

Eastern Band of Cherokee Indians

PO Box 455
Cherokee, NC 28719



Meeting Agenda - Final

Thursday, April 6, 2023

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.) [2023 -4108](#) An ordinance to repeal CC Section 115-6 which authorizes giving financial assistance to first generation descendants for higher education and adult education
Attachments: [Item 1 4.6.23](#)
New Ordinances (Items 1-4)
- 2.) [2023 -4109](#) An ordinance to create a new CC Chapter 4 - establishing the Division of Law Enforcement which will include the Tribe's existing law enforcement programs to provide that the Division will be managed by the Chief of Police and to provide uniform minimum standards for law enforcement activities
Attachments: [item 2 4.6.23](#)
bu item 2 4.6.23
New Ordinance
- 3.) [2023 -4110](#) An ordinance to update certain provisions of the Cherokee Code pertaining to flow of funds, accounts, and investments to meet the capital needs of the EBCI
Attachments: [item 3 4.6.23](#)
bu item 3 4.6.23
New Ordinance
- 4.) [2023 -4111](#) An ordinance to add language for annual audit requirements
Attachments: [item 4 4.6.23](#)
bu item 4 4.6.23
New Ordinance
- 5.) [2022 -3982](#) Tabled Ord. No. 423(22) - An ordinance to increase the short term rental privilege tax and to allocate funds to the Division of Commerce for tourism and tourism-based economic development
Attachments: [Tabled ord. 423\(22\)](#)
8:40 a.m.
- 6.) [2022 -4003](#) Tabled Ord. No. 437 (2022) an ordinance amending CC 17-21 Members of Cannabis Control Board
Attachments: [Tabled Ord. 437 2022](#)
8:50 a.m.

- 7.) [2022 -4021](#) Tabled Res. No. 464(22) - A resolution approving the Cultural and Historic Properties Preservation & Development Committee core and affiliate members
Attachments: backup item 11 12.08.22
[T. Res. 464\(22\)](#)
9:00 a.m.
- 8.) [2022 -4055](#) Tabled Res. No. 496 (2023) - A resolution requesting the remaining funds for the Indoor grow project for Qualla Enterprises, LLC
Attachments: [Item 5 01312023](#)
9:10 a.m.
- 9.) [2023 -4063](#) Tabled Ord. No. 504(23) - An ordinance amending Section 47 D-9 of the Cherokee Code to change HIP benefits from 12-year assignments to residential leases in exchange for having HIP Home constructed
Attachments: [T.Ord. No. 504\(23\)](#)
9:20 a.m.
- 10.) [2023 -4066](#) Tabled Res. No. 509(23) - A resolution requesting Tribal Council's approval of a Fire Cooperative Agreement between the BIA Eastern Region and the EBCI
Attachments: bu item 6 2.2.23 pt1
bu item 6 2.2.23 pt.2
[T.Res. 509\(23\)](#)
9:30 a.m.
- 11.) [2023 -4070](#) Tabled Res. No. 513(23) - A resolution appointing two members to the Sequoyah National Golf Board
Attachments: [T.Res. 513\(23\)](#)
9:40 a.m.
- 12.) [2023 -4087](#) Tabled Ord. No. 528(23) - An ordinance to except certain law enforcement recordings from release under Chapter 132 Public Records
Attachments: [Tabled Ord. 528\(23\)](#)
9:50 a.m.
- 13.) [2023 -4088](#) Tabled Ord. No. 529(23) - An ordinance amending CC Chapter 110 to include general welfare distributions in the definition of disposable income for purposes of calculating child support and clarifying that general welfare distributions are subject to child support orders
Attachments: [Tabled Ord. 529\(23\)](#)
10:00 a.m.
- 14.) [2023 -4089](#) Tabled Ord. No. 530(23) - An ordinance amending CC Chapter 18B governing the Tribal Alcoholic Beverage Control Commission (TABCC) to amend requirements for budgeting and pricing
Attachments: [Tabled Ord. 530\(23\)](#)
10:10 a.m.

- 15.) [2023 -4090](#) Tabled Ord. No. 531(23) - An ordinance amending CC Chapter 17 - Medical Marijuana Code
Attachments: [Tabled Ord. 531\(23\)](#)
10:20 a.m.
- 16.) [2023 -4091](#) Tabled Ord. No. 532(23) - An ordinance amending CC Article V Sexual Assault to correct the age to properly reflect the age of a minor and to better define sexual assault of a minor or ward
Attachments: [Tabled Ord. 532\(23\)](#)
10:30 a.m.
- 17.) [2023 -4132](#) A resolution requesting that Tribal Council work on Cherokee Code Section 117-16 an establish an ordinance to allow a code section with requirements pertaining to structure, scheduling and actionable time frames of "working sessions"
Attachments: [Item 17 04062023](#)
10:40 a.m.
- 18.) [2023 -4113](#) A resolution requesting that Tribal Council approves the increase in the annual donation to assist with the Week of the Young Child Children's Fair
Attachments: [Item 18 4.6.23](#)
10:50 a.m.
- 19.) [2023 -4114](#) A resolution to approve Sky Nicole Sampson to serve on the Madison Hornbuckle Children's Cancer Foundation Board of Directors
Attachments: [Item 19 4.6.23](#)
bu item 19 4.6.23
11:00 a.m.
- 20.) [2023 -4115](#) A resolution to authorize the financial resources necessary to construct the CIHA Long-Term Skilled Nursing Facility and Memory Care Unit
Attachments: [item 20 4.6.23](#)
bu item 20 4.6.23
11:10 a.m.
- 21.) [2023 -4116](#) A resolution requesting Tribal Council approve Mr. Gregory Hunt as a Honorary Member of the EBCI for his selflessness, devotion and love for our Cherokee Warriors past, and present and their families
Attachments: [item 21 4.6.23](#)
11:20 a.m.
- 22.) [2023 -4117](#) A resolution requesting Tribal Council approve the "Innovating a Community-based Resilience Model on Climate and Health Equity in the Carolina's: Cherokee Oral History Project" as requested by Max Cawley and Dr. Jen Runkle
Attachments: [Item 22 4.6.23](#)
11:30 a.m.

- 23.) [2023 -4118](#) A resolution requesting that Tribal Council grant a limited waiver of sovereign immunity to the Cumming Management Group, Inc. (only as set forth in the contract) for the development of the Artifact Collection Facility Project and Cherokee Museum Project

Attachments: [item 23 4.6.23](#)

bu item 23 4.6.23

11:40 a.m.

- 24.) [2023 -4119](#) A resolution to reappoint Mr. Albert Martin to the Tribal Gaming Commission per confirmation hearing held on March 7, 2023

Attachments: [Item 24 4.6.23](#)

bu item 24 4.6.23

11:50 a.m.

Lunch

- 25.) [2023 -4120](#) A resolution to set criteria to receive the Community Club funding awarded by Tribal Council

Attachments: [item 25 4.6.23](#)

1:10 p.m.

- 26.) [2023 -4121](#) A resolution requesting that Tribal Council approve the ballot referendum ballot question to appear during the September 7, 2023 General Election regarding the proposed Constitution of the Eastern Band of Cherokee Indians

Attachments: [Item 26 4.6.23](#)

bu item 26 4.6.23

1:20 p.m.

- 27.) [2023 -4122](#) A resolution to provide funding to the Birdtown Community Club for necessary repairs to its facilities

Attachments: [item 27 4.6.23](#)

1:30 p.m.

- 28.) [2023 -4123](#) A resolution requesting authorization to sell Wolfstown Community Parcel No. 936 to Megan Wolfe

Attachments: [item 28 4.6.23](#)

1:40 p.m.

- 29.) [2023 -4124](#) A resolution to approve to reimbursements to Tribal Member Landowners for surveying fees

Attachments: [item 29 4.6.23](#)

1:50 p.m.

- 30.) [2023 -4125](#) A resolution requesting that the EBCI Human Resources Department shall establish Human Resource Policies to reclassify positions for all entities of the EBCI which will consider experience to be substituted for education in all hiring and Tribal Employees will be reimbursed through the appropriate Tribal Department
Attachments: [item 30 4.6.23](#)
2:00 p.m.
- 31.) [2023 -4126](#) A resolution requesting that all prior military service time shall count and be added to the Tribal Pension Years of Service for Tribal Employees who have received an Honorable Discharge from military service and have vested in the Tribal Defined Benefit Pension Plan as approved in Resolution 589(2017)
Attachments: [Item 31 revised 04062023](#)
[bu item 31 4.6.23](#)
2:10 p.m.
- 32.) [2023 -4127](#) A resolution requesting that Tribal Council approve \$3,270,784 for necessary repairs to the property formerly known as "The Chestnut Tree Property"
Attachments: [item 32 4.6.23](#)
2:20 p.m.
- 33.) [2023 -4128](#) A resolution assigning Cherokee Village Parcel No. 100 to the heirs of Cora Arch Wahneetah
Attachments: [item 33 4.6.23](#)
[bu item 33 4.6.23](#)
2:30 p.m.
- 34.) [2023 -4129](#) A resolution to designate that Birdtown Community Parcel No. 109 is to be used solely for housing and Home Improvement Program Purposes
Attachments: [Item 34 04062023](#)
[Item 34 BU 04062023](#)
2:40 p.m.
- 35.) [2023 -4130](#) A resolution to authorize the Tribe to transfer certain Tribally-owned deeded property to Paulette Smart
Attachments: [Item 35 04062023](#)
[Item 35 BU 04062023](#)
2:50 p.m.

Emergency Resolutions

Banishment Items if Necessary

V. Recessed