

**MINUTES
REGULAR MEETING
March 12, 2019
CHEROKEE NATION ELECTION COMMISSION**

Call to order/Roll call of Commissioners:

The meeting of the Cherokee Nation Election Commission was called to order by Vice-Chair, Pamela Sellers at 4:02 p.m. in the absence of Chair Shawna Calico who could not attend in person due to a family medical situation. Pamela Sellers asked the Commission if they would allow Shawna Calico to attend by phone. A motion was made by Rick Doherty and seconded by Randy Campbell to approve Shawna Calico to attend by phone. The motion was approved by all Commissioners present.

Pamela Sellers- Yes
Carolyn Allen- Yes
Randy Campbell- Yes
Rick Doherty- Yes

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

Shawna Calico, Chairwoman (attending by phone)
Pamela 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: Chad Hunter, Paiten Qualls and Travis Snell.

Vice- Chair Pamela Sellers asked for discussion and/or approval of the minutes of the February 21, 2019 Special Meeting. It was noted that these minutes were approved on March 11, 2019 in a special meeting and that we would approve the minutes of the meetings of March 11 and March 12 at the next scheduled meeting.

Administrator's Report:

The Administrator's Report was presented by Marcus Fears. The report included voter registration statistics and updates on moving forward in processing applications for General Election. Randy Campbell made a motion to approve and the motion was seconded by Rick Doherty. The administrator's report was approved by all commissioners. (Attachment 1)

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

Election Director's Report:

The Election Director's report was given by Connie Parnell. The report included updates on the 2019 election cycle preparation. A list of items that are currently in progress was included in the election cycle preparation. Precinct trainings have been scheduled. Rick Doherty made a motion which was seconded by Randy Campbell to approve the report. The Election Director's report was approved by all commissioners. (Attachment #2)

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

Attorney's Report:

Attorney Harvey Chaffin reported the Supreme Court had issued decisions in the Mayes vs. Hoskin, Warner and Proctor cases as well as the Rhonda Brown Fleming case. We are waiting on an order from the Supreme Court on the case of Buel Anglen eligibility. He stated we could consider the two orders we have received on the agenda item for today's meeting. A motion was made by Rick Doherty to approve the Attorney's report. The motion was seconded by Randy Campbell and approved by all commissioners.

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

Old Business:

There were no old business items.

Current Items:

- a.) Consideration and possible action regarding number and location of precincts for the 2019 General Election:

A list of 51 precincts and locations was presented for discussion. Attorney Harvey Chaffin stated the law says these must be posted on the website and published in the Cherokee Phoenix 45 days in advance of an election. Randy Campbell made a motion which was seconded by Rick Doherty to

approve this list presented and to publish according to the law. The motion was approved by all commissioners. (Attachment #3)

b.) Consideration and possible action regarding amending Commissioner's contracts:

After discussion, a motion was made by Rick Doherty and seconded by Randy Campbell to approve the amendments to following Commissioner's contracts. The motion was approved by all commissioners.

Approved for Amendment:

Carolyn Allen in the amount of \$15,600
Shawna Calico in the amount of \$15,600
Randy Campbell in the amount of \$15,600
Pamela Sellers in the amount of \$15,600

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

c.) Consideration and possible action on the Certification of Eligibility of Candidates for the 2019 General Election pursuant to Cherokee Nation Supreme Court decisions:

Vice-Chair, Pamela Sellers announced we had received Supreme Court decisions on the Mayes v. Election Commission, Hoskin, Warner and Proctor case as well as a decision regarding the challenge to eligibility of Rhonda Brown Fleming.

**Court Case No SC – 19-01 Robin Mayes v. Cherokee Nation Election Commission,
Chuck Hoskin, Jr., Bryan Warner, and Deb Proctor:**

Vice-Chair, Pamela Sellers read the decision in the Mayes case in which the Order affirmed the decision of the Cherokee Nation Election Commission. A motion was made by Randy Campbell and seconded by Rick Doherty to deem Chuck Hoskin, Jr., Bryan Warner and Deb Proctor as eligible candidates in the 2019 General Election. The motion was approved by all commissioners.
(Attachment #4)

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

Court Case No. Sc-2019-02 Challenge to Eligibility of Rhonda Brown Fleming, Candidate for Chief for the 2019 General Election:

Vice- Chair, Pamela Sellers read the decision on the Challenge of Eligibility of Rhonda Brown Fleming in which the Order read that the appeal be and is hereby dismissed. The Court further found that the Cherokee Nation Election Commission determined Brown-Fleming not eligible as a candidate for Chief because she does not comply with the constitutional residency requirements for the office of Principal Chief. A motion was made Randy Campbell and seconded by Rick Doherty to deem Rhonda Brown Fleming ineligible as a candidate for the office of Chief in the 2019 General Election. The motion was approved by all commissioners. (Attachment #5)

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

A motion was made by Rick Doherty and seconded by Randy Campbell to certify as eligible candidates in the 2019 General Election Chuck Hoskin, Jr., Bryan Warner and Deb Proctor. A letter of certification of eligibility of Chuck Hoskin, Jr., Bryan Warner and Deb Proctor was approved for notification to be given to each of these candidates. The motion was approved by all commissioners.

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

A motion was made by Randy Campbell and seconded by Rick Doherty to deny certification of Rhonda Brown Fleming as a candidate for Chief. A letter of denial of eligibility was approved for notification to be sent to Rhonda Brown Fleming. The motion was approved by all commissioners.

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

The letters of eligibility and denial will be attached in the minutes. (Attachment #6)

Executive Session:

A motion was made by Rick Doherty and seconded by Randy Campbell to enter executive session at 4:19 p.m. under item B. – Personnel. The motion was approved by all commissioners.

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

Exit Executive Session:

A motion was made by Rick Doherty and seconded by Randy Campbell to return from executive session at 4:35 p.m. The motion was approved by all commissioners.

Action from Executive Session:

Vice-Chair, Pamela Sellers announced there had been no action taken from executive session.


Announcements:

There were no announcements.

Adjourn:

A motion was made by Randy Campbell to adjourn at 4:36 p.m. The meeting was adjourned.

Minutes submitted by:


Carolyn Allen, Secretary
Cherokee Nation Election Commission
March 13, 2019



CHEROKEE NATION ELECTION COMMISSION

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

Attachment # 1

March 12, 2019 Administrators Report

Marcus Fears Administrator
fears-marcus@cherokee.org

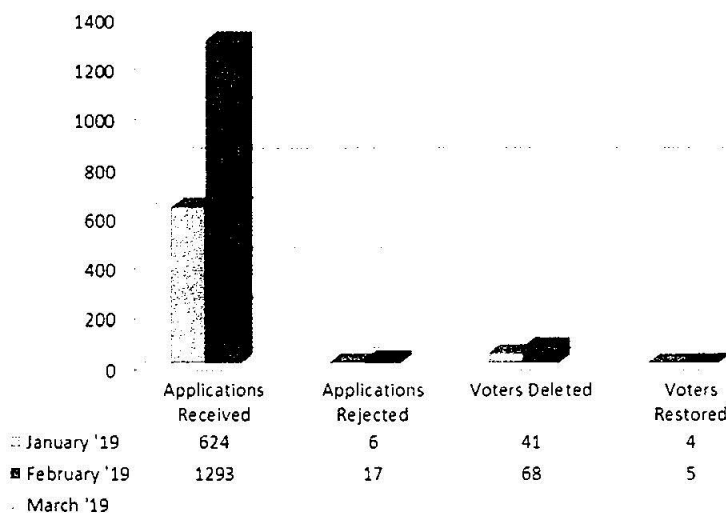
I. OFFICE:

February kicked off and the proceedings that get the election underway began. We had Candidate Filings, Challenges were filed and Hearings were held. We received documentation for the withdrawal of 2 Candidates within the withdrawal period. Currently the office is being inundated with mail, emails, faxes and calls regarding registering to vote or requesting an absentee ballot. We anticipate that to increase as the deadlines for both are approaching.

II. VOTER PROCESSING: As of 03/01/2019

1293 Applications; 71,722 Total Registered Voters; 40,895 In District; 30,827 At-Large

Voter Registration Statistics



A. Statistical Report:

Detailed Data by District and Precinct is Attached

III. FINANCIAL HIGHLIGHTS:

The FY19 is CURRENTLY on target.

Date Range: 02/01/2019 - 02/28/2019**Applications Received**

Voter Registration Applications	588
Absentee Applications	705
Total	1,293

Registration Applications Rejected

Insufficient Address	3
No Roll Number	12
Not Signed	2
Under Age	0
Total	17

Deleted Registrations

Duplicate	0
Voter Deceased	68
Voter Relinquished	0
Total	68

Registration Status Changes

Deleted Restored	5
Total	5

<u>District</u>	<u>Precinct</u>	<u>Voters</u>
District No. 1	Hulbert	1,159
	Okay	305
	Tahlequah (1)	1,527
Total for District		2,991
District No. 2	Briggs	213
	Lowrey	231
	Tahlequah (2)	2,374
Total for District		2,818
District No. 3	Keys	798
	Tahlequah (3)	1,735
Total for District		2,533
District No. 4	Ft. Gibson	1,080
	Muskogee	520
	Warner	727
Total for District		2,327
District No. 5	Gore	316
	Sallisaw (5)	563
	Vian	1,128
Total for District		2,007
District No. 6	Belfonte	118
	Marble City	173
	Muldrow	1,600
	Sallisaw (6)	1,499
Total for District		3,390
District No. 7	Cave Springs	282
	Chewey	82
	Stilwell (7)	2,664
	Westville (7)	752
Total for District		3,780
District No. 8	Bell	220
	Stilwell (8)	991
	Westville (8)	436
Total for District		1,647
District No. 9	Jay (9)	684
	Kansas	1,284

District	Precinct	Voters
District No. 9	Kenwood	129
	Salina (9)	536
Total for District		2,633
District No. 10	Afton	591
	Grove	727
	Jay (10)	777
	Pryor (10)	533
	Salina (10)	199
	Spavinaw	147
Total for District		2,974
District No. 11	S. Coffeyville	445
	Vinita	1,718
	Welch	134
Total for District		2,297
District No. 12	Bartlesville	1,573
	Nowata	689
	Skiatook	113
Total for District		2,375
District No. 13	Catoosa	344
	Collinsville	980
	Tulsa	1,845
Total for District		3,169
District No. 14	Chelsea	539
	Claremore (14)	2,409
	Oologah	405
Total for District		3,353
District No. 15	Claremore (15)	821
	Locust Grove	864
	Pryor (15)	867
	Salina (15)	49
Total for District		2,601
At Large	At Large	30,827
Total for District		30,827
Grand Total		71,722



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

February 2019 Directors Report

Worked on election supplies, setup, and election precincts

Packed supply boxes

Started election setup setting the dates and the internal information

Made the forms precinct specific for the precinct official notebooks

Made the new information sheets for the precincts as they have come in

Ordered the 300 feet signs for the precincts

Located several new precinct polling places

Finished the street segments before the deadline of making changes before the election

Prepared for the precinct official trainings which will start on March 23

Checked and ordered all supplies needed for the election cycle

Worked on the budget for the amounts for the FY 20

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2019 Election Cycle Polling Places

District 1

Tahlequah	Sequoyah High School Cafeteria
Hulbert	Hulbert School Community Building
Okay	Okay Sr. Citizens Center

District 2

Tahlequah	Sequoyah High School Cafeteria
Lowrey	Lowrey VFD
Briggs	Tri-Community (WEB) Association

District 3

Tahlequah	Sequoyah High School Cafeteria
Keys	Keys Community Building

District 4

Fort Gibson	Fort Gibson Community Building
Warner	Warner School Event Center
Muskogee	Three Rivers Health Clinic

District 5

Sallisaw	Redbird Health Clinic
Vian	Vian School BJ Traw Gym
Gore	Gore Police & Fire Department

District 6

Sallisaw	Sallisaw United Methodist Church
Belfonte	Nicut / Belfonte Community Center
Marble City	Town Hall of Marble City
Muldrow	Muldrow High School Cafeteria

District 7

Stilwell	Wilma P Mankiller Clinic
Westville	Westville School Cafeteria
Cave Springs	Lyons Switch Community Association
Chewey	NOAC Chewey Community Building

District 8

Stilwell	Wilma P Mankiller Clinic
Westville	Westville School Cafeteria
Bell	Bell Public School

District 9

Jay	Sam Hider Health Center
Kansas	Kansas High School Dome
Kenwood	Kenwood School Cafeteria
Salina	Salina AMO Health Clinic

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District 10

Salina	Salina AMO Health Clinic
Jay	Sam Hider Health Center
Grove	Grove Community Center
Afton	Afton City Hall
Spavinaw	Spavinaw City Hall
Pryor	Graham Community Center

District 11

South Coffeyville	South Coffeyville Community Building
Vinita	Vinita Health Clinic
Welch	Welch Gateway Assembly of God Church

District 12

Nowata	NO WE TA Community Center
Bartlesville	HACN Keeler Heights
Skiatook	VFW Post 7977 Skiatook

District 13

Tulsa	American Legion Post 1
Catoosa	HACN Catoosa
Collinsville	City of Collinsville Veterans Center

District 14

Claremore	HACN Claremore
Chelsea	Chelsea Boys & Girls Club
Oologah	Oologah Assembly of God Church

District 15

Claremore	HACN Claremore
Salina	Salina AMO Health Clinic
Locust Grove	Cherokee Elder Rainbow House
Pryor	Graham Community Center

We the Commissioners of the Cherokee Nation Election Commission do hereby approve the Precinct Polling Locations for the 2019 Election Cycle.

Chairperson Shawna Calico

Vice Chairperson Pam Sellers

Secretary Carolyn Allen

Member Randy Campbell

Member Rick Doherty

IN THE SUPREME COURT OF THE CHEROKEE NATION

ROBIN C. MAYES
Appellant,

v.

CHEROKEE NATION ELECTION
COMMISSION, CHUCK HOSKIN, Jr.,
BRYAN WARNER, & DEB PROCTOR,
Appellee.

CASE NO.: SC-19-01

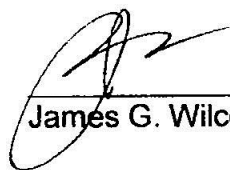
SEP 12 AM 8:20
CLERK OF COURT
JAMES G. WILCOXEN

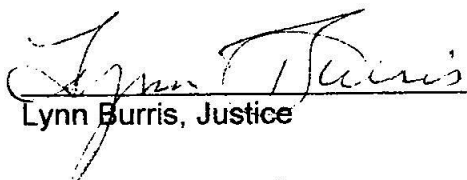
ORDER

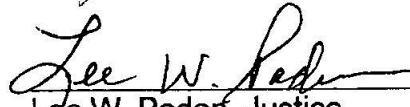
Appellant Robin Mayes presented no evidence that the candidates Chuck Hoskin, Jr., Bryan Warner, and Deb Proctor have failed to meet the requirements of eligibility set forth in CNCA Title 26, Chapter 4.

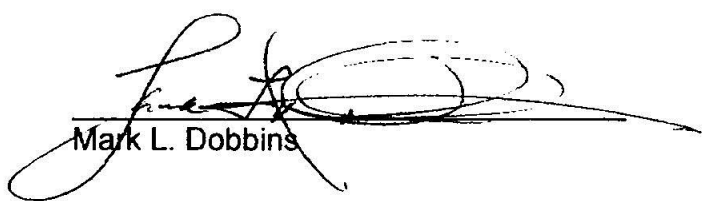
The Court relied on the arguments of Mr. Mayes and counsel as well as the underlying record of the Cherokee Nation Election Commission.

Therefore, the Court affirms the decision of the Cherokee Nation Election Commission.


James G. Wilcoxen, Chief Justice


Lynn Burris, Justice


Lee W. Paderf, Justice


Mark L. Dobbins


John C. Garrett, Justice

Certificate of Mailing

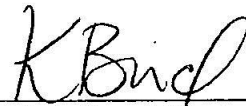
I, Kendall Bird, certify that on the 12th day of March, 2019, I mailed, emailed and/or faxed a true copy of the above and foregoing to the following:

Robin Mayes, mayes1839@gmail.com

Harvey L. Chaffin for Cherokee Nation Election Commission,
hichaffin@greencountryabstract.com

S. Douglas Dodd, sdodd@dsda.com

Michael D. Parks, mike@mikeparkslaw.com


Kendall Bird, Court Clerk

IN THE SUPREME COURT OF THE CHEROKEE NATION

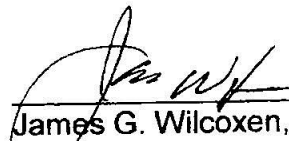
In Re: Challenge to the Eligibility of
Rhonda Brown Fleming, Candidate
For Chief for the 2019 General
Election.

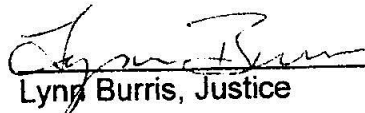
Case No. SC-2019-02

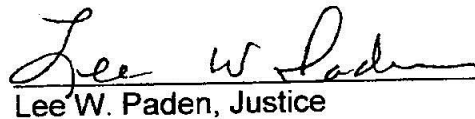
2019 MAR 12 PM 8:20

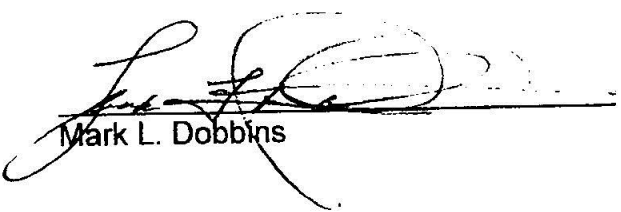
ORDER

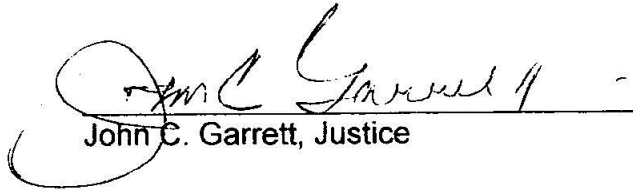
After proper notice, Appellant Rhonda Brown-Fleming failed to appear. This Court having considered the record below and argument of counsel for the Cherokee Nation Election Commission finds that this appeal be and is hereby dismissed. The Court further finds that the Cherokee Nation Election Commission determined Brown-Fleming not eligible as a candidate for Chief because she does not comply with the constitutional residency requirements for the office of Principal Chief.


James G. Wilcoxon, Chief Justice


Lynn Burris, Justice


Lee W. Paden, Justice


Mark L. Dobbins


John C. Garrett, Justice

Certificate of Mailing

I, Kendall Bird, certify that on the 1st day of March, 2019, I mailed, emailed and/or faxed a true copy of the above and foregoing to the following:

Rhonda Brown-Fleming, rhondab7@yahoo.com

Harvey L. Chaffin for Cherokee Nation Election Commission,
hlchaffin@greencountryabstract.com

Marcus Thompson, marcus.l.thompson217@gmail.com

Twila Pennington, twilap@gmail.com


Kendall Bird, Court Clerk



Cherokee Nation Election Commission

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CHEROKEE NATION ELECTION COMMISSION

Shawna Calico, Chairperson

Pam Sellers, Vice Chairperson

Carolyn Allen, Secretary / Treasurer

Randy Campbell, Commissioner

Rick Doherty, Commissioner

March 12, 2019

Debra Proctor

Debproctor2018@gmail.com

Dear Ms. Proctor:

In accordance with Legislative Act 12-16 §36 (C), The Cherokee Nation Election Commission is issuing this letter certifying your eligibility as a candidate for the Cherokee Nation 2019 General Election, based on the Cherokee Nation Supreme Court decision in CASE NO.: SC-2019-01.

Sincerely,

Shawna Calico, Chairperson

Cherokee Nation Election Commission

Cherokee Nation Election Commission

P.O. Box 1188, Tahlequah, OK 74465

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Pam Sellers, Vice Chairperson

Carolyn Allen, Secretary / Treasurer

Randy Campbell, Commissioner

Rick Doherty, Commissioner

March 12, 2019

Rhonda Brown-Fleming

rhondab7@yahoo.com

Dear Ms. Brown-Fleming:

In accordance with Legislative Act 12-16 §36 (C), The Cherokee Nation Election Commission is issuing this letter to inform you that after the investigative process was completed, your eligibility was denied for the Cherokee Nation 2019 General Election, based on the Cherokee Nation Supreme Court decision in CASE NO.: SC-2019-02.

Sincerely,

Shawna Calico, Chairperson

Cherokee Nation Election Commission

Cherokee Nation Election Commission

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CHEROKEE NATION ELECTION COMMISSION

Shawna Calico, Chairperson

Pam Sellers, Vice Chairperson

Carolyn Allen, Secretary / Treasurer

Randy Campbell, Commissioner

Rick Doherty, Commissioner

March 12, 2019

Bryan Warner

bryanhwarner@gmail.com

Dear Mr. Warner:

In accordance with Legislative Act 12-16 §36 (C), The Cherokee Nation Election Commission is issuing this letter certifying your eligibility as a candidate for the Cherokee Nation 2019 General Election, based on the Cherokee Nation Supreme Court decision in CASE NO.: SC-2019-01.

Sincerely,

Shawna Calico, Chairperson

Cherokee Nation Election Commission

Cherokee Nation Election Commission

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CHEROKEE NATION ELECTION COMMISSION

Shawna Calico, Chairperson

Pam Sellers, Vice Chairperson

Carolyn Allen, Secretary / Treasurer

Randy Campbell, Commissioner

Rick Doherty, Commissioner

March 12, 2019

Chuck Hoskin, Jr.

charles.hoskin@sbcglobal.net

Dear Mr. Hoskin, Jr.:

In accordance with Legislative Act 12-16 §36 (C), The Cherokee Nation Election Commission is issuing this letter certifying your eligibility as a candidate for the Cherokee Nation 2019 General Election, based on the Cherokee Nation Supreme Court decision in CASE NO.: SC-2019-01.

Sincerely,

Shawna Calico, Chairperson

Cherokee Nation Election Commission

Regular Meeting Sign-in Sheet

March 12, 2019 4:00 PM

[illegible]