

**CHEROKEE NATION ELECTION COMMISSION
MINUTES OF SPECIAL MEETING
MAY 16, 2019**

Vice-Chair Pamela Sellers called the meeting to order at 9:03 a.m. She announced she would be chairing the meeting today due to the death of the father of Shawna Calico.

Roll call was taken. The following commissioners were present:

Pamela Sellers
Randy Campbell
Rick Doherty
Carolyn Allen

A quorum was established.

Election Commission Attorney Harvey Chaffin was present as well as Administrator Marcus Fears. A guest list is attached in the minutes book.

Current Items:

- a.) Hearing pursuant to Section 11.C.12.f and Section 38 of the election code for District 8
Candidate Jodie Fishinghawk:

Attorney General Todd Hembree was present. Jodie Fishinghawk was not present nor was there representation for Ms. Fishinghawk. Attorney General Hembree commented the notice of hearing sent to Ms. Fishinghawk failed to have all the necessary attachments of evidence against her. He noted she received the investigative report only and that every citizen has to know or have access to evidence to give fair opportunity to present their case. A five day notice must be given to the candidate prior to a hearing. Attorney General Hembree recommended the Election Commission set a continuance of hearing, allow five days notice and the Attorney General's office would deliver a full set of documents to Ms. Fishinghawk. He commented the Attorney General's office was not prepared to go forward today to present evidence. Commissioner Carolyn Allen asked Attorney General Hembree if he had spoken with Jodie Fishinghawk and/or her attorney Mr. Jim Cosby and if they had been advised they did not need to report to the hearing today. Attorney General Hembree confirmed this and apologized if he over stepped his bounds. Commissioner Allen commented to Attorney General Hembree that this hearing was a hearing set by the Election Commission. Again Attorney General Hembree apologized if he had over stepped his bounds.

Executive Session:

Rick Doherty made a motion which was seconded by Randy Campbell to enter executive session at 9:09 a.m. to discuss this issue. The motion was approved by the commission.

Upon exiting executive session, Rick Doherty made a motion which was seconded by Randy Campbell to exit executive session at 9:51 a.m. The motion was approved by all commissioners.

Action from Executive Session:

Rick Doherty made a motion which was seconded by Randy Campbell to approve a continuance of hearing, setting the continuance of hearing for Thursday, May 23, 2019 at 9:00 a.m. at the Election Commission office. The motion was approved by all commissioners present.

Election Commission Attorney Harvey Chaffin asked Attorney General Hembree if he was satisfied next Thursday, May 23 is a sufficient amount of time for notice. Attorney General Hembree agreed it was. Vice-Chair Pamela Sellers commented to Attorney General Hembree that he had over stepped his bounds. Attorney General Hembree again apologized.

Announcements:

There were no announcements.

Adjourn:

Rick Doherty made a motion to adjourn at 9:58 a.m. The meeting was adjourned.

Carolyn Allen

**Submitted by Carolyn Allen
Secretary of the Election Commission
May 21, 2019**

HEARINGS 5-16-19

Date	Sign In (Please Print Name)	Paper Work	For Whom	Assisted By	Disposition
1 5-16-19	Mike Roach	CNMS			
2 5/16/19	Daniel Cornsick	Public			
3 5/16/19	D. Sean Rowley	CHEROKEE PIZZERIA			
4 5/16/19	Brian Barry	Public			
5 5-16-19	Tonya Colston	witness			
6 5-16-19	Vernon Sellers				
5-16-19	J.R. Sellers				
5-16-19	Brian Catcher	witness			
5-16-19	Matt Loney	witness			
5/16/19	Joel Hunter	AB			
5/16/19	Nedra Flynn	witness			