

## **RESOLUTION POSTPONING 2020 ELECTION IN LIGHT OF COVID-19 PANDEMIC**

WHEREAS, the Brothertown Indian Nation, all of Indian Country, the entirety of Wisconsin, United States, and the World are facing the COVID-19/coronavirus pandemic at this time; and

WHEREAS, the United States Center for Disease Control (CDC) and the and the President of the United States recommended and requested that individuals practice social distancing and limit all non-essential travel or group gatherings; and

WHEREAS Wisconsin Governor Tony Evers issued the Safer at Home order, prohibiting all non-essential travel, which went into effect on March 25th for a period of one month; and

WHEREAS, many other American Indian Tribes and many other states in the immediate proximity of Wisconsin and throughout the United States, are also issuing similar orders and pleas for every member of their community to remain at home and self-isolate to slow the transmission of this disease; and

WHEREAS, the Brothertown Indian Nation, together with the Election Committee, have determined that there may be issues with holding the Election as it is currently scheduled in May due to logistical uncertainties, current limits on social gatherings, and increased exposure risks to those collecting and counting ballots; and

WHEREAS the Brothertown Indian Nation Tribal Constitution sets forth, at Article IV, Section 2.b. that “[t]he March General Membership Meeting...shall include a report from the Election Committee identifying nominees for Council as well as receiving nominations from the floor;” and

WHEREAS, the Tribal Council, through the Nominations and Election Committee has received nominations for the three Tribal Council positions and the one Peacemaker Position which are set for election in 2020; and

WHEREAS the Brothertown Indian Nation Tribal Constitution sets forth, at Article IV, Section 2.c. that the “[e]lection of the Council shall be held on the third Saturday of May;” and

WHEREAS the Brothertown Indian Nation Tribal Constitution sets forth, at Article IV, Section 4.c. that the “[t]erms of office will begin and end on the third Saturday of June;” and

WHEREAS, the Brothertown Indian Nation has determined that if the Tribal Council does not take action, the positions up for election would expire; and those positions would then remain vacant until the new elections are completed, the time for challenge expired, and the new officers sworn into office; and

WHEREAS, the Brothertown Indian Nation’s intent is to continue to have the full complement of elected representatives, rather than operating with a smaller number of Tribal Council members during this time of significant need; and

WHEREAS, there are no provisions contained in the Constitution that contemplate a worldwide pandemic interfering with the safety of each of the members of our Tribe in a way that must temporarily disrupt the Elections of the Brothertown Indian Nation; and

WHEREAS, the Brothertown Indian Nation Tribal Council, after consultation with the Election Committee, determined, with the COVID-19 pandemic threatening our Nation and our World, that the

Tribal Council must modify the Constitutional provisions regarding the Election for the three Tribal Council and one Peacemaker positions which are up for election in 2020.

NOW, THEREFORE BE IT RESOLVED, that the Brothertown Indian Nation Tribal Council has determined, with the recommendation of the Election Committee, that it is necessary to postpone the 2020 Elections to a date to be determined by the Tribal Council and the Election Committee, when the status of the COVID-19/Coronavirus pandemic is stabilized and it is determined sufficiently safe for our voting members and volunteers to be able to come together as a Community to vote in person or by absentee ballot, as each member determines. The Tribal Council's intent is for the election to be held on the twentieth day of June, 2020.

BE IT FURTHER RESOLVED, that the Brothertown Indian Nation Tribal Council has determined that it is necessary to postpone the swearing in of newly elected officers for the Tribal Council and the Peacemaker position which are set for election in May 2020, to a date to be determined by the Tribal Council, when the status of the COVID-19/Coronavirus pandemic is stabilized and it is determined sufficiently safe for our elected members to be able to come together as a Community in person to be sworn into office and assume such duties.

BE IT FURTHER RESOLVED, that the Brothertown Indian Nation Tribal Council has determined that it is most appropriate for the sitting Tribal Council members and Peacemaker to continue in their respective duty, provided that each person is willing to continue in that position; until the 2020 elections are completed and any time for appeal of the Election has lapsed; and that the person retain those responsibilities pending the swearing in of the persons elected to the terms anticipated to commence June 2020.

BE IT FURTHER RESOLVED, that the Brothertown Indian Nation Tribal Council, in consideration of the determinations of the federal government, as well as other tribal and state governments, will set a date for the 2020 elections to occur. Notice of the elections will be posted at the Brothertown Indian Nation Community Center; on the official Brothertown Indian Nation website, located at [www.brothertownindians.org](http://www.brothertownindians.org), and the Brothertown Indian Nation's Facebook page, located at [www.facebook.com/brothertownindiannation](http://www.facebook.com/brothertownindiannation). If timing permits, such will also be included in the Brothertown Newsletter. Separate mailing for the Elections will be distributed to each person 18 years of age and older at the time of the Election, using the address on file with the Brothertown office. If you have moved within the past 12 months, or if you did not receive the Winter Newsletter, please call the office at 920-929-9964 or email Linda Shady at [lushady@brothertownindians.org](mailto:lushady@brothertownindians.org) and provide your current mailing address and phone number.