

Eastern Band of Cherokee Indians

PO Box 455
Cherokee, NC 28719



Meeting Agenda - Final

Thursday, March 4, 2021

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.) [2021 -3301](#) Amendment to Cherokee Code, Section 18B-203 - Regulation of alcoholic beverages (Powers and Duties of the Commission)
Attachments: [Item 1 3.4.21](#)
- 3.) [2021 -3303](#) An ordinance amending Chapter 18B-204 Allocation of Revenues
Attachments: [Item 3 3.4.21](#)
- 4.) [2021 -3304](#) An ordinance to clarify Cherokee law regarding the capacity of criminal defendants to proceed to trial in the Cherokee Court
Attachments: [Item4 3.4.2021](#)
- 5.) [2021 -3305](#) An ordinance to amend Cherokee Code Section 96-12 governing employment decisions
Attachments: [Item5 3.4.2021](#)
- 6.) [2021 -3306](#) Amendment to Cherokee Code 16C-10 Cherokee Endowment and Investment Opportunities
Attachments: [Item6 3.4.2021](#)

V. Reports and Announcements

- [2021 -3324](#) Department of Veteran Affairs - Jason Zimmerman presentation to Council on services for veterans, their families, and communities around the topic of suicide prevention, mental health awareness, education and support
8:50 a.m.
- 7.) [2020 -3155](#) Tabled Ord. No. 259 (2020) - Amendment to Chapter 117 - Tribal Government Sect. 117-47 Boards and Committees
Attachments: [Tabled ord.259\(20\)](#)
9:00 a.m.
- 8.) [2020 -3157](#) Tabled Ord. No.261 (2020) - Amendment to Chapter 120 - Cherokee Police Commission
Attachments: [Tabled ord.261\(20\)](#)
9:10 a.m.

- 9.) [2020 -3191](#) Tabled Ord. No. 297(20) An ordinance creating a new Cherokee Code Section 117-19A-To apply procurement requirements from the Fiscal Management Manual including RFP's when appropriate, to commercial for profit leases of property owned by the Tribe
Attachments: [Tabled Ord. 297\(20\)](#)
9:20 a.m.
- 10.) [2020 -3193](#) Tabled Ord. No. 299(20) - Amendment to Chapter 117-Tribal Government Boards & Committees 117-43, 16-2, 16A-5, 18B-205, 92-5 and 120-7
Attachments: [Tabled Ord. 299\(20\)](#)
[backup to amd to Chapter 117-tribal government boards & committees](#)
Back up item 14 1232020
9:30 a.m.
- 11.) [2020 -3251](#) Tabled Ord. No. 343 - An ordinance to reduce the membership of the TABCC from five persons to three persons
Attachments: [Tabled Ord. 343\(20\)](#)
9:40 a.m.
- 12.) [2020 -3252](#) Tabled Ord. No. 344(20) - Amendment to Cherokee Code Chapter 117 - Tribal Government Project Contracts
Attachments: [Tabled Ord. 344\(20\)](#)
9:50 a.m.
- 13.) [2021 -3269](#) Tabled Ord. No. 365(21) An ordinance to amend CC Section 120-4 to express how long Commissioners may serve on the Cherokee Police Commission and how vacancies are filled
Attachments: [Tabled Ord. 365\(21\)](#)
10:00 a.m.
- 14.) [2021 -3270](#) Tabled Ord. No. 366(21) An ordinance identifying the Tribal funds to which revenues by the Tribe from commercial gaming and hospitality entities created by the Tribe will be allocated and thereby identifying the purposes for which the revenues may be used
Attachments: [Tabled Ord. 366\(2021\)](#)
10:10 a.m.
- 15.) [2021 -3271](#) Tabled Ord. No. 367(21) Ordinance approving Tribal Casino Gaming Enterprise Amended and Restated Loan Documents
Attachments: [Tabled Ord. 367\(21\)](#)
10:20 a.m.
- 16.) [2021 -3285](#) An ordinance decriminalizing small amounts of marijuana
Attachments: [Item 1 2.04.2021](#)
10:30 a.m.

- 17.) [2021 -3293](#) Recognition of heirs of Solomon Dane Bradley (d)
Attachments: [Item 14 02.04.2021](#)
Backup Item 14 02.04.2021
10:40 a.m.
- 18.) [2021 -3307](#) Tribal Council creates the "Nigada Diniyohi? (Everyone/all children Fund) within the Cherokee Life Recreation Budget and it shall support healthy lifestyle activities for all youth
Attachments: [item18 3.4.2021](#)
backup item18 3.4.2021
10:50 a.m.
- 19.) [2021 -3308](#) The Principal Chief is directed to commission a comprehensive compensation analysis for the Eastern Band of Cherokee Indians Tribal Government to include employees of the EBCI, Tribal Officials, and Boards and Commissions and committees as established by Code to be completed no later than July 31, 2021
Attachments: [Item19 3.4.2021](#)
11:00 a.m.
- 20.) [2021 -3309](#) A resolution to make an appointment to the TABCC
Attachments: [item20 3.4.2021](#)
backup item20 3.4.2021
11:10 a.m.
- 21.) [2021 -3310](#) A resolution to appoint the Chief Judge and one Associate Judge of the Cherokee Court (Trial Court)
Attachments: [Item21 3.4.2021](#)
11:20 a.m.
- 22.) [2021 -3311](#) Grant Compliance Office is authorized and submit an application to DOJ for CTAS for FY22-FY24
Attachments: [Item22 3.4.2021](#)
backup item 22 3.4.21
11:30 a.m.
- 23.) [2021 -3312](#) Natural Resources / EPA 106 Water Quality \$480,000 total
Attachments: [Item23 3.4.21](#)
backup item23 3.4.21
11:40 a.m.
- 24.) [2021 -3313](#) EMS Program be authorized to apply and accept funds from SAMHSA up to the amount of \$200,000 for the period of 9/1/2021 through 8/31/22
Attachments: [Item24 3.4.21](#)
backup item24 3.4.21
11:50 a.m.

- 25.) [2021 -3314](#) Agriculture and Natural Resources-Environment be authorized to apply and accept funds from USDA-Animal and Plant Health Service up to amount of \$10,000 for the period of 4/11/2021-3/31/2022 for a total project budget of \$13,000

Attachments: [Item25 3.4.21](#)

backup item25 3.4.21

12:00 p.m.

Lunch

- 26.) [2021 -3316](#) Recognition of heirs of Earl McMillan (d)

Attachments: [Item 26 030421](#)

Back up- Item 26 030421

1:10 p.m.

- 27.) [2021 -3321](#)

Attachments: [Item 27 030421](#)

Back up- Item 27 030421

1:20 p.m.

- 28.) [2021 -3315](#) Recognition of heirs of John Henry Burgess (d)

Attachments: [Item28 3.4.21](#)

backup item28 3.4.21

1:30 p.m.

- 29.) [2021 -3317](#) Last Will and Testament of William Henry Kanott (d)

Attachments: [Item29 3.4.21](#)

backup item29 3.4.21

1:40 p.m.

- 30.) [2021 -3296](#) A resolution to fill vacancy on Sequoyah National Golf Club Board

Attachments: [Item 17 02.04.2021](#)

1:50 p.m.

- 31.) [2021 -3295](#) A resolution granting multiple rights-of-way and easements to the NC Department of Transportation to make safety improvements along NC 143 from Robbinsville to Stecoah

Attachments: Backup Item 16 02.04.2021

[Item 16 02.04.2021](#)

2:00 p.m.

- 32.) [2021 -3290](#) Principal Chief hereby approves the appointment of the following person to serve as a member on the TCGE Board of Advisors
Attachments: [Item 11 02.04.2021](#)
2:10 p.m.
- 33.) [2021 -3318](#) Medicaid Expansion for American Indians and Alaskan Natives eligible to receive care from an IHS or Tribal Health System shall be legislative priority for the EBCI and the Chief, Tribal Council, and CIHA are authorized to advance this issue with members of the North Carolina General Assembly on behalf of the Tribe
Attachments: [Item33 3.4.21](#)
2:20 p.m.
- 34.) [2021 -3320](#) The Principal Chief and EBCI Investment Committee is hereby authorized to execute all required documents related to this transaction
Attachments: [Item34 3.4.21](#)
2:30 p.m.
- 35.) [2021 -3322](#) The Treasury Division Office of Budget and Finance is authorized to transfer \$10,000,000.00 from AP Accounts of the Tribal Government to the Cherokee Sovereign Wealth Fund to be recorded as a use of fund balance from the Tribe's General Fund
Attachments: [Item35 3.4.21](#)
2:40 p.m.
- 36.) [2021 -3325](#) Request for EBCI Finance to place funding in the General Fund for FY2021 and FY2022 in the amount of \$150,000 each of those fiscal years and the Nikwasi Initiative Board of Directors will utilize the allocation of \$150,000 to leverage other funding and shall carry out the intent of this resolution
Attachments: [Item36 3.4.21](#)
backup item36 3.4.21
2:50 p.m.

Emergency Resolutions

Banishment Items if Necessary

- 37.) [2021 -3323](#) Banishment of Avery Thomas
Attachments: [item37 3.4.2021](#)

V. Recessed