

# Tribal vote delayed 3rd time

## *No new election date has been set*

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A General Election to seat three members of the seven-member Tribal Council of the Grand Traverse Band of Ottawa and Chippewa Indians has been delayed yet again.

The election was slated to occur today, July 15, but has been postponed for a third time. A new date had not been determined as of press time this week.

The tribe's appointed Election Board met in special sessions on Monday and Tuesday to hear testimony, review evidence and discuss a complaint that one of the six candidates in the election failed to comply with election regulations by campaigning during working hours and taking other actions that threatened the integrity of the election process.

Former Tribal Councilor and current candidate Thurlow "Sam" McClellan was accused of campaigning during working hours by having phone conversations with incumbent Tribal Councilor Brian Napont, whose term does not expire until 2012. During the conversation, McClellan and Napont were heard in a recorded conversation disparaging other candidates and incumbent tribal leaders.

The phone conversations had been recorded, apparently inadvertently, through a voice mail system in a tribal office. The recordings were subsequently copied and distributed among tribal members by third parties.

"While it is clear that McClellan did not intend for his phone conversation with Napont to be recorded, or for it to be circulated among members of the tribe, the fact remains that the message was recorded, and that the message has been circulating among Tribal voters," according to an opinion and determination issued by the Election Board on Tuesday evening.

Election Board chair Desmond Barry said he was recused from the proceedings because he and McClellan work together in the tribe's Natural Resources department. The Election Board's written determination was signed by vice chair Nancy Fuller.

"In considering all of the evidence and all of the testimony, the Election Board believes that the testimony of (McClellan) and (Napont) as to ... how the call was made and their whereabouts during the call that was made was not credible, as their testimony related to the timing of events appeared to change and/or be inconsistent with their own prior testimony," according to the Election Board's written opinion.

The board also noted McClellan's "history of past Election Rules" violations, and took into consideration "the

seriousness of the incident" in deciding how it should be handled. The board ordered McClellan to submit written letters of apology to the tribe and to those who were mentioned in the phone conversations. If McClellan fails to send the board-approved letters, his name will be removed from the ballot.

The tribe successfully completed its Primary Election process on June 10, narrowing down a field of 18 candidates to six who were to run for three expiring seats on the Tribal Council.

The Primary was originally scheduled for April with the General Election slated for May. Election challenges delayed the process, however, and the names of three candidates were removed from the Primary Election ballot after the Election Board determined the three had violated campaign rules.

Although total tribal membership is more than 4,000, only adults residing in the tribe's six-county service area in northwestern lower Michigan may vote in Tribal elections. The total number of voters registered for the Primary was 922, with only 374, or 41-percent, casting ballots.

The Tribal Council runs the largest government operation in Leelanau County and serves as the board of the tribe's Economic Development Corporation which, through the Leelanau Sands Casino and other enterprises in Peshawbestown, is the largest single employer in Leelanau County.