

Eastern Band of Cherokee Indians

*PO Box 455
Cherokee, NC 28719*



Meeting Agenda - Final-revised

Thursday, March 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.) [2022 -3737](#) An ordinance to switch responsibility for certain financial forms from the Enrollment Office to the Office of Budget and Finance
Attachments: [Item 1 3.3.22](#)
New Ordinance
- 2.) [2022 -3738](#) An ordinance amending various Chapters of the Cherokee Code to clarify the Tribe's laws regarding exclusions of individuals from Tribal Trust Lands
Attachments: [Item 2 3.3.22](#)
New Ordinance
- 3.) [2022 -3739](#) Resolution requesting to make Mr. Charlie Rhodarmer to honorary membership with the EBCI
Attachments: [Item 3 3.3.22](#)
bu item 3 3.3.22
8:40 a.m.
- 4.) [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\(21\)](#)
8:50 a.m.
- 5.) [2021 -3638](#) Tabled Res. No. 90(21) - A resolution that a NO HUNTING status by any citizen both enrolled and non-enrolled be placed on the Hall Mountain properties until further notice
Attachments: [Tabled Res. No. 90\(21\)](#)
9:00 a.m.
- 6.) [2021 -3670](#) Tabled Ord. No. 134(22) - An ordinance to amend CC Sec. 117-10.1 amend the initial chain of command for Legislative Counsel and TOP Staff
Attachments: [Tabled ord 134\(22\)](#)
9:10 a.m.
- 7.) [2021 -3671](#) Tabled Ord. 135(22) - Amendment to CC Sec. 16C-5 - Distribution to members
Attachments: [Tabled ord 135\(22\)](#)
9:20 a.m.

- 8.) [2021 -3672](#) Tabled Ord. No. 136(22) - Amendment to CC Sec. 117-41 - EBCI Investment Committee
Attachments: [bu item 3 01.06.22](#)
[Tabled ord. 136\(22\)](#)
9:30 a.m.
- 9.) [2021 -3673](#) Tabled Ord. No. 137(22) - An ordinance amending CC Chapter 161-Tribal Elections (Filing for office)
Attachments: [Tabled ord. 137\(22\)](#)
9:40 a.m.
- 10.) [2021 -3700](#) Tabled Ord. No. 138(22) - An ordinance to enhance the areas of opportunity for licensed medical cannabis establishments
Attachments: [Tabled ord 138\(22\)](#)
9:50 a.m.
- 11.) [2021 -3701](#) Tabled Ord. No. 139(22) - An ordinance to add criminal defense to the list of duties of the Legal Assistance Office
Attachments: [Tabled ord. 139\(22\)](#)
10:00 a.m.
- 12.) [2021 -3702](#) Tabled Ord. No. 140(22) - Amendment to Cherokee Code strike identified sections of Chapter 55-B
Attachments: [Tabled ord. 140\(22\)](#)
10:10 a.m.
- 13.) [2021 -3703](#) Tabled Ord. No. 141(22) - Amendment to Cherokee Code - An ordinance to reorganize financial accountability requirements and add language for annual audit requirements
Attachments: [Tabled ord. 141\(22\)](#)
10:20 a.m.
- 14.) [2021 -3704](#) Tabled Ord. No. 142(22) - Amendment to Cherokee Code Chapter 16C-Gaming Revenue Allocation Plan
Attachments: [bu item 9 2.3.22](#)
[Tabled ord. 142\(22\)](#)
10:30 a.m.
- 15.) [2021 -3718](#) Tabled Ord. 143(22) - An ordinance to establish rights of victims of crime in a few Chapter 15-C
Attachments: [Tabled ord. 143\(22\)](#)
10:40 a.m.
- 16.) [2021 -3717](#) Tabled Ord. 144 an ordinance to give Chief of Police greater authority to address personnel matters
Attachments: [Tabled Ord. 144\(22\)](#)
10:50 a.m.

- 17.) [2021 -3682](#) Tabled Res. 150(22) - 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: [Tabled Res. 150\(22\)](#)

11:00 a.m.

- 18.) [2021 -3715](#) Tabled Res. 160(22) - 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: bu item 37 2.3.22

[Tabled Res. 160\(22\)](#)

11:10 a.m.

- 19.) [2021 -3716](#) Tabled Res. 161(22) - A resolution granting permission to partner with North Carolina State University staff to conduct a climate action plan

Attachments: [Tabled Res. 161\(22\)](#)

11:20 a.m.

- 20.) [2022 -3740](#) Resolution requesting that Tribal council approve the Tribal Historic Preservation Office to partner with the University of Tennessee Knoxville regarding the "Facilitating NAGPRA: Connecting Tribal Partners and the Medicolegal System" grant

Attachments: [Item 20 3.3.22](#)

bu item 20 3.3.22

11:30 a.m.

- 21.) [2022 -3741](#) A resolution granting an access road and utilities ROW across Big Cove Community Parcel No. 127-G, 132, and 127-C to Big Cove Community parcel no. 127-F

Attachments: [Item 21 3.3.22](#)

bu item 21 3.3.22

11:40 a.m.

- 22.) [2022 -3742](#) A resolution authorizing the Cherokee Indian Hospital Authority to provide Robins and Morton Group with a right to arbitration in its agreement with Robins and Morton Group for management of the construction of the Men's Recovery Home and Cherokee County Clinic Projects

Attachments: [Item 22 3.3.22](#)

11:50 a.m.

Lunch

- 23.) [2022 -3743](#) A resolution authorizing the Tribe to purchase Painttown Community Parcel No. 560 containing 9.512 acres, more or less, from enrolled member Morgan Owle

Attachments: [Item 23 3.3.22](#)

1:10 p.m.

- 24.) [2022 -3744](#) A resolution requesting that the Chairman of Council schedule a hearing and investigation into the 2003, 2011, 2015 and 2017 Tribal Elections
Attachments: [Item 24 3.3.22](#)
bu item 24 3.3.22

1:20 p.m.
- 25.) [2022 -3745](#) A resolution requesting that Tribal Council rescind Resolution No. 136(2020) and that Kituwah Homes shall return all monies no expensed along with an accounting
Attachments: [Item 25 3.3.22](#)
bu item 25 3.3.22

1:30 p.m.
- 26.) [2022 -3746](#) A resolution requesting that the Principal Chief is hereby authorized to act on behalf of the Tribe to enter into a Memorandum of Agreement and Understanding with Kituwah LLC
Attachments: [Item 26 3.3.22](#)
bu item 26 3.3.22

1:40 p.m.
- 27.) [2022 -3747](#) A resolution approving a funding request of \$720,000 from EBCI Holdings, LLC to hire gaming lobbyists in Georgia, Tennessee, and South Carolina
Attachments: [Item 27 3.3.22](#)

1:50 p.m.
- 28.) [2022 -3748](#) A resolution authorizing the Tribe to pursue federal legislation to exclude non-trust land transactions by the EBCI from federal approval requirements imposed by the Indian Non-intercourse Act
Attachments: [Item 28 3.3.22](#)
bu item 28 3.3.22

2:00 p.m.
- 29.) [2022 -3749](#) A resolution approving a statement and waiver, including a limited waiver of sovereign immunity, as to a lease of real property in Tennessee owned by Kituwah, LLC
Attachments: [Item 29 3.3.22](#)

2:10 p.m.

Emergency Resolutions

Banishment Items if Necessary

V. Recessed