

Eastern Band of Cherokee Indians

*PO Box 455
Cherokee, NC 28719*



Meeting Agenda - Final-revised

Thursday, December 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**

- 1.) [2023 -4364](#) An ordinance amending the Elder and Vulnerable Adult Protection Criminal Code - to create a rebuttable presumption that a defendant charged with certain violent criminal offenses will serve 72 hours in detention prior to release conditions being set
Attachments: [Item 1 12.7.23](#)
New Ordinance
- 2.) [2023 -4365](#) Amendment to Cherokee Code 55D & Section 55-2 Commercial Gaming and Hospitality Revenue Plan
Attachments: [Item 2 12.7.23](#)
[bu item 2 12.7.23](#)
New Ordinance
- 3.) [2023 -4366](#) An ordinance amending Cherokee Code Chapter 16C and Section 16C-9 Revenue Allocation Plan Distributable Net Revenue From Harrah's Cherokee Casino Resort
Attachments: [item 3 12.7.23](#)
[bu item 3 12.7.23](#)
New Ordinance
- 4.) [2023 -4367](#) An ordinance to amend CC Chapter 115 to make the age of a "compulsory school age child" commensurate with other definitions of a child or juvenile within the Cherokee Code
Attachments: [item 4 12.7.23](#)
New Ordinance
- 5.) [2023 -4368](#) An ordinance amending the EBCI Tribal Election Code
Attachments: [item 5 12.7.23](#)
New Ordinance
- 6.) [2023 -4369](#) An ordinance amending Chapter 47D authorizing the Tribal Realty Services Office to promulgate rules and regulations consistent with the HEARTH Act
Attachments: [item 6 12.7.23](#)
New Ordinance

- 7.) [2023 -4315](#) Tabled Ord. No. 2(23) - An ordinance to amend CC Chapter 7A, the Juvenile Justice Code, to remove traffic offenses as a triggering event that would cause a juvenile to be declared delinquent, and to allow the use of hearsay evidence in probable cause hearings when the victim is a minor child
Attachments: [T.Ord.2 \(23\)](#)
8:30 a.m.
- 8.) [2023 -4320](#) Tabled Res. No. 7 (23) - A resolution to authorize the Tribe to lend money to Qualla Enterprises, LLC upon terms and conditions as may be required by the Tribe and expressed in notes payable and agreements which shall be submitted by Council for approval
Attachments: [T. Res. 7\(23\)](#)
[tabled res 7 2023 backup](#)
8:40 a.m.
- 9.) [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: [Tabled Res. 11 2023 2023-4303](#)
bu pt1 9.7.23
bu pt2 9.7.23
bu pt3 9.7.23
8:50 a.m.
- 10.) [2023 -4329](#) Tabled Ord. No. 14(23) - An ordinance to amend Cherokee Code Chapter 75 - 55 Editorial Board & Editor
Attachments: [T. Ord. 14\(23\)](#)
9:00 a.m.
- 11.) [2023 -4331](#) Tabled Res. No. 16(23) - A resolution to approve the revised By-Laws of the Museum of the Cherokee People
Attachments: [bu item 4 11.2.23](#)
[T. Res. 16\(23\)](#)
9:10 a.m.
- 12.) [2023 -4332](#) Tabled Res. No. 17(23) - A resolution requesting to extend the time on rock bar permits issued
Attachments: [bu item 5 11.2.23](#)
[T. Res. No. 17\(23\)](#)
9:20 a.m.
- 13.) [2023 -4333](#) Tabled Res. No. 18(23) - A resolution to clarify the ownership of Upper Cherokee Community Parcel No. 22 and the Piney Grove Baptist Church located on the parcel
Attachments: [T. Res. 18\(23\)](#)
9:30 a.m.

- 14.) [2023 -4370](#) A resolution requesting to amend the dates approved by Resolution 10 (2023) for the Protect the Mother Earth Conference
Attachments: [item 14 12.7.23](#)
[bu item 14 12.7.23](#)
9:40 a.m.
- 15.) [2023 -4371](#) A resolution to grant an access and utility easement across Coopers Creek to deeded property owned by Norma Hardin
Attachments: [Item 15 12.7.23](#)
[bu item 15 12.7.23](#)
9:50 a.m.
- 16.) [2023 -4372](#) A resolution requesting the Secretary of Interior review and approve HEARTH Act Regulations submitted by the Eastern Band of Cherokee Indians
Attachments: [item 16 12.7.23](#)
[bu item 16 12.7.23](#)
10:00 a.m.
- 17.) [2023 -4373](#) A resolution to have an independent valuation completed for Caesar's Southern Indiana in order to get a true value for the property
Attachments: [item 17 12.7.23](#)
10:10 a.m.
- 18.) [2023 -4374](#) A resolution to express the application of certain agreements related to the casino in Southern Indiana to enable the acquisition company to increase its credit agreement with the lender to reduce the obligations of the Tribal Government
Attachments: [item 18 12.7.23](#)
10:20 a.m.
- 19.) **2023 -4375** A resolution for a match for Cherokee Cablevision, Inc. and to waive the sovereign immunity of Cherokee Cablevision, Inc.
Attachments: Item 19 12072023
10:30 a.m.

V. Reports and Announcements

Lunch

Emergency Resolutions

Banishment Items if Necessary

V. Recessed