

TABLED

CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

Date: OCT 16 2025

ORDINANCE NO.: 18 (2024)

An ordinance to establish the Committee of Aging and Disability in the Cherokee Code.

WHEREAS, as described in Resolution No. 38 (1997), the Handicapped & Elderly Living Program (HELP) Committee grew out of the Home Improvement Program (HIP) to provide home repair services to Tribal members who were disabled, elderly or indigent; and

WHEREAS, the HELP Committee was first formally established in Resolution No. 118 (1998), which adopted guidelines for the Committee and designated its membership; and

WHEREAS, it is in the best interest of the Eastern Band of Cherokee Indians (EBCI) to modernize and update official terminology to reflect respectful and inclusive language by replacing the term “handicapped” with disabled” and “elderly” with “aging”; and

WHEREAS, the Programs and Tribal members will benefit by establishing the Committee on Aging and Disability within the Cherokee Code to ensure consistency, transparency, and accountability in programs that serve the aging and disabled populations of the EBCI; and

NOW THEREFORE BE IT ORDAINED, by the Tribal Council of the Eastern Band of Cherokee Indians, in council assembled at which a quorum is present, that Cherokee Code Chapter 117 is hereby amended by adding to it a new section to be designated as § 117-44, as follows:

Sec. 117-44. – Committee on Aging and Disability.

(a) Establishment.

There is hereby established a governing body known as the Committee on Aging and Disability, which shall oversee the policies and procedures of the Tribal programs providing services to aging and disabled Tribal members.

(b) Purpose.

The purpose of the Tribal programs under the Committee’s purview hall be to provide emergency and supportive services to eligible Tribal members who are aging or disabled, thereby promoting their health, safety, dignity, and welfare.

(c) Composition.

The Committee of Aging and Disability shall have seven (7) members, as follows:

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- (1) Two (2) Tribal Council members, appointed by the Chairman of Council, one of whom shall represent the Snowbird and Cherokee County communities. Both shall serve as voting members.
 - (2) One (1) representative from the Family Support Services Program, appointed by executive leadership under which the program operates. This person shall serve as a voting member.
 - (3) The Manager of the Cherokee Senior Citizens Center and the Manager of the Snowbird/Cherokee County Senior Citizens Centers or their designees shall serve as voting members.
 - (4) The manager of the HELP Program (Cherokee) and the Manager of the HELP Program (Snowbird/Cherokee County) shall serve as voting members.
 - (5) The Executive Leadership Team of the Tribal Divisions overseeing programs serving the aging and disabled populations shall serve as non-voting advisory members. For purposes of this section, the "Executive Leadership Team" includes supervising Directors or equivalent administrative officers.
 - (6) The Vice Chief, shall serve as a non-voting ex office member of the Committee.

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(d) **Qualifications.**

Voting members of the Committee shall be individuals who have actively worked with or served aging or disabled persons, and who possess experience or knowledge in one or more of the following areas: community health, social services, elder care, disability advocacy, or the design, construction, or repair of residential dwellings to accommodate physical limitations of aging or disabled Tribal members.

(e) **Powers and Duties.**

- (1) To hold regular and special meetings to conduct official business, provided that proper notice and quorum requirements are satisfied.
- (2) To adopt bylaws, policies, and procedures governing internal operations.
- (3) To develop and implement uniform guidelines for the allocation and expenditure of Tribal funds appropriated by Tribal Council for programs serving aging and disabled Tribal members.
- (4) To promulgate administrative rules pursuant to Cherokee Code Chapter 150.
- (5) To advise Tribal leadership on issues affecting aging and disabled populations, including policy recommendations and program improvements.

(f) **Definitions.**

For purposes of this section:

- (1) "Aging" shall mean enrolled members of the EBCI who are fifty-nine and one-half (59 ½) years of age or older.
- (2) "Disabled" shall mean Tribal members of the Eastern Band of Cherokee Indians who have been medically verified by the Social Security Administration as being "disabled" with a condition that prevents substantial gainful employment and is expected to last at least 12 months or result in death.

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94 BE IT FINALLY ORDAINED, that all ordinances and resolutions inconsistent with this ordinance
95 are rescinded, and this ordinance shall become effective upon ratification by the
96 Principal Chief.

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98 *Submitted by Sky Sampson, Secretary of the Community, Education, and Recreation Services*