CHEROKEE NATION ELECTION COMMISSION
REGULAR MEETING
ELECTION SERVICES MEETING ROOM
DECEMBER 9, 2014 - MINUTES

CALL TO ORDER/ROLL CALL

THE MEETING OF THE ELECTION COMMISSION WAS CALLED TO ORDER AT 4:07 PM ROLL CALL WAS TAKEN AND A QUORUM WAS ESTABLISHED.

COMMISSION: BILL HORTON, CHAIRMAN
TERESA HART, VICE CHAIRPERSON
MARTHA CALICO, SECRETARY/TREASURER
SHAWNA CALICO, COMMISSIONER
CAROLYN ALLEN, COMMISSIONER

OFFICE STAFF: CONNIE PARNELL, MADISON CORNETT

COMMISSION ATTORNEY: HARVEY CHAFFIN

MINUTES OF THE MEETING HELD NOVEMBER 10, 2014 WERE PRESENTED. A MOTION WAS MADE BY SHAWNA CALICO AND SECONDED BY TERESA HART TO APPROVE THE MINUTES AS PRESENTED. MOTION CARRIED.
BILL HORTON_____
TERESA HART___YES
MARTHA CALICO___YES
SHAWNA CALICO___YES
CAROLYN ALLEN___YES

MADISON CORNETT PRESENTED THE FINANCIAL INFORMATION FOR THE 2014 BUDGET AND STATED ADDITIONAL INFORMATION WILL BE AVAILABLE AFTER 12-12-14. A MOTION WAS MADE BY SHAWNA CALICO AND SECONDED BY TERESA HART TO ACCEPT THIS REPORT. MOTION CARRIED.
BILL W. HORTON_____
TERESA HART___YES
MARTHA CALICO___YES
SHAWNA CALICO___YES
CAROLYN ALLEN___YES

MADISON CORNETT PRESENTED A REPORT OF THE NUMBER OF VOTER REGISTRATIONS FOR THE MONTH OF NOVEMBER, 2014 AND THE ADMINISTRATOR'S REPORT STATING THAT AS OF 12-1-14 THERE WERE 63,498 REGISTRATED VOTERS. A MOTION WAS MADE BY CAROLYN ALLEN AND SECONDED BY TERESA HART TO ACCEPT THIS REPORT. MOTION CARRIED.

BILL HORTON_____
TERESA HART___YES
MARTHA CALICO___YES
SHAWNA CALICO___YES
CAROLYN ALLEN___YES

MS. PARNELL STATED THAT A REPRESENTATIVE OF HART'S WAS IN THE OFFICE FOR SEVERAL DAYS WORKING WITH THE STAFF FOR THE NEXT ELECTION. MS. PARNELL ALSO STATED THAT THE CHOCTAW NATION HAS CONTACTED THE OFFICE ASKING FOR OUR GUIDELINES, POLICIES & PROCEDURES, ELECTION LAWS AND OTHER INFORMATION. MS. PARNELL POINTED OUT THAT THIS INFORMATION IS ON OUR WEBSITE. AFTER DISCUSSION THE COMMISSION ASKED MS. PARNELL TO CONTACT THEM AND ASK THEM TO VIEW OUR WEBSITE. MS. PARNELL ALSO STATED THAT SHE IS WORKING WITH THE PRINTER/SUPPLIER AND THAT OUR ORDER NEEDS TO BE PLACED WITH THEM BY JANUARY 15, 2015. A MOTION WAS MADE BY CAROLYN ALLEN AND SECONDED BY TERESA HART TO ACCEPT THE REPORT PRESENTED BY MS. PARNELL. MOTION CARRIED.
BILL HORTON_____
TERESA HART___YES
MARTHA CALICO___YES
SHAWNA CALICO___YES
CAROLYN ALLEN___YES

ATTORNEY CHAFFIN REPORTED THE PADEN CASE WAS HELD DECEMBER 3, 2014 BEFORE JUDGE CRIPPS AND A DECISION WILL BE MADE IN JANUARY, 2015.

MINUTES OF THE MEETING HELD OCTOBER 14, 2014 WERE PRESENTED AND A MOTION WAS MADE BY SHAWNA CALICO AND SECONDED BY CAROLYN ALLEN TO APPROVE THE MINUTES AS PRESENTED. MOTION CARRIED.
BILL HORTON_____
TERESA HART___YES
MARTHA CALICO___YES
SHAWNA CALICO___YES
CAROLYN ALLEN___YES

THE 2015 MEETING SCHEDULE FOR THE ELECTION COMMISSION WAS PRESENTED BY MS. CORNETT. A MOTION WAS MADE BY CAROLYN ALLEN AND SECONDED BY SHAWNA CALICO TO APPROVE. MS. CORNETT WAS ASKED TO PLACE THIS INFORMATION IN THE CANDIDATE PACKETS AND ON OUR WEBSITE. MOTION CARRIED. ATTACHMENT #1
BILL HORTON_____
TERESA HART___YES
MARTHA CALICO___YES
SHAWNA CALICO___YES

CAROLYN ALLEN___YES

MS. CORNETT PRESENTED AN UPDATED QUESTION & ANSWER INFORMATION SHEET FOR VOTER REGISTRATION AND THE UP COMING ELECTIONS. AFTER DISCUSSION A MOTION WAS MADE BY SHAWNA CALICO AND SECONDED BY TERESA HART TO APPROVE THIS INFORMATION AND PLACE ON OUR WEBSITE ALONG WITH THE ABSENTEE REQUEST FORM AND SAMPLE BALLOTS, WHEN THEY ARE AVAILABLE. MOTION CARRIED. ATTACHMENT #2
BILL HORTON_____
TERESA HART_____YES
MARTHA CALICO___YES
SHAWNA CALICO___YES
CAROLYN ALLEN___YES

MS. JAMI MURPHY, CHEROKEE PHOENIX PRESENTED A REQUEST FOR A MOU ASKING THAT THE CHEROKEE PHOENIX NOT BE CHARGED FOR ANY PUBLIC DOCUMENTS REQUESTED BY THEM, INCLUDING THE VOTER LISTS. AFTER DISCUSSION AND THE ADVICE OF ATTORNEY CHAFFIN A MOTION WAS MADE BY CAROLYN ALLEN AND SECONDED BY TERESA HART TO DISAPPROVE THIS REQUEST. MOTION CARRIED.
BILL HORTON_____
TERESA HART___YES
MARTHA CALICO___YES
SHAWNA CALICO___YES
CAROLYN ALLEN___YES

MS. PARNELL PRESENTED AN EMAIL FROM, DEBORAH SCOTT, SAGE ASSOCIATES, INC. CHEROKEES IN ANADARKO FOR A REQUEST OF A STAFF AND/OR COMMISSIONER TO ATTEND A MEETING DECEMBER 13, 2014 TO PROVIDE INFORMATION ON THE NEXT ELECTION. AFTER DISCUSSION A MOTION WAS MADE BY TERESA HART AND SECONDED BY CAROLYN ALLEN TO DISAPPROVE THIS INVITATION AND REFER MS. SCOTT TO OUR WEBSITE FOR INFORMATION. MOTION CARRIED.
BILL HORTON_____
TERESA HART___YES
MARTHA CALICO___YES
SHAWNA CALICO___YES
CAROLYN ALLEN___YES

DISCUSSION WAS HELD CONCERNING THE VOTER REGISTRATION NOTIFICATION CARD (YELLOW POST CARD) THAT IS MAILED TO ANY CITIZEN THAT SENDS IN A CHANGE TO THEIR VOTER REGISTRATION OR A NEW VOTER REGISTRATION FORM. THE CARD PROVIDES INFORMATION STATING THE VOTER IS REGISTERED TO VOTE, VOTING LOCATION, IF ANY, AND THE ELECTION OFFICE CONTACT INFORMATION. THIS CARD IS USED

WHEN A CITIZEN INITIATES ANY CHANGE TO THEIR VOTER REGISTRATION. AFTER DISCUSSION A MOTION WAS MADE BY TERESA HART AND SECONDED BY SHAWNA CALICO TO CONTINUE TO USE THIS NOTIFICATION CARD UNTIL AFTER THE ELECTIONS THEN A NEW PROCEDURE CAN BE PUT IN PLACE. MOTION CARRIED.
BILL HORTON_____
TERESA HART___YES
MARTHA CALICO___YES
SHAWNA CALICO___YES
CAROLYN ALLEN___YES

A MOTION WAS MADE BY SHAWNA CALICO AND SECONDED BY CAROLYN ALLEN TO TAKE A SHORT BREAK AT 5:13 PM. MOTION CARRIED.
BILL HORTON_____
TERESA HART_____YES
MARTHA CALICO__YES
SHAWNA CALICO__YES
CAROLYN ALLEN___YES

A MOTION WAS MADE BY SHAWNA CALICO AND SECONDED BY CAROLYN ALLEN TO RECONVENE AT 5:23 PM. MOTION CARRIED.
BILL HORTON_____
TERESA HART___YES
MARTHA CALICO___YES
SHAWNA CALICO___YES
CAROLYN ALLEN___YES

DISCUSSION WAS HELD CONCERNING THE VOTER ID CARD (RED CARD). CONNIE PARNELL PRESENTED THE POST CARD SHE PLANNED TO MAIL AND STATED THAT SHE HAS ALREADY ORDERED THESE CARDS. MARTHA CALICO PRESENTED HER RED CARD RECEIVED FROM THE LAST ELECTION THAT HAS HER TRIBAL CO NUMBER ALONG WITH HER DATE OF BIRTH ON THE CARD. TERESA HART POINTED OUT THAT THIS LAST RED CARD MAILED DID NOT HAVE ANY INFORMATION ON IT THAT COULD BE VIEWED BY OTHERS. SHAWNA CALICO STATED THAT THE COMMISSION WAS NOT TOLD THAT NO ENVELOPE WOULD BE USED FOR THE MAILING NOR DID THE COMMISSION AUTHORIZE THE CARDS BE PRINTED. MS. ALLEN COMMENTED THE COMMISSION HAD VIEWED ALL THIS MATERIAL AND IT WAS PRESENTED AS MS. PARNELL GAVE HER REPORT IN THE AUGUST, 2014 MEETING AND THAT SHE, MS. PARNELL & MS. CORNETT HAD VIEWED THE VIDEO OF THE AUGUST MEETING RIGHT BEFORE THIS MEETING TODAY AND THE COMMISSION WAS MADE AWARE OF THE PROPOSED CARDS PRESENTED BY MS. PARNELL. MS. PARNELL SHOWED MARTHA CALICO HER VOTER INFORMATION THAT IS IN THE COMPUTER AND SAID THE NUMBER ON THE CARD NOW IS JUST A GENERATED NUMBER AND NOT THE CO NUMBER. ATTORNEY CHAFFIN SAID HE

THINKS THE CARD COULD BE USED, AND ALSO STATED THE TRIBAL COUNCIL DOES NOT PLAN TO MAKE ANY CHANGES TO THE ELECTION LAWS AT THIS TIME. AFTER MUCH DISCUSSION A MOTION WAS MADE BY MARTHA CALICO AND SECONDED BY CAROLYN ALLEN TO APPROVE MAILING THE RED CARD TO VOTERS THAT ARE REGISTRATED IN THE 15 DISTRICTS ONLY, AND TO USE THE CARDS ALREADY PRINTED BY MS PARNELL. MOTION CARRIED.
BILL HORTON_____
TERESA HART___YES
MARTHA CALICO___YES
SHAWNA CALICO___YES
CAROLYN ALLEN___YES

A MOTION WAS MADE BY SHAWNA CALICO AND SECONDED BY CAROLYN ALLEN TO TAKE A SHORT BREAK AT 6:24 PM. MOTION CARRIED.
BILL HORTON_____
TERESA HART___YES
MARTHA CALICO___YES
SHAWNA CALICO___YES
CAROLYN ALLEN___YES

A MOTION WAS MADE BY SHAWNA CALICO AND SECONDED BY CAROLYN ALLEN TO RECONVENE THE MEETING AT 6:43 PM AND TO GO INTO EXECUTIVE SESSION. MOTION CARRIED.
BILL HORTON_____
TERESA HART___YES
MARTHA CALICO___YES
SHAWNA CALICO___YES
CAROLYN ALLEN___YES

A MOTION WAS MADE BY CAROLYN ALLEN AND SECONDED BY TERESA HART TO RECONVENE THE MEETING AT 8:00 PM. MOTION CARRIED.
BILL HORTON_____
TERESA HART___YES
MARTHA CALICO___YES
SHAWNA CALICO___YES
CAROLYN ALLEN___YES

DISCUSSION WAS HELD CONCERNING A REQUEST FROM CHADWICK SMITH ASKING FOR AN INVESTIGATION OF CHIEF BILL JOHN BAKER CONCERNING CAMPAIGN EXPENDITURES. THE COMMISSIONERS VIEWED THE ELECTION LAWS AND A MOTION WAS MADE BY CAROLYN ALLEN AND SECONDED BY TERESA HART TO INFORM CHADWICK SMITH THAT BASED ON INFORMATION THE COMMISSION HAS FOUND NO INVESTIGATION IS WARRANTED. THE COMMISSIONERS ASKED THAT THE

ATTACHED LETTER BE WRITTEN TONIGHT TO MR. SMITH AND SENT BY CERTIFED MAIL TO HIM TOMORROW. MOTION CARRIED. ATTACHED #3
BILL HORTON___
TERESA HART___YES
MARTHA CALICO___YES
SHAWNA CALICO___YES
CAROLYN ALLEN___YES

DISCUSSION WAS HELD CONCERNING STAFF PERSONNEL FOR ADMINISTRATIVE LEAVE, AND OVERTIME PAY POLICY. THE COMMISSION VIEWED THE CHEROKEE NATION ELECTION COMMISSION PERSONNEL POLICIES FOR OVERTIME, EDUCATIONAL ASSISTANCE AND SCHEDULING OF CLASSES AND WORK FOR EMPLOYEES. ATTORNEY CHAFFIN POINTED OUT THAT WHEN CLASSES ARE TAKEN BY STAFF THE HOURS SHOULD BE MADE UP DURING THE WEEK OF CLASS. MS CORNETT SAID SHE WILL TAKE CARE OF THE WORK SCHEDULING. A MOTION WAS MADE BY TERESA HART AND SECONDED BY CAROLYN ALLEN TO APPROVE STAFF MEMBER KEELI DUNCAN FOR 4 HOURS WEEKLY TO ATTEND CLASSES IN THE SPRING SEMESTER. MOTION CARRIED.
BILL HORTON___
TERESA HART___YES
MARTHA CALICO___YES
SHAWNA CALICO___YES
CAROLYN ALLEN___YES

THERE BEING NO FURTHER BUSINESS CONDUCTED A MOTION WAS MADE BY SHAWNA CALICO TO ADJOURN AT 8:08 PM.

Martha Calico
MARTHA CALICO, SECRETARY/TREASURER

Attachment #1
With Meeting Minutes
for December 9, 2014

CHEROKEE NATION ELECTION COMMISSION
P.O. BOX 1188
TAHLEQUAH, OKLAHOMA 74465-0948
PHONE: 918-458-5899
FAX: 918-458-6101

# Cherokee Nation Election Commission

**2015 Regular Meeting Schedule**
**Time of all meetings will be 4:00PM**

| Date | Location |
|---|---|
| • January 13, 2015 | Election Commission Office |
| • February 10, 2015 | Election Commission Office |
| • March 10, 2015 | Election Commission Office |
| • April 14, 2015 | Election Commission Office |
| • May 12, 2015 | Election Commission Office |
| • June 9, 2015 | Election Commission Office |
| • July 14, 2015 | Election Commission Office |
| • August 11, 2015 | Election Commission Office |
| • September 8, 2015 | Election Commission Office |
| • October 13, 2015 | Election Commission Office |
| • November 10, 2015 | Election Commission Office |
| • December 8, 2015 | Election Commission Office |

Posted in the Election Commission Office on 12-10-14 By: Bill W. Horton

Attachment # 6
With Meeting Minutes of December 9, 2014

**COMMON Q & A REGARDING VOTER REGISTRATION AND ELECTIONS**

*Indicates where information is found in LA 04-14, as amended.

**WHEN IS THE NEXT GENEREAL ELECTION?**
JUNE 27, 2015 (RUN-OFF IF APPLICABLE WILL BE JULY 25, 2015)

*Article 1 §51 A. and B.

**HOW DO I KNOW IF I AM REGISTERED TO VOTE?**
IF YOU ARE UNSURE IF YOU ARE REGISTERED TO VOTE IN THE CHEROKEE NATION ELECTIONS YOU MAY CALL OR EMAIL THE CHEROKEE NATION ELECTION COMMISSION (CNEC) TO ASK. TO CONTACT THE CNEC OFFICE EMAIL: ELECTION-COMMISSION@ CHEROKEE.ORG YOU CAN ALSO VISIT OUR WEBSITE: Cherokee.org/elections, TO MAIL: PO BOX 1188 TAHLEQUAH, OK, PHONE: 918-458-5899 OR 1-800-353-2895.

**WHERE CAN I GET A VOTER REGISTRATION FORM?**
YOU CAN PICK UP A VOTER REGISTRATION APPLICATION AT THE CNEC OFFICE OR CONTACT THE OFFICE TO HAVE ONE MAILED OR EMAILED TO YOU, PRINT ONE OFF OF THE CNEC WEBSITE, OR ATTEND A SERVICES MEETING IN ONE OF THE COMMUNITIES.

**WHAT INFORMATION DO I NEED TO BE ABLE TO REGISTER?**
IN ORDER TO REGISTER TO VOTE YOU WILL NEED INFORMATION FROM YOUR BLUE TRIBAL CITIZENSHIP CARD ALSO KNOWN AS YOUR CHEROKEE NATION PHOTO ID CARD, YOUR CURRENT PHYSICAL ADDRESS, MAILING ADDRESS, AND DATE OF BIRTH.

*Chapter 3 §21

**IF I CHANGED MY ADDRESS DO I NEED TO SUBMIT A NEW REGISTRATION FORM?**
YES, IF YOU CHANGED YOUR ADDRESS OR RECEIVED A NEW 911 ADDRESS YOU NEED TO SUBMIT A NEW VOTER REGISTRATION FORM IN ORDER TO PLACE YOU IN THE CORRECT VOTING DISTRICT.

**WHAT DO I DO IF I ONLY HAVE A RURAL ROUTE TYPE OF ADDRESS?**
IF YOUR PHYSICAL ADDRESS IS A RURAL ROUTE YOU WILL NEED TO PROVIDE DRIVING DIRECTIONS OR SECTION, TOWNSHIP AND RANGE OF YOUR HOME IN ORDER TO PLACE YOU IN THE CORRECT VOTING DISTRICT.

**IS A BLUE CARD ALL YOU NEED TO REGISTER TO VOTE?**
NO, IN THE PAST THAT WAS ALL THAT YOU NEEDED, NOW YOU MUST FILL OUT A VOTER REGISTRATION APPLICATION FORM FROM THE CNEC. AFTER IT IS PROCESSED YOU WILL BE A REGISTERED VOTER FOR CHEROKEE NATION TRIBAL ELECTIONS.

## COMMON Q & A REGARDING VOTER REGISTRATION AND ELECTIONS

**CAN I PICK WHERE I VOTE?**
YOU CAN CHOOSE FROM THE AVAILABLE PRECINCTS IN THE DISTRICT YOUR PLACE OF RESIDENCE IS LOCATED IN. IF YOU ARE UNDER THE AGE OF 25, REGISTERING FOR THE FIRST TIME, AND RESIDE OUTSIDE OF THE 14 COUTY JURISDICTION, YOU CAN SELECT THE DISTRICT AND PRECINCT OF YOUR CHOICE.

*Chapter 3 §21 A. B. and C.

**I DO NOT LIVE IN CHEROKEE NATION JURISDICTION CAN I STILL VOTE?**
YES, IF YOU HAVE A CHEROKEE NATION CITIZENSHIP CARD YOU ARE ELIGIBLE TO VOTE AS LONG AS YOU HAVE REGISTERED WITH THE CNEC, VOTERS THAT LIVE OUTSIDE OF JURISDICTIONAL BOUNDARIES ARE KNOWN AS AT-LARGE VOTERS.

*Chapter 3 §21 C.

**WHEN IS THE LAST DAY TO REGISTER TO VOTE IN THE NEXT ELECTION?**
THE LAST DAY TO REGISTER TO VOTE IN THE NEXT ELECTION IS MARCH 31, 2015.

*Chapter 3 §21 C.

**HOW WILL I KNOW IF MY REGISTRATION WAS PROCESSED?**
AFTER YOUR VOTER REGISTRATION IS PROCESSED THROUGH THE CNEC, THE CNEC WILL SEND YOU A POST CARD IN THE MAIL STATING THAT YOU ARE REGISTERED AND WHAT DISTRICT AND PRECINCT YOU ARE PLACED IN.

**WHEN CAN I REQUEST AN ABSENTEE BALLOT?**
ABSENTEE BALLOT REQUESTS START ON FEBRUAURY 2, 2015.

**HOW DO I GET AN ABSENTEE REQUEST FORM?**
ABSENTEE BALLOT REQUEST FORMS WILL BE AVAILABLE IN JANUARY. YOU CAN GET AN ABSENTEE BALLOT REQUEST FORM FROM THE CNEC OFFICE, THE CNEC WEBSITE (CHEROKEE. ORG/ELECTIONS), OR CALL AND THE CNEC OFFICE STAFF CAN MAIL, EMAIL, OR FAX A FORM TO YOU.

## COMMON Q & A REGARDING VOTER REGISTRATION AND ELECTIONS

**IF I DO NOT RECEIVE AN ABSENTEE BALLOT AFTER I REQUEST ONE CAN I STILL VOTE THE DAY OF THE ELECTION?**

ANYONE CAN VOTE AS LONG AS THEY ARE REGISTERED TO VOTE IN TRIBAL ELECTIONS.IF YOU REQUESTED AN ABSENTEE BALLOT AND FOR WHATEVER REASON YOU DID NOT VOTE THAT BALLOT, YOU MAY PRESENT YOURSELF AT YOUR PRECINCT ON ELECTION DAY, OR COME TO ANY OF THE EARLY WALK-IN VOTING DAYS AND VOTE A CHALLENGED BALLOT.

*Article 2 § 64

**I HAVE A FELONY ON MY RECORD CAN I STILL VOTE?**

YES, THERE IS NO LAW PROHIBITING YOU FROM VOTING IN TRIBAL ELECTIONS.

Attachment # 5
With Meeting Minutes of
December 9, 2014

CHEROKEE NATION ELECTION COMMISSION
P.O. BOX 1188
TAHLEQUAH, OKLAHOMA 74465-0948
PHONE: 918-458-5899
FAX: 918-458-6101

December 9, 2014

Chadwick Smith
Attorney At Law
22902 S. 494 Road
Tahlequah, OK 74464

Dear Mr. Smith:

We are in receipt of your letter dated November 17, 2014, although, we did not originally receive your Certified Mail, dated November 3, 2014, one was obtained; and, we have requested our Attorney to address the legal issues raised in your original request for investigation and your letter to me dated November 17, 2014.

Our Attorney has advised that:

1.) Section 41. A of the Election Law defines campaign contributions as a contribution to a candidate given with the intent that it be used in connection with a campaign for elective office.

2.) Section 43 of the Election Law sets forth certain restrictions related to contributions.

3.) Section 44. A of the Election Law prohibits receiving campaign contributions prior to the 6 months before to a primary election; Section 44.B, C., E., and F. sets forth other candidate requirements related to campaign contributions and expenditures; and Section 44.G. provides a prohibition and penalties for knowingly violating the provisions of Section 43 and 44 of the Election Law.

4.) Mr. Smith's letters allege acts of expenditures in violation of Election Law. No provision in the Election Law prohibits expenditures more than 6 months prior to an election. Further, no prohibition is found prohibiting a potential candidate from making expenditures from their own funds more than 6 months prior to an election. The prohibition is on accepting contributions more than 6 months prior to an election. Mr. Smith's letters do not allege that campaign contributions have been accepted more than 6 months prior to the election.

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Based on the foregoing, and after review by the Commission, the Commission has found that no investigation is warranted, since, even assuming for argument purposes your allegations are accurate, it appears that no violation of the Election Law has occurred.

Sincerely,

Bill W. Horton

Bill W. Horton, Chairman
Cherokee Nation Election Commission