



## CHEROKEE NATION ELECTION COMMISSION

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

### AGENDA SPECIAL MEETING

February 22<sup>nd</sup>, 2021

1:00 P.M.

- I. Call to order
- II. Roll call
- III. Approval of Minutes from the February 12<sup>th</sup> Special Meeting
- IV. Old Business-None
- V. Current Items
  - a. Hearing on the Challenges of Eligibility for the 2021 General Election
    - i. Robin Carter Mayes Contest of Eligibility for Candidate Marilyn Vann
    - ii. Mason Hudson Contest of Eligibility for Candidate Victoria Vazquez
    - iii. David Cornsilk Contest of Eligibility for Candidates Randy White and Mason Hudson
- VI. Executive Session
  - a. Consideration of evidence of the Challenges of the eligibility of the Candidates for the 2021 General Election
  - b. Confidential discussion with attorney on pending litigation, claims, investigations or protests
  - c. Personnel
  - d. Exit Executive Session
- VII. Action from Executive Session
- VIII. Announcements
- IX. Adjourn

**POSTED**  
2-19-21 12:50 PM

February 19, 2021 by 1:00 PM  
Cherokee Nation Election Office  
17763 S. Muskogee Ave  
Tahlequah, OK 74464

Chairperson: Shawna Calico

Posted by: \_\_\_\_\_



## **CHEROKEE NATION ELECTION COMMISSION**

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### **CHEROKEE NATION ELECTION COMMISSION**

Special Meeting Minutes (Hearing on Challenges of Eligibility)

February 22<sup>nd</sup>, 2021

#### **I. Call to order**

- The Special Meeting of the Cherokee Nation Election Commission for February 22<sup>nd</sup>, 2021 was called to order by Chairperson Shawna Calico at 1:00pm

#### **II. Roll call**

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

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

- Office staff present was: Marcus Fears
- Election Commission Attorney Harvey Chaffin was present
- Visitors present were: Tammy Shipman, Court Reporter; a sign-in sheet of who attended will be provided in the minutes book

#### **III. Approval of Minutes**

- Chairperson Shawna Calico asked for approval and/or discussion regarding the minutes of the February 12<sup>th</sup> Special Meeting. Pam Sellers made a motion seconded by Elizabeth Ballew to approve the minutes. The motion was approved by all Commissioners.

#### **IV. Old Business**

- None

#### **V. Current Items**

- Hearing on the Challenges of Eligibility for the 2021 General Election
  - i. Robin Carter Mayes Contest of Eligibility for Candidate Marilyn Vann
    1. Randy Campbell made a motion seconded by Pam Sellers to allow Ms. Vann and her legal counsel Carly Griffith Hotvedt to attend by phone. The motion was approved by all Commissioners.



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2. Chairperson Shawna Calico read a statement that this was a public hearing and everyone was made aware of what would be expected of the attendees in this public meeting.
  3. The Commission made a part of the Record the Notice of Hearing, the Challenge and any Responses by the Challenger and Candidate.
  4. Rick Doherty made a motion seconded by Pam Sellers to allow Mr. Mayes to call David Cornsilk as a witness. The motion was approved by all Commissioners.
  5. Both the Challenger and Candidate were given the opportunity to present evidence in support of their case; and, both the Challenger and Candidate were given the opportunity to respond and give closing arguments.
  6. Rick Doherty made a motion seconded by Randy Campbell to recess at 1:40pm and begin the next Hearing at 2:15pm. The motion was approved by all Commissioners.
- ii. Mason Hudson Contest of Eligibility for Candidate Victoria Vazquez
1. Pam Sellers made a motion seconded by Elizabeth Ballew to reconvene the Hearing at 2:12pm. Both parties agreed. The motion was approved by all Commissioners.
  2. Chairperson Shawna Calico read a statement that this was a public hearing and everyone was made aware of what would be expected of the attendees in this public meeting.
  3. The Commission made a part of the Record the Notice of Hearing, the Challenge and any Responses by the Challenger and Candidate.
  4. Both the Challenger's Attorney, Deborah Reed and Candidate's Attorney Ralph F. Keen II, were given the opportunity to present evidence in support of their case; and, both the Challenger's Attorney, Deborah Reed and Candidate's Attorney Ralph F. Keen II were given the opportunity to respond and give closing arguments.
  5. Pam Sellers made a motion seconded by Elizabeth to recess at 2:30pm and begin the next Hearing at 2:45pm. The motion was approved by all Commissioners
- iii. David Cornsilk Contest of Eligibility for Candidates Randy White and Mason Hudson.



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1. Pam Sellers made a motion seconded by Elizabeth Ballew to reconvene the Hearing at 2:45pm. The motion was approved by all Commissioners.
2. Chairperson Shawna Calico read a statement that this was a public hearing and everyone was made aware of what would be expected of the attendees in this public meeting.
3. The Commission made a part of the Record the Notice of Hearing, the Challenge and any Responses by the Challenger and Candidate.
4. Both the Challenger and Candidate were given the opportunity to present evidence in support of their case; and, both the Challenger and Candidate were given the opportunity to respond and give closing arguments.
5. Elizabeth Ballew made a motion seconded by Pam Sellers to continue onto the final Hearing at 2:51pm. Both parties agreed. The motion was approved by all Commissioners.
6. Chairperson Shawna Calico read a statement that this was a public hearing and everyone was made aware of what would be expected of the attendees in this public meeting.
7. The Commission made a part of the Record the Notice of Hearing, the Challenge and any Responses by the Challenger and Candidate.
8. Both the Challenger and Candidate's Attorney Deborah Reed were given the opportunity to present evidence in support of their case; and, both the Challenger and Candidate's Attorney Deborah Reed were given the opportunity to respond and give closing arguments.

### **VI. Executive Session**

- Pam Sellers made a motion seconded by Elizabeth Ballew to enter Executive Session at 2:58pm.
- Consideration of evidence of each Challenge of Eligibility
- Randy Campbell made a motion seconded by Rick Doherty to exit Executive Session at 4:22pm.

### **VII. Action from Executive Session**

- Eligibility Hearing No. 2021-1, the Commission finds that pursuant to the Final Order in the Supreme Court Case No. SC-17-07, the Candidate Marilyn Vann, is eligible to be a candidate for Council of the At-Large District. Elizabeth Ballew



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made a motion seconded by Rick Doherty to approve the Marilyn Vann decision. The motion was approved by all Commissioners. **(Attachment #1)**

- Eligibility Hearing No. 2021-2, the Commission finds that pursuant to Attorney General Opinion 2016-CNAG-04 and Judgement in District Court Case No. CV-2018-122, the Candidate, Victoria Vazquez, is eligible to be a candidate for Council District 11. Pam Sellers made a motion seconded by Elizabeth Ballew to approve the Victoria Vazquez decision. The motion was approved by all Commissioners. **(Attachment #2)**
- Eligibility Hearing No. 2021-3, the Commission finds that the Contestant is not an opposing Candidate for District 11 and not authorized by law to challenge the eligibility of the Candidate; and, pursuant to the Final Order in the Supreme Court Case No. SC-17-07, the Candidate, Randy Junior White is eligible to be a candidate for Council District 11. Randy Campbell made a motion seconded by Rick Doherty to approve the Randy White decision. The motion was approved by all Commissioners. **(Attachment #3)**
- Eligibility Hearing No. 2021-4, the Commission finds that the Contestant is not an opposing Candidate for District 11 and not authorized by law to challenge the eligibility of the Candidate; and, pursuant to the Final Order in the Supreme Court Case No. SC-17-07, the Candidate, Mason Hudson is eligible to be a candidate for Council District 11. Elizabeth Ballew made a motion seconded by Rick Doherty to approve the Mason Hudson decision. The motion was approved by all Commissioners. **(Attachment #4)**

### VIII. Announcements

### IX. Adjourn

- Pam Sellers made a motion to adjourn at 4:35pm. The meeting was adjourned.

Minutes submitted by Rick Doherty, Secretary/Treasurer

BEFORE THE CHEROKEE NATION ELECTION COMMISSION  
OF THE CHEROKEE NATION

In Re: Challenge to the Eligibility of )  
Marilyn Vann, Candidate ) Eligibility Hearing No. 2021 - 1  
for Council, At-Large District for )  
the 2021 General Election )

DECISION

Now on this 22<sup>nd</sup> day of February, 2021, this matter came on for hearing before the Cherokee Nation Election Commission and the Contestant, Robin Carter Mayes, appears in person: and the Candidate Marilyn Vann, appears via telephone conference and by and through her attorney, Carly Griffith Hotvedt via telephone conference.

The Commission, after hearing the evidence of witnesses, sworn and examined, examining exhibits introduced, the written challenge, written statements submitted and legal briefs and memos submitted, hearing arguments of counsel and after full deliberation, finds that the Challenge was timely filed by Robin Carter Mayes, an opposing Candidate At-Large as provided by law; finds that Notice of this Hearing was given and served as provided by law; finds that pursuant to Final Order in the Supreme Court Case No. SC-17-07, the Candidate, Marilyn Vann, is eligible to be a candidate for Council of the At-Large District.

IT IS THEREFORE THE DECISION OF THE CHEROKEE NATION ELECTION COMMISSION that Marilyn Vann, is eligible to be a candidate for Council of the At-Large District for the Cherokee Nation 2021 General Election.

Dated this 22<sup>nd</sup> day of February, 2021.

Cherokee Nation Election Commission

BY: Shawna Calico  
Shawna Calico, Chairperson and Member

BY: Pamela Sellers  
Pamela Sellers, Vice-Chairperson and Member

BY: Rick Doherty  
Rick Doherty, Secretary/Treasurer and Member

BY: Randy Campbell  
Randy Campbell, Member

BY: Elizabeth Ballew  
Elizabeth Ballew, Member

BEFORE THE CHEROKEE NATION ELECTION COMMISSION  
OF THE CHEROKEE NATION

In Re: Challenge to the Eligibility of )  
Victoria Vazquez, Candidate ) Eligibility Hearing No. 2021 - 2  
for Council, District 11 for )  
the 2021 General Election )

DECISION

Now on this 22<sup>nd</sup> day of February, 2021, this matter came on for hearing before the Cherokee Nation Election Commission and the Contestant, Mason Hudson, appears by and through his attorney Deborah Reed: and the Candidate Victoria Vazquez, appears in person and by and through her attorney Ralph F. Keen II.

The Commission, after hearing the evidence of witnesses, sworn and examined, examining exhibits introduced, the written challenge, written statements submitted and legal briefs and memos submitted, hearing arguments of counsel and after full deliberation, finds that the Challenge was timely filed by Mason Hudson, an opposing Candidate for District 11 as provided by law; finds that Notice of this Hearing was given and served as provided by law; finds that, pursuant to Attorney General Opinion 2016-CNAG-04 and Judgement in District Court Case No. CV-2018-122, the Candidate, Victoria Vazquez, is eligible to be a candidate for Council District 11.

IT IS THEREFORE THE DECISION OF THE CHEROKEE NATION ELECTION COMMISSION that Victoria Vazquez, is eligible to be a candidate for Council District 11 for the Cherokee Nation 2021 General Election.

Dated this 22<sup>nd</sup> day of February, 2021.



Cherokee Nation Election Commission

BY: Shawna Calico  
Shawna Calico, Chairperson and Member

BY: Pamela Sellers  
Pamela Sellers, Vice-Chairperson and Member

BY: Rick Doherty  
Rick Doherty, Secretary/Treasurer and Member

BY: Randy Campbell  
Randy Campbell, Member

BY: Elizabeth Ballew  
Elizabeth Ballew, Member

BEFORE THE CHEROKEE NATION ELECTION COMMISSION  
OF THE CHEROKEE NATION

In Re: Challenge to the Eligibility of )  
Randy Junior White, Candidate ) Eligibility Hearing No. 2021 - 3  
for Council, District 11 for )  
the 2021 General Election )

DECISION

Now on this 22<sup>nd</sup> day of February, 2021, this matter came on for hearing before the Cherokee Nation Election Commission and the Contestant, David Cornsilk, appears in person: and the Candidate Randy Junior White, appears in person.

The Commission, after hearing the evidence of witnesses, sworn and examined, examining exhibits introduced, the written challenge, written statements submitted and legal briefs and memos submitted, hearing arguments of counsel and after full deliberation, finds that the Challenge was timely filed by a Cherokee Citizen and Registered Voter; finds that Notice of this Hearing was given and served as provided by law; finds that the Contestant is not an opposing Candidate for District 11 and not authorized by law to challenge the eligibility of the Candidate; and, pursuant to the Final Order in the Supreme Court Case No. SC-17-07, the Candidate, Randy Junior White, is eligible to be a candidate for Council District 11.

IT IS THEREFORE THE DECISION OF THE CHEROKEE NATION ELECTION COMMISSION that Randy Junior White, is eligible to be a candidate for Council District 11 for the Cherokee Nation 2021 General Election.

Dated this 22<sup>nd</sup> day of February, 2021.

Cherokee Nation Election Commission

BY: Shawna Calico  
Shawna Calico, Chairperson and Member

BY: Pamela Sellers  
Pamela Sellers, Vice-Chairperson and Member

BY: Rick Doherty  
Rick Doherty, Secretary/Treasurer and Member

BY: Randy Campbell  
Randy Campbell, Member

BY: Elizabeth Ballew  
Elizabeth Ballew, Member

BEFORE THE CHEROKEE NATION ELECTION COMMISSION  
OF THE CHEROKEE NATION

In Re: Challenge to the Eligibility of )  
Mason Hudson, Candidate )  
for Council, District 11 for )  
the 2021 General Election )

Eligibility Hearing No. 2021 - 4

DECISION

Now on this 22<sup>nd</sup> day of February, 2021, this matter came on for hearing before the Cherokee Nation Election Commission and the Contestant, David Cornsilk, appears in person: and the Candidate Mason Hudson, appears by and through his attorney, Deborah Reed.

The Commission, after hearing the evidence of witnesses, sworn and examined, examining exhibits introduced, the written challenge, written statements submitted and legal briefs and memos submitted, hearing arguments of counsel and after full deliberation, finds that the Challenge was timely filed by a Cherokee Citizen and Registered Voter; finds that Notice of this Hearing was given and served as provided by law; finds that the Contestant is not an opposing Candidate for District 11 and not authorized by law to challenge the eligibility of the Candidate; and, pursuant to Final Order in the Supreme Court Case No. SC-17-07, the Candidate, Mason Hudson, is eligible to be a candidate for Council District 11.

IT IS THEREFORE THE DECISION OF THE CHEROKEE NATION ELECTION COMMISSION that Mason Hudson, is eligible to be a candidate for Council District 11 for the Cherokee Nation 2021 General Election.

Dated this 22<sup>nd</sup> day of February, 2021.

Cherokee Nation Election Commission

BY: Shawna Calico  
Shawna Calico, Chairperson and Member

BY: Pamela Sellers  
Pamela Sellers, Vice-Chairperson and Member

BY: Rick Doherty  
Rick Doherty, Secretary/Treasurer and Member

BY: Randy Campbell  
Randy Campbell, Member

BY: Elizabeth Ballew  
Elizabeth Ballew, Member