

# Eastern Band of Cherokee Indians

PO Box 455  
Cherokee, NC 28719



## Meeting Agenda - Final-revised

Thursday, September 3, 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 -3151](#) Amendment to Cherokee Code - Chapter 14-40.67 Killing, assaulting or harming a law enforcement agency animal  
**Attachments:** [Amd to CC chapt 14-40.67](#)
- 2.) [2020 -3152](#) Amendment to Cherokee Code - Chapter 130A- Public Health and Human Services  
**Attachments:** [Amd to CC Chapt 130-A PHHS](#)
- 3.) [2020 -3153](#) Amendment to Chapter 117 - Tribal Government (Audit and Ethics Committee)  
**Attachments:** [Amd to Chapt 117-Tribal Gov](#)
- 4.) [2020 -3154](#) Amendment to Chapter 117 - Legislative Branch - (Contracts with Tribe)  
**Attachments:** [Amd to Chapter 117-Legislative Branch](#)
- 5.) [2020 -3155](#) Amendment to Chapter 117 - Tribal Government Sect. 117-47 Boards and Committees  
**Attachments:** [Amd to Chapt 117-Tribal Gov Sect.117-47](#)
- 6.) [2020 -3156](#) Amendment to Chapter 117 - Balanced Budget Act  
**Attachments:** [Amd to Chapt 117-Balanced Budget Act](#)
- 7.) [2020 -3157](#) Amendment to Chapter 120 - Cherokee Police Commission  
**Attachments:** [Amd to Chapt 120-Cherokee Police commission](#)

**V. Reports and Announcements**

[2020 -3158](#) Juanita Wilson, intro of New Executive Director of the Nikwasi Initiative

*8:50 a.m.*

- 8.) [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\(2020\)](#)

*9:00 a.m.*

- 9.) [2020 -3041](#) Tabled Ordinance No.150(2020) - Amendment to Cherokee Code Section 161-4 certification of candidates  
**Attachments:** [Tabled Ord. No. 150\(2020\)](#)  
9:10 a.m.
- 10.) [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\(2020\)](#)  
9:20 a.m.
- 11.) [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\(2020\)](#)  
9:30 a.m.
- 12.) [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\(2020\)](#)  
9:40 a.m.
- 13.) [2020 -3072](#) Amendment to Chapter 92-TERO FEES  
**Attachments:** [tabled ord 191](#)  
9:50 a.m.
- 14.) [2020 -3076](#) Approval of FY2021 Tribal Budget  
**Attachments:** [Tabled res. 193](#)  
10:00 a.m.  
Ten Minute Break
- 15.) [2020 -3104](#) Tabled Ord. 232(20) - Amendment to Cherokee Code Chapter 49 - Enrollment  
**Attachments:** [Tabled ord. 232\(20\)](#)  
10:10 a.m.
- 16.) [2020 -3103](#) Tabled Ord. 233 920) - Amend Chapter 117 of the Cherokee Code - Government & Legislative Branch  
**Attachments:** [Tabled ord. 233\(20\)](#)  
10:20 a.m.

- 17.) [2020 -3099](#) Tabled Ord. 234(20) - 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:** [Tabled ord. 234\(20\)](#)  
10:30 a.m.
- 18.) [2020 -3100](#) Tabled Ord. 235(20) - 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:** [Tabled Ord. 235\(20\)](#)  
10:40 a.m.
- 19.) [2020 -3114](#) Tabled Ord. 236(20) - 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:** [Tabled ord. 236\(20\)](#)  
10:50 a.m.
- 20.) [2020 -3115](#) Tabled Ord. 237 (20) - 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:** [Tabled ord. 237\(20\)](#)  
11:00 a.m.  
Ten Minute Break
- 21.) [2020 -3159](#) Resolution stating that fee to trust applications sent to the Bureau of Indian Affairs are a priority for the Tribe to be completed  
**Attachments:** [Resolution stating that fee to trust apps sent to BIA be a priority](#)  
Backup for fee to trust appl sent to BIA  
11:20 a.m.
- 22.) [2020 -3160](#) The Commerce Administration & Planning Department shall prepare a comprehensive plan for the EBCI Business Zone comprised of certain criteria  
**Attachments:** [Commerce Admin & Planning prepare a comprehensive plan](#)  
11:30 a.m.
- 23.) [2020 -3161](#) The following organizations and positions named below are hereby recommended to serve on the Education Committee: Voting members: Cherokee Central Schools Principal, Cherokee Central Schools School Board Representative (assigned by the School Board Chairperson), and the Ray Kinsland Leadership Institute Director (or their designee)  
**Attachments:** [Organizations & Positions recommended to serve on Education Comm](#)  
11:40 a.m.

- 24.) [2020 -3162](#) Principal Chief shall appoint his Board of Managers for the Sequoyah National Golf Club and Tribal Council shall appoint the remaining members, all subject to approval of Council for a period of two years which shall be from September 1, 2020 to August 31, 2022

**Attachments:** [Sequoyah national golf club board of managers](#)  
[Backup Sequoyah national gold club board](#)

11:50 a.m.

### **Lunch**

- 25.) [2020 -3163](#) A resolution requesting the BIA to re-assign Cherokee Agency Superintendent William McKee, Jr. to a different agency and Tribe and to assign a new person to serve as Cherokee Agency Superintendent

**Attachments:** [requesting BIA superintendent be re-assigned](#)  
[Backup BIA superintendent](#)

1:00 p.m.

- 26.) [2020 -3164](#) The Division of Treasury create an Internal and External Financing Fund guidelines for Tribal Council approval in October 2020

**Attachments:** [Division of Treasury create an internal and external financing fund](#)

1:10 p.m.

- 27.) [2020 -3165](#) Tribal Council authorizes the Principal Chief on behalf of the Tribe to enter into a contract for sale and purchase of possessory interests with Davy Mitchell Arch, the possessory holder of Painttown Community Parcel No. 834 consisting of 4.0 acres for the total purchase price of \$3,400,000.00

**Attachments:** [Principal Chief enter into a contract for sale and purchase of possessory interes](#)

Backup for sale and purchase from Davy M. Arch

1:20 p.m.

- 28.) [2020 -3166](#) Francine Watty requests Tribal Council to expand Wolftown Community Parcel No. 171 and re-draw the boundary lines to give Ms.Watty a sufficiently sized parcel to support her home, and to transfer the increase to Ms.Watty as an addition to Parcel 171

**Attachments:** [Francine Watty expand her property in Wolftown Comm](#)

Backup Francine Watty

1:30 p.m.

- 29.) [2020 -3167](#) Recognition of heirs of Amy Autumn Crowe (d)

**Attachments:** [Recogniiton of heirs Amy A. Crowe\(d\)](#)

Backup Amy A. Crowe (d)

1:40 p.m.

- 30.) [2020 -3168](#) Recognition of heirs of Nathanael Zechariah Shinkman (d)

**Attachments:** [Recognition of heirs Nathanael Z. Shinkman\(d\)](#)

Backup Nathanael Z. Shinkman (d)

1:50 p.m.

- 31.) [2020 -3169](#) Recognition of heirs of Malyn Kelcy Crowe (d)

**Attachments:** [Recogniton of heirs Malyn K. Crowe\(d\)](#)

Backup Malyn K. Crowe (d)

2:00 p.m.

- 32.) [2020 -3170](#) Last Will and Testament of Robert Edgar Owle (d)

**Attachments:** [Last Will and testament Robert E. Owle\(d\)](#)

Backup Last will and testament Rober E. Owle (d)

2:10 p.m.

- 33.) [2020 -3171](#) Recognition of heirs of Albin Rex Gawltney (d)

**Attachments:** [Recognition of heirs Albin R. Gawltney\(d\)](#)

Backup Albin R. Gwaltney (d)

2:20 p.m.

### ***Emergency Resolutions***

### ***Banishment Items if Necessary***

### **V. Recessed**