

**WESLEY NATION  
COUNCIL RESOLUTION**

<b>Chronological No: 2018- 20</b>
<b>File Reference:</b>

<b>THE COUNCIL OF THE STONEY TRIBE – WESLEY NATION</b>			
<b>TERRITORY</b>	<b>TREATY NUMBER SEVEN SOUTHERN ALBERTA</b>		
<b>PLACE</b>	<b>MORLEY, ALBERTA</b>		
<b>DATE</b>	<b>7th</b>	<b>November</b>	<b>AD 2018</b>
	<b>DAY</b>	<b>MONTH</b>	<b>YEAR</b>

**WHEREAS** the Chief and Council of the Wesley Nation wish to outline the Custom Election Regulations governing the forthcoming 2018 Wesley Nation Nominations and Election of the Chief and Council;

**WHEREAS** the Chief and Council wish to provide adequate notice of eligibility requirements for new Wesley members and wish to enable the Chief and Council elected in 2018 to be in a position to commence their work as soon as possible following their election;

**NOW THEREFORE BE IT RESOLVED that:**

The Custom Election Regulations governing the **2018 WESLEY NATION COUNCIL NOMINATIONS AND ELECTIONS** for the Chief and Councilors shall be as follows:

1. **DEFINITIONS**
  - 1.1 **The Wesley Nation Council**  
For the purposes of these Custom Election Regulations, the Wesley Nation Council consists of one (1) Chief and four (4) Councilors.
2. **POSITIONS AND TERM OF OFFICE OF THE WESLEY NATION COUNCIL**
  - 2.1 **Positions**  
The Wesley Nation Council shall consist of one (1) Chief and four (4) Councilors as follows:  
**The Wesley Nation Council**

One (1)	Chief
Three (3)	Councilors - Morley
One (1)	Councilor – Big Horn
  - 2.2 **Number of Votes**  
Each Eligible Voter as defined herein is entitled to one (1) vote for Chief and four (4) votes for Councilors of the Wesley Nation in accordance with the positions described in paragraph 2.1.
  - 2.3 **Term of office**
    - a) The term of office of the Chief and each Councilor shall be for a term of four (4) years.
    - b) A person who is either elected to the Council in a by-election or appointed by the Wesley Nation Council to fill a vacancy caused by death, resignation, or disqualification from office of a Chief or Councilor, in accordance with paragraph 19 herein, shall hold that office for the remainder of the term of office of that Chief or Councilor.
3. **APPOINTMENTS**
  - 3.1 **Chief Electoral Officer**  
For the purpose of the **2018 WESLEY NATION COUNCIL ELECTIONS**, the Chief Electoral Officer shall be **Dennis Callihoo**
  - 3.2 **Deputy Electoral Officers**  
For the purpose of the **2018 WESLEY NATION COUNCIL ELECTIONS**, the Deputy Electoral Officers shall be as follows:
    - a) Toni YoungChief – Big Horn (Big Horn Medical Office)

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- b) Veronica Rain – Eden Valley (Community Center at Chief Jacob Bearspaw school)
- c) Bernie Makokis – Morley (Goodstoney Rodeo Center)

**3.3 Scrutineers**

The Wesley First Nation shall appoint the Scrutineers for each polling station. All Scrutineers will be required to take an **Oath Of Secrecy**.

**4. DATES AND NOTICES OF NOMINATION MEETINGS**

**4.1 Notices**

The Chief Electoral Officer shall immediately post Notices of the nomination meetings at the Morley, Eden Valley, and Big Horn Reserves specifying the places, dates and times for nominations of the candidates for the positions of the Chief and Councilors.

**4.2 Dates**

The following dates shall apply:

<b>NOMINATION DATE:</b>	<b>Monday</b>	<b>NOVEMBER 26<sup>th</sup> 2018</b>
<b>VERIFICATION DATE:</b>	<b>Wednesday</b>	<b>NOVEMBER 28<sup>nd</sup> 2018</b>
<b>WITHDRAWAL DATE:</b>	<b>Friday</b>	<b>NOVEMBER 30<sup>th</sup> 2018</b>
<b>PROTEST DATE:</b>	<b>Monday</b>	<b>DECEMBER 3<sup>rd</sup> 2018</b>
<b>PROTEST HEARING:</b>	<b>Tuesday</b>	<b>DECEMBER 4<sup>th</sup> 2018</b>
<b>POSTING OF FINAL LIST:</b>	<b>Wednesday</b>	<b>DECEMBER 5<sup>th</sup> 2018</b>
<b>ADVANCE POLLS:</b>	<b>Thursday</b>	<b>DECEMBER 6<sup>th</sup> 2018</b>
<b>ELECTION DATE:</b>	<b>Friday</b>	<b>DECEMBER 7<sup>th</sup> 2018</b>
<b>APPEAL DEADLINE:</b>	<b>Monday</b>	<b>JANUARY 7<sup>TH</sup> 2019</b>

**5. ELECTORAL RESERVES**

**5.1 Morley, Big Horn, and Eden Valley**

The Electoral Reserves shall consist of all of the Stoney Indian Reserve Numbers 142, 143, and 144 at Morley, 142B at Rabbit Lake, 144A at Big Horn, 216 at Eden Valley, and any other properties owned by the Stoney Tribe.

**5.2 Properties included**

For the purposes of these Custom Election Regulations:

- a) Morley shall be deemed to include Morley, Rabbit Lake, the Beggs Ranch, the Two Rivers Ranch, the Copithorne Ranch, the Coppock Ranch, the Crawford Ranch, the Potts Ranch, the Scott Lake property, the Horseshoe lands, the Ghost Lake Reservoir Site (Plan RW326), Oland Construction property, and Douglas Nelson property;
- b) Big Horn shall be deemed to include Big Horn, the Big Horn Cultural Area and the Caroline Ranch; and
- c) Eden Valley shall be deemed to include Eden Valley, the Hughes Ranch and the Cartwright Ranch.

**6. POLLING STATIONS**

6.1 Polling Stations for the Nominations will be held at the following locations:

- a) Big Horn - (Big Horn Medical Office)
- b) Eden Valley - (Community Center at Chief Jacob Bearspaw school)
- c) Morley - (Goodstoney Rodeo Center)

6.2 Polling Stations for the Elections will be held at the following locations:

- a) Big Horn - (Big Horn Medical Office)
- b) Eden Valley - (Community Center at Chief Jacob Bearspaw school)
- c) Morley - (Goodstoney Rodeo Center )

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- 6.3 Polling Stations for **Nominations** shall be open from 10:00 a.m. to 4:00 p.m. on Nomination Date as established in paragraph 4.2.
- 6.4 Polling Stations for **Elections** shall be open from 9:00 a.m. to 6:00 p.m. on Election Date as established in paragraph 4.2.

## 7. ELIGIBILITY

### 7.1 To be Nominated

In order to be nominated for Chief or Councilor a person must:

- a) be a registered Wesley Nation member in accordance with the Stoney Tribe Membership Code;
- b) be the full age of twenty-one (21) years of age on or before the Nomination Date as established in paragraph 4.2;
- c) meet the Residency Requirements as defined in section 8.0;
- d) have not been convicted of an Indictable Criminal Offence during a ten-year period on or before the Nomination Date as established in paragraph 4.2:  
 Indictable Criminal Offence means:  
 Homicide, sexual assault, breaking and entering, robbery, aggravated assault, weapons offences, arson, embezzlement, sexual offences involving children, or fraud, all as defined in the *Criminal Code*, R.S. 1985c. C-46 as amended, or drug trafficking as defined in the *Controlled Drugs and Substances Act*, S. C. 1996,c. 19 as amended, and for which a grant of pardon has not been obtained from the National Parole Board;
- e) provide to the Chief Electoral Officer or the Deputy Electoral Officer a “**name-based Criminal Record Check**” no later than 4:00 p.m. on the Nomination Date as established in paragraph 4.2. Failure to provide a “**name-based Criminal Record Check**” within the time limit will disqualify the candidate from eligibility;
- f) provide to the Chief Electoral Officer or the Deputy Electoral Officer, no later than 4:00 p.m. the Nomination Date as established in paragraph 4.2, a non-refundable nomination fee of \$1000.00 (One Thousand Dollars) for the position of Chief and \$500.00 (Five Hundred Dollars) for the position of Councilor, such non-refundable nomination fee to be paid by cash or certified cheque only. Failure to pay the nomination fee in the prescribed manner and time limit will disqualify the candidate from eligibility. Nomination fees collected will be contributed towards the cost of the Wesley Election;
- g) have not been disqualified by all or any parts of these regulations; and
- h) have been properly nominated and seconded by an Eligible Voter as defined in paragraph 7.3.

### 7.2 To Nominate

In order to be eligible to nominate or second a nomination, a person must:

- a) be an Eligible Voter as defined in paragraph 7.3 (a), (b), and (c);
- b) be a resident of one of the Electoral Reserves as described in paragraph 5.1 and 5.2; and
- c) comply with the requirements of these Regulations as described in paragraphs 7.5 and 9.1;

### 7.3 To Vote

In order to be an Eligible Voter and eligible to vote, a person must be:

- a) the full age of twenty-one (21) years of age on or before the Election Date as established in paragraph 4.2;
- b) a registered Wesley Nation member in accordance with the Stoney Tribe Membership Code; and
- c) present in person.

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**7.4 Number of Votes**

An Eligible Voter may vote for the Chief of the Wesley Nation. An Eligible Voter may also vote for up to four (4) Councilors of the Wesley Nation in accordance with the positions available as described in paragraph 2.1 that is as follows:

An Eligible Voter of the Wesley Nation may vote for up to three (3) Councilors at Morley and one (1) Councilor at Big Horn.

**7.5 Candidates, Nominators, and Seconders**

A person who is eligible to nominate may nominate or second the nomination of one person for the position of Chief. He or she may also nominate or second the nomination of one person for the position of Councilor. He or she must not be under the influence of drugs or alcohol or both.

**8. Residency Requirements**

Candidates, nominators, and seconders for the positions of Chief or Councilors must meet the following residency requirements:

**Wesley Nation Council**

**I. Chief** - A person must be member of the Wesley Nation to be a candidate, nominator or seconder for this position and must have been a resident on one of the Electoral Reserves for at least six (6) months immediately prior to the Nomination Date as established in paragraph 4.2. The Chief of the Wesley Nation Council must reside at Morley after the Election.

**II. Councilors (Morley)** - A person must be a member of the Wesley Nation resident at one of the Electoral Reserves for at least six (6) months immediately prior to the Nomination Date as established in paragraph 4.2 in order to be a candidate, nominator, or seconder for these positions. The Councilors of the Wesley Nation Council must reside at Morley, after the Election.

**III. Councilors (Big Horn)** - A person must be a member of the Wesley Nation resident at Big Horn for at least six (6) months immediately prior to the Nomination Date as established in paragraph 4.2 in order to be a candidate, nominator, or seconder for this position. The Councilor of the Wesley Nation Council must reside at Big Horn after the Election.

**9. VERIFICATION**

9.1 On the Verification Date as established in paragraph 4.2, the Chief Electoral Officer and the Wesley Nation Council shall verify the eligibility of the candidates, nominators, and seconders, and those persons who do not meet the eligibility requirements shall be disqualified. A list of all the eligible candidates, nominators, and seconders shall be posted immediately following the verification by the Chief Electoral Officer and the Wesley Nation Council.

**10. PROTESTS AND PROTEST HEARING**

10.1 All protests concerning the nominations must be made in writing to the Chief Electoral Officer no later than 4:00 p.m. on the Protest Date as established in paragraph 4.2.

10.2 The Chief Electoral Officer shall refer all such protests to the Wesley Nation Council. The Wesley Nation Council shall hear and consider the protests and make its decision on the Protest Hearing date as established in paragraph 4.2 and that decision shall be final and binding.

**11. ADVANCE POLLS**

11.1 Notwithstanding paragraph 7.3(c) an Advance Poll shall be held at the Stoney Tribal Administration Building (STA) on the date as established in paragraph 4.2 for those

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persons who are Eligible Voters but may not be present to vote on the Election Date including:

- a) those who are attending educational institutions;
- b) those who are employed away from the Electoral Reserves; and
- c) those who wish to vote in advance.

## 11.2 HOSPITALS

Notwithstanding paragraph 7.3 (c) an Eligible Voter who is hospitalized may request that the Chief Electoral Officer or the Deputy Electoral Officer, as the case may be, attend at a hospital, nursing home or extended care facility to permit him or her to vote, provided the request is made within the time limit set by the Wesley Nation Council. A scrutineer, from a Band other than the Band of the hospitalized Eligible Voter, will accompany the Chief Electoral Officer or the Deputy Electoral Officer to each of the aforementioned locations.

## 12. BAND MEMBERSHIP

- 12.1 Membership in the Wesley Nation shall be conclusively determined by the Wesley Nation membership list prepared by the membership department of the Wesley First Nation.

## 13. NEW ELECTIONS

- 13.1 If no person is nominated for a position or there are fewer nominees than positions to be filled, then the Wesley Nation Council will set a new Nomination Date and Election Date for the vacant position or positions, for the designated area only, and the present office holder or holders from that area will continue to hold office until the new election can be held.

## 14. POSTING NOMINEES

- 14.1 As soon as possible after the Verification Date as established in paragraph 4.2 and after verification of the candidates, nominators and seconders by the Wesley Nation Council, the Chief Electoral Officer shall post or cause to be posted in public places in and about the Electoral Reserves the names of the verified candidates nominated for the positions.

## 15. WITHDRAWAL OF NOMINEES

### 15.1 Notice

Any person nominated may withdraw his or her name from nomination by giving notice in writing to the Chief Electoral Officer no later than 4:00 p.m. on the Withdrawal Date as established in paragraph 4.2.

### 15.2 Notice for Chief or Councilor

Any Nation member who is nominated for both Chief and Councilor positions, but does not decline one or the other of the nominations by giving notice in writing to the Chief Electoral Officer of the withdrawal of his or her name no later than 4:00 p.m. on the Withdrawal Date as established in paragraph 4.2, will automatically be disqualified as a candidate from both nominations.

### 15.3 Final List

After verification of the candidates, nominators, and seconders and the determination of all protests under paragraph 10.2 by the Chief Electoral Officer and the Wesley Nation Council, and subsequent to the Withdrawal Date as established in paragraph 4.2, the Chief Electoral Officer shall post or cause to be posted the final list of the names of the nominated candidates in public places in and about the Electoral Reserves.

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**16. NATION AND BAND EMPLOYEES**

16.1 A Nation or a Band employee may be nominated for a position and run for office, and if elected to the Wesley Nation Council his or her employment with the Nation or Band will automatically terminate, subject to the provisions of Section 2.4 of the Stoney Nation Human Resource Policy.

**17. DISQUALIFICATION FROM OFFICE**

**17.1 Disqualification**

Disqualification from office shall occur in the following circumstances:

- a) Any Council member who is convicted of an indictable criminal offence while in office shall cease to hold that office;
- b) Any Council member who has been absent from meetings of the Wesley Nation Council for three (3) consecutive meetings, without valid reason or authorization as determined by the Wesley Nation Council in its sole discretion, shall cease to hold that office;
- c) Any Council member who is found to have abused drugs or alcohol or both during his or her term of office, without valid reason or authorization as determined by the Wesley Nation Council in its sole discretion, shall cease to hold that office.

**18. RUN-OFF ELECTIONS**

18.1 In the case of a tie vote for the position of Chief or the last Councilor’s position, a run-off Election will be held within one (1) week of the Election Date as established in paragraph 4.2 and only those persons who were tied in the original voting will be eligible to run in this election.

**19. VACANCY**

- 19.1 Should a vacancy occur as a result of death, resignation or disqualification from office, the Wesley Nation Council will hold a by-election to fill the vacant office for the remainder of the term of office.
- 19.2 If a position becomes vacant less that four (4) months before the date when another election would ordinarily be held, the Wesley Nation Council, in its sole discretion, may either appoint a replacement or decide to leave the position vacant.

**20. CONDUCT AT POLLING STATIONS**

20.1 Any person who, in the sole opinion of the Chief Electoral Officer or the Deputy Electoral Officer, appears to be intoxicated by or under the influence of alcohol or drugs or both will not be allowed in the Polling Station on the Nomination Date and the Election Date as established in paragraph 4.2. Upon it appearing to any peace officer that a person is intoxicated or under the influence of drugs or alcohol then the peace officer shall remove the person from the Polling Station.

**21. PROCEDURE FOR CLOSING THE POLL AND COUNTING THE BALLOTS**

- 21.1 Immediately at Close on the Election Date as established in paragraph 4.2, the Chief Electoral Officer or the Deputy Electoral Officer, as the case may be, shall publicly declare the poll closed.
- 21.2 Before public viewing of the counting of ballots, all voting compartments, papers, ballots and material shall be secured.

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- 21.3 The Chief Electoral Officer or the Deputy Electoral Officer, as the case may be, shall open each ballot box and count and cause to be recorded in public view the number of votes cast for each candidate.
- 21.4 The Chief Electoral Officer or the Deputy Electoral Officer, as the case may be, shall examine all ballots, showing each ballot to the Scrutineers, and shall declare spoiled ballots on the following grounds:
  - a) ballots which have not been supplied by him or her;
  - b) ballots which indicate no clear choice of candidates;
  - c) ballots upon which votes have been given for more candidates that are to be elected to the positions specified on paragraph 2.1;
  - d) ballots upon which anything appears by which the voter can be identified;
  - e) where a split-ballot is used, one part of the split-ballot shall not be declared spoiled merely because another part of the split-ballot has been declared spoiled; and
  - f) unmarked ballots.
- 21.5 During the counting of the ballots the Chief Electoral Officer or the Deputy Electoral Officer, as the case may be, shall cause to be maintained a current tally of the results on a chalkboard, flip chart or other visual display conspicuously located within Polling Station.
- 21.6 A written statement of results, giving full particulars of the Election, shall be prepared and signed by the Chief Electoral Officer or the Deputy Electoral Office as the case may be.
- 21.7 All election materials shall be secured and maintained by the Chief Electoral Officer for a period of thirty (30) days or the conclusion of any appeals, whichever is the longer period of time.
- 21.8 In the event that a Deputy Electoral Officer is unable or unwilling, for whatsoever reason, to act in his or her capacity on the Election Date as established in paragraph 4.2, the Chief Electoral Officer may designate a replacement for the Deputy Electoral Officer.

**22. DECLARATION OF RESULT**

**22.1 Declaration**

Immediately after the completion of the ballots, the Chief Electoral Officer or the Deputy Electoral Officer, as the case may be, shall publicly declare elected the candidate or candidates having the highest number of votes for Chief and Councilors from the Wesley Nation in accordance with these Custom Election Regulations.

**22.2 Posting**

The Chief Electoral Officer shall post or cause to be posted the written statement of the results signed by him or her in public places in and about the Electoral Reserves, showing the number of voters that voted, the number of ballots cast and the number of votes cast for each candidate.

**23. APPEALS**

Any Eligible Voter has the right to appeal. All appeals concerning the Wesley Nation Elections must be made in writing to the Chief Electoral Officer within thirty (30) days from the Election Date as established in paragraph 4.2. The Chief Electoral Officer shall refer all such appeals to the Stoney Tribal Council whose decision shall be final and binding. Until such time as an appeal is decided, an appeal will not serve to invalidate either the Election results or the operations, or both, of the newly elected Wesley Nation Council.

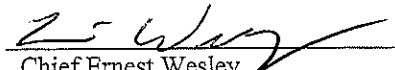
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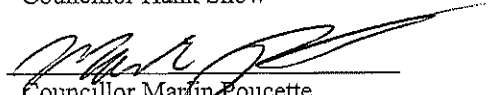
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Quorum: Three (3)

  
Chief Ernest Wesley

  
Councillor Watson Kaquitta

  
Councillor Hank Snow

  
Councillor Martin Poucette

\_\_\_\_\_  
Councillor Marvin Abraham