

Eastern Band of Cherokee Indians

PO Box 455
Cherokee, NC 28719



Meeting Agenda - Final

Thursday, March 5, 2020

8:30 AM

Council Chambers

Tribal Council

I. Call to Order - Chairman

8:30 AM

II. Prayer**III. Roll Call****IV. Orders of the Day**

- 1.) [2020 -3039](#) New Ordinance - Cherokee Code 117-30 and 117-46 and 11-47 shall be amended - Budget Council and Budget Committee (Item No. 1)
Attachments: [Item No. 1](#)
- 2.) [2020 -3040](#) New Ordinance - Amendment to Cherokee Code Section 161-3 governing qualifications for office in Tribal Elections (Item No. 2)
Attachments: [Item No. 2](#)
- 3.) [2020 -3041](#) New Ordinance - Amendment to Cherokee Code Section 161-4 certification of candidates (Item No. 3)
Attachments: [Item No. 3](#)
- 4.) [2020 -3042](#) Amendment to four sections of the Tribal Election Ordinance, (Shorten deadline for write-in candidates, to allow a person to withdraw from being a candidate, to clearly state the burden for protests, and making two amendments to provisions governing absenting voting) (Item No. 4)
Attachments: [Item No. 4](#)
- 5.) [2020 -3043](#) New Ordinance - Amendment to Cherokee Code Section 161-16 (process for allegations of election irregularities and protests and enforcement of subpoenas issued by Board of Elections) (Item No. 5)
Attachments: [Item No. 5](#)
- 6.) [2020 -3044](#) New Ordinance - An ordinance to amend three sections of the Election Ordinance (unlawful campaign practices, service of communications by the Board of Elections, and legal representation at hearings) (Item No. 6)
Attachments: [Item No. 6](#)
- 7.) [2020 -3045](#) New Ordinance - Tribal Council shall amend Cherokee Code Section 117-16 (Debate Section) (Item No. 7)
Attachments: [Item No. 7](#)
- 8.) [2020 -3046](#) New Ordinance - Tribal Council enacts Cherokee Code Chapter 96 - Tribal Employees (Item No. 8)
Attachments: [Item No. 8](#)

- 9.) [2020 -3047](#) New Ordinance - Amendment to Cherokee Code 75-57 - Editor of Cherokee One Feather (Item No. 9)
Attachments: [Item No. 9](#)
- 10.) [2020 -3048](#) New Ordinance - Amendment to Cherokee Code Chapter 16-C - Tribal Employment Rights Office (Item No. 10)
Attachments: [Item No. 10](#)
- 11.) [2020 -3049](#) New Ordinance - Amendment to Cherokee Code - repealing existing Chapter 44 in its entirety and inserting a new Chapter 44 identified as the Housing Division (Item No.11)
Attachments: [Item No. 11](#)

V. Reports and Announcements

- [2019-2981](#) Vetoed Res. No.104(2020) - Resolution proposing to clarify the intent of Resolution No.27(2019)
Attachments: [Vetoed Res. No. 104\(2020\)](#)
vetoed Res. waiting on the Chief's cover letter
- 12.) [2019-2899](#) Tabled Ord. No.18(2019) - Amendment to Cherokee Code - Chapter 2 (Exclusion Powers of the Tribe)
Attachments: [Tabled Ord.No.18\(2019\)](#)
9:30 a.m.
- 13.) [2019-2933](#) Tabled Ord. No.64(2019) - Amendment to Chapter 96-Tribal Employees
Attachments: [Tabled Ord. No.64\(2019\)](#)
9:40 a.m.
Legislative History
12/5/19 Tribal Council tabled
- 14.) [2019-2948](#) Tabled Res. No.68(2019) - Tribal Council shall issue an RFP for a Legislative CPA
Attachments: [Item No. 12 Tabled Res 68 2019](#)
9:50 a.m.
Legislative History
12/5/19 Tribal Council tabled
- 15.) [2019-2986](#) Tabled Ord. No. 79(2020) - Amendment to Chapter 18 B - Hours for sale and consumption
Attachments: [Tabled Ord. No. 79\(2020\)](#)
10:00 a.m.
Legislative History
1/9/20 Tribal Council tabled
Item's No. 1-10 were deemed read and tabled to be published in the One Feather

- 16.) [2019-2953](#) Tabled Ord. No. 81(2019) - Limited waiver of Sovereign Immunity for Hospital Contracts
Attachments: [Tabled Ord. No. 81\(2019\)](#)
10:10 a.m.
- 17.) [2019-2954](#) Tabled Ord. No. 82(2019) - Tribal Alcohol Beverage Control Commission
Attachments: [Tabled Ord. No. 82\(2019\)](#)
10:20 a.m.
- 18.) [2019-2959](#) Tabled Ord. No. 86(2019) - Amendment to Section 92-7 - Tribal Employment Rights Office
Attachments: [Tabled Ord. No. 86\(2019\)](#)
10:30 a.m.
- 19.) [2019-2960](#) Tabled Ord. No. 87(2020) - Amendment to section 117-37 - Public Meeting Ordinance
Attachments: [Tabled Ord. No. 87\(2020\)](#)
10:40 a.m.
- 20.) [2019-2963](#) Tabled Resolution No. 89(2020) - Tribal Council Appointment to TERO (Kimlyn Lambert term expired)
Attachments: [Tabled Res. No. 89\(2020\)](#)
10:50 a.m.
- 21.) [2019-2964](#) Tabled Resolution No. 90(2020) - Tribal Council Appointment to TERO (Johi Griffin term expired)
Attachments: [Tabled Res. No. 90\(2020\)](#)
11:00 a.m.
- 22.) [2020 -2999](#) Tabled Ord. No. 121(2020) - Amendment to Cherokee Code Chapter 117-36 and rescinds Cherokee Code Chapter 120
Attachments: [Tabled Ord. No. 121\(2020\)](#)
11:10 a.m.
- 23.) [2020 -3000](#) Tabled Ord. No. 122(2020) - Amendment to Cherokee Code Section 117-109 - Audit and Ethics Committee
Attachments: [Tabled Ord. No. 122\(2020\)](#)
11:20 a.m.
- 24.) [2020 -3001](#) Tabled Ord. No. 123(2020) - Amendment to Cherokee Code Chapter 114 - Department of Justice and Attorney General
Attachments: [Tabled Ord. No. 123\(2020\)](#)
11:30 a.m.

- 25.) [2020 -3002](#) Tabled Ord. No. 124(2020) - Amendment to Cherokee Code Chapter 2 - Governing the exclusion powers of the Tribe
Attachments: [Tabled Ord. No. 124\(2020\)](#)
11:40 a.m.
- 26.) [2020 -3003](#) Tabled Ord. No. 125(2020) - Amendment to Cherokee Code Chapter 114A and 7B - Legal Assistance Office
Attachments: [Tabled Ord. No. 125\(2020\)](#)
11:50 a.m.
- Lunch**
- 27.) [2020 -3004](#) Tabled Ord. No. 126(2020) - Amendment to Cherokee Code Chapter 87 and 131 - Professions and occupations & Cherokee Water Code
Attachments: [Tabled Ord. No. 126\(2020\)](#)
1:30 p.m.
- 28.) [2020 -3005](#) Tabled Ord. No. 127(2020) - Amendment to Cherokee Code Chapter 143 - Building Codes and Flood Control
Attachments: [Tabled Ord. No. 127\(2020\)](#)
1:40 p.m.
- 29.) [2020 -3006](#) Tabled Ord. No. 128(2020) - Amendment to Cherokee Code Chapter 130 - Public Health
Attachments: [Tabled Ord. No. 128\(2020\)](#)
1:50 p.m.
- 30.) [2020 -3007](#) Tabled Ord. No. 129(2020) - Amendment to Cherokee Code Chapters 62 and 145 - Utilities and Wastewater Discharge
Attachments: [Tabled Ord. No. 129\(2020\)](#)
2:00 p.m.
- 31.) [2020 -3008](#) Tabled Ord. No. 130(2020) - Amendment to Cherokee Code Chapters 113A, 113B, 113C, 113D, 113E, 113F and 113G - Air and Noise, Pollution Control and Environment
Attachments: [Tabled Ord. No. 130\(2020\)](#)
2:20 p.m.
- 32.) [2020 -3028](#) Resolution asking Tribal Council to approve the Boy's Club By-Laws (Item No. 32)
Attachments: [Item No. 32](#)
Item No. 32 Backup
2:30 p.m.

- 33.) [2020 -3029](#) Resolution asking Tribal Council to proclaim that the Qualla Housing Authority (QHA) and the Housing Community Development Division (HCD) are hereby merged into a single housing division under Tribal Law to be known as Cherokee Housing Division (Item No. 33)
Attachments: [Item No. 33](#)
2:40 p.m.
- 34.) [2020 -3030](#) Snowbird Services Division be modified to include a new program for Cherokee Language and Culture with funding being allocated by Res. No. 27(2019) (Item No. 34)
Attachments: [Item No. 34](#)
Item No. 34 Backup
2:50 p.m.
- 35.) [2020 -3031](#) Appointment of _____ to the Investment Committee beginning March 2020 and ending March 2025 under the provisions of Section 117-41 (Item No. 35)
Attachments: [Item No. 35](#)
3:00 p.m.
- 36.) [2020 -3032](#) Tribe hereby provides this formal notice to the Bureau of Indian Affairs, Cherokee Agency, Area Office and Office of Trust Services within the Department of Interior that the Tribe has significant interest in having all documents remaining at the Cherokee Agency facility remain at the facility and not be removed from Tribal Lands (Item No. 36)
Attachments: [Item No. 36](#)
3:10 p.m.
- 37.) [2020 -3033](#) Tribal Realty Office shall write, for approval and execution by the Tribal Business Committee a transfer document expressing the transfer of Painttown Community Parcel No. 296 containing 1.10 acres, more or less, including improvements thereon (including the Painttown Gym having a street address of 10 Old Gap Road) from the Tribe to Painttown Community Club (Item No.37)
Attachments: [Item No. 37](#)
Item No. 37 Backup
3:20 p.m.
- 38.) [2020 -3034](#) The General Fund line item will be increased in the amount of \$7,500 will be directed to the ladies Auxiliary for programming purposes (Item No. 38)
Attachments: [Item No. 38](#)
3:30 p.m.
- 39.) [2020 -3035](#) That the individuals named below are hereby nominated by Principal Chief Richard Sneed and are approved by Tribal Council to be appointed to the Atlanta Braves Cultural Advisory Committee (Item No. 39)
Attachments: [Item No. 39](#)
3:40 p.m.

- 40.) [2020 -3036](#) Nominated by Principal Chief Sneed and approved by Tribal Council to be re-appointed to the Cherokee Police Commission (Item No. 40)
Attachments: [Item No. 40](#)
3:50 p.m.
- 41.) [2020 -3037](#) Tribal Council instructs the Office of Information Technology to proceed with the Community Broadband Strategic Plan and Feasibility Study (Item No. 41)
Attachments: [Item No. 41](#)
Item No. 41 Backup
4:00 p.m.
- 42.) [2020 -3038](#) The Higher Education Program is hereby directed to return all garnished funds from Eden M. Brown's per capita distributions to Ms. Brown and that any remaining garnishment orders be cancelled within 30 days of the passage of this resolution and Office of Internal Audit contract or perform themselves an audit on Higher Education and all students garnished outside the guidelines are repaid their garnishment amount (Item No. 42)
Attachments: [Item No. 42](#)
4:10 p.m.

Emergency Resolutions

Banishment Items if Necessary

V. Recessed