

Meeting of M'Chigeeng First Nation Election Appeals Committee
Thursday, March 23, 2023
10:00 a.m.

Present:

M'Chigeeng First Nation Election Appeals Committee Members ("EAC"):

Grace Debassige
Ernestine Debassige
Tonya Armstrong

Legal Counsel R. Martin Bayer, Weaver Simmons LLP

Regrets:

Winnie Panamick
Cindy Behm

1. The EAC discussed the numerous grievances and appeals which had been sent into the EAC from the voters of M'Chigeeng and which had also been sent in to the Administration office following the decision by the EAC to disqualify a number of candidates for failing to comply with the CRC requirements found in the M'Chigeeng First Nation Custom Election Code 2019.
2. EAC members found this section of the Code to be very confusing and was causing a lot of the confusion among candidates who had been nominated and other members of the community;
3. Some EAC members also shared instances of being threatened by some of the community members following their decision to disqualify some candidates;
4. As a result, and in response to the concerns and appeals filed with the EAC, the EAC made the following decisions:

DECISIONS:

1. First, that the election scheduled for Monday, March 27, 2023 is cancelled and a new election date is set for Saturday, May 13, 2023, with polls opening from 9:00 a.m. until 6:00 p.m. at the M'Chigeeng Community Complex;
2. Second, that there will be an Advance Poll to be held on Saturday, April 22, 2023 from 9:00 a.m. until 6:00 p.m. at the M'Chigeeng Community Complex;
3. Third, that new ballots will be sent out to the off-reserve voters on April 11, 2023 which will meet the requirements under the Code at section 2 (2) (e);

4. Fourth, that the candidates who were disqualified for not meeting the requirements related to the Criminal Record Check, are reinstated and are no longer disqualified;
5. Fifth, **those candidates who were disqualified for not meeting the Criminal Records Check must submit their CRC's by April 8, 2023** and the CRC must include their Criminal Record Check, **up to and including February 13, 2023**. Any Criminal Record Check that is dated before this date will not be accepted. It must be a record of any convictions up until February 13, 2023, the date of the Nomination Meeting. But the CRC that is received that includes any convictions up until February 13, 2023 will be accepted until April 8, 2023;
6. Sixth, any ballots cast at the Advance Poll of Wednesday, March 22, 2023 will be invalid and not counted and any mail in ballots received as of March 23, 2023 will also not be counted. The new mail in ballots will go out to off-reserve voters on April 11, 2023 and they will be counted at the election on Saturday, May 13, 2023;
7. Seventh, that the current Chief and Council's term of office is extended until Saturday, May 13, 2023 at 9:00 a.m.
8. In an effort to provide more support and guidance to the work of the Electoral Officer, the EAC will be meeting weekly with the Electoral Officer beginning on April 6, 2023 and continuing each week until April 27, 2023. This will help to ensure the election takes place smoothly.

Finally, the EAC strongly recommends that the new Council amend this Code to make it clearer to interpret and wishes to say *chi-miigwetch* for your patience and understanding during this difficult time.