

Eastern Band of Cherokee Indians

PO Box 455
Cherokee, NC 28719



Meeting Agenda - Final

Thursday, June 13, 2019

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.) [2019-2729](#) Amendment to Cherokee Code-Chapter 117B-Results Based Accountability (Item No. 1)
Attachments: [New ord. amd to cc Chapter 117B-results based accountability](#)
- 2.) [2019-2730](#) Amendment to Cherokee Code-Chapter 117-42-Tribal Action Plan for Substance Use Disorder Prevention Treatment and Recovery (Item No. 2)
Attachments: [New ord. amd. to cc chapter 117-42-Tribal action plan for substance use disord](#)
- 3.) [2019-2731](#) Chapter 20 of Cherokee Code-Off Road Vehicle Use (Item No. 3)
Attachments: [Chapter 20 of Cherokee Code-Off Road Vehicle Use](#)
- 4.) [2019-2732](#) Addition to Cherokee Code-Sec.14-25.20-Loitering for unlawful drug related activity (Item No. 4)
Attachments: [Addition to Cherokee Code-Sec.14-25.20-Loitering for unlawful drug related acti](#)
- 5.) [2019-2733](#) Amendment to Cherokee Code-Sec.14-15.1-Public intoxication (Item No. 5)
Attachments: [Amendment to Cherokee Code-Sec.14-51.1-public intoxication](#)
- 6.) [2019-2734](#) Addition to Cherokee Code-Chapter 8-Bondsmen, Bail Bonds, and Forfeiture (Item No. 6)
Attachments: [Addition to Cherokee Code-Chapter 58-Bondsmen,Bail Bonds, and forfeiture](#)

V. Reports and Announcements

- 7.) [2018 -2550](#) Tabled Res. No. 438 (2018) - Frances Long request that HCD move her trailer (Item No. 5)
Attachments: [Res. 438 \(2018\)](#)
Backup Res. 438 (2018)

9:00 a.m.

- 8.) [2018 -2568](#) Tabled Res.No.479((2019) - Tribal Council authorizes the TABCC to enter into a contract with Amanda Sneed Bridgeman Lane for the purchase of upper Cherokee Community Parcels 162-A, consisting of 0.525 acres, 162-C consisting of 0.071 acres and 162-E consisting of 1.50 acres, total acreage is 2.096 more or less, for the purchase price of \$1,500,000.00 and the pay off lien to Macon Bank, Inc. or any successor in the amount of \$254,791.00 plus per diem interest to the date of closing

Attachments: [T.Res.No.479\(2019\)](#)

T.Res.No.479(2019) backup #1

T.Res.No.479(2019) backup #2

T.Res.No.479(2019) backup #3

9:10 a.m.

Legislative History

2/5/19 Budget Council tabled
Res. No. 479 (2019) was tabled

- 9.) [2019-2612](#) Res.No.489(2019) Constitution be voted on at General Election

Attachments: [Res.No.489\(2019\)](#)

Res.No.489(2019) backup

9:20 a.m.

- 10.) [2019-2643](#) Tabled Ord.No.516(2019) Section 55B-8 -- Mergers and Conversions added to Cherokee Code Chapter 55B (EBCI LLC)

Attachments: [T.Ord.No.516\(2019\)](#)

9:30 a.m.

- 11.) [2019-2646](#) Tabled Ord.No.519(2019) - Cherokee Code Chapter 28 - Inheritance Laws of North Carolina

Attachments: [T.Ord.No.519\(2019\)](#)

9:40 a.m.

- 12.) [2019-2650](#) Tabled Ord.No.523(2019) - Cherokee Code Chapter 95 be amended, Tribal Employment Rights Committee

Attachments: [T.Ord.No.523\(2019\)](#)

9:50 a.m.

- 13.) [2677](#) Tabled Ord. No. 552(2019) - Ordinance to amend Cherokee Code Chapters 16C and 55B to clarify the management and regulation of special purposes LLC

Attachments: [Tabled Ord.552\(2019\)](#)

[Tabled Ord.552\(2019\) Pt.2](#)

10:00 a.m.

- 14.) [2019-2679](#) Tabled Ord. No. 553(2019) - Ordinance amendment to change the term of future HIP Agreements from 12 years to 15 years due to the rising cost of building homes
Attachments: [Tabled Ord.553\(2019\)](#)
10:10 a.m.
- 15.) [2019-2690](#) Tabled Ord.No.563(2019) - Amending Cherokee Code Section 16-2.01 Tribal Gaming Commission
Attachments: [Ord.No.563\(2019\)](#)
10:20 a.m.
- 16.) [2019-2691](#) Tabled Ord.No.564(2019) -Sec. 117-52-Executive Orders
Attachments: [Ord.No.564\(2019\)](#)
10:30 a.m.
- 17.) [2019-2692](#) Tabled Ord.No.565(2019) - Amendment to Cherokee Code Sect 18B-804 to delete TABCC tax, markup or surcharge on alcoholic beverages
Attachments: [Ord.No.565\(2019\)](#)
10:40 a.m.
- 18.) [2019-2693](#) Tabled Ord.No.566(2019) - Addition to the Cherokee Code August 22nd recognized as a Tribal Holiday-Cherokee Elders Day
Attachments: [Ord.No.566\(2019\)](#)
10:50 a.m.
- 19.) [2019-2657](#) Appointments to the Tribal Gaming Commission due to terms expiring (two appointments) (Item No. 19)
Attachments: [New Res Item #19](#)
11:00 a.m.
- 20.) [2019-2735](#) Resolution asking Council to re-appoint Pepper Taylor to TABCC, Pepper Taylor's term expired this resolution reappoints him to serve a successive four-year term on the TABCC, his term will expire on the anniversary of his reappointment in 2023 (Item No. 20) - 11:10 a.m.
Attachments: [Resolution asking Council to re-appoint Pepper Taylor to TABCC, Pepper Taylo](#)
11:10 a.m.
- 21.) [2019-2736](#) Resolution asking Council to fill vacancy on TERO Commission left by resignation of Kevin Jackson, term will expire in September 2019 (Item No. 21) - 11:20 a.m.
Attachments: [Resolution asking Council to fill vacancy on TERO commission left by resignatic](#)
11:20 a.m.

- 22.) [2019-2737](#) Resolution asking Council to fill the vacant seat on the Police Commission left vacant by the passing of former Commission Member David Ensley (Item No. 22) - 11:30 a.m.
Attachments: [Resolution asking Council to fill the vacant seat on the Police Commission left v](#)
11:30 a.m.
- 23.) [2019-2739](#) Resolution asking that Council approve the Chief's nomination and re-appoint Marcia Hollifield to the Cherokee Indian Hospital Authority to serve as a Community Representative for a term of four years beginning May 28th, 2019 (Item No. 23) - 11:40 a.m.
Attachments: [Resolution asking that Council approve the Chief's nomination and re-appoint M](#)
11:40 a.m.
- 24.) [2019-2741](#) Resolution asking Tribal Council to adopt population indicators that it will monitor annually for the next five years and that strategic tribal government entities and programs shall prioritize for an intentional and collective focus to achieve the long-range results of community welfare (Item No. 24) - 11:50 a.m.
Attachments: [Resolution asking Tribal Council to adopt population indicators that it will monito](#)
11:50 a.m.

Lunch

- 25.) [2019-2748](#) Resolution asking Council to require that it shall be unlawful for any transportation provider to provide services especially the transportation of passengers on the Qualla Boundary that do not meet the requirements of the EBCI (Item No. 25) - 1:10 p.m.
Attachments: [Resolution asking Council to require that it shall be unlawful for any transportati](#)
1:10 p.m.
- 26.) [2019-2750](#) Resolution asking Council to approve "The Weight loss and Exercise for Communities with Arthritis in North Carolina, " (WE-CAN) to conduct a research project (Item No. 26) - 1:20 p.m.
Attachments: [Resolution asking Council to approve The weight loss and exercise for commun](#)
1:20 p.m.
- 27.) [2019-2753](#) Resolution asking Council to approve "Multisite Implementation Study of Tribal Home Visiting (MUSE) Study" (Item No. 27) - 1:30 p.m.
Attachments: [Resolution asking Council to approve Multisite Implementation Study of Tribal H](#)
1:30 p.m.
- 28.) [2019-2756](#) Last Will and Testament of Willard Monroe Lambert (d) (Item No. 28) - 1:30 p.m.
Attachments: [Last Will and Testament of Willard Monroe Lambert \(d\)](#)
back up Last Will and Testament Willard Monroe Lambert (d)
1:40 p.m.

- 29.) [2019-2758](#) Last Will and Testament of Howard Baker (d) (Item No. 29) - 1:40 p.m.
Attachments: [Last Will and Testament of Howard Baker \(d\)](#)
Back up Last Will and Testament of Howard Baker (d)
1:50 p.m.
- 30.) [2019-2759](#) Recognition of heirs of Lena Yvonne Hornbuckle (d) (Item No. 30) - 1:50 p.m.
Attachments: [Recognition of heirs of Lena Yvonne Hornbuckle \(d\)](#)
Back up Recognition of heirs of Lena Yvonne Hornbuckle (d)
2:00 p.m.
- 31.) [2019-2761](#) Recognition of heirs of John Quincey Owle (d) (Item No. 31) - 2:00 p.m.
Attachments: [Recognition of heirs of John Quincey Owle \(d\)](#)
back up Recognition of heirs of John Quincey Owle (d)
2:10 p.m.
- 32.) [2019-2762](#) Recognition of heirs of Martha Ann Lossiah Ross (d) (Item No. 32) - 2:10 p.m.
Attachments: [Recognition of heirs of Martha Ann Lossiah Ross \(d\)](#)
back up recognition of heirs of Martha Ann Lossiah Ross (d)
2:20 p.m.
- 33.) [2019-2763](#) Last Will and Testament of Darrell Dwight Ross (d) (Item No. 33) - 2:20 p.m.
Attachments: [Last Will and Testament of Darrell Dwight Ross \(d\)](#)
Back up Last will and testament of Darrell Dwight Ross (d)
2:30 p.m.
- 34.) [2019-2764](#) Katherine Irene James and Louise Patricia James Fleming First Generation Descendants shall be allowed to transfer their interests in the above stated possessory holdings containing 126.382 acres more or less to the EBCI for the purchase price of \$474,000.00 (Item No. 34) - 2:30 p.m.
Attachments: [Katherine Irene James and Louise Patricia James Fleming first generation desc](#)
back up Katherine Irene James and Louise Patricia James Fleming First genera
2:40 p.m.
- 35.) [2019-2765](#) Tribal Council authorizes the Principal Chief, on behalf of the Tribe, to enter into an open contract with the payment of \$20,000 for the option to purchase 918 acres more or less in Graham County for the purchase price not to exceed \$3,700,000.00 (Item No. 35) - 2:40 p.m.
Attachments: [Tribal Council authorizes the Principal Chief, on behalf of the Tribe, to enter into](#)
2:50 p.m.

- 36.) [2019-2767](#) Resolution requesting that the usage rights to Parcel No. 10 in Painttown Community shall be transferred to the TCGE for continued development of the casino and hotel operations (Item No. 36) - 2:50 p.m.

Attachments: [Resolution requesting that the usage rights to Parcel No. 10 in Painttown comm](#)

3:00 p.m.

Emergency Resolutions

Banishment Items if Necessary

- 37.) [2019-2769](#) Banishment - Joshua Robert Hodock (Item No. 37) - 3:00 p.m.

Attachments: [Joshua Robert Hodcock banishment](#)

V. Recessed