



THE SUPREME COURT OF THE LUMBEE TRIBE OF NORTH CAROLINA

Justice Mark Brooks
Justice Everett Moore

Justice Mary Beth Locklear
Justice Joshua D. Malcolm

David Locklear,)
)
 PETITIONER,)
)
 v.)
)
Ron Oxendine,)
)
 RESPONDENT,)
)
and)
)
Tribal Elections Board,)
)
 INTERVENORS-)
 RESPONDENTS.)

Case No.: 2021-001
ORDER

IN THIS MATTER, the Petition was heard on October 14, 2021 and the Supreme Court of the Lumbee Tribe North Carolina (“Court”) issued an opinion on October 20, 2021. In said opinion, this Court ruled Respondent Ron Oxendine ineligible to run for Tribal Chairperson. This Court further instructed the Lumbee Tribal Elections Board (“Election Board”) that distribution of absentee ballots for the upcoming November 9, 2021 election ought to “resume quickly to lessen any further prejudice to Lumbee voters requesting absentee ballots.” The Court ordered modified absentee ballots to be distributed to Lumbee voters who had requested them, and modified ballots to be made available to Lumbee voters on Election Day November 9, 2021. The Court, in reviewing actions taken by the Election Board to comply with its ruling, makes the following findings:

1. On October 21, 2021, the Court made several attempts to inquire of the Election Board on which steps it had taken to comply with its October 20, 2021 ruling.
2. Subsequently, on October 21, 2021 the Election Board, by and through counsel, finally informed the Court they were in the process of complying with the Court’s ruling and would soon inform the Court of what steps it was taking to do so. At or around 12:16

- a.m. on October 22, 2021, the Court received an email from a 3rd party, where the Election Board had distributed a Resolution to the Tribal Council.
3. Said Resolution was not directed to the Court by the Election Board, nor did it state any intent to comply with the Court's October 20, 2021 ruling, as it relates to modifying the ballots.
 4. Said Resolution stated the Election Board believed it could not meet the requirements of the Court's October 20, 2021 ruling prior to the November 9, 2021 election.
 5. The Election Board, in said Resolution, stated its decision to unilaterally postpone the election until December 14, 2021, 35 days after the existing November 9, 2021 election date, without consulting with the Court.
 6. The Election Board, in supporting its unilateral decision to postpone the election, cited Lumbee Tribe of North Carolina Ordinance 2005-002 Section 3 Paragraph 6 authorizes them to set date and time of election.
 7. The Court, early morning on October 22, 2021 after being made aware of the Resolution, informed the Election Board it was reviewing the document to determine whether it was in compliance with the "letter and intent" of our October 20, 2021 ruling.
 8. The Court, upon making further inquiry to the Election Board for an explanation of their actions, was informed they believed there was insufficient time, resources, and workers to comply with the Court's October 20, 2021 ruling.
 9. The Court, after further inquiry on the matter, based on said Resolution as well as statements made by the Election Board, was advised the Election Board had to issue no more than 398 modified ballots to voters who requested absentee ballots.
 10. The Court having reviewed the Election Board's Resolution, and defenses thereof, find they are not in compliance with the Court's October 20, 2021 ruling.
 11. The Election Board, while having the authority to set election dates, times, and polling sites in general, did not have the unilateral authority to postpone or delay the election set by Court Order.
 12. The Court has determined that the Election Board, in this instance, acted arbitrary and capricious in light of the intrusive and significant effect a delayed election will have on the voters.
 13. The Election Board, when asked about delaying the election during the October 14, 2021 hearing, resoundingly stated they did not believe the election should be postponed.
 14. At no time during this Court's deliberation, from October 14 thru October 20, 2021, did the Election Board express any concerns regarding its ability to carry out its responsibilities for the scheduled November 9, 2021 election.
 15. The Court believes, sufficient time existed from the issuing of our ruling on October 20, 2021 until November 5, 2021, the deadline for which absentee ballots are to be received by the Election Board, to comply with our October 20, 2021 ruling. Nevertheless, the Court intends to modify the date in which absentee ballots may be received by the Election Board to lessen disenfranchisement of absentee voters while affording the Election Board more time to comply with the ruling of this Court.
 16. In considering this matter, the Court must weigh the potential disenfranchisement and chaos to Lumbee voters and eligible candidates caused by the Election Board's Resolution, passed at the dark hour of midnight, which was not proffered to this Court for its review.
 17. The Election Board has indicated it needs at least until Wednesday, October 27, 2021, to

- have all requested modified absentee ballots mailed out, which they believe will leave absentee voters insufficient time to have their ballots returned by November 5, 2021.
18. Consequently, believing it needs a minimum seven (7) days to mail out absentee ballots to eligible voters and that those seven (7) days will be inadequate for absentee voters, The Election Board apparently determined that their unilateral decision to delay the election 35 days was the least intrusive solution. In addition, the Election Board proposes to restart the period allowing new absentee ballot requests et al., which would trigger unconsidered implications for this Court, regarding opening tribal enrollment. All these factors, in the opinion of this Court, would cause unprecedented confusion and potentially greater disenfranchisement of Lumbee voters.
 19. The Court finds the actions of the Election Board to alarmingly appear as efforts to circumvent this Court's ruling. The Election Board's failure to affirm its intention to comply with the Court's ruling, along with the Election Board's public dissemination of its unilateral effort to delay the election, have been interpreted by this Court as something closer to obstruction rather than compliance.
 20. The Court believes the Election Board's failure to "resume quickly" distribution of absentee ballots has caused "prejudice to Lumbee voters requesting absentee ballots."
 21. The Election Board's actions conducted in a manner which seems to disregard our reviewing authority, is not viewed by this Court as being the "most efficient and least intrusive means."

IT IS THEREFORE ORDERED:

1. The Elections Board will begin immediately to take whatever steps necessary to issue modified ballots which comply with the October 20, 2021 Order.
2. Dock Locklear, is hereby appointed to serve as an "observer" for the Court going forward. He shall be given unfettered access to the Election Board processes, meetings, and other activities. He is considered a representative of the Court who will interact with the Election Board moving forward until the November 9, 2021 election results are certified by the Election Board.
3. Any and all ballots will be sent to eligible absentee voters as soon as possible, but no later than Wednesday, October 27, 2021 at 5 p.m.
4. The Election Board shall prepare and post publicly a NOTICE on its social media and any other front facing medium critical information concerning the details of ballot distribution. In addition, this NOTICE shall be shared with the Tribal Administration so it can be posted on the Tribe's social media and any other front facing medium. These NOTICES shall be posted by Saturday, October 23, 2021 at 1:00 p.m.
5. The Elections Board shall send said ballots via USPS Priority Mail and shall enclose pre-paid USPS Priority Mail envelopes to eligible absentee voters for completion and return of the ballot. In this mailing, an instruction letter to each voter detailing the reason for the modified ballot and the urgency of return shall be included.
6. The Elections Board shall receive and count absentee ballots received up through November 12, 2021 at 5:00 p.m. in order to lessen any potential disenfranchisement of absentee voters, while affording the most efficient and least intrusive means to do so.
7. The Board is hereby ordered to take any and all necessary steps to modify all schedules, dates, and processes to accomplish the intent of this ruling to ensure that the election occurs on November 9, 2021 and that absentee ballots are accepted until November 12,

2021 at 5:00 p.m.

8. The Election Board is ordered to expend the necessary funds to comply with this Order (e.g. mailing, personnel, training, etc.).
9. The Court has determined that all available funds in its budget are hereby committed to the Election Board to ensure compliance with this Order.
10. Furthermore, we hereby Order the Tribal Council and Administration to obligate and/or appropriate any additional funds necessary to carry out the intent of this Order, to effectuate the election on November 9, 2021.

Signed this the 22nd day of October, 2021.

original signed

Mark Brooks, Justice

original signed

Mary Beth Locklear, Justice

original signed

Joshua D. Malcolm, Chief Justice

original signed

Everette Moore, Justice



THE SUPREME COURT OF THE LUMBEE TRIBE OF NORTH CAROLINA

Justice Mark Brooks
Justice Everette Moore

Justice Mary Beth Locklear
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Case No.: 2021-001
ORDER

WHEREAS, a Petition was filed on October 6, 2021 at 10:51 a.m. ET, alleging violation(s) of Article VIII, Section 2(b) of the Constitution of the Lumbee Tribe of NC.

WHEREAS, the Petitioner alleges the Respondent “failed to meet the residency requirement set out...in the Lumbee Constitution.”

WHEREAS, the Supreme Court (“Court”) of the Lumbee Tribe issued an Emergency Order (LTNC SC_David Locklear v. Ron Oxendine 2021-001_Prehearing ORDER_10072021 1130 signed) on October 7, 2021 at 11:30 a.m. ET.

WHEREAS, the Court issued an Order (LTNC SC_David Locklear v. Ron Oxendine 2021-001_Prehearing ORDER_10082021 1830 signed) on October 8, 2021 at 6:00 p.m. ET.

WHEREAS, said Order concluded that “the Supreme Court of the Lumbee Constitution shall have original jurisdiction over all cases and controversies arising under the Lumbee Constitution and all ordinances of the Lumbee Tribe of North Carolina.”



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WHEREAS, the Court issued an Order (LTNC SC_David Locklear v. Ron Oxendine 2021-001_Prehearing ORDER_10092021 1730 signed) on October 9, 2021 at 5:30 p.m. ET.

Per the unanimous decision and on behalf of the Court in Conference.

Signed this 13th day of October 2021 at 6:15 p.m. ET.


For the Court

Attachment:

- LTNC SC_David Locklear v. Ron Oxendine 2021-001_exerpt transcript of LTNC CandO comm. 10052021



Lumbee Tribe of North Carolina
Board of Elections
Post Office Box 1799
Pembroke, North Carolina 28372
910-521-8965

December 2, 2015

**ORDER OF LTNC BOARD OF ELECTIONS
SETTING ASIDE RESULTS IN THE NOVEMBER 17, 2015
ELECTION FOR THE DISTRICT 9 TRIBAL COUNCIL SEAT**

To: Anita Hammonds Blanks, Elaine McNeil Collins, and LTNC Tribal Speaker Lesaundri Hunt

Subj: RESPONSE TO FORMAL CONTEST OF ELECTION RESULTS FOR DISTRICT 9 TRIBAL COUNCIL ELECTION CONDUCTED ON NOVEMBER 17, 2015 BASED ON MATERIAL AND SUBSTANTIAL IRREGULARITIES THAT OCCURRED DURING THE ELECTION

Ref: (a) Constitution of the Lumbee Tribe of North Carolina
(b) Lumbee Tribe of North Carolina Ordinance No. 2005-0002 dated 4 May 2005
(c) Anita Hammonds Blanks contest letter dated November 24, 2015

1. Authority of the Elections Board of the Lumbee Tribe of North Carolina in this matter
 - a. The Elections Board of the Lumbee Tribe of North Carolina was established and operates under the authority of Article X of the Constitution of the Lumbee Tribe of North Carolina. (Reference (a))
 - b. Article X, Section 1.c. of the Constitution of the Lumbee Tribe of North Carolina grants the Elections Board of the Lumbee Tribe of North Carolina authority on "any other matters specified herein or authorized by tribal ordinance." (Reference (a))
 - c. Lumbee Tribe of North Carolina Ordinance NO. 2005-0002 dated May 4, 2005, cited as "ELECTION ORDINANCE", Section 6: Election Results, Paragraphs 4 and 5 state the conditions that constitute grounds for an election to be contested or challenged. (Reference (b))
 - d. The parties were notified by the Elections Board of this hearing.

2. Basis of Contest /Challenge

- a. The Anita Hammonds Blanks' letter of November 24, 2015 timely contested the elections results based on material and substantial irregularities that occurred during the November 17, 2015 District 9 Tribal Council Election process. (Reference (c))
- b. The material and substantial irregularities cited in the Anita Hammonds Blanks' contest letter of November 24, 2015 is that four (4) voters from outside the District 9 boundaries voted in the District 9 Tribal Council Election.
- c. The material fact alleged is that these four (4) voters were not eligible to vote in the District 9 Tribal Council Election.
- d. The impact of the four (4) ineligible votes in this election is substantial because the result of the ineligible votes could determine the outcome of the election.

3. Discussion of Case

- a. The Lumbee Tribal Elections Board independently verified that the four (4) voters named in the Anita Hammonds Blanks' contest letter (Reference (c)) were entered into the 2015 Electoral Roll Book and the 2015 Election Voter Sign In Book of District 9 as having voted in the District 9 Tribal Council Election on November 17, 2015.
- b. The Lumbee Tribal Elections Board after a hearing concludes that the four (4) voters named in the Anita Hammonds Blanks' contest letter (Reference (c)), live outside the boundaries of District 9.
- c. There is no means to verify which candidate the four (4) ineligible voters cast their ballot for in the District 9 Tribal Council Election.
- d. After a recount by the Lumbee Tribal Elections Board, the total vote count difference between the two candidates for the District 9 Tribal Council was three (3) votes: Elaine McNeil Collins 200, and Anita Hammonds Blanks 197.

4. FINDINGS

- a. That there were material and significant voter irregularities that occurred during the District 9 Tribal Council Election on November 17, 2015.
 - i. Material - At least four ineligible voters voted in the District 9 Tribal Council Election
 - ii. Significant - The number of ineligible votes is greater than the difference in the total vote between the candidates
- b. That Anita Hammonds Blanks, the contestor/protestor/candidate in this matter, has offered undisputed proof of her claims of sufficient material and substantial irregularities that could have affected the elections results for the Tribal Council seat in District 9.
- c. Given the number (four) of material and substantial irregularities, this Board cannot certify the election results for the District 9 Council seat.



Lumbee Tribe of North Carolina
The Desk of the Tribal Clerk

Record of Posting

Tribal Ordinance: CLLO-2005-0002

Posted Date: 03/21/19

Presented to Tribal Chairman for Review: 03-21-19 VIA EMAIL

Signature or Veto date: _____

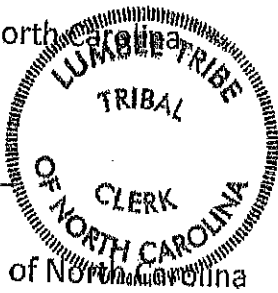
Reason for Veto: _____

Other: _____

Harvey Godwin, Jr.
Harvey Godwin, Jr.
Tribal Chairman of the Lumbee Tribe of North Carolina

4-3-2019
Date

Belinda Brewer
Belinda Brewer
Tribal Clerk Designee of the Lumbee Tribe of North Carolina



3-21-19
Date

CERTIFICATION

THIS CLLO-2005-0002 "ELECTION ORDINANCE" AMENDED AT A MEETING OF THE TWENTY-ONE (21) MEMBER TRIBAL COUNCIL OF THE LUMBEE TRIBE OF NORTH CAROLINA WHERE 19 MEMBERS WERE PRESENT, CONSTITUTING A QUORUM, THIS THE 21TH DAY OF MARCH 2019 BY A VOTE OF 12 YES 7 NO, AND 0 ABSTENTION(S).

Ricky Burnett 3-21-2019
ATTEST: RICKY BURNETT DATE
Speaker, Tribal Council of the Lumbee Tribe of North Carolina

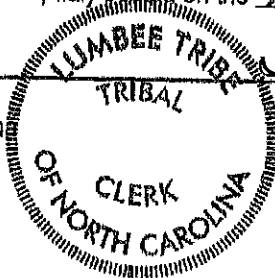
Wendy Moore-Graham 3-21-2019
ATTEST: WENDY MOORE-GRAHAM DATE
Secretary, Tribal Council of the Lumbee Tribe of North Carolina

Harvey Godwin Jr. 4-3-2019
ATTEST: HARVEY GODWIN JR. DATE
Chairman, Lumbee Tribe of North Carolina

POSTING

THIS CLLO-2005-0002 "ELECTION ORDINANCE", duly posted on the 21 day of MARCH, 2019.

Belinda Brewer 3-21-19
ATTEST: BELINDA BREWER DATE
Tribal Clerk Designee, Lumbee Tribe of North Carolina





Office Of Tribal Enrollment And Records
PO Box 2709
Pembroke, NC 28372
Phone: (910) 521-2843
Website: www.lumbee Tribe.com

Wednesday, October 6, 2021

Certificate of Tribal Enrollment

Name: **DAVID LOCKLEAR**

Photo:

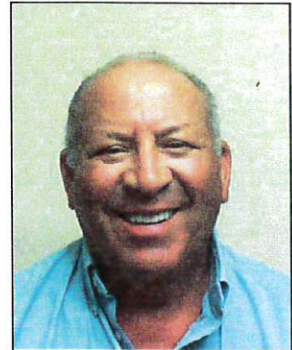
Date of Birth: [REDACTED]

Enrollment Status: **ENROLLED**

Resolution Number:

Enrollment Number: [REDACTED]

Resolution Date:



Address (Mailing): 2822 SADDLETREE ROAD
City: LUMBERTON, NC 28360

County: ROBESON

Address (Street): 2822 SADDLETREE ROAD
City: LUMBERTON, NC 28360

County: ROBESON

Comment

CHART# 10747

NO EXPIRATION DATE

Reena O. Locklear

Enrollment Director
Reena O. Locklear

Authorizing Signature



LUMBEE TRIBE OF NORTH CAROLINA

CLLO-2005-0002

DATE: May 4, 2005
Amended: March 21, 2019

WHEREAS, The Lumbee Tribe of North Carolina, a recognized Indian Tribe of the State of North Carolina, subject to the Constitution of the Lumbee Tribe of North Carolina and its inherent powers of self-government; and

WHEREAS, Article VII, Section 1 of the Constitution of the Lumbee Tribe of North Carolina delegates all legislative authority to the Tribal Council; and

WHEREAS, Article X of the Constitution of the Lumbee Tribe of North Carolina establishes an Independent Tribal Elections Board and the method in which the Elections Board shall be seated, and

WHEREAS, Article X authorizes the Tribal Council to adopt ordinance (s), which shall govern voter registration and the conduct of all regular and special tribal elections and any other matters, specified herein.

THEREFORE, Be it enacted by the Tribal Council of the Lumbee Tribe of North Carolina the following ordinance that shall be cited as "ELECTION ORDINANCE."

SECTION 1: QUALIFICATIONS OF ELECTIONS BOARD AND ALTERNATES

1. No person who is elected, appointed, or employed with the Lumbee Tribal government shall serve as a member or alternate on the Elections Board (hereafter referred to as "Board").
2. The Board members and alternates shall be an enrolled member of the Tribe and at least 18 years of age at the time of their appointment to the Board or when selected as an alternate.
3. Members and alternates shall be appointed according to Article X, Section 2 of the Constitution of the Lumbee Tribe of North Carolina (hereafter referred to as "Lumbee Constitution").
4. When appointing a member to the Board, each appointing committee shall also select an alternate that shall be appointed to the Board if his or her district seat becomes available due to disqualification or resignation of the district Board member.

7. Distributing a list of voter addresses and any other contact information approved by the tribal membership to candidates in a format to be determined by the Board;
8. Publishing and posting sample ballots;
9. Completing an alphabetical ordering of candidates for ballot arrangement;
10. Preparing ballots;
11. Mailing absentee ballots;
12. Designating a post office box where absentee ballots shall be returned;
13. Retrieving absentee ballots from the designated post office box;
14. Accepting or rejecting absentee ballots by a verification process;
15. Counting or supervising the counting of ballots cast in an election, excluding rejected absentee ballots;
16. Posting election results;
17. Supervising recounts of election results;
18. Certifying election results;
19. Conducting election appeals and awarding a new election, if necessary;
20. Reporting election results to the tribal membership;
21. Maintaining accurate election records, including the poll book;
22. Storing ballots in such a manner that will ensure the safekeeping and security of said ballots for a period of one (1) year from the date of the election or until any contested election is resolved, whichever is later.

SECTION 4: CONDUCT OF ELECTIONS

1. Ballots

- a. The Board shall prepare all ballots. The ballot shall be printed on white paper with black ink. Tribal Council election ballots shall include the number of candidates to be elected and detailed instructions regarding the number of vote(s) a voter can cast.
- b. Not later than the five (5) business days following the certification of candidates, the Board shall complete an alphabetical ordering of the candidates. The names of the candidates shall be arranged on the ballot according to said random ordering. If the Board determines that a candidate has died or withdrawn, the name of the candidate shall not be printed on the ballot or, if the ballots have already been printed, shall be erased or canceled before the ballots are distributed.

2. Voting Procedure

- a. Except as otherwise provided, any eligible voter may vote by appearing at the voter's prescribed polling site, announcing to the Election Precinct Committee his or her name, address, and signing the ballot sign out sheet. If the voter is unable to sign the ballot sign out sheet, the elections worker shall write "unable to sign" by that name.

(50) of the entrance to any polling site while an election is in progress. The Board may establish additional procedures on electioneering.

- c. Candidates may submit two names to serve as their respective designated watchers for each polling place, one of which shall be an alternate. Poll watchers:
 - i. Must be an eligible voter;
 - ii. Must be clearly identified by a badge, armband or other appropriate identification to be issued by the Board;
 - iii. Are prohibited from conversing with voters and Election Precinct Committee members. Any disruption by watchers will be cause for their removal from the polling site; and
 - iv. Are to remain only in areas designated by the Board.
- d. In an election for a measure, one voter advocating and one voter opposing the measure shall be used as observers at polling sites when such advocates are available.
 - i. Prior to an election involving a measure, the Board shall run a notice in newspapers of wide distribution and other forms of media outlay requesting that voters volunteer for pools supporting and opposing the measure, from which these observers shall be selected.
 - ii. In the event that an advocate is not available for a polling site, the Board shall have in place procedures to uphold the integrity of the voting results at that polling site.

4. Use of Voting Machines

- a. No voting machine shall be used in any election unless it:
 - i. Secures to the voter secrecy in casting his or her ballot
 - ii. Permits the voter to vote for any candidate and as many candidates for which the voter has a right to vote; and, where marked ballots are used;
 - iii. is capable of correctly counting ballots on which the proper number of votes have been marked for any candidates or measures that have been voted; and,
 - iv. Is capable of totaling votes by candidate and totaling votes for and against each measure on the ballot.
- b. If a voting machine becomes inoperative, the Board shall repair the voting machine at once or substitute another voting machine. If no other voting

- d. The Board shall compare the signature on the return envelope with the signature on the voter's signature form. If the signature is absent or does not match, the absentee ballot shall be rejected. The entire rejected absentee ballot shall be deposited unopened in a separate, secure box for invalid ballots. If the signatures match, the ballot shall be deposited in the locked ballotbox.
- e. For ballots placed in the locked ballot box, the Board shall record the return of the voter's absentee ballot by and through a process that will identify the voter as having voted by absentee ballot. The process shall provide information to be used on the day of election, to identify those voters who have already cast a vote and to prohibit the voter from casting a second vote.

3. Security of Ballots

- a. Returned absentee ballots shall remain in the designated post office box until retrieved by the Board.
- b. The Board may retrieve returned absentee ballots during the timeframe of:
 - i. Not more than two (2) days before the election, and
 - ii. After the deadline for absentee ballots to be returned, but before the beginning of the election.
- c. In the event the post office box is no longer adequate or workable, the Board shall secure a comparable means for assuring the security of ballots.
- d. Following the counting of ballots, The Board shall store all ballots, upon approval of the Tribal Council, in such a manner that will insure the safekeeping and security of said ballots for a period of one (1) year from the date of the election or until any contested election is resolved, whichever is later.

SECTION 6: ELECTION RESULTS

1. During the canvassing of election results, the Board shall:
 - a. Judge the applicability of absentee and questioned ballots, shall open and tally those accepted, and shall compile the total votes cast in the election.
 - b. Review the tallies of the recorded vote to check for mathematical error by comparing totals with other tallies such as the number of ballots issued, signatures, and other data.
 - c. Correct all obvious errors found during the canvassing.

- b. The candidate, or any person authorized to act for such candidate, whose right to the office is contested, has given to a voter, election judge or election clerk a bribe or reward, or has offered such bribe or reward for the purpose of procuring his or her election.
 - c. The complaint must identify the specific act constituting such alleged fraud and the names of the alleged perpetrators of such fraud.
 - d. If fraud is proven on the part of a candidate, such candidate shall be declared ineligible for the office for which he or she was a candidate. However, if the allegations are not proven by clear and convincing evidence, the candidate shall be declared eligible for the office.
5. An election result may be challenged on the basis of an allegation of irregularities other than fraud only if such challenge alleges material and substantial irregularities and of such a nature that:
- a. The outcome of the election would have been contrary to the reported result; or
 - b. Proves it is impossible to determine with mathematical certainty which candidate is entitled to be certified as elected, or in an election concerning a referendum, that the outcome of the election is impossible to determine with mathematical certainty.
 - c. The board may order a new election upon agreement of at least 3 members of the election board.

SECTION 7: ELECTION CERTIFICATION

1. After counting, the ballots shall be placed in ballot boxes, locked, and marked by the Election Precinct Committee with the name, polling site and the date of the election.
2. All unused, spoiled or rejected ballots shall be labeled and placed in the ballot box.
3. The Precinct Judge and at least one other precinct committee member shall immediately return the locked ballot boxes containing all election ballots to the place designated by the Board.
4. The Board shall certify all elected candidates to the seat or office in which they were a candidate and/or certify the results of a vote on a measure(s):
 - a. Provided that a challenge to election results or request for recount or automatic recount has not been filed with the Board by 5:00 pm at the end of five (5) business days after the Board has announced the unofficial results of the election.

**LUMBEE TRIBE of NORTH CAROLINA
ELECTIONS BOARD POLICIES AND PROCEDURES**

Adopted November 17, 2016
Amended September 12, 2021
Amended September 19, 2021

SECTION 1. PURPOSE

1. As an independent governmental entity of the Lumbee Tribe, the Constitution authorizes the Lumbee Tribe Elections Board (LTEB) to conduct regular and special elections and to adopt rules and regulations governing elections. In exercise of such authority, the Elections Board approves the following Policies and Procedures to conduct elections in general all activities of the Election Board.

SECTION 2. DEFINITIONS

1. The Elections Board Policies and Procedures (EBPP) adopt the same Definitions contained in the Constitution, Elections Ordinance 2005-002, Amended 3/21/19 and any other applicable Ordinances pertaining to Tribal Membership.

SECTION 3. ELECTIONS BOARD MEETING

1. *Frequency, Time and Location of Meetings.* Meetings of the Board shall be held monthly. The Board may meet as often as necessary to carry out its duties and functions. Each meeting of the Board shall be held at a place and time specified by advance notice required in SECTION 3.8 below and shall be open to the Tribal membership and any other person that Tribal Council may designate to attend.
2. *Meeting Agendas.* Each meeting of the Board will proceed in accordance with Robert Rules of Order. An agenda will be prepared at least five (5) days in advance by the Board's Chairman. The agenda will include the following items in the following sequence:
 - a. Call to Order. The Chairman calls the meeting to order
 - b. Invocation. The Board's meetings will open with prayer.
 - c. Roll Call. The Secretary performs roll call, noting all Board members, staff members, Tribal Council members and others visitors present, and noting any Board members absences and whether the absence are excused.

- k. Next Meeting. The Board will confirm the date, time and location of the next meeting. The Secretary will note this information and ensure that all Board members and the public receive proper notice.
- l. Adjournment. The Chairman will adjourn the meeting.
3. Open Session. The Board will discuss items that relate to its work that do not require the privacy of Closed Session. Such items may include, but not limited to, the review or drafting of legislation by Tribal Council, rules, or regulations, election policies, or public communications with the Tribe's Administration, Representatives or Tribal Council. Such items may include the review of the Board's by-laws, rules of procedure, code of ethics, mission, goals, or budget.
4. Closed Session. The Board shall enter Closed Session to discuss any item necessary for confidential discussion. Closed Session are permitted when the Board considers personnel matters or confidential attorney/client privilege communication(s) or fundamental rights of tribal members.
5. Decorum. The proceedings of Board Meetings shall at all times be respectful and maintain a decorum appropriate for carrying out of official Tribal business.
6. Public Participation. When members of the public attend Board Meetings, the Chairman is advised to immediately welcome them and explain that an opportunity for public comments will be available during Public Comment period on the agenda.
7. Quorum. A simple majority number of Board members notwithstanding vacancies shall constitute a quorum. Business shall only be conducted at a meeting when a quorum is present.
8. Notice of Meetings
- a. Public Notice. The Board shall schedule regular meetings six (6) weeks in advance and post public notice. In the event, any regular scheduled meeting is changed, the Board must provide public notice of the meetings at least five (5) days in advance by any appropriate and effective means. Such appropriate and effective means may include on social media open to Tribal members. The Board may also schedule special meetings when necessary to carry out its duties and functions.
- b. Notice of Board Members. If a Board member is present during a Board meeting when date, time and location of a future meeting is scheduled, that Board member will deemed to have received notice of the meeting.

record to be made, of the proceedings of all meetings of the Board and its committees. These records must take the form of Minutes. At each meeting, the Secretary shall present the Minutes of the immediately preceding meeting for the review of all Board members. Upon the Board's minutes and the notation of any revisions, the Secretary will note whether the Board passes a motion to approve as presented or as amended. In the event, the Minutes are approved as presented, the Secretary will immediately sign them. The Secretary shall do such other duties as may prescribed by the Board or delegated to the Secretary by the Chairman.

5. *Treasurer's Duties.* The Treasurer shall be responsible to the Board's budgetary proceedings in preparation for the Board's proposed budget for the yearly election by July and the year-end expenditure report by March after yearly election. In the event, of a special election the Treasurer will follow the policy cited in Section (3.2. h.). The Treasurer, with prescribed duties of the Chairman, will ensure that the Board's proposed budget is mailed and received by the appropriate authorities of the Tribe, cited in Section (3.2.h.) of the BBPP for the Tribal Council to approve. The Treasurer will ensure that the Board's budget follows the fiscal year October to September. The Treasurer shall, or cause to, make certain that adequate fiscal control exist to safely guard the Board's budget and follow procedures and policies for the Board's mission and goals. The Treasurer will present an oversight of the monthly financial report to the Board's regular meetings and shall be co-signature of the Board's budget bank account.

6. *Clerk's Duties.* The Clerk shall be responsible to the Board for the following duties:

- Answer telephone calls, greet and assist visitors, tribal members, and operates a variety of office equipment
- Interact with voters and Tribal Enrollment in maintaining accurate membership records
- Assist with the maintenance equipment and retaining secure records (record keeper)
- Actively participates in all Elections Board meetings
- Serve as the purchasing agent (supplies, equipment, printing, etc.)
- Serve as an accounts payable clerk (pays rent, receipts incoming payments, advertisements, etc.)
- Receive and process all candidate/voter applications
- Organize polling places and prepare ballots

a. Any candidate may request the use of one or more of the following as the name of the candidate on the ballot:

- i. Their given name
- ii. Contraction or familiar form of a given name; or
- iii. Nickname

b. In the event that two candidates have the same given name candidates have the option of using a title or description

A name on candidate on ballot form shall be completed by the candidate within 10 days of notification of certification by the Elections Board.

2. The candidate's eligibility is pursuant to the Lumbee Constitution, and whereas the Election Board's authority shall be to canvass the candidates' applications after the closing date of filing and within five (5) days certify those who are eligible to run, once the Board members have voted to certify. In the absence of a definition for residency in the Lumbee Tribe of North Carolina's constitution and in the Elections Board ordinance, this Board shall adopt the following residency definition for certification purposes: *"That place shall be considered the residence of a person in which that person's habitation is fixed, and to which, whenever that person is absent, that person has the intention of returning."*

3. All the Board's members shall sign the Candidate Certification Document and provide copies to the Tribal Council Speaker, the office of the Tribal Chairman, the Supreme Court, and candidates.

4. If an allegation is made by any tribal member against a candidate, that individual member shall be required to provide the burden of proof in written form to the Election Board. The Board will proceed to investigate the allegation that has been raised within five (5) days of the receipt.

5. Any matter decided or certified by the Tribal Elections shall be deemed final Tribal action and shall be reviewable by the Supreme Court of the Lumbee Constitution.

SECTION 8. POLL JUDGES

1. At least sixty (60) days before the Election Date, the Clerk of the Election Board will publish an announcement in the media of the Election Board's choice, requesting applications of qualified individuals to serve as Poll Judge on the day of the election.

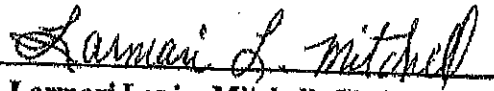
2. Candidates to the Poll Judge position will be asked to fill out an application that will allow the Board to establish whether or not they meet the qualifications. The Board

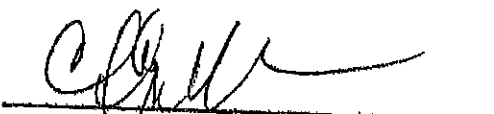
#2005-002 Amended 3/21/19, Section 6.4. The challenge must include detailed and accurate information to allow the Board to thoroughly investigate allegations presented.

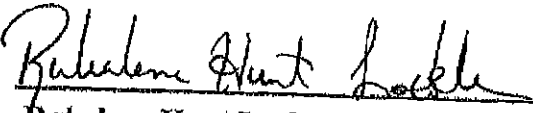
3. *Provisional Ballots.* A provisional ballot is used to record a vote when there are questions about a given voter's eligibility. A provisional ballot would be cast when the voter's name does not appear on the electoral roll for the given district or the voter's registration contains inaccurate or outdated information.

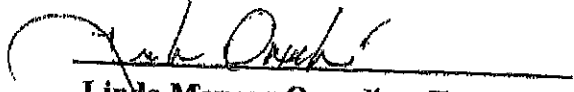
- a. Provisional Ballots are counted if:
 - i) *A candidate request that provisional ballots be counted.*
 - ii) *The number of provisional ballots could make a difference in the outcome of the election.*
- b. After conditions are met; within five (5) business days after the Elections Board has announced the unofficial results of the election, the candidate must submit a request in writing for a count of the provisional ballots.
- c. If the Board approves the counting of the Provisional Ballots, the candidate/s will be notified of a date, time and location for the count within five (5) business days.
- d. When granted by the Board, the counting of provisional ballots will be conducted at the Tribal Enrollment Office. All Elections Board Members, the Tribal Enrollment Manager (hereafter referred to as Manager), the Legal and Compliance Specialist, the Candidates and or a representative for the Candidate should be present for determining: verification of enrollment, district residence, and active tribal enrollment status.
- e. Provisional ballots will be conveyed to the Tribal Enrollment office by the Elections Board's Chairman. Members of the Elections Board, the Manager, and the Legal and the Compliance Specialist all will sign the verification form that the Provisional ballot container's carabiner numbered seal on the security bag is intact.
- f. The Board Chairman will break the carabiner numbered seal of the provisional ballot's security bag and the Board Secretary will record the carabiner numbered seal in the presence of witnesses in attendance, as proscribed in SECTION 10.3.d.
- g. The Board Chairman will remove provisional ballot envelopes, one at a time, and place the voter's envelope on the Manager's desk in view of the Board Chairman and the Manager, without pronouncing the name of the voter. The voter's tribal enrollment status will then be determined as will the voter's assigned poll for

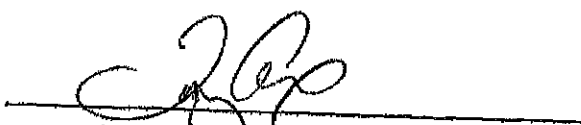
Adopted and signed this the 17th day of November, 2016
Amended and signed this the 12th day of September, 2021
Amended and signed this the 19th day of September, 2021


Larmari Louise Mitchell, Chairman
Tribal Elections Board


Dr. Christopher Clark, Vice Chairman
Tribal Elections Board


Rubalena Hunt Locklear, Secretary
Tribal Elections Board


Linda Maynor Oxendine, Treasurer
Tribal Elections Board


Tommy Cox, Board Member
Tribal Elections Board

Cart
ex A

Speaker 11 ([01:10:46](#)):

Um, next on the agenda is tribal elections board residency definition. Um, I got a copy of evidently there was a complaint on residency and the, uh, elections board developed a policy regarding residency,

Speaker 11 ([01:11:13](#)):

As far as my opinion goes with this. Uh, I think that the, um, board was within its right to develop a policy on residency. I think that, uh, they're going to get, uh, a lot of response from this particular definition. It, it, I'm going to read an excerpt from, um, a letter that states the by Mr. Dr. Christopher Clark vice chairman of the Lumbee tribe of North Carolina elections board. It says since the Lumbee tribe, north Carolina's constitution and elections board ordinances, or both silent in defining principal place of residence, this board has adopted the following as a working definition for candidates certification purposes. That place shall be considered the residence of a person in which that person's habitation is fixed. And to which when they ever, that person is absent, that person has the intention of returning. And it refers to, um, some, uh, section that it was says it was an elections board, uh, policy section seven, number two, amended September 19th, 2021.

Speaker 11 ([01:12:55](#)):

And like I said, the board is within its rights to develop policy. And, um, my position is to leave it as is move forward and allow the Lumbee people to, um, deal with the policy, the new, new policy amended policy regarding the elections board. Uh, I am very, very hesitant when you use something with intent because intent subject, if, uh, we, if it wasn't many years ago, there was a tribal council member who had an intention of resigning and who even wrote a letter to state that fact. But for some reason it never happened. So the intentions might be on a robo. What, um, in Tiant, uh, is a big, big, big area and very subjective. But, um, I'm going to, I just wanted to bring that to the council, the constitution in ordinance committee, the tribal membership in attendance. I wanted to bring that to your attention, and I'm sure based on, uh, some Facebook warriors, we're going to see more, uh, regarding this particular policy. Is there any, anyone that has anything regarding this?

Speaker 13 ([01:14:40](#)):

I think we're the lawmakers. I think we are to make a wall that defines what we intend and what we want. We don't leave any ambiguity there. We have, um, I can speak from my own personal situation. What I was involved in when I ran for the seat or asked to run, I had my house was going to sell it. My intentions was to stay in this district and, and to live there with their 40 years, uh, when I got in the house under contract, I brought it to the council and the emptiest committee. When I sold the house in with my daughter with intentions of still moving up, purchased the land, I'm living on the land. I think the intentions, what is my, my uncles went to Baltimore or Maryland and Pennsylvania, and lived and intended to come back home when they retired. So that was 30 years later.

Speaker 13 ([01:15:44](#)):

We see that there's a big window. You see what I'm saying? I think we need to close that window and, and make it within a certain timeframe. If you're remodeling your house, naturally, you're going to move back in the house. When you get the remodel. If you're building a house in another city and you just lived in another city in another state, and what's your intention is you're going to be able to house somebody to sit there, empty in another city, out of our district. So I think we need to be, find it better that keep family unity out of it. And I think that's what this Canadian, our laws should reflect. And we

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shouldn't change it after filing, you know, the rules that happen prior to filing. And I, I don't think they changed the rules, but they're trying to define with after filing beef, it should be fun before filing. So that, I just think we just need to be clear.

Speaker 11 ([01:16:39](#)):

Thank you, Mr. Gillespie, Mr. [inaudible]

Speaker 16 ([01:16:46](#)):

Sorry. Take a look at the constitution Ms. Wendy. Um, and that's the governing document that the election board follows the constitution does not define what residency is. It just simply says primary place a residency. Um, but then you have to look at the election board section. It only gives the election board, the authority to, um, I am scrolling here, uh, regulate under the authority of the constitution. It doesn't give them the authority to define what the constitutional, the wording of the constitution. So in my opinion, just based off what Ms. Goosy said, it would be best of the interest of this committee to help redefine or define or amend the constitution to reflect a true definition or provide guidance to the election board. Um, because again, I think your opinion was that they, you know, they're when they're well, right? But in my opinion, just looking at the document of the constitution, they only have the right to govern rent, voter registration. And I picked the doc all regular special tribal elections. They don't have the authority to define what primary residency is, which what, what the constitution defines it as that's just my opinion. Okay.

Speaker 11 ([01:18:03](#)):

Um, I actually reached out to Dr. Orlando [inaudible] and me. I reached out to her, um, regarding, um, constitutionality of whether they were creating law versus creating policy that's, uh, that's, uh, a big gamut. Um, Dr. Locke clear if you give me just a second, trying to see, got her email out, but Dr. Locke clear, stated that she felt they were within their right to determine policy. Uh, she did not feel that it was amending the constitution for them to do an election practices, even though I agree that the mention of intention is to broaden the area. I agree with that. Um, I just want to get feedback from the committee to see how they feel we need to proceed. And I do greatly appreciate your interpretation, Mr. Malakai. Thank you.

Speaker 17 ([01:19:49](#)):

Uh [inaudible]

Speaker 11 ([01:19:59](#)):

Um, based on the constitution, young, new way to amend that document is three referendum. Uh, you have go to the Lumbee people, uh, to, uh, amend the constitution. We, as tribal council don't have the authority to do it. The Supreme court doesn't have the authority to do it, nor does the tribal chairman or any other board have the authority to do that, that power lies in the people themselves. Um, Mr. Corey,

Speaker 14 ([01:20:32](#)):

Yes. Ma'am. Um, in reading Dr. Clark's letter, that the first thing that caught me, of course, besides the definition was the initial wording where it said since the tribe's constitution and our election board ordinance Newton were both silent. I think that's the key thing I agree with Mr. Goldsby having served

for five years now. I have seen just multiple situations. A lot of times we get caught up in black and white reading and reading it moving forward. But when you start talking about buying and selling a home, renovating a home, totally moving out of your district, you know, I've mentioned a number of times that we don't have anything that says once you represent or are elected in to represent a district that you continue to reside there. I think we really need to take some time. You know, we, we got this information to David. I think we need to start now talking to people, doing our own research, really thinking through what a council member is going to go through. And in three years time, and, and what's best for the people to make sure they get adequate representation. But I think it is on this committee and this council shoulders to tail the election board, what our definition is as we've heard from our people. Thank you.

Speaker 11 ([01:22:23](#)):

Am I okay? I apologize. We, when we wrote the constitution, we were under the impression that when you write some papers go fall, like, you know, but we didn't do that devil's advocate thing. Um, we didn't take into consideration that sometimes there are things as much as a natural disaster that could happen, that could cause a person to have to leave their primary place of residence or their prints for residence. Um, that's happened to many of our tribal membership in the last, in 2016 and 2018. So I think, I think we've got a lot to consider, um, with regard to, uh, the residency, uh, issue. I think we just need to look at the elections board ordinance as a whole, because, um, from my understanding per, um, Ms Louise's request, she requested that we look at, uh, the elections board versus a court hearing and, and the court opinion seems to be in direct conflict with the elections ordinance. So [inaudible], we could, if we could have a motion to reconsider the elections ordinance and look into these issues, I will greatly appreciate her emotion regarding looking at the elections board ordinance.

Speaker 1 ([01:24:08](#)):

Ms. Ms. Moore, Ms. Madam chair.

Speaker 11 ([01:24:11](#)):

Yes. Mr. Oxendine.

Speaker 1 ([01:24:16](#)):

So, so could we, could we consider, um, accepting their, uh, statement as of now two weekend, uh, further review it thoroughly? Uh, could, can we do that or are you saying that's in conflict with what our opinion of how that should be?

Speaker 11 ([01:24:35](#)):

No, I was more than willing to let the Lumbee people decide how to deal with the elections board with regard to their definition, but looking at the elections ordinance, we can look at that because they are saying that they're not amending the constitution, they're actually defining it for the purposes of their policy

Speaker 1 ([01:25:00](#)):

And their policy, um, aligns with our committee committee stalled on that. I mean,

Speaker 11 ([01:25:08](#)):

I have not seen their policy, sir.

Speaker 1 ([01:25:11](#)):

There was the statement that Dr. Clark, uh, shared with us in there. Um, the, we accept that as that, um, seem reasonable. Um, or are we going to try to define it better for them?

Speaker 11 ([01:25:28](#)):

I think we're obligated to do better where we are, um, looking at a statement that is, uh, Katy bar, the door, um, kind of statement and it's the ambiguity will be, um, something that we're going to deal with. If we allow it to go forward, it will be something that the Lumbee people will deal with for some time to come. Um, what's the wishes of the community, Mr. Richard?

Speaker 15 ([01:26:14](#)):

Yes. Ma'am my question was, did I hear Mr. Goosby say that made the policy after the fouling? Is that what you said, Mr. Gold?

Speaker 13 ([01:26:25](#)):

And they come with a definition after the violence? Yeah. They come with a definition after, cause there was nothing, there was a complaint or, or something, and then they defined it after.

Speaker 15 ([01:26:42](#)):

Okay, thank you.

Speaker 11 ([01:26:47](#)):

It does not look whale to, um, do a definition after the election process begins because PayPal already have their opinion of what principal residency is and I'm sure any candidate file had their idea of what prince for residence was, um, for it to be something that's done in the midst of an ongoing election like that, um, it, it causes me Powells to say the least. Does anyone else have any recommendations of how to proceed?

Speaker 13 ([01:27:33](#)):

Um, I know I'm speaking a lot, but I'm not sure I agree with you on it. It gives me pause. It makes it look like the election board is showing, uh, or we, we, we, the ones that get the blame for showing favoritism and bending the rules for a particular candidate, whoever that candidate is. And I think it needs to go back. Then they got to have proof of residency the year before they file and leave it at that for this election cycle and do a deeper definition for the ones here forward because that's the constitution. And I didn't intend, I didn't want anybody to think. I was saying change the constitution. I was saying we got the laws to support the constitution and it didn't the court systems. The other thing it needs to stay the same.

Speaker 11 ([01:28:26](#)):

Um, Ms. Jennifer, Ms. Jennifer.

Speaker 18 (01:28:44):

Sorry. I was, um, that was good stuff. Y'all missed out on me. Um, so they're not, they're not trying to retroactive this definition. Correct.

Speaker 11 (01:29:02):

Can you hear me? I don't, I can't tell you what they were trying to do it. I can't, I can't speak for Dr. Clark, but it looks, you know, based on the definition coming in, in the midst of an election, it looks like they were trying to do something that should have been done prior to the onset of any election. It shouldn't be in the middle of the cycle or almost did the end of it at the filing.

Speaker 14 (01:29:38):

Okay. And it also came, I think, after a complaint or something, I think they had an issue.

Speaker 18 (01:29:46):

Well, I mean, I can appreciate them attempting to put something in place going forward, but it's irrelevant to the current election or it should be. And that definition at best counsel should shoot it down. That, to say that my primary resident is determined by the fact that I'm going to, it's a fixed place that I intend to return to. Um, when I leave the house, that's anytime I'm down home, I'm going right on back to where it is that whoever I'm staying with with family. So that's, that's, that's more problematic than what they currently do or don't have. That's just my opinion.

Speaker 11 (01:30:32):

Thank you, Ms. Jennifer. Yes. Mr. Corbin.

Speaker 14 (01:30:40):

Um, I would suggest that that moving forward, we do put the ethics ordinance on the next committee meeting agenda, and that we begin the process. Don't expect this to do it in one meeting, but we begin to begin the process of defining residency and residency requirements so that there won't be a question or a need for a policy development by the election board going forward.

Speaker 11 (01:31:07):

So did you say ethics or

Speaker 14 (01:31:10):

I'm sorry, I'm sorry. I'm sorry. The election ordinance. Thank you. Ma'am

Speaker 11 (01:31:19):

Okay. Do you move forward with that?

Speaker 14 (01:31:23):

Yes. Ma'am that we put that on the agenda for the next week? Yes. Ma'am

Speaker 11 (01:31:28):

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Restated for the secretary place.

Speaker 14 ([01:31:31](#)):

I would make a motion that we put the elections ordinance on the agenda for our next CNO committee meeting. As we begin to for one look at residency definitions.

Speaker 11 ([01:31:46](#)):

I have a motion by Mr. Eddings to put the elections board, uh, ordinance on the table for the next constitution and ordinance committee meeting. And I have a second by speaker Burnett, any discussion.

Speaker 1 ([01:32:04](#)):

I have some discussion on that.

Speaker 11 ([01:32:10](#)):

Okay, Mr. Oxendine and miss Barfield.

Speaker 1 ([01:32:16](#)):

I would just maybe consider adding to that motion, uh, the language where we are accepting the, uh, recommendation from the, uh, from the elections board until we're able to review at the next meeting. Cause, cause that's what we're doing. Seems like if you're not making this,

Speaker 11 ([01:32:42](#)):

I don't know about my inter bout anybody else's interpretation, but we are not moving to accept this policy at any. I I'm not now I can't speak for anybody else on this committee, but I'm not, I'm not moving to do that.

Speaker 14 ([01:33:02](#)):

Yes, sir. Yes. Ma'am. If we begin accepting or rejecting policies, I think we've stepped outside of the line. Um, I don't know that we've accepted any administrative policies, any election board policies in the past. I think this was something they did in their capacity as the election board, which we did appoint, but I don't. I agree. I don't feel this is something that we would accept or reject that if we want to correct that we correct it through writing or amusing law.

Speaker 11 ([01:33:37](#)):

Ms. LeClaire, Ms. [inaudible]. I apologize, Ms. Rebecca, Ms. Carver has had her hand up to I'm sorry, Ms. Karvea close.

Speaker 19 ([01:33:50](#)):

Uh, my question too. I hope you can hear me well, bad reception, um, because of the weather, but what my concern is and what I need clarified. What do we do with this at the present time with this particular election? That's my question.

Speaker 11 ([01:34:15](#)):

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Based on, um, Mr. Eddins is, uh, we have no authority to accept or reject their policy. We've never done any pot anybody's policies, but we do have the right to review, um, the ordinance, um, as far as whether or not, you know, what impact it has on this election. I, if someone brought charges against the elections board for on it, the core behavior of adopting a policy in the middle of an ongoing election, that could be something that might be viable. I really don't know Ms. Corvette, because, because we're dealing with policy, Um, Ms. Rebecca I'm good. Wayne, do y'all have a question now, Mr. Malakai,

Speaker 16 ([01:35:23](#)):

Just ask the question. It sounds like the motion that Corbyn made was to review the election ordinance. When I'm looking at the current one on the site, it, does it talk about a residency. It only governs or gives insight into how the election process should take place. So it sounds like the ordinance would be amended if that's the case, but still though the constitution says primary principal residency. So that's where I'm, I'm I'm questioning whether or not are we providing a definition of that or are you amending the constitution? Because if you're amending the constitution, then as you said, Ms. Wendy requires the vote of the people. So the ordinance does not mention anything about residency. It just gives the governance of the election board and how our election process should work. The constitution defined residency, and according to definitions of tax purposes, primary requisite, primary residence residency is a place that the person mainly lived at. So again, that's where my question is, if your amended or defining what that definition is, then it's required to go through the constitution process. Not important because that ordinance does not reference residency, just giving clarity work after the question as well.

Speaker 11 ([01:36:45](#)):

To my knowledge, Mr. Malakai, there is no reference of residency period. Uh, there's principal, all there's a primary principal place, but as far as the definition we're in, we're not going to amend the constitution by no stretch of the imagination. We're just looking at the election sport ordinance and moving forward to see how we can proceed without impacting the dynamic of the existing constitution as it stands. Anyone else?

Speaker 13 ([01:37:36](#)):

I agree with what is said about the constitution. I think right now we're looking at defining the constitution right now, this current election. I don't think anybody's got a leg to stand on unless to go to Supreme court, as it relates to a challenge of this particular statement or anybody's right to run, it will be the Supreme court that would have to decide that we can make laws. But right now, I don't think we can do anything about the current situation other than ever, who wants to file a complaint to the court and let the court set.

Speaker 11 ([01:38:12](#)):

And that was my position from the very beginning was to let it be, as it is. And any anybody feels that they want to challenge it. They're welcome to, um, but we will be looking at the elections board ordinance. Uh, in November we have a motion on the floor. That's been duly seconded. Madam secretary roll call

Speaker 10 ([01:38:41](#)):

Mr. [inaudible]. Ms. Barfield. Yes. Mr. Joel. Goldsby Mr. Harold Smith. Ms. Pam haunt, Mr. Terry [inaudible] Mr. It's. Mr. Richard Jones. Mr. [inaudible]. Mr. Van Dao. Yes. Mr. Alvin Mercer. Yes. Mr.

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Corbin Eddings. Mr. Do we make Neil Ms. Marshall all-clear Oxendine yes. Mr. Shelly Strickland. Ms. Annie Taylor. Yes. Mr. Ricky Burnett. Yes. Ms. Wendy Moore. Yes.