

# Eastern Band of Cherokee Indians

PO Box 455  
Cherokee, NC 28719



## Meeting Agenda - Final

Thursday, September 7, 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****V. Reports and Announcements**

- 1.) [2021 -3583](#) Tabled Res. No. 26(21) - Transfer following line items  
**Attachments:** [Tabled Res. 26\(21\)](#)  
*8:30 a.m.*
- 2.) [2022 -3757](#) Tabled Ord. No. 223(22) - Amendments to Cherokee Code Chapter 47C Tribal Realty Services  
**Attachments:** bu tabled ord. 223(22)  
[ATabled ord. 223\(22\)](#)  
*8:40 a.m.*
- 3.) [2022 -3830](#) Tabled Res. No. 277(22) - A resolution requesting that the EBCI draft and propose an application for Kituwah Mound to become a UNESCO World Heritage Site  
**Attachments:** [Tabled Res. 277\(22\)](#)  
*8:50 a.m.*
- 4.) [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\(22\)](#)  
*9:00 a.m.*
- 5.) [2022 -4003](#) Tabled Ord. No. 437 (2022) an ordinance amending CC 17-21 Members of Cannabis Control Board  
**Attachments:** [Tabled Ord. 437 2022](#)  
*9:10 a.m.*
- 6.) [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.*

- 7.) [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\(23\)](#)  
9:30 a.m.
- 8.) [2023 -4124](#) Tabled Res. No. 562(23) - A resolution to approve to reimbursements to Tribal Member Landowners for surveying fees  
**Attachments:** [T. Res. 562\(23\)](#)  
9:40 a.m.
- 9.) [2023 -4195](#) Tabled Res. No. 626(23) - An ordinance amending Chapter 47D authorizing the Tribal Realty Services Office to promulgate rules and regulations consistent with the HEARTH ACT  
**Attachments:** [T. Res. 626\(23\)](#)  
9:50 a.m.
- 10.) [2023 -4199](#) Tabled Res. No. 630(23) - A resolution requesting that the Secretary of Interior review and approve the HEARTH ACT regulations submitted by the Eastern Band of Cherokee Indians  
**Attachments:** bu item 21 6.1.23  
[T. Res. 630\(23\)](#)  
10:00 a.m.
- 11.) [2023 -4200](#) Tabled Res. No. 631(23) - A resolution to require a forensic audit of Qualla Enterprises, LLC  
**Attachments:** [Tabled Res. 631\(23\)](#)  
10:10 a.m.
- 12.) [2023 -4215](#) A resolution approving the FY2024 Budget and Organizational Charts for the Tribe  
**Attachments:** [2023 -4215 FY2024 Budget Resolution](#)  
10:20 a.m.
- 13.) [2023 -4232](#) Tabled Ord. No. 663(23) - Addition to Cherokee Code Chapter 55D, creating a Revenue Allocation Plan for new commercial gaming entities of EBCI Holdings LLC  
**Attachments:** [T.Ord.663\(23\)](#)  
10:30 a.m.
- 14.) [2023 -4233](#) Tabled Ord. No. 664(23) - An ordinance amending CC section 117-50 to clarify that Tribal Limited Liability Companies are Tribal Entities and must have their lobbyist approved by Tribal Council  
**Attachments:** [bu item 2 7.13.23](#)  
[T. Ord. 664\(23\)](#)  
10:40 a.m.

- 15.) **2023 -4247** Tabled Ord. No. 677(23) - An ordinance to amend CC 105-5 to allow a portion of Tribal levy revenues to be allocated to economic development  
**Attachments:** T. Ord. 677(23)  
10:50 a.m.
- 16.) [2023 -4262](#) Tabled Ord. No. 691 (2023) An ordinance to amend Cherokee Code Section 92-15 stricken in entirety and replace with provisions in CC Chapter 92-Tribal Employment Rights Commission  
**Attachments:** [Tabled Ord. 691 \(2023\)](#)  
[bu item 1 8.3.23](#)  
11:00 a.m.
- 17.) [2023 -4263](#) Tabled Ord. 692 (2023) An ordinance to amend CC Chapter 55B 5.3 - the Revenue Allocation Plan for Kituwah LLC  
**Attachments:** [Tabled Ord. 692 \(2023\)](#)  
11:10 a.m.
- 18.) [2023 -4270](#) Tabled Res. No. 698 (2023) A resolution requesting that a Tribal Energy Assistance Program be developed and funded for start up with the use of ARPA monies  
**Attachments:** [Tabled Res. 698 \(2023\)](#)  
bu item 13 8.3.23  
11:20 a.m.
- 19.) [2023 -4272](#) Tabled Res.No. 700 (2023) A resolution requesting one buildable acre of property  
**Attachments:** [Tabled Res. 700 \(2023\)](#)  
bu item 15 8.3.23  
11:30 a.m.
- 20.) [2023 -4294](#) Waiver of sovereign immunity to First Citizens Bank & Trust Company to secure funding for long-term care facility  
**Attachments:** [item 20 9.7.23](#)  
bu item 20 9.7.23  
11:40 a.m.
- 21.) [2023 -4295](#) A resolution requesting to integrate federal programs and funding of its choosing from the Departments of Agriculture, Commerce, Education, Energy, Health and Human Services, Homeland Security, Housing and Urban Development, Interior, Justice, Labor, Transportation, and Veteran's Affairs into a single Public Law 102-477 ("477") Program  
**Attachments:** [item 21 9.7.23](#)  
11:50 a.m.

**Lunch**

- 22.) [2023 -4296](#) A resolution to update the Fiscal Management Policy  
**Attachments:** [item 22 9.7.23](#)  
bu item 22 9.7.23  
  
1:00 p.m.
- 23.) [2023 -4297](#) A resolution to continue the FY2023 budgets for reasonable and necessary operating costs of Tribal Programs until Tribal Council approves the annual operating budget for FY2024  
**Attachments:** [item 23 9.7.23](#)  
  
1:10 p.m.
- 24.) [2023 -4298](#) A resolution requesting Tribal Council grant ROW to EBCI landowners for road right-of-way used in the past or road rights-of-way constructed using tribal funds  
**Attachments:** [item 24 9.7.23](#)  
  
1:20 p.m.
- 25.) [2023 -4299](#) A resolution approving the Boys Club Board of Directors  
**Attachments:** [Item 25 9.7.23](#)  
bu item 25 9.7.23  
  
1:30 p.m.
- 26.) [2023 -4300](#) A resolution requesting Tribal Councils support of the Cherokee Speakers Council's stance on women playing anetsodi  
**Attachments:** [item 26 9.7.23](#)  
bu item 26 9.7.23  
  
1:40 p.m.
- 27.) [2023 -4301](#) A resolution endorsing the EBCI land rights and conservation for Tribal Wellness Initiative  
**Attachments:** [item 27 9.7.23](#)  
bu item 27 9.7.23  
  
1:50 p.m.
- 28.) [2023 -4302](#) A resolution requesting Tribal Council approve \$28,000 from the Tribe's General Fund for the replacement of the roof of the Buffalo Independent Baptist Church  
**Attachments:** [Item 28 9.7.23](#)  
bu item 28 9.7.23  
  
2:00 p.m.

- 29.) [2023 -4303](#) A resolution requesting to indemnify Ashley Sessions and her family damages caused by the actions of the Election Board, and Attorney General

**Attachments:** [item 29 9.7.23](#)

bu pt1 9.7.23

bu pt2 9.7.23

bu pt3 9.7.23

2:10 p.m.

- 30.) [2023 -4304](#) A resolution to approve changes to the LLC agreement of EBCI Holdings, LLC to give the Tribe more flexibility regarding distributed funds

**Attachments:** [item 30 9.7.23](#)

2:20 p.m.

- 31.) [2023 -4305](#) A resolution to adopt the Ethics Investigation Report dated August 3, 2023, in case no. 2023-1-63

**Attachments:** [item 31 9.7.23](#)

bu item 31 9.7.23

2:30 p.m.

### ***Emergency Resolutions***

### ***Banishment Items if Necessary***

- 32.) [2023 -4306](#) Banishment Resolution - Keonta Monteece Ardrey

**Attachments:** [item 32 9.7.23](#)

bu item 32 9.7.23

### **V. Recessed**