



CHEROKEE NATION ELECTION COMMISSION

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

AGENDA SPECIAL MEETING

Tuesday, February 14th, 2023

4:30 PM

- I. Call to order
- II. Roll call
- III. Approval of Minutes from the February 14th Regular Meeting
- IV. Old Business
- V. Current Items
 - a. Consideration and possible action regarding Election Forms
 - b. Consideration and possible action regarding response to inquiries
- VI. Executive Session
 - a. Confidential discussion with attorney on pending litigation, claims, investigations or protests
 - b. Personnel
 - c. Exit Executive Session
- VII. Action from Executive Session
- VIII. Announcements
- IX. Adjourn

POSTED
2/13/23 3:30 PM

February 13, 2023 by 4:30 PM
Cherokee Nation Election Office
17763 S. Muskogee Ave
Tahlequah, OK 74464

Chairperson: Rick Doherty

Posted by: _____



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Special Meeting Minutes

February 14, 2023

I. Call to order

- The Special Meeting of the Cherokee Nation Election Commission was called to order by Chairperson Rick Doherty at 5:31 P.M.

II. Roll call

- Election Commission Secretary Shawna Calico called roll and a quorum was established with the following Commissioners present:

Rick Doherty – Chairperson
Pamela Sellers – Vice Chairperson
Shawna Calico – Secretary/Treasurer
Randy Campbell – Commissioner
Elizabeth Ballew – Commissioner

- Office staff present was: Marcus Fears
- Election Commission Attorney Harvey Chaffin was present.
- Election Commission Investigator Nick Goodwin was Present.

III. Approval of Minutes

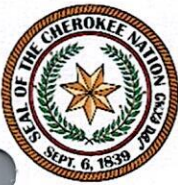
- Chairperson Rick Doherty asked for approval and/or discussion regarding the minutes of the February 14th Regular Meeting. Pam Sellers made a motion which was second by Elizabeth Ballew to table the February 14th Regular Meeting minutes. The motion was approved by all Commissioners.

IV. Old Business

- None

V. Current Items

- Consideration and possible action regarding Election Forms. Pam Sellers made a motion which was second by Elizabeth Ballew to approve the Acknowledgement of Cherokee Nation Election Laws form. The motion was approved by all Commissioners.



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- Consideration and possible action regarding responses to inquiries.
 - i. Councilman Nofire's inquiry was discussed and he was advised to refer to Sections 21 and 72 of the Election Law. He was also advised that "The Cherokee Nation Election Commission is not authorized by Cherokee Law to give formal opinions or informal legal opinions. Only the Attorney General of the Cherokee Nation can give formal opinions that have the force of law until overturned by a Cherokee Nation Court. You may seek an opinion from your own legal counsel or from the Office of the Attorney General, if you have legal interpretation questions regarding the Election Code." Pam Sellers made a motion which was second by Elizabeth Ballew to approve the response to Councilman Nofire's email. The motion was approved by all Commissioners.
 - ii. Deborah Reed's inquiry was discussed and she was advised to refer to Chapter 5 Sections 41 thru 50 of the Election Law. She was also advised that "The Cherokee Nation Election Commission is not authorized by Cherokee Law to give formal opinions or informal legal opinions. Only the Attorney General of the Cherokee Nation can give formal opinions that have the force of law until overturned by a Cherokee Nation Court. You may seek an opinion from your own legal counsel or from the Office of the Attorney General, if you have legal interpretation questions regarding the Election Code." Pam Sellers made a motion which was second by Elizabeth Ballew to approve the response to Deborah Reed's email. The motion was approved by all Commissioners.
 - iii. Mr. Boles inquiry was discussed and a written letter was dictated along with the Frequently Asked Questions section of our website to refer to. Pam Sellers made a motion which was second by Elizabeth Ballew to approve the response to Mr. Boles email. The motion was approved by all Commissioners.

VI. Executive Session

- There was no Executive Session

VII. Action from Executive Session

- None

VIII. Announcements

- None



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IX. Adjourn

- Pam Sellers made a motion which was second by Elizabeth Ballew to adjourn at 6:15. The motion was approved by all Commissioners. The meeting was adjourned

Minutes submitted by Shawna Calico, Secretary/Treasurer



Cherokee Nation Election Commission

P.O. Box 1188, Tahlequah, OK 74465-1188

Phone: 918-458-5899 Fax: 918-458-6101

Acknowledgement of Cherokee Nation Election Laws

As you may be aware there have been significant changes in the Cherokee Nation Election Laws.

By requesting and receiving voter information and related data from the Cherokee Nation Election Commission ("Election Commission"), you are hereby advised that you are bound by the Cherokee Nation's laws, and have received a copy of the latest revision of the same, Legislative Act 14-22 ("Election Code"), which was unanimously approved by the Cherokee Nation Tribal Council on May 16, 2022.

As the Election Code makes clear, any use of this information in violation of the law may subject you to criminal penalties, which may include imprisonment, among other penalties. Furthermore, be advised that the Election Commission and/or the Cherokee Nation Courts may also impose civil penalties for violations of the Election Code.

Likewise, Independent Expenditures, as defined in the Election Code, are expressly forbidden and illegal under Cherokee Nation law. Contributing to, coordinating with, or directing an Independent Expenditure is a crime, punishable by imprisonment for not more than two years. In addition, fines and other civil penalties may be imposed in an amount not to exceed \$500,000.00 per occurrence.

NOTICE TO CANDIDATES – VIOLATIONS OF THE ELECTION CODE, INCLUDING THE RESTRICTIONS RELATED TO INDEPENDENT EXPENDITURES, MAY SUBJECT YOU TO DISQUALIFICATION IN ADDITION TO CRIMINAL SANCTIONS AND CIVIL PENALTIES.

I acknowledge that I am a citizen of the Cherokee Nation and that I have requested voter information, or other related data, from the Election Commission. I have also received a copy of the Cherokee Nation's Election Code. I understand that the voter list I receive may be attributable to me.

The Cherokee Nation Election Commission is not authorized by Cherokee Law to give formal opinions or informal legal opinions. Only the Attorney General of the Cherokee Nation can give formal opinions that have the force of law until overturned by a Cherokee Nation Court. You may seek an opinion from your own legal counsel or from the Office of the Attorney General, if you have legal interpretation questions regarding the Election Code.

Signature

Date

CHEROKEE NATION ELECTION COMMISSION

 REGULAR MEETING

 X SPECIAL MEETING

ELECTION COMMISSION PRESIDED BY: Rick Doherty

MEETING DATE: 2-14 at 5:31 AM/PM at the CNEC Office

Commission Member: Present/Absent

Rick Doherty Present/Absent

Pamela Sellers Present/Absent

Shawna Calico Present/Absent

Randy Campbell Present/Absent

Elizabeth Ballew Present/Absent

Quorum Established: YES / NO

CNEC Attorney: Harvey Chaffin ☒ CNEC Investigator: Nick Goodwin ☐

Staff Present: ☒ Marcus Fears, ☐ Connie Parnell, ☐ Kendal Bishop, ☐ Charlene Keys

Visitors:

Chad Hunter

February 14, 2023

Signature

Chad Hunter

[illegible]