

# **Eastern Band of Cherokee Indians**

*PO Box 455  
Cherokee, NC 28719*



## **Meeting Minutes - Final**

**Tuesday, September 10, 2019**

**8:30 AM**

### **Budget Council**

**I. Call to Order - Chairman****II. Prayer**

*Prayer - Tommye Saunooke*

**III. Roll Call**

**Present:** 12 - Chair Adam Wachacha, Council Member Bo Crowe, Council Member Bucky Brown, Vice Chairman David Wolfe, Council Member Lisa Taylor, Council Member Perry Shell, Council Member Richard French, Council Member Tom Wahneta, Council Member Tommye Saunooke, Council Member Boyd Owle, Council Member Jeremy Wilson and Council Member Albert Rose

**IV. Orders of the Day****V. Reports and Announcements**

- 1.) **2019-2845** Vetoed Res. No. 704 (2019) Resolution asking that the sum of \$50,000,000.00 of additional funds be appropriated and allocated to Kituwah, LLC to be booked as an equity investment by the Tribe

**Attachments:** Vetoed Res. No 704 (2019) Resolution approving the sum of \$50,000,000.00 appropriated to Kituwah, LLC

*Hold until Thursday session*

**held**

- 2.) [2019-2634](#) Tabled Res.No.508(2019)- Resolution requesting that General Grant be sanctioned and recognized as one of the elders in Cherokee with the ability to teach and request for funding for his students who are enrolled members of the EBCI

**Attachments:** [T.Res.No.508\(2019\)](#)

*General Grant's wife called TOP and asked that all of his items be withdrawn, he will resubmit them later.*

**withdrawn**

- 3.) [2019-2636](#) Tabled Res.No.510(2019)- Resolution requesting funding for General Grant to help finance materials, to recreate the seven Wampum Belts and to gather written information from the UKB in Oklahoma

**Attachments:** [T.Res.No.510\(2019\)](#)

**withdrawn**

- 4.) [2019-2734](#) Tabled Ord.No.626(2019) - Addition to Cherokee Code-Chapter 8-Bondsmen, Bail Bonds, and Forfeiture

**Attachments:** [Ord.No.626\(2019\)](#)

*Vice Chairman David Wolfe - Moves to amend, (4) section 58-5, insert, "Pay the non-refundable license application fee of \$100.00"*

*Councilman Perry Shell - seconded the amendment*

*(vote was unanimous by all present, Councilman Rose absent)*

*Councilman Tom Wahneta - moved to amend section (c) of the proposed Sec. 58-5 and insert the following, as a replacement, "(c) the clerk shall deny an application if the applicant has ever been convicted of a felony, a violation of Cherokee Code Chapter 14, Article XIV.A., or banished from Cherokee Trust Lands."*

*(vote was unanimous by all present, Councilman Rose absent)*

**passed as amended**

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

- 5.) [2019-2851](#) Budget Amendment - Project Management FY19 - (Item No. 5) - 9:30 a.m.

**Attachments:** [Budget amd Project management FY19](#)

back up budget amd project management

**passed**

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

- 6.) [2019-2852](#) Budget Amendment - Fisheries & Wildlife Management FY19 - (Item No. 6) - 9:30 a.m.

**Attachments:** [Budget amd. Fisheries and wildlife FY19](#)

back up budget amd. fisheries and wildlife fy19

**passed**

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

- 7.) [2019-2853](#) Budget Amendment - Destination Marketing FY19 - (Item No. 7) - 9:30 a.m.

**Attachments:** [budget amd. Destination marketing FY19](#)

back up budget amd Destination Marketing

**passed**

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

8.) [2019-2854](#)

Tsalagi Public Health Program be authorized to apply and accept funds from the Great Smokies Health Foundation (No requirement of additional cash match) (Item No. 8) - 9:40 a.m.

**Attachments:** [Tsalagi Public Health Prog be auth to apply and accept funds from the Great Smokies health foundation](#)

back up Tsalagi Public Health Prog be authorized to apply and accept funds from Great Smokies Health Foundation

**passed**

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

9.) [2019-2855](#)

Family Support Program be authorized to apply and accept funds from the Duke Energy Foundation (No grant match required) (Item No. 9) - 9:50 a.m.

**Attachments:** [Family Support Program be authorized to apply and accept funds from the Duke Energy Foundation](#)

back up Family Support prog be authorized to apply and accept funds

**passed**

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

10.) [2019-2856](#)

Enterprise Development Program authorized to apply and accept funds from the Dreamstar Gold Grant by Running Strong for American Indian Youth non-profit for a total project of \$50,500 for FY19 and FY20 (Item No. 10) - 10:00 a.m.

**Attachments:** [Enterprise Dev Prog authorized to apply and accept funds from the Dreamstar GOLD grant by Running Strong for American Indian Youth](#)

back up Enterprise Dev Prog auth to apply and accept funds from the Dreamstar GOLD grant by Running strong for American Indian youth

**passed**

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

- 11.) [2019-2857](#) Transit authorized to submit an application package to the NCDOT ROAP/RGP up to the amount of \$44,771 which will be used to provide eligible services for the period of July 1, 2019 through June 30, 2020 (Item No. 11) - 10:10 a.m.

**Attachments:** [Transit auth to submit an application package to the NCDOT ROAP RGP up to the amt of \\$44,771](#)  
back up Transit auth to submit an app package to the NCDOT ROAP RGP up to the amt of \$44,771

passed

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

- 12.) [2019-2858](#) Dora Reed Children's Center is authorized to apply and receive funds from the NC Dept. of Health and Human Services up to \$276,050.20 for FY20 (Item No. 12) - 10:20 a.m.

**Attachments:** [Dora Reed Children's Center is auth to apply and receive funds from the NC dept of health and human services up to \\$276,050.20 for FY20](#)  
back Dora Reed Children's Center is auth to apply and receive funds from the NC dept of health and human services

passed

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

- 13.) [2019-2859](#) Grants Compliance Office is authorized to coordinate and submit an application to the Dept. of Health and Human Services up to \$1,351,228.00 (Item No. 13) - 10:30 a.m.

**Attachments:** [Grants Compliance Office is auth to coordinate and submit an app to the dept of health and human services up to \\$1,351,228.00](#)  
back up grants compliance office is auth to coordinate and submit an app to the Dept of health and human services

passed

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

**14.)** [2019-2860](#)

Tribal Council authorizes the Principal Chief, on behalf of the Tribe, to enter into a contract with Linda Reynolds for her to donate to the EBCI 0.34 acres, more or less, located in Swain County, NC (Item No. 14) - 10:40 a.m.

**Attachments:** [Tribal Council authorizes the Principal Chief on behalf of the Tribe to enter into a contract with Linda Reynolds for her to donate to the EBCI 0.34 acres located in Swain County, NC](#)  
back up Linda Reynolds 0.34 acres

**passed**

**Aye:** 69 - Chair Wachacha, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Saunooke, Council Member Owle and Council Member Wilson

**Nay:** 31 - Council Member Crowe, Council Member Wahneta and Council Member Rose

**15.)** [2019-2861](#)

Tribal Council authorizes the Principal Chief, on behalf of the Tribe, to enter into a contract with Michael Dwayne Stamper, the possessory holder of Snowbird Community Parcel No. 368-N consisting of 1.0 acres, more or less, for the total purchase price of \$15,000.00 (Item No. 15) - 10:50 a.m.

**Attachments:** [Tribal Council auth the Principal Chief on behalf of the Tribe to enter into a contract with Michael Dwayne Stamper, the possessory holder of Snowbird Community Parcel No. 368-N consisting of 1.0 acres](#)  
back up Tribal Council authorizes Principal Chief on behalf of the Tribe to enter into a contract with Michael Dwayne Stamper

**passed**

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

**16.)** [2019-2862](#)

Tribal Council authorizes the sale of the possessory interest in Birdtown Community Parcel No. 767, containing 1.001 acres, more or less, with all improvements located thereon to Sherry Lynn Swayney for the sale price of \$150,000.00 (Item No. 16) - 11:00 a.m.

**Attachments:** [Tribal Council authorizes the sale of the possessory interest in Birdtown Comm Parcel No. 767 containing 1.001 acres to Sherry Lynn Swayney for the sale price of \\$150,000](#)  
Back up Tribal Council auth the sale of the possessory interest in Birdtown Comm to Sherry Lynn Swayney for the sale price of \$150,000

**passed**

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

- 17.) [2019-2863](#) Tribal Council authorizes the sale of Upper Cherokee Community Parcel No. 73-A containing 0.264 acres, more or less, together with all improvements located thereon at the agreed upon price of \$71,400.00 to Sonya Lee Cooper Lossiah (Item No. 17) - 11:10 a.m.

**Attachments:** [Tribal Council authorizes the sale of Upper Cherokee Community parcel no 73-A containing 0.264 at the agreed upon price of \\$71,400.00 to Sonya Lee Cooper Lossiah](#)  
back up Tribal Council auth the sale of Upper Cherokee Community parcel no 73-A To Sonya Lee Cooper Lossiah

**passed**

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

- 18.) [2019-2864](#) Resolution asking Council to support the Cherokee Complete Count Committee and provide \$40,000 to implement the Cherokee CCC outreach strategy (Item No. 18) - 11:20 a.m.

**Attachments:** [Resolution asking Council to support the Cherokee complete count committee and provide \\$40,000 to implement the Cherokee CCC outreach strategy](#)

*Councilman Perry Shell - moves to amend "General Fund one time donation line item"*  
*Councilman David Wolfe - Seconds the move*  
*(Move carried, unanimous by all those present)*

**passed as amended**

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

- 19.) [2019-2865](#) Resolution requesting Council to approve the amount of \$250,000.00 to be authorized to be contributed to the National Museum of the American Indian Native American Veterans Memorial Fund from the fund balance of the Tribe's General Fund (Item No. 19) - 11:30 a.m.

**Attachments:** [Resolution requesting Council to approve the amt of \\$250,000 to be auth to be contributed to the National Museum of the American Indian Native American Veterans Memorial fund from the fund balance](#)

**passed**

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

**20.)** [2019-2866](#)

Tribal Council approves a contribution of \$25,000.00 to be paid to NNNABA (National Native American Bar Association) in five equally yearly installments of \$5,000.00 each (Item No. 20) - 11:40 a.m.

**Attachments:** [Tribal Council approves a contribution of \\$25,000 to be paid to NNNABA in five equally yearly installments of \\$5,000.00 each](#)

*Robert Saunooke asked that attachments be added as part of the resolution.*

*Vice Chairman David Wolfe - Moves to add attachments to official record.*

*Councilman Perry Shell - seconds the move*

*(move was carried, unanimous by all those present)*

**passed**

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

**21.)** [2019-2867](#)

Resolution asking Council to approve a line item in the General Fund shall be added to be called, "Beloved Women Committee" and shall be funded with \$11,500.00 for FY2019 and \$7,000.00 each fiscal year thereafter (Item No. 21) - 11:50 a.m.

**Attachments:** [Res. asking Council to approve a line item in the GF shall be added to be called Beloved Women Committee](#)  
Back up Beloved Women Committee

*Lisa Taylor to be Council's representative on this committee*

**passed**

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

### ***Lunch***

**22.)** [2019-2868](#)

Resolution requesting Council's endorsement is granted at the recommendation of the EBCI Investment Committee to retain investments in the merged Oppenheimer and Invesco accounts at or in excess of 15% as provided for in Cherokee Code (Item No. 22) - 1:10 p.m.

**Attachments:** [Resolution requesting Council's endorsement is granted at the recommendation of the EBCI Investment Comm to retain investments in the merged Oppenheimer and Invesco accounts](#)

**passed**

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose



- 23.) [2019-2869](#) Resolution asking Council to approve the update to the requirements of the Youth Shoe Distribution Program to meet the growing needs of the children in our community (Item No. 23) - 1:20 p.m.

**Attachments:** [Resolution asking Council to approve the update to the requirements of the Youth Shoe Distribution prog to meet the growing needs of the children in our community](#)  
back up update requirements of the Youth shoe distribution program

*Councilman Shell makes a move to amend the resolution to leave the age at 18*

*Councilman Crowe calls the second*

*\*move carried, unanimous by all those present\**

**passed**

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

- 24.) [2019-2870](#) Donation Resolution for the month of September 2019 (4 total) (Item No. 24) - 1:30 p.m.

**Attachments:** [Donation resolution for the month of September 2019 \(4 total\)](#)

**passed**

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

- 25.) [2019-2871](#) Resolution request a line item be created "Community Club Contribution" in the amount of \$60,000.00 beginning in FY2020 (Item No. 25) - 1:40 p.m.

**Attachments:** [Resolution request a line item be created Community Club Contribution in the amt of \\$60,000.00 beginning in FY2020](#)

*Councilman Perry Shell - moves to amend change the spelling of "principle" to "principal"*

*Councilman Tom Wahneta - calls for the second*

*(move carried, unanimous by all those present*

**passed as amended**

**Aye:** 100 - Chair Wachacha, Council Member Crowe, Council Member Brown, Vice Chairman Wolfe, Council Member Taylor, Council Member Shell, Council Member French, Council Member Wahneta, Council Member Saunooke, Council Member Owle, Council Member Wilson and Council Member Rose

## ***Emergency Resolutions***

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

**V. Recessed**