

TABLED

CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

Date: MAY 04 2023

ORDINANCE NO. 596 (2023)

An ordinance to insert C.C. § 117-16.2 Working Session.

WHEREAS, Section 23 of the Charter and Governing Document authorizes and empowers Tribal Council to enforce obedience to Tribal laws; and

WHEREAS, Cherokee Code Section 117-16. -Debate and 117-16.1 Public comments does not reference a "Work Session" code structure with time frames to follow; and

WHEREAS, Cherokee Code Section 117-13. – Council sessions and public notice. The Tribal Council may consider requests to hold informal sessions or hearings at other locations but no official legislation may be adopted during these sessions or hearings.; and

NOW THEREFORE BE IT ORDAINED by the Eastern Band of Cherokee Indians in Tribal Council assembled, at which a quorum is present, that C.C.§ 117-16.2 shall be added to read as follows:

117-16.2 Working Session.

(a) Scope and purpose. The purpose of these policies and procedures is to provide uniformity, consistency and order in:

- (1) Scheduling and conducting a work session before the Tribal Council.
- (2) Providing appropriate procedures for a work session to adhere to tabled agenda items during Budget Council and Tribal Council sessions.
- (3) Informing interested parties of the procedures for a work session. Interested party means any person who has a direct financial or property interest that is the subject of the work session.
- (4) Setting forth the authority, nature, and purpose of work sessions with Tribal Council, interested parties, and other interested parties.

(b) Comments from Tribal Council, and interested parties shall adhere to the rules of debate in Sec. 117-16(a), (b), and (c). As well as adhering to the rules of public comments in Sec. 117-16.1(a), (b), (c)(1), (c), and (d).

(c) Scheduling. The Tribal Council Chairman, Tribal Operations Program (TOP) staff, and the interested parties shall communicate and work together to schedule a work session.

- (1) In the absence of the Tribal Council Chairman, the Vice Chairman shall work together with TOP staff, and the interested parties to schedule a work session.
- (2) Tabled resolutions shall be scheduled for a work session the third week of the month following the tabled motion date.

a. In the event of an emergency the Tribal Council Chairman may schedule a work session at the discretion of the need.

b. Resolution work sessions may be scheduled with a time limit of thirty (30) minutes..

i. In the event of needing more time another work session may be scheduled within thirty (30) days after the original work session date.

ii. Should the second work session conclude with no resolve, then the resolution shall be added to the next Tribal Council agenda for consideration.

c. Tabled Resolutions resolved in a work session shall be added to the next Tribal Council agenda for consideration.

(3) Tabled ordinances are to adhere to the rules of legislative reading ordinance; form of ordinances in Section 117-38(a), (b), and (c).

a. In the event of an ordinance motioned to be tabled a second time by majority vote of Tribal Council for a work session all interested parties shall adhere to the following:

i. Tabled ordinances shall be scheduled for a work session the third week of the month following after the tabled motion date.

ii. In the event of an emergency the Tribal Council Chairman may schedule a work session at the discretion of the need.

iii. Ordinance work sessions may be scheduled with a time limit of one hour or at the discretion of the Tribal Chairman.

b. In the event of needing more time another work session may be scheduled within fifteen (15) working days after the original work session date.

i. Should the second work session conclude with no resolve, then the ordinance shall be added to the next Tribal Council agenda for consideration.

c. Tabled Ordinances resolved in a work session shall be added to the next Tribal Council agenda for consideration.

d. If the submitter does not attend the scheduled work session, then the item will need to be re-submitted because it will not be considered by Tribal Council.

i. If failure to attend a work session occurs due to extenuating circumstances out of the submitter control the Tribal Council Chairman may accommodate and reschedule.

(d) Tabled ordinances resolved in a work session shall be added to the next Tribal Council agenda for consideration.

BE IT FINALLY ORDAINEDthat all ordinances that are inconsistent with this ordinance are rescinded, and that this ordinance shall become effective when ratified by the Principal Chief.

Submitted by: Chelsea Taylor, Wolfetown Community Member