

Eastern Band of Cherokee Indians

PO Box 455
Cherokee, NC 28719



Meeting Agenda - Final-revised

Thursday, February 3, 2022

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 -3670](#) An ordinance to amend CC Sec. 117-10.1 amend the initial chain of command for Legislative Counsel and TOP Staff
Attachments: [Item 1 01.06.22](#)
- 2.) [2021 -3671](#) Amendment to CC Sec. 16C-5 - Distribution to members
Attachments: [Item 2 01.06.22](#)
- 3.) [2021 -3672](#) Amendment to CC Sec. 117-41 - EBCI Investment Committee
Attachments: [Item 3 01.06.22](#)
[bu item 3 01.06.22](#)
- 4.) [2021 -3673](#) An ordinance amending CC Chapter 161-Tribal Elections (Filing for office)
Attachments: [Item 4 01.06.22](#)
- 5.) [2021 -3700](#) An ordinance to enhance the areas of opportunity for licensed medical cannabis establishments
Attachments: [Item 5 2.3.22](#)
- 6.) [2021 -3701](#) An ordinance to add criminal defense to the list of duties of the Legal Assistance Office
Attachments: [Item 6 2.3.22](#)
- 7.) [2021 -3702](#) Amendment to Cherokee Code strike identified sections of Chapter 55-B
Attachments: [Item 7 2.3.22](#)
- 8.) [2021 -3703](#) Amendment to Cherokee Code - An ordinance to reorganize financial accountability requirements and add language for annual audit requirements
Attachments: [Item 8 2.3.22](#)
- 9.) [2021 -3704](#) Amendment to Cherokee Code Chapter 16C-Gaming Revenue Allocation Plan
Attachments: [Item 9 2.3.22](#)
[bu item 9 2.3.22](#)

- 10.) [2021 -3555](#) Tabled Ord. No. 1(21) - Amendment to Section 105-3 of the Cherokee Code - Exemptions from Tribal Levy
Attachments: [Tabled Ord. 1 \(21\)](#)
8:30 a.m.
- 11.) [2021 -3560](#) Tabled Res. No. 5(21) - A resolution to rescind Res. No. 570 (2021) regarding the heirs of Boyd Allen Queen (d)
Attachments: Item 5 bu 10112021
[Tabled Res. 5\(21\)](#)
8:40 a.m.
- 12.) [2021 -3564](#) Tabled Res. No. 9(21) - A resolution to transfer Birdtown Community Parcel No. 562 from Catherine Christine Owle to Ruby Owle Crowe
Attachments: Item 9 BU 10112021
[Tabled Res. No. 9\(21\)](#)
8:50 a.m.
- 13.) [2021 -3590](#) Tabled Res. No. 32(21) - A resolution granting an access road and utilities right of way across Wolftown Community Parcel No. 120-G to Wolftown Community Parcel No. 1006
Attachments: BU item 8 11.04.21
[Res. 32\(21\)](#)
9:00 a.m.
- 14.) [2021 -3651](#) Tabled Ord. 82(21) - Amendment to Cherokee Code Chapter 50 to require mediation of child custody actions and to provide participation by grandparents
Attachments: [Tabled Ord. 82\(21\)](#)
9:10 a.m.
- 15.) [2021 -3652](#) Tabled Ord. 83(21) - Amendment to Section 117-10 of the Cherokee Code
Attachments: Item No. 2 BU 12092021
[Tabled Ord. 83\(21\)](#)
9:20 a.m.
- 16.) [2021 -3653](#) Tabled Ord. No. 84(21) - An ordinance amending CC Section 28-2 to clarify if a First Generation Descendant dies while still owning a possessory interest in Tribal Trust Land the possessory interest shall revert to the Tribe
Attachments: [Tabled Ord. 84\(21\)](#)
9:30 a.m.
- 17.) [2021 -3636](#) Tabled Res. No. 89(21) - A resolution granting multiple right-of-ways easements to the NC Dept. of Transportation to make safety and mobility improvements along NC143 from Robbinsville to Stecoah
Attachments: [Tabled Res. 89\(21\)](#)
9:40 a.m.

- 18.) [2021 -3674](#) Resolution requesting that Tribal Council does hereby designate the parcel across Galbraith Creek Road and from the current THPO office across Hwy 19 (Ela Road) from Kituwah Field in Swain County
Attachments: [Item 13 01.06.22](#)
[bu item 13 01.06.22](#)
9:50 a.m.
- 19.) [2021 -3675](#) A resolution granting a temporary construction easement to the Department of Natural Resources for Wolftown Parcel No. 1169 without the signature of Ronald Sequoyah Bowman
Attachments: [Item 14 01.06.22](#)
[bu item 14 01.06.22](#)
10:00 a.m.
- 20.) [2021 -3676](#) A resolution requesting Tribal Council to approve an annual distribution to Qualla Arts & Crafts in the amount of \$200,000
Attachments: [Item 15 01.06.22](#)
[bu item 15 01.06.22](#)
10:10 a.m.
- 21.) [2021 -3677](#) Resolution requesting Tribal Council approve the revised policy statements for the Minors Trust Fund and Cherokee Central Schools Reserve Fund
Attachments: [Item 16 01.06.22](#)
[bu item 16 01.06.22](#)
10:20 a.m.
- 22.) [2021 -3682](#) a resolution to amend the referendum questions presented in Res. No. 11 (2021) re: Tribal Council terms of office to simplify the questions and set an election date
Attachments: [image0848](#)
10:30 a.m.
- 23.) [2021 -3679](#) Resolution requesting that Tribal Council direct all future local community and economic projects to the Project Workshop at the attention of the Project Management Office
Attachments: [item 18 1.6.22](#)
10:40 a.m.
- 24.) [2021 -3680](#) Resolution requesting that the Secretary of Commerce Division (Position No. 905812001) be approved as an additional staff member for the Commerce Division and this position shall be added to the EBCI org chart
Attachments: [item 19 1.6.22](#)
[backup 1.6.22](#)
10:50 a.m.

- 25.) [2021 -3681](#) Resolution requesting that Tribal Council approve a study entitled "Woven Resilience: An Ethno Archaeological Approach to Social Change in Cherokee Baskets"
Attachments: [Item 20 01.06.22](#)
11:00 a.m.
- 26.) [2021 -3705](#) Dr. William E. Copeland, PhD, at the University of Vermont/Duke is hereby granted permission to carry out the research project "Great Smoky Mountain Study by Rural Aging"
Attachments: [Item 26 2.3.22](#)
11:10 a.m.
- 27.) [2021 -3706](#) Dr. Jason Ostrander, DSW, Assistant Professor at Sacred Heart University of Social Work is hereby granted permission to carry out the research project titled, "The Gadugi Project: Improving Child Welfare Through Investing in Family"
Attachments: [Item 27 2.3.22](#)
11:20 a.m.
- 28.) [2021 -3707](#) Dr. Elizabeth Anderson, DSW, LCSW at Western Carolina University is hereby granted permission to carry out the research project titled, "Pathways to Advance Care Planning Among Members of the EBCI"
Attachments: [Item 28 2.3.22](#)
11:30 a.m.
- 29.) [2021 -3708](#) Dr. Sara Duncan, PhD at Western Carolina University, is hereby granted permission to carry out the research project titled, "Our Air: Exploring Local Air Quality Through Storytelling and Community Science"
Attachments: [Item 29 2.3.22](#)
11:40 a.m.
- 30.) [2021 -3709](#) Emma Olsen, MPH, MSW, at the University of North Carolina Asheville, is hereby granted permission to carry out the research project titled, "Community Health Workers as Culturally Responsive COVID Support in Western North Carolina Communities"
Attachments: [Item 30 2.3.22](#)
11:50 a.m.

Lunch

- 31.) [2021 -3710](#) Snowbird Community Library is authorized to add one Library Aide Position to the current organizational chart and shall report to the Snowbird Community Library Manager
Attachments: [Item 31 2.3.22](#)
bu item 31 2.3.22
1:10 p.m.

- 32.) [2021 -3711](#) Cherokee Indian Hospital Authority is hereby authorized to provide the Robins and Morton Group with a right to arbitration in its agreement with the Robins
Attachments: [Item 32 2.3.22](#)
bu item 32 2.3.22

1:20 p.m.
- 33.) [2021 -3712](#) Resolution requesting to make Mr. Charlie Rhodarmer to honorary membership of the Eastern Band of Cherokee Indians
Attachments: [Item 33 2.3.22](#)
[bu item 33 2.3.22](#)

1:30 p.m.
- 34.) [2021 -3713](#) Resolution requesting that the US 441 and Acquoni Road Bridge shall read as follows; Pfc: Charles George, Metal of Honor, Bridge
Attachments: [Item 34 2.3.22](#)
[bu item 34 2.3.22](#)

1:40 p.m.
- 35.) [2021 -3678](#) Resolution confirming the appointment of the Honorable Brenda Toineeta Pipestem as an Associate Justice
Attachments: [item 17 1.6.22](#)

1:50 p.m.
- 36.) **2021 -3714** A resolution supporting the Division of Agricultural and Natural Resources to begin collation building for the removal of Ela Dam
Attachments: Item 36 2.3.22

2:00 p.m.
- 37.) **2021 -3715** A resolution allowing Debra Cooper MacCourtney, Susan Cooper Spees, James David Cooper, and Janene Cooper Lancaster, First Generation Heirs, to transfer their interest in the following possessory holdings to the Tribe
Attachments: Item 37 2.3.22
bu item 37 2.3.22

2:10 p.m.
- 38.) **2021 -3716** A resolution granting permission to partner with North Carolina State University staff to conduct a climate action plan
Attachments: Item 38 2.3.22

2:20 p.m.

Emergency Resolutions

Banishment Items if Necessary

V. Reports and Announcements

V. Recessed