

MINUTES
REGULAR MEETING
NOVEMBER 13, 2018
CHEROKEE NATION ELECTION COMMISSION

Call to order/Roll call of Commissioners:

The meeting of the Cherokee Nation Election Commission was called to order by Chairperson Shawna Calico at 4:07 p.m.

Commissioner Carolyn Allen called roll and a quorum was established with the following commissioners present:

Shawna Calico, Chairperson
Pam Sellers- Vice-Chair
Carolyn Allen-Secretary
Randy Campbell- Commissioner
Rick Doherty- Commissioner

Office staff present:

Marcus Fears
Connie Parnell

Attorney Harvey Chaffin was present.

Guests present were:
Paiten Qualls

Chairperson Shawna Calico asked for discussion and/or approval of the minutes of the November 6, 2018 Special Meeting. There being no discussion, Pam Sellers made a motion to approve and Randy Campbell seconded the motion for approval of the minutes. The minutes were approved by all commissioners.

Shawna Calico----- Yes
Carolyn Allen----- Yes
Pam Sellers----- Yes
Randy Campbell---Yes
Rick Doherty----- Yes

Administrator's Report was given by Marcus Fears. The report included updates on the community meetings which had been attended, statistics on voter registrations and financial highlights. Randy Campbell made a motion to approve and the motion was seconded by Carolyn Allen. The administrator's report was approved by all commissioners. (Attachment 1)

Shawna Calico----- Yes
Carolyn Allen----- Yes
Pam Sellers----- Yes
Randy Campbell---Yes
Rick Doherty----- Yes

Election Director's Report was given by Connie Parnell. The report included updates on the 2019 election cycle preparation and completion of the most recent street guide additions and changes. Randy Campbell made a motion to approve and Rick Doherty seconded the motion. The election director's report was approved by all commissioners. (Attachment 2)

Shawna Calico---- Yes
Carolyn Allen----- Yes
Pam Sellers----- Yes
Randy Campbell---Yes
Rick Doherty----- Yes

Attorney's Report:

There was no report needed today.

Old Business:

Chairperson Shawna Calico called for discussion on old business. The following four items were listed in old business:

- a.) Consideration and possible action on the Candidate Filing Packet for 2019 election cycle
- b.) Consideration and possible action on the Forms used in the 2019 election process
- c.) Consideration and possible action regarding the Election Calendar
- d.) Consideration and possible action regarding the Financial Disclosure Report

After discussion, a motion was made by Randy Campbell to table all old business items since there is no update on approval of the Election Act due to the fact the above mention documents have dates sensitive to the Election Act. The motion was seconded by Rick Doherty and approved by all commissioners.

Shawna Calico---- Yes
Carolyn Allen----- Yes
Pam Sellers----- Yes
Randy Campbell---Yes
Rick Doherty----- Yes

Current Items:

- a.) Consideration and possible action on the recommended timeline for the anticipated 2018 District 7 Special Election:

After discussion, a motion was made by Randy Campbell and seconded by Rick Doherty to reaffirm the previously adopted timeline which had been sent to Council and to adopt and approve a resolution adopting facts in support of the proposed timeline. The language for the resolution was created and approved in this motion. The motion was approved by all commissioners.

(Attachment 3)

Shawna Calico---- Yes
Carolyn Allen----- Yes
Pam Sellers----- Yes
Randy Campbell---Yes
Rick Doherty----- Yes

- b.) Consideration and possible action on Facility Agreement for the 2018 Special Election:
No action was taken because this was previously acted upon in a special meeting on 11-6-18.
- c.) Consideration and possible action on the Candidate Filing Packet for the 2018 Special Election:
No action was taken because this was previously acted upon in a special meeting on 11-6-18.
- d.) Consideration and possible action on the Forms used in the 2018 Special Election:
No action was taken because this was previously acted upon in a special meeting on 11-6-18.
- e.) Consideration and possible action on anticipated 2018 District 7 Special Election Press Release:
A motion was made by Pam Sellers and seconded by Rick Doherty to approve this press release with the correct polling locations and not to release until November 15, 2018. The motion was approved by all:

Shawna Calico---- Yes
Carolyn Allen----- Yes
Pam Sellers----- Yes
Randy Campbell---Yes
Rick Doherty----- Yes

- f.) Consideration and possible action on approval of the Precinct certificate of Vote/Consolidated Returns Procedure for the 2018 Special Election:
No action was taken because this was previously acted upon in a special meeting on 11-6-18.

Executive Session:

A motion was made by Pam Sellers and seconded by Randy Campbell to enter executive session at 6:18 p.m. The motion was approved by all commissioners.

Shawna Calico---- Yes
Carolyn Allen----- Yes
Pam Sellers----- Yes
Randy Campbell---Yes
Rick Doherty----- Yes

Items in executive session listed to be addressed:

- b.) Personnel
 - 1.) Consideration and possible action on Performance Evaluation of the Administrator
 - 2.) Staff Performance Evaluation

- c.) Exit from executive session:
A motion was made by Pam Sellers and seconded by Rick Doherty to exit executive session at 7:48 p.m.

The motion was approved by all commissioners.

Shawna Calico---- Yes
Carolyn Allen----- Yes
Pam Sellers----- Yes
Randy Campbell---Yes
Rick Doherty----- Yes

A motion was made by Pam Sellers and seconded by Randy Campbell to approve the performance evaluation of the Administrator. The motion was approved by all commissioners.

Shawna Calico----- Yes
Carolyn Allen----- Yes
Pam Sellers----- Yes
Randy Campbell---Yes
Rick Doherty----- Yes

A motion was made by Randy Campbell and seconded by Pam Sellers to approve the staff performance evaluation. The motion was approved by all commissioners.

Shawna Calico----- Yes
Carolyn Allen----- Yes
Pam Sellers----- Yes
Randy Campbell---Yes
Rick Doherty----- Yes

Announcements:

There were no announcements.

Adjourn:

A motion was made by Rick Doherty to adjourn at 7:52 p.m. The meeting was adjourned.

Minutes submitted by:

Carolyn Allen, Secretary
Cherokee Nation Election Commission
November 15, 2018



CHEROKEE NATION ELECTION COMMISSION

Ph: 918-458-5899 | TF: 800.353.2895 | F: 918.458.6101

November 13th 2018 Administrators Report

Marcus Fears Administrator
fears-marcus@cherokee.org

Attachment #1

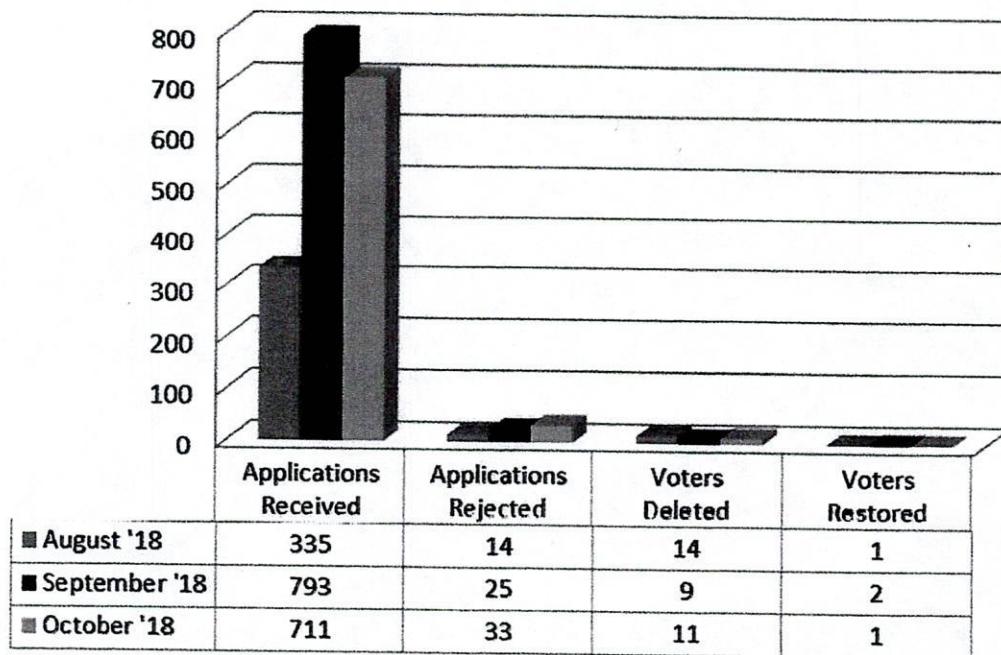
I. OFFICE:

October was extremely busy and productive month. As you can see below, we had our second straight month of processing over 700 registrations. The Election Commission also attended 7 Community Meetings in October providing voter education and accepting voter registrations.

II. VOTER PROCESSING: As of 11/01/2018

711 Applications; 71,061 Total Registered Voters; 40,468 In District; 30,593 At-Large

Voter Registration Statistics



a.) Statistical Report:

Detailed Data by District and Precinct is Attached

III. VOTER OUTREACH:

- October Outreach
 - District 8 Stilwell – 9 registrations
 - District 12 Nowata – 7 registrations
 - District 1, 2 & 3 Tahlequah – 17 registrations
 - District 14 Oologah – 10 registrations
 - District 14 Chelsea – 4 registrations
 - District 4 Muskogee 3 Rivers – 10 registrations



CHEROKEE NATION ELECTION COMMISSION

Ph: 918-458-5899 | TF: 800.353.2895 | F: 918.458.6101

November 13th 2018 Administrators Report

Marcus Fears Administrator
fears-marcus@cherokee.org

- District 4 & 5 Warner – 9 registrations
- November Outreach
 - District 11 Vinita – 6 registrations
 - District 5&6 Sallisaw – 5 registrations

IV. FINANCIAL HIGHLIGHTS:

As far as I can tell on our FY18 reports, FY18 appears to finally be closed. I don't believe anything else will come out. All the Direct Billed accounts, Insurances, phone bills etc. have come out up to the end of September; however, I will continue to monitor it for the next month or so.

FY19 has only just begun but will be closely monitored as we move into our busy period.

Date Range: 10/01/2018 - 10/31/2018

Applications Received

Voter Registration Applications	711
Absentee Applications	0
Total	711

Registration Applications Rejected

Insufficient Address	4
No Roll Number	18
Not Signed	9
Under Age	2
Total	33

Deleted Registrations

Duplicate	0
Voter Deceased	9
Voter Relinquished	2
Total	11

Registration Status Changes

Deleted Restored	1
Total	1

District	Precinct	Voters
District No. 1	Hulbert	1,153
	Okay	303
	Tahlequah (1)	1,525
Total for District		2,981
District No. 2	Briggs	211
	Lowrey	229
	Tahlequah (2)	2,359
Total for District		2,799
District No. 3	Keys	778
	Tahlequah (3)	1,719
Total for District		2,497
District No. 4	Ft. Gibson	1,088
	Muskogee	511
	Warner	732
Total for District		2,331
District No. 5	Gore	306
	Sallisaw (5)	559
	Vian	1,129
Total for District		1,994
District No. 6	Belfonte	117
	Marble City	172
	Muldrow	1,570
	Sallisaw (6)	1,393
Total for District		3,252
District No. 7	Cave Springs	279
	Chewey	82
	Stilwell (7)	2,573
	Westville (7)	746
Total for District		3,680
District No. 8	Bell	215
	Stilwell (8)	972
	Westville (8)	425
Total for District		1,612
District No. 9	Jay (9)	677
	Kansas	1,259

District	Precinct	Voters
District No. 9	Kenwood	129
	Salina (9)	538
Total for District		2,603
District No. 10	Afton	590
	Grove	715
	Jay (10)	773
	Pryor (10)	531
	Salina (10)	198
	Spavinaw	148
Total for District		2,955
District No. 11	S. Coffeyville	444
	Vinita	1,718
	Welch	134
Total for District		2,296
District No. 12	Bartlesville	1,564
	Nowata	695
	Skiatook	112
Total for District		2,371
District No. 13	Catoosa	341
	Collinsville	972
	Tulsa	1,845
Total for District		3,158
District No. 14	Chelsea	536
	Claremore (14)	2,409
	Oologah	398
Total for District		3,343
District No. 15	Claremore (15)	818
	Locust Grove	861
	Pryor (15)	867
	Salina (15)	50
Total for District		2,596
At Large	At Large	30,593
Total for District		30,593
Grand Total		71,061

Cherokee Nation Election Commission

P.O. Box 1188, Tahlequah, OK 74465-1188
Email: election-commission@cherokee.org
Website: www.cherokee.org/elections.aspx



Phone: 918-458-5899
Toll Free: 1-800-353-2895
Fax: 918-458-6101

2018 October Election Directors report:

Attachment #2

This was a fun packed month of surprises

Working with the staff on election reminders for the 2019 Election cycle, and we have a special election announcement at the end of the October and a short time frame for the time line.

October 30 watched a Webinar on Securing the Election Systems Beyond the Perimeter. This was sent to me by Jeff Carroll so I participated in this 2 hour online session.

Finished with CSA on the most recent street guide additions and changes

Still working on the 2019 Election Forms for the 2019 election cycle

Working with the staff on election procedures for the 2019 Election Cycle
Worked with Harvey on the sorting out of the Constitution that we are currently working under, Documentation was located to confirm the Special Election procedure.

Prepared with Harvey, Carolyn, Pam and Marcus the first time line for the Special Election. As you know it has changed many times. But all is good with the finished time line for the 2018 Special District 7 Council Election

Prepared the press release for the Special election it has evolved also to what it is today to be released on November 15, 2018



Cherokee Nation Election Commission

P.O. Box 1188, Tahlequah, OK 74465

Email: election-commission@cherokee.org

Website: www.cherokee.org/elections.aspx

Phone: 918-458-5899

Toll Free: 1-800-353-2895

Fax: 918-458-6101

CHEROKEE NATION ELECTION COMMISSION

A RESOLUTION ADOPTING FACTS IN SUPPORT OF PROPOSED TIMELINE

WHEREAS, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government on behalf of the Cherokee people;

WHEREAS, the Cherokee Nation is a federally recognized Indian Nation with a historic and continual government to government relationship with the United States of America;

WHEREAS, The Cherokee Nation Election Commission is a constitutional autonomous and permanent entity charged with the administration of all Cherokee Nation elections set forth in the Cherokee Nation Constitution;

WHEREAS, pursuant to the above authority the Cherokee Nation Election hereby adopts the following resolution.

The facts in support of the proposed timeline for a special election to be held on December 29, 2018 are:

To add additional days to the timeline would push the special election too deeply into the general election timeline.

If the filing period is extended until Monday, December 19, 2018 or Tuesday, December 20, 2018 there will not be sufficient time to conduct investigations to determine eligibility of candidates. The company used for investigation requires 48-72 hours to process and report back to the Election Commission.

Section 51C of the Election Law provides for special elections and allows for a change in certain timeframes. Said section also provides that the timeline (deadlines) shall be specifically set by the Election Commission and confirmed by the Council to meet the particular needs related to a special election. The timeframes of which the Election Commission has authority have been shortened to what the Election Commission feels is the minimum time to allow for due process and reasonable notice. The Election Commission felt the appeal times to the Court could not be shortened under The Act. If the Council chooses not to confirm the timeline, the Election Commission will be required to prepare a new timeline, if possible, based on the Election Law as required by Section 51C of the Election Law at a duly called meeting of the Election Commission.

Based on inquiries received by the Election Commission, it appears there may be numerous candidates for the office which may require each day between the timelines for the Election

Cherokee Nation Election Commission

P.O. Box 1188, Tahlequah, OK 74465

Email: election-committee@cherokee.org

Website: www.cherokee.org/elections.aspx



Phone: 918-458-5899

Toll Free: 1-800-353-2895

Fax: 918-458-6101

Commission staff to process the setup of machines, printing of ballots, processing of Absentee Ballot requests, mailing of Absentee Ballots and other matters.

To shorten the process would result in the Election Commission staff lacking sufficient time to properly conduct the election in a responsible, efficient and reliable manner in order that Cherokee citizens may have confidence in the results. This would be especially critical if there is a run-off which there could likely be if there are numerous candidates running.

CERTIFICATION

The forgoing resolution was adopted by the Cherokee Nation Election Commission at a duly called meeting on the 13th day of November, 2018, having 5 members present, constituting a quorum, by the vote of 5 yea, 0 nay; 0 abstaining.

ATTEST:

Carolyn Allen
Carolyn Allen, Secretary of the
Cherokee Nation Election Commission