

# Eastern Band of Cherokee Indians

PO Box 455  
Cherokee, NC 28719



## Meeting Agenda - Final

Thursday, December 3, 2020

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.) [2020 -3250](#)**

Amendment to Section 16C-9 of the Cherokee Code

**Attachments:** [Item No 1 1232020](#)

*New Ordinance*

**2.) [2020 -3251](#)**

An ordinance to reduce the membership of the TABCC from five persons to three persons

**Attachments:** [Item 2 1232020 Council Agenda](#)

*New Ordinance*

**3.) [2020 -3252](#)**

Amendment to Cherokee Code Chapter 117 - Tribal Government Project Contracts

**Attachments:** [Item 3 1232020 council agenda](#)

*New Ordinance*

**V. Reports and Announcements****4.) [2019-2908](#)**

Tabled Res. No.3 (2019) - asking that the Tribe label all cannabis products by using the already created Cherokee made and Cherokee Grown labels to compete in the emerging and extremely lucrative nationwide industry and requesting that the Tribe pass a resolution to allow a referendum vote with the following questions with a simple yes/no vote on; 1.) Allow a higher THC level than the state, 2.) allow medicinal cannabis, 3.) Full legalization (Item #3) 9:50 AM

**Attachments:** [Tabled Res. No.31\(2019\)](#)

*9:10 a.m.*

**Legislative History**

10/28/19 Tribal Council tabled

**5.) [2019-2912](#)**

Tabled Res. No.32(2019) - Council instruct AG to draft legislation for Council consideration that appointed positions shall become "elected" (Item #9) 10:40 AM

**Attachments:** [Tabled Res. No.32\(2019\)](#)

*9:20 a.m.*

**Legislative History**

- 12/5/19 Tribal Council tabled
- 6.) [2019-2953](#) Tabled Ord. No. 81(2019) - Limited waiver of Sovereign Immunity for Hospital Contracts  
**Attachments:** [Tabled Ord. No. 81\(2019\)](#)  
9:30 a.m.
- 7.) [2020 -2999](#) Tabled Ord. No. 121(2020) - Amendment to Cherokee Code Chapter 117-36 and rescinds Cherokee Code Chapter 120  
**Attachments:** [Tabled Ord. No. 121\(2020\)](#)  
9:40 a.m.
- 8.) [2020 -3046](#) Tabled Ordinance No. 155(2020) - Tribal Council enacts Cherokee Code Chapter 96 - Tribal Employees  
**Attachments:** [Tabled Ord. No. 155\(2020\)](#)  
9:50 a.m.
- 9.) [2020 -3073](#) Res. No. 163 - Painttown Community Parcel 296 from the Tribe to the Painttown Community  
**Attachments:** [Tabled Res No. 163](#)  
back up tabled Res No. 163  
10:00 a.m.
- 10.) [2020 -3155](#) Tabled Ord. No. 259 (2020) - Amendment to Chapter 117 - Tribal Government Sect. 117-47 Boards and Committees  
**Attachments:** [Tabled ord.259\(20\)](#)  
10:10 a.m.
- 11.) [2020 -3157](#) Tabled Ord. No.261 (2020) - Amendment to Chapter 120 - Cherokee Police Commission  
**Attachments:** [Tabled ord.261\(20\)](#)  
10:20 a.m.
- 12.) [2020 -3191](#) Tabled Ord. No. 297(20) An ordinance creating a new Cherokee Code Section 117-19A-To apply procurement requirements from the Fiscal Management Manuel including RFP's when appropriate, to commercial for profit leases of property owned by the Tribe  
**Attachments:** [Tabled Ord. 297\(20\)](#)  
10:30 a.m.
- 13.) [2020 -3192](#) Tabled Ord. No. 298(20) - An ordinance to correct two (2) Cherokee Code references in Cherokee Code Section 25-10 re: property that is exempt from collection by creditors  
**Attachments:** [Tabled Ord. 298](#)  
10:40 a.m.

- 14.) [2020 -3193](#) Tabled Ord. No. 299(20) - Amendment to Chapter 117-Tribal Government Boards & Committees 117-43, 16-2, 16A-5, 18B-205, 92-5 and 120-7  
**Attachments:** [Tabled Ord. 299\(20\)](#)  
[backup to amd to Chapter 117-tribal government boards & committees](#)  
Back up item 14 1232020  
  
10:50 a.m.
- 15.) [2020 -3194](#) Tabled Ord. No. 300(20) - Amendment to Cherokee Code Chapter 117-119 - Tribal Government/Legislative Branch  
**Attachments:** [Tabled Ord. 300\(20\)](#)  
  
11:00 a.m.
- 16.) [2020 -3195](#) Tabled Ord. No. 301(20) - Amendment to Chapter 117-45 of the Cherokee Code - Standards of Ethical Conduct for Tribal Officials  
**Attachments:** [backup to amd to chapt 117-45 of the Cherokee code-standards of ethical cond](#)  
[Tabled Ord. 301\(20\)](#)  
  
11:10 a.m.
- 17.) [2020 -3208](#) Tabled Ord. No. 302(20) - Cherokee Code amended - Mental Health & Substance Abuse Treatment  
**Attachments:** [Tabled Ord. 302\(20\)](#)  
[Tabled ord. 302\(20\) backup pt 1](#)  
[Backup t.ord. 302\(20\) pt 2](#)  
  
11:20 a.m.
- 18.) [2020 -3213](#) Tabled Res. No. 330(20) - Removal of Jim Owle  
**Attachments:** [Tabled Res. No. 330\(20\)](#)  
  
11:30 a.m.
- 19.) [2020 -3222](#) Tabled Res. No. 339(20) Recognition of heirs of Waneema Jean Littlejohn Driver (d)  
**Attachments:** Backup recognition of heirs Waneema L. Driver (d)  
[Tabled Res. 339\(20\)](#)  
  
11:40 a.m.
- 20.) [2020 -3253](#) Approval of revised FY2021 Budget and Org Charts  
**Attachments:** [Item 20 12032020](#)  
  
11:50 a.m.

### **Lunch**

- 21.) [2020 -3254](#) Commerce Administration, Planning Department an Project Management shall prepare a Tribal wide comprehensive plan which shall include current and future projects from Kituwah LLC, Sequoyah National, CIHA, Investment Committee, and any other Tribal Division, Program, Entity, Board or Commission that has a current future project  
**Attachments:** [Item 21 12032020](#)  
*1:10 p.m.*
- 22.) [2020 -3255](#) The Language and Cultural program organizational chart to include the following positions; Program Manager, Snowbird Cherokee Adult Language Learner, Language Specialist, Cultural Resources Supervisor, Cultural Resources Coordinator and Language Specialist  
**Attachments:** [Item 22 12032020](#)  
*1:20 p.m.*
- 23.) [2020 -3256](#) A resolution to make an appointment to the Tribal Gaming Commission currently held by Bentley Tahquette whose term expires 12/31/2020  
**Attachments:** [Item 23 12032020](#)  
*1:30 p.m.*
- 24.) [2020 -3224](#) Resolution for appointment to TCGE  
**Attachments:** [Resolution for appointment to TCGE](#)  
*1:40 p.m.*
- 25.) [2020 -3257](#) A resolution authorizing the sale of Wolftown Community Parcel No. 46-L, containing .919 acre, more or less, with home thereon to Ray Bradley, Jr. for \$140,000  
**Attachments:** [Item 25 12032020](#)  
*1:50 p.m.*
- 26.) [2020 -3258](#) A resolution authorizing the sale of Snowbird Community Parcel No. 368-N, containing 1 acre, more or less, to Alisha Johnson for \$500 to build a home thereon  
**Attachments:** [Item 27 12032020](#)  
*2:00 p.m.*
- 27.) [2020 -3259](#) Everett Reagan, First Generation Heir, shall be allowed to transfer Birdtown Community parcel No. 485-G (remainder of Parcel No. 485) containing 8.155 acres, more or less, to Patrick Henry Lambert  
**Attachments:** [Item 27 12032020](#)  
*2:10 p.m.*
- 28.) [2020 -3260](#) Recognition of the heirs of Ben Edward Marmon (d)  
**Attachments:** [Item 28 12032020](#)  
*2:20 p.m.*

- 29.) [2020 -3261](#) Recognition of heirs of Raymond Charles Owle, III (d)  
*Attachments:* [Item 29 12032020](#)  
2:30 p.m.
- 30.) [2020 -3262](#) Last Will and Testament of Geraldine Stamper (d)  
*Attachments:* [Item 30 12032020](#)  
2:40 p.m.
- 31.) [2020 -3263](#) Last Will and Testament of William Phillip Standingdeer (d)  
*Attachments:* [Item 31 12032020](#)  
2:50 p.m.
- 32.) [2020 -3265](#) Tribal Council instructs Tribal Historic Preservation Office, and Business Development and any other appropriate Tribal Program to secure funding to build a new pavillion at Kituwah  
*Attachments:* [Item 32 12032020](#)  
3:00 p.m.
- 33.) [2020 -3264](#) Cherokee Fire and Rescue Program of the EBCI Public Safety Division be authorized to apply and receive funding from Dogwood Health Trust in the amount of \$25,000 or budget period FY21  
*Attachments:* [Item 33 12032020](#)  
3:10 p.m.

### ***Emergency Resolutions***

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

- 34.) [2020 -3227](#) Banishment - Erik Morgan Messick  
*Attachments:* [Banishment Erik M Messick](#)  
3:20 p.m.
- 35.) [2020 -3206](#) Banishment - Daniel L. Franklin  
*Attachments:* [Banishment Daniel L Franklin](#)  
3:30 p.m.

### **V. Recessed**