

Eastern Band of Cherokee Indians

PO Box 455
Cherokee, NC 28719



Meeting Agenda - Final

Thursday, September 9, 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****V. Reports and Announcements**

- 1.) [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\(2020\)](#)
9:00 a.m.
- 2.) [2020 -3046](#) Tabled Ordinance No. 155(2020) - Tribal Council enacts Cherokee Code Chapter 96 - Tribal Employees
Attachments: [Tabled Ord. No. 155\(2020\)](#)
9:10 a.m.
- 3.) [2020 -3073](#) Res. No. 163 - Painttown Community Parcel 296 from the Tribe to the Painttown Community
Attachments: [Tabled Res No. 163](#)
back up tabled Res No. 163
9:20 a.m.
- 4.) [2020 -3195](#) Tabled Ord. No. 301(20) - Amendment to Chapter 117-45 of the Cherokee Code - Standards of Ethical Conduct for Tribal Officials
Attachments: [backup to amd to chapt 117-45 of the Cherokee code-standards of ethical cond](#)
[Tabled Ord. 301\(20\)](#)
9:30 a.m.
- 5.) [2021 -3394](#) Tabled Ord. No. 475(21) - An ordinance clarifying how applicants for enrollment return benefits to their current Tribe
Attachments: [T.Ord. 475\(21\)](#)
9:40 a.m.
- 6.) [2021 -3365](#) Tabled Ord. No. 449(21) - Resolution asking that Council direct the Tribal Employee Benefits Committee and Principal Chief to amend the EBCI Governmental Retirement Plan
Attachments: Backup Item14 5.06.21
[T.Ord.449\(21\)](#)
9:50 a.m.

- 7.) [2021 -3396](#) Tabled Ord. No. 477(21) - Amendment to Chapter 117 - Tribal Government Article I - Executive Branch
Attachments: [T. Ord. 477\(21\)](#)
10:00 a.m.
- 8.) [2021 -3397](#) Tabled Res. 481(21) - HIF Program Updates
Attachments: [T. Res. 481\(21\)](#)
[BU Item 20 06012021](#)
10:10 a.m.
- 9.) [2021 -3414](#) Tabled Res. 494(21) - A resolution requesting the Secretary of Human Resources to assist the Tribal Operations Program with the Legislative Manager hiring process including but not limited to revising the public relations and event coordinator job descriptions
Attachments: [Tabled Res. 494\(21\)](#)
10:20 a.m.
- 10.) [2021 -3438](#) Tabled Ord. No. 538 (2021) - Amendment to Cherokee Code Chapter 120 - Authority of Police Commission
Attachments: [Tabled Ord. No. 538 2021 PC](#)
10:30 a.m.
- 11.) [2021 -3445](#) Tabled Ord. No. 541 (2021) - An ordinance amending CC Section 143-6(k) regarding native stone masons
Attachments: [Tabled Ord. 541 2021](#)
10:40 a.m.
- 12.) [2021 -3471](#) Tabled Res. No. 543 (2021) Tribal Council hereby authorizes the Chief, on behalf of the Tribe, to enter into a contract for the purchase of 142.15 acres, more or less, located in Cherokee County, NC, Book 1446, Page 850 and Book 1446 page 852 Cherokee County Register of Deeds for the purchase price of \$285,000.00
Attachments: BU item 35 7.8.21
[T. Res. 543\(21\)](#)
10:50 a.m.
- 13.) [2021 -3466](#) Tabled Res. 546(21) - Resolution asking Tribal Council to collaborate with the Executive Office to coordinate necessary Tribal Program resources for the implementation of a formal routing process for legislation
Attachments: [T. Res. 546\(21\)](#)
11:00 a.m.
- 14.) [2021 -3474](#) Tabled Res. No. 556 (2021) A resolution submitting a five-year strategic plan for Tribal Council review and approval
Attachments: [T. Res. 556\(21\)](#)
11:10 a.m.

- 15.) [2021 -3506](#) Tabled Res. No. 567 (2021) Last Will and Testament of Bessie Bird Welch (d)
Attachments: [Tabled Res. 567 2021 B Welch](#)
BU item 11 8.3.21

11:20 a.m.
- 16.) [2021 -3481](#) Amendment to Chapter 105 of the Cherokee Code - removing statute of limitations to send notice of unpaid taxes to more consistent with other provisions of the Code
Attachments: [Item 2 8.5.21](#)
[back up item 2 8.5.21](#)

11:30 a.m.
- 17.) [2021 -3480](#) Tabled Ord. No. 574 - Amendment to Chapter 50 - Family Law Article I. - Marriage
Attachments: [Tabled Ord. 574 2021](#)

11:40 a.m.
- 18.) [2021 -3513](#) Tabled Res. 582 2021 - Tribal Council authorizes the Principal Chief, on behalf of the Tribe, to enter into a contract for sale and purchase of possessory interests with Donald Richard Lambert, the possessory holder of 3200 Acre Tract Community Parcel No. 164 consisting of 19.661 acres, more or less, for the purchase price of \$20,000.00
Attachments: [T. Res. 582 2021 D Lambert](#)
BU item 28 8.5.21

11:50 a.m.
- Lunch**
- 19.) [2021 -3493](#) A resolution asking that the Secretary of Human Services or her designee shall assist the Tribal Operations Program with the hiring process of a Financial Oversight Executive Director
Attachments: [Item 32 8.5.21](#)
BU item 32 8.5.21

1:00 p.m.
- 20.) [2021 -3523](#) Tribal Council authorizes and approves the terms and conditions of the first and second amended and restated management agreement with Harrah's NC Casino Company, LLC
Attachments: [Item 23 09092021](#)

1:10 p.m.
- 21.) [2021 -3524](#) A resolution from the Cherokee Speakers Council requests Dr. Hartwell Francis be recognized as an honorary member of the EBCI
Attachments: [Item 14 09092021](#)

1:20 p.m.

- 22.) [2021 -3528](#) A resolution asking Tribal Council to recognize and approve the naming of the shooting range at the residence of Jesse James Welch as the "Jesse Welch Memorial Shooting Range"
Attachments: [Item 15 09092021](#)
1:30 p.m.
- 23.) [2021 -3529](#) An appointment to the Audit and Ethics Committee as an independent CPA with a term expiring on September 30, 2025
Attachments: [image0150](#)
1:40 p.m.
- 24.) [2021 -3530](#) Appointment to the Audit and Ethics Committee a community member with a term expiring Sept. 30, 2025
Attachments: [image0151](#)
1:50 p.m.
- 25.) [2021 -3531](#) Tribal Employment Rights Office be authorized to apply for and accept funds from the ARPA funds in the amount of \$1,000,000.00 for FY22-23
Attachments: [image0152](#)
2:00 p.m.
- 26.) [2021 -3532](#) Gary French desires to be compensated in the amount of \$_____ for the parking lot that is encroaching on Big Cove Community Parcel No. 89
Attachments: [Item 26 9.9.2021](#)
Backup I Tem 26 9.9.2021
2:10 p.m.
- 27.) [2021 -3533](#) Tribal Council adopts the proposed salary structure and approve the compensation changes as proposed by the third-party firm
Attachments: [Item 27 9.9.2021](#)
2:20 p.m.
- 28.) [2021 -3534](#) Tribal Council hereby authorizes the Chief to enter into a contract for sale and purchase of possessory interest with David Welch, Ned D. Welch, and Amy S. Welch the possessory holders of Big Cove Community Parcel 685 consisting of 96.394 acres more or less for the purchase price of \$115,000.00
Attachments: [Item 28 9.9.2021](#)
Backup item 28 9.9.2021
2:30 p.m.
- 29.) [2021 -3535](#) Tribal Council authorizes the Principal Chief to enter into a contract for the purchase of 32.28 acres, more or less, located in Graham County for \$1,300,000.00
Attachments: [Item 29 9.9.2021](#)
Backup item 29 9.9.2021
2:40 p.m.

- 30.) [2021 -3536](#) Sequoyah National Golf Club, LLC, is authorized to renew the \$500,000.00 line of credit with First Citizens Bank through FY2024 at which time it will be reevaluated
Attachments: [Item 30 9.9.2021](#)
Backup item 30 9.9.2021

2:50 p.m.
- 31.) [2021 -3537](#) Resolution requesting Tribal Council to approve the site work for construction for the Cherokee at Sequoyah Hotel in the amount of \$3,508,722.00 from an account designated by the Division of Finance
Attachments: [Item 31 9.9.2021](#)
Back up item 31 9.9.2021

3:00 p.m.
- 32.) [2021 -3538](#) Division of Treasury shall create policies and procedures for both internal audit findings and shall amend the Fiscal Management Policy to comply with CC 117-36
Attachments: [Item 32 9.9.2021](#)

3:10 p.m.
- 33.) [2021 -3539](#) Lands Acquisition Committee shall prepare land purchase guidelines for Tribal Council approval in the October Annual Council Session
Attachments: [Item 33 9.9.2021](#)

3:20 p.m.

Emergency Resolutions

Banishment Items if Necessary

V. Recessed