

Eastern Band of Cherokee Indians

PO Box 455
Cherokee, NC 28719



Meeting Agenda - Final

Thursday, August 6, 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**

[2020 -3082](#) Vetoed Res. No. 198 - Kituwah LLC needs land to plan a model homes so that Tribal Members can view and more easily purchase homes at cost

Attachments: [Vetoed Res. No. 198\(20\)](#)

[2020 -3000](#) Vetoed. Ord. No. 122 - Amendment to Cherokee Code Section 117-109 - Audit and Ethics Committee

Attachments: [Vetoed Ord. No. 122\(20\)](#)

1.) [2020 -3104](#) Amendment to Cherokee Code Chapter 49 - Enrollment

Attachments: [Amd Chapt 49 of CC](#)

2.) [2020 -3103](#) Amend Chapter 117 of the Cherokee Code - Government & Legislative Branch

Attachments: [Amd chapt 117](#)

3.) [2020 -3099](#) Amendment to Cherokee Code Chapter 28 - allowing Tribal Business Committee to approve transfers from First Generation Descendants to an enrolled member without a Council Resolution

Attachments: [Amend Chapter 28](#)

4.) [2020 -3100](#) Amendment to Cherokee Code Chapter 28-7 - to allow enrolled members to receive possessory holdings that they inherit without needing to execute the transfer document

Attachments: [Ordinance to add a new Sec.28-7 to Chapter 28](#)

5.) [2020 -3114](#) An ordinance to add a new section 14-70.27 to the Cherokee Code to make it a crime to unlawfully resist, delay or obstruct a law enforcement officer discharging the duties of his or her office

Attachments: [An ord to add a new section 14-70.27](#)

6.) [2020 -3115](#) An ordinance adding a new Chapter 55-C to the Cherokee Indian Gaming and Entertainment Authority (CIGEA) to provide for the pursuit and governance of commercial gaming and non-gaming business opportunities

Attachments: [An ord. adding a new Chapter 55-C to the Cherokee Indian Gaming and enterta](#)

V. Reports and Announcements

- 7.) [2019-2949](#) Tabled Res. No.76(2019) - Tribal Council authorizes the Tribe to assign John F. Harlan, Jr. a portion of Wolfstown Community Parcel No. 1349 of suitable size and construction of a HIP Home
Attachments: [Tabled Res. No.76\(2019\)](#)
Tabled Res. No.76(2019) backup
9:10 a.m.
Legislative History
12/5/19 Tribal Council tabled
- 8.) [2020 -3001](#) Tabled Ord. No. 123(2020) - Amendment to Cherokee Code Chapter 114 - Department of Justice and Attorney General
Attachments: [Tabled Ord. No. 123\(2020\)](#)
9:20 a.m.
- 9.) [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\(2020\)](#)
9:30 a.m.
- 10.) [2020 -3005](#) Tabled Ord. No. 127(2020) - Amendment to Cherokee Code Chapter 143 - Building Codes and Flood Control
Attachments: [Tabled Ord. No. 127\(2020\)](#)
9:40 a.m.
- 11.) [2020 -3006](#) Tabled Ord. No. 128(2020) - Amendment to Cherokee Code Chapter 130 - Public Health
Attachments: [Tabled Ord. No. 128\(2020\)](#)
9:50 a.m.
- 12.) [2020 -3007](#) Tabled Ord. No. 129(2020) - Amendment to Cherokee Code Chapters 62 and 145 - Utilities and Wastewater Discharge
Attachments: [Tabled Ord. No. 129\(2020\)](#)
10:00 a.m.
- 13.) [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\(2020\)](#)
10:30 a.m.
- 14.) [2020 -3040](#) Tabled Ordinance No. 149(2020) - Amendment to Cherokee Code Section 161-3 governing qualifications for office in Tribal Elections
Attachments: [Tabled Ord. No. 149\(2020\)](#)
10:40 a.m.

- 15.) [2020 -3041](#) Tabled Ordinance No.150(2020) - Amendment to Cherokee Code Section 161-4 certification of candidates
Attachments: [Tabled Ord. No. 150\(2020\)](#)
10:50 a.m.
- 16.) [2020 -3042](#) Tabled Ordinance No. 151(2020) - 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)
Attachments: [Tabled Ord. No. 151\(2020\)](#)
11:00 a.m.
- 17.) [2020 -3043](#) Tabled Ordinance No. 152(2020) - Amendment to Cherokee Code Section 161-16 (process for allegations of election irregularities and protests and enforcement of subpoenas issued by Board of Elections)
Attachments: [Tabled Ord. No. 152\(2020\)](#)
11:30 a.m.
- 18.) [2020 -3044](#) Tabled Ordinance No. 153(2020) - 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)
Attachments: [Tabled Ord. No. 153\(2020\)](#)
11:40 a.m.
- 19.) [2020 -3049](#) Tabled Ordinance No. 158(2020) - Amendment to Cherokee Code - repealing existing Chapter 44 in its entirety and inserting a new Chapter 44 identified as the Housing Division
Attachments: [Tabled Ord. 158](#)
[backup tabled ord 158 pt 1](#)
[Tabled ord. 158 pt2](#)
11:50 a.m.
- Lunch**
- 20.) [2020 -3119](#) Principal Chief is hereby authorized to act on behalf of the Tribe to enter into the memorandum of agreement and understanding with Kituwah, LLC
Attachments: [Principal Chief enter into the memorandum of agreement wih Kituwah,LLC](#)
backup Chief auth enter into moa with Kituwah,LLC
1:10 p.m.
- 21.) [2020 -3116](#) A resolution to authorize the Tribe to identify examine and pursue commercial business opportunities in gaming and non-gaming industries
Attachments: [A resolution to authorize the Tribe to identify examine and pursue commercial b](#)
1:20 p.m.

- 22.) [2020 -3101](#) Resolution to clarify Tribal Council procedure when a Tribal Council member makes a motion to "call a question" during a debate on a matter.

Attachments: [resolution to clarify Tribal Council procedure](#)

backup for clarifying Tribal Council procedure

1:30 p.m.

Emergency Resolutions

Banishment Items if Necessary

V. Recessed