Eastern Band of Cherokee Indians

PO Box 455
Cherokee, NC 28719

Meeting Agenda - Final

Thursday, January 9, 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.) 2019-2986 (New Ordinance) Amendment to Chapter 18 B - Hours for sale and consumption (Item No. 1)

Attachments: Item #1

2.) 2019-2952 (New Ordinance)-Amendment to Cherokee Code-Chapter 106-Business License Law Clarification

Attachments: New ord. Amd to Cherokee code-chapter 106-Business license law clarification

3.) 2019-2953 Amendment to Chapter 130b-Limited waiver of Soverign Immunity for Hospital Contracts

Attachments: Amendment to Chapter 130b-Limited waiver of sovereign immunity for hospital c

4.) 2019-2954 Chapter 18B is amended - Tribal Alcohol Beverage Control Commission

Attachments: Chapter 18B is amended-Tribal Alcohol Beverage Control Commission

5.) 2019-2955 Amendment to Section 16C-2-Tribal Employment Rights

Attachments: Amendment to Section 16-C2-Tribal Employment Rights

6.) 2019-2956 Amendment to Cherokee Code Section 130(4)-a - Public Health and Sanitation Code

Attachments: Amendment to Cheorkee Code Section 130(4)-a -Public Health and Sanitation C

7.) 2019-2957 Amendment to code Section 92-12A - Brokers are prohibited

Attachments: Amendment to code section 92-12A-Brokers are prohibited

8.) 2019-2958 Amendment to Chapter 161 - Tribal Elections

Attachments: Amd. to Chapter 161-Tribal Elections

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9.) 2019-2959 Amendment to Section 92-7 - Tribal Employment Rights Office

Attachments: Amendment to Section 92-7-Tribal Employments Rights Office

10.) 2019-2960 Amendment to section 117-37 - Public Meeting Ordinance

Attachments: Amendment to Section 117-37 - Public meeting ordinance

V. Reports and Announcements

11.) 2019-2929 Tabled Ord. No.2(2019) - Public Health Laws (Item No.12)

Attachments: PHHS tabled ord 2
PHHS back up part 1
PHHS backup part2
PHHS backup part3
PHHS backup part4
PHHS backup part5

9:00 a.m.

12.) 2019-2899 Tabled Ord. No.18(2019) - Amendment to Cherokee Code - Chapter 2 (Exclusion Powers of the Tribe)

Attachments: Tabled Ord.No.18(2019)

9:10 a.m.

13.) 2019-2930 Tabled Ord. No.48(2019) - Public Intoxication

Attachments: Ord.48(2019)

9:20 a.m.
9:20 a.m.

14.) 2019-2932 Tabled Ord. No.63(2019) - Amendment to Chapter 16-Tribal Gaming Commission

Attachments: Tabled Ord. No.63(2019)

15.) 2019-2933 Tabled Ord. No.64(2019) - Amendment to Chapter 96-Tribal Employees

Attachments: Tabled Ord. No.64(2019)

9:40 a.m.

16.) 2019-2934 Tabled Ord. No.65(2019) - Amendment to Chapter 16-Class III Gaming authorized

Attachments: Tabled Ord. No.65(2019)

9:50 a.m.

17.) 2019-2949 Tabled Res. No.76(2019) - Tribal Council authorizes the Tribe to assign John F. Harlan, Jr. a portion of Wolftown Community Parcel No. 1349 of suitable size and construction of a HIP Home

Attachments: Tabled Res. No.76(2019)
Tabled Res. No.76(2019) backup

10:00 a.m.

18.) 2019-2961 Appointments to the Police Commission (Item No.18)

Attachments: Item No. 18

10:10 a.m.

19.) 2019-2962 Principal Chief Sneed makes the following appointments to the Tribal Employment Rights Commission (Item No.19)

Attachments: Item No. 19

10:20 a.m.

20.) 2019-2963 Tribal Council Appointment to TERO (Kimlyn Lambert term expired) (Item No. 20)

Attachments: Item No. 20

10:30 a.m.

21.) 2019-2964 Tribal Council Appointment to TERO (Johi Griffin term expired) (Item No. 21)

Attachments: Item No. 21

10:40 a.m.

22.) 2019-2965 Principal Chief Appointment to TERO (Billy Browns term expired) (Item No.22)

Attachments: Item No. 22

10:50 a.m.

23.) 2019-2966 Principal Chief appointment to TERO (Kevin Jackson resignation) (Item No.23)

Attachments: Item No. 23

24.) 2019-2967 Tribal Realty reorganization of surveying and realty services (Item No. 24)

Attachments: Item No. 24

Item No. 24 backup

11:10 a.m.

25.) 2019-2968 Resolution requesting Realty and Attorney General draft an ordinance to address outdated land transfers (Item No.25)

Attachments: Item No. 25

11:20 a.m.

26.) 2019-2969 Amendment to Resolution No.631(2013) - EBCI has decided to extend health services under its Compact and FA's to non-benificiaries on a few for service basis (Item No. 26)

Attachments: Item No. 26

Item No. 26 backup

11:30 a.m.

27.) 2019-2970 Tribal Council does hereby impose a moratorium on the administration, collection, and enforcement of the TERO Fee created and imposed by CC 92-28B (Item No.27)

Attachments: Item No. 27

11:40 a.m.

28.) 2019-2971 Tribal Employment Rights Office is authorized to issue and conduct the 2020 Employment Survey (Item No.28)

Attachments: Item No. 28

Item No. 28 backup

11:50 a.m.

Lunch

29.) 2019-2972 Recognition of heirs of Allen Boyd Queen (d) (Item No. 29)

Attachments: Item No. 29

Item no. 29 backup

1:00 p.m.

30.) 2019-2973 Transit Program authorized to submit and application package to the NCDOT/ROAP/RGP up to the amount of $52,830.00 (Item No.30)

Attachments: Item No. 30

Item No. 30 backup

1:10 p.m.

31.) 2019-2974 Public Health Program is authorized to apply and accept funds from Safe Kids of North Carolina (no requirement of additional match) (Item No. 31)

Attachments: Item No. 31

Item No. 31 backup

1:20 p.m.

32.) 2019-2975 OENR is authorized to submit an application package and accept EPA funding up to $28,500.00 (Item No. 32)

Attachments: Item No. 32

Item No. 32 backup

1:30 p.m.

33.) 2019-2976 TERO is authorized to apply and accept funds from US DOL-ETA in thea mount of $500,000 (Item No. 33)

Attachments: Item No. 33

Item No. 33 backup

1:40 p.m.

34.) 2019-2977 AS an equity owner of Balsam West Fibernet the EBCI will make a loan to Balsam West Fibernet in an amount not to exceed $4,000,000 for a term of ten (10) years at a rate of five percent (5%) (Item No.34)

Attachments: Item No. 34

Item No. 34 backup

1:50 p.m.

35.) 2019-2978 Resolution asking Tribal Council to approve the establishment of an RFP to engage with a consulting firm to conduct a feasibility study regarding the EBCI entering the commercial gaming market (Item No. 35)

Attachments: Item no. 35

2:00 p.m.

36.) 2019-2979 Resolution asking the Tribe yo contribute an additional $2 million to the TCGE to be earmarked to py Experientai's pre-development expenses consisting with Res. No.192(2018) (Item No. 36)

Attachments: Item No. 36

2:10 p.m.

37.) 2019-2980 Donation request for the month of January 2020 (Brixton Reed - $300) (Snowbird Termite Basketball Team $600) (Item No. 37)

Attachments: Item No. 37

Item No. 37 backup

2:20 p.m.

38.) 2019-2981 Resolution proposing to clarify the intent of Resolution No.27(2019) (Item No. 38)

Attachments: Item No. 38

2:30 p.m.

39.) 2019-2982 Resolution requesting Council approve contract no. 2000105 (Polly Kelly bank sliding in front of her house) (Item No. 39)

Attachments: Item No. 39

2:40 p.m.

40.) 2019-2983 Tribal Council approves the Principal Chief to enter into a contract with a lobbying firm out of the state of Virginia (Item No. 40)

Attachments: Item No. 40

2:50 p.m.

41.) 2019-2985 Appointment to TCGE Board to fill the seat of Robert M. Saunooke, whose term has expired (Item No.41)

Attachments: Item No. 41

3:00 p.m.

Emergency Resolutions

Banishment Items if Necessary

V. Recessed