTICLE XV DUTIES OF THE ELECTION COMMITTEE OFFICIALS

Section 1

The members of the Election Committee shall disqualify themselves and withdraw from any and all functions of their position during any election or process in which a conflict of interest arises. A conflict of interest includes validating a petition that the committee member signed, counting votes for an immediate family member, as listed below in paragraph B., and other such conflicts. Such members shall resume their duties only when there is no longer a conflict of interest.

Deleted: a close family member

- A) The Election Committee shall have the authority, by majority vote, to disqualify any of its members in the event they continue to function in a conflict of interest situation.
- B) No Committee member shall participate in any discussion, action or vote on any matter in which he or she or a member of his or her immediate family has a potential conflict of interest due to having material economic involvement regarding the matter being discussed or otherwise being addressed. When such a situation presents itself, the Committee member must announce his or her potential conflict, disqualify himself or herself, and be excused from the meeting or other relevant activity until discussion is over on the matter involved or otherwise recuse him or herself from the matter. All Committee members are expected to make inquiry if such conflict appears to exist and a Committee member has not made it known. A conflict of interest shall include but not be limited to overseeing, adjudicating or deciding any matter in which the Committee member's ability to act without bias is affected. A matter shall be deemed a conflict of interest where the matter at issue would directly affect a Committee member's immediate family (the person's spouse, grandparent, parent, sibling, child, grandchild, legal dependent or romantic relationship), personal or business interest except where such matter or interest is one that is held in common with all members of the Catawba Indian Nation and affects them all directly in essentially the same way.

Section 2

The Election Committee is empowered to appoint a minimum of two (2) alternates who shall attend all meetings of the Committee and be able to function as regular members as the need arises during conflict of interest situations or other absences.

- 4) The Secretary and his or her designate shall take minutes of all Committee Meetings and make available these minutes to the Chairperson, the Catawba Indian Nation Executive Committee and any other interested Tribal Member;
 - 5) And perform any and all other duties as may be required by these procedures and the CIN Tribal Constitution.
- E) In addition to the duties enumerated in Sections One (1) through Five (5) of this Article, the members and alternates of the Election Committee will be required to perform any and all other duties and functions as they may be appointed to or volunteer for or as may be required.
- F) An Election Committee member shall be removed from the Committee if he or she misses three (3) consecutive meetings without good cause. Examples of good cause include medical emergency, death of a family member or close friend, and travel and others deemed acceptable by the committee.

Deleted: 1.1

Section 6

The Election Committee shall be governed by the following procedures and such other procedures which it may adopt for its meetings. These procedures shall be written and be made available at all meetings of the Committee and to any Tribal Member upon request.

A. Procedures:

- 1. Powers: The Election Committee powers and business shall be exercised, conducted and controlled by the Election Committee members, except as otherwise provided in these procedures.
- 2. Composition: There shall be seven (7) CIN tribal members on the Committee. The members shall be elected by the CIN General Council Members at a General Council or special meeting. The Committee members shall designate a Chairperson, Vice Chairperson and secretary, who shall have the following duties:
 - a.) Chairperson – The chairperson shall preside at all meetings of the committee. The Chairperson shall also:
 - 1. Receive and acknowledge communications, petitions, and requests on behalf of the Committee. All communications, petitions, and requests shall be transmitted to members of the Committee.
 - 2. Propose an agenda for Committee meetings with the assistance of the Committee Vice Chairperson, subject to amendment and adoption by the Committee as a whole.
 - 3. Be responsible for representing the position of the Committee to the public.
 - 4. Coordinate with other Tribal officials, with the assistance of the Vice Chairperson, the Committee's public communications.
 - 5. Keep the Committee focused on the mission, vision, and goals of the Committee.
 - 6. Be able to vote on all issues except where there is a conflict of interest.

Section 7

The Election Committee shall have the duty to carryout and obey these procedures and any other laws and regulations as may be applicable.

ARTICLE XVI – APPLICATION OF CONSTITUTION

Any portion of these procedures in conflict with the Constitution of the Catawba Indian Nation shall be superseded by the Catawba Indian Nation Constitution.

ARTICLE XVII: ADOPTIONS AND AMENDMENT

Any changes to these procedures must be proposed by the Election Committee to the General Council for review and approval or proposed by a member of the General Council during a General Council meeting.

ARTICLE XVIII. TEXT OF AUTHORIZING RESOLUTION

Attachment A: Authorizing Resolution

Economic Development

New Business