

Eastern Band of Cherokee Indians

*PO Box 455
Cherokee, NC 28719*



Meeting Agenda - Final

Thursday, June 1, 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 -4191](#) An ordinance amending Cherokee Code Chapter 117 Article III-A (Appointment Confirmation Rules)
Attachments: [Item 1 6.1.23](#)
[bu item 1 6.1.23](#)
- 2.) [2023 -4192](#) An ordinance to amend the Tribe's criminal law governing public nuisance and to authorize real property forfeitures for repeated violations
Attachments: [item 2 6.1.23](#)
- 3.) [2023 -4193](#) An ordinance to amend CC Chapter 55B regarding membership, distributions, and access to records of limited liability companies formed under Chapter 55B
Attachments: [Item 3 6.1.23](#)
- 4.) [2023 -4194](#) An ordinance to amend CC Section 20-304 to clarify who may operate UTV's and other motorized vehicles on Tribal Reserve Property and to require notice to area vendors
Attachments: [item 4 6.1.23](#)
- 5.) [2023 -4195](#) An ordinance amending Chapter 47D authorizing the Tribal Realty Services Office to promulgate rules and regulations consistent with the HEARTH ACT
Attachments: [item 5 6.1.23](#)
- 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\(23\)](#)

8:40 a.m.
- 7.) [2023 -4066](#) Tabled Res. No. 509(23) - A resolution requesting Tribal Council's approval of a Fire Cooperative Agreement between the BIA Eastern Region and the EBCI
Attachments: bu item 6 2.2.23 pt1
bu item 6 2.2.23 pt.2
[T.Res. 509\(23\)](#)

8:50 a.m.

- 8.) [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\(23\)](#)
9:00 a.m.
- 9.) [2023 -4110](#) Tabled Ord. No. 550(23) - An ordinance to update certain provisions of the Cherokee Code pertaining to flow of funds, accounts, and investments to meet the capital needs of the EBCI
Attachments: bu item 3 4.6.23
[T.Ord. 550\(23\)](#)
9:10 a.m.
- 10.) [2023 -4111](#) Tabled Ord. No. 551(23) - An ordinance to add language for annual audit requirements
Attachments: bu item 4 4.6.23
[t. ord. 551\(23\)](#)
9:20 a.m.
- 11.) [2023 -4126](#) Tabled Res. No. 564(23) - A resolution requesting that all prior military service time shall count and be added to the Tribal Pension Years of Service for Tribal Employees who have received an Honorable Discharge from military service and have vested in the Tribal Defined Benefit Pension Plan as approved in Resolution 589(2017)
Attachments: [bu item 31 4.6.23](#)
[T. res. 564\(23\)](#)
9:30 a.m.
- 12.) [2023 -4157](#) Tabled Ord. No. 591(23) - Amendment to Cherokee Code Chapter 132 - Public Records
Attachments: [Tabled Ord. 591\(23\)](#)
9:40 a.m.
- 13.) [2023 -4158](#) Tabled Ord. No. 592(23) - Amendment to Cherokee Code Chapter 16-4.08 - Terms of license; license fees; parameters of license
Attachments: [Tabled Ord. 592\(23\)](#)
9:50 a.m.
- 14.) [2023 -4159](#) Tabled Ord. No. 593(23) - An ordinance to establish a method of notice for non-compliance with laws meant to protect the public water and sewer systems
Attachments: [Tabled Ord. 593\(23\)](#)
10:00 a.m.

- 15.) [2023 -4160](#) Tabled Ord. No. 594(23) - An ordinance to amend Cherokee Code Section 92-4, 92-5, (f)(3), 92-(f)(4), 92-10 (a)(11), 92-10(a)(14) (TERO)
Attachments: [Tabled Ord. 594\(23\)](#)
10:10 a.m.
- 16.) [2023 -4161](#) Tabled Ord. No. 595(23) - An ordinance to amend CC Chapter 16 to allow the conduct of community bingo games
Attachments: [Tabled Ord. 595\(23\)](#)
10:20 a.m.
- 17.) [2023 -4132](#) A resolution requesting that Tribal Council work on Cherokee Code Section 117-16 an establish an ordinance to allow a code section with requirements pertaining to structure, scheduling and actionable time frames of "working sessions"
Attachments: [Item 17 04062023](#)
10:30 a.m.
- 18.) [2023 -4196](#) A resolution to bring clarity to the referendum election to be held on September 7, 2023
Attachments: [item 18 6.1.23](#)
[bu item 18 6.1.23](#)
10:40 a.m.
- 19.) [2023 -4197](#) A resolution requesting that Tribal Council instruct the Realty Department of the BIA Agency to allot one acre, more or less, of property suitable for housing on the Boundary Tree Tract, Yellowhill Community to Derrick Cucumber for the purchase price of \$500
Attachments: [Item 19 6.1.23](#)
10:50 a.m.
- 20.) [2023 -4198](#) A resolution affirming the partnership between the EBCI and WNC Communities and a donation of \$10,000
Attachments: [item 20 6.1.23](#)
[bu item 20 6.1.23](#)
11:00 a.m.
- 21.) [2023 -4199](#) A resolution requesting that the Secretary of Interior review and approve the HEARTH ACT regulations submitted by the Eastern Band of Cherokee Indians
Attachments: [item 21 6.1.23](#)
[bu item 21 6.1.23](#)
11:10 a.m.
- 22.) [2023 -4200](#) A resolution to require a forensic audit of Qualla Enterprises, LLC
Attachments: [Item 22 6.1.23](#)
11:20 a.m.

- 23.) [2023 -4201](#) A resolution requesting a special election referendum be conducted to answer the following question "Do you support allowing the Tribal ABC Commission to issue mixed beverages on tribal land to qualified establishments including but not limited to restaurants, hotels, convention centers and nonprofit organizations?"
Attachments: [item 23 6.1.23](#)
11:30 a.m.
- 24.) [2023 -4202](#) A resolution requesting that Tribal Council initiate the following referendum question during the General Election "Do you support legalizing the possession and use of cannabis for persons who are at least twenty-one (21) years old, and require the EBCI Tribal Council to develop legislation to regulate the market?"
Attachments: [Item 24 6.1.23](#)
11:40 a.m.
- 25.) [2023 -4203](#) A resolution to confirm the use of ARPA funds by the Cherokee School Board to pay for the first phase of damage assessment, design and repairs to Cherokee School buildings due to water infiltration and related causes
Attachments: [item 25 6.1.23](#)
bu item 25 6.1.23
11:50 a.m.

V. Reports and Announcements

Lunch

Emergency Resolutions

Banishment Items if Necessary

V. Recessed