

**MINUTES
SPECIAL MEETING
February 21, 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 1:06 p.m.

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

Pamela Sellers- Vice-Chairman
Carolyn Allen- Secretary/Treasurer
Rick Doherty- Commissioner
Randy Campbell-Commissioner

Due to a medical family emergency, Shawna Calico arrived after roll call was taken and took over chairing the meeting from that point forward.

Office staff present were Connie Parnell and Marcus Fears.

Many guests were present, including candidates and attorneys as this special meeting was called to hold a hearing on the challenges of eligibility for candidates Chuck Hoskin, Jr., Bryan Warner, Debra Proctor, Buel Anglen and Rhonda Brown-Fleming.

Vice-Chair, Pamela Sellers asked for discussion and/or approval of the minutes of the February 14th Special Meeting. There being no discussion Rick Doherty made a motion which was seconded by Randy Campbell to approve the minutes. The minutes were approved by all commissioners. (Attachment #1)

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

Vice-Chair, Pamela Sellers asked for any items in **old business** to which there were none.

Current Items of Business were presented for discussion:

a.) Hearing on the Challenges of Eligibility for the 2019 General Election:

CNEC Attorney asked all candidates, challenger and attorneys to identify themselves by name and their representation. The following are listed as those who identified themselves to take part in the hearing:

Robin Mayes, Challenger
Douglas Dodd, Attorney representing Chuck Hoskin, Jr. and Bryan Warner
Michael Parks, Attorney representing Debra Proctor

Joe Deere, Candidate
Carly Griffith Hotvedt, Attorney representing Joe Deere
Buel Anglen, Candidate
Deborah Reed, Attorney representing Buel Anglen
Marcus Thompson, Challenger
Twila Pennington, Challenger

Rhonda Brown-Fleming was not present but legal counsel had previously submitted documents on her behalf.

A recording of this hearing was taken by an outside source at the request and expense of the Election Commission. The procedures to follow for the hearing were read by Chairperson Shawna Calico and were entered as an Exhibit into the court documents and were supplied to the court reporter.

The first hearing began on Robin Carter Mayes contesting the eligibility for candidates Chuck Hoskin, Jr., Bryan Warner and Debra Proctor. Attorney Harvey Chaffin asked the parties represented to give their names for the court reporter. Attorney Douglas Dodd represented candidates Chuck Hoskin, Jr. and Bryan Warner. Attorney Michael Parks represented candidate Debra Proctor. Robin Carter Mayes represented himself, but stated he would be asking Jim Cosby to testify as a witness.

Evidence was heard by all parties involved in this Case 2019-1. After all evidence was heard, Pamela Sellers made a motion, which was seconded by Randy Campbell and approved by all commissioners to enter into executive session at 2:40 p.m. The commission returned from executive session at 3:33 p.m. with a motion from Pamela Sellers and a second by Randy Campbell to return. The motion was approved by all commissioners.

Case 2019-1: Robin Carter Mayes Contest of Eligibility of Chuck Hoskin, Jr., Candidate for Chief-

Chairwoman Shawna Calico read the decision in Case 2019-1 on the eligibility of candidate Chuck Hoskin, Jr. Randy Campbell made a motion which was seconded by Pamela Sellers to approve the eligibility of candidate Chuck Hoskin, Jr. The motion was approved by all commissioners. The decision in Case 2019-1 was read in its entirety and is attached. (Attachment #2)

Attorney Harvey Chaffin introduced for the record a copy of a decision not approved by the Commission.

Case 2019-2: Robin Carter Mayes Contest of Eligibility of Bryan Warner, Candidate for Deputy Chief-

Chairwoman Shawna Calico read the decision in Case 2019-2 on the eligibility of candidate Bryan Warner. Rick Doherty made a motion which was seconded by Randy Campbell to approve the eligibility of candidate Bryan Warner. The motion was approved by all commissioners. The decision in Case 2019-2 was read in its entirety and is attached. (Attachment #3)

Case 2019-3: Robin Carter Mayes Contest of Eligibility of Debra Proctor, Candidate for Council District 3-

Chairwoman Shawna Calico read the decision in Case 2019-3 on the eligibility of candidate Debra Proctor. Randy Campbell made a motion which was seconded Rick Doherty to approve the eligibility of candidate Debra Proctor. The motion was approved by all commissioners. The decision in Case 2019-3 was read in its entirety and is attached. (Attachment #4)

Chairwoman Shawna Calico announced this concluded this hearing.

The second hearing began at 3:40 p.m. with Joe Deere contesting the eligibility of candidate Buel Anglen. Attorney Harvey Chaffin asked those represented in this case to give their names to the court reporter. Joe Deere identified himself as the challenger. Carly Griffith Hotvedt identified herself as the attorney representing Joe Deere. Buel Anglen identified himself as the candidate. Deborah Reed identified herself as the attorney representing Buel Anglen. Evidence was heard from all parties.

Rick Doherty made a motion which was seconded by Randy Campbell to enter into executive session at 4:03 p.m. The motion was approved by all commissioners. The commission returned from executive session at 4:31 p.m. with a motion by Rick Doherty and a second by Randy Campbell to return from executive session. The motion was approved by all commissioners. Vice-Chair, Pamela Sellers announced Chairwoman Shawna Calico had a family emergency and had to leave and she as the Vice-Chair would be chairing the hearing from this point forward. She announced the Election Commission had further questions they wanted to ask from parties. After questions were asked and responses given, the commission stated they would be going back into executive session. Rick Doherty made a motion which was seconded by Randy Campbell to return to executive session at 4:39 p.m. The motion was approved by all commissioners present. The commission returned from executive session at 5:23 p.m. Rick Doherty made a motion which was seconded by Randy Campbell to return from executive session at 5:23 p.m. The motion was approved by all commissioners present.

Case 2019-4: Joe Deere Contest of Eligibility of Candidate Buel Anglen, Candidate for Council District 13-

Vice-Chair, Pamela Sellers read the decision in Case 2019-4 on the eligibility of candidate Buel Anglen. A motion was made by Randy Campbell and seconded by Rick Doherty to deem candidate Buel Anglen not eligible to be a candidate in District 13. The motion was approved by all commissioners present. The decision in Case 2019-4 was read in its entirety and is attached. (Attachment #5)

It was announced by Vice-Chair, Pamela Sellers this was the conclusion of this hearing.

The next hearing began at 5:30 p.m. with citizens Twila Pennington and Marcus Thompson contesting the eligibility of Rhonda Brown-Fleming, candidate for Chief. Attorney Harvey Chaffin asked the parties to identify themselves for the court reporter. Twila Pennington identified herself as challenger and Marcus Thompson identified himself as challenger. Attorney Harvey Chaffin announced this is a residency challenge. He introduced the candidate packet as exhibit for this hearing. Evidence was presented by the challengers.

Pamela Sellers made a motion which was seconded by Randy Campbell to enter into executive session at 5:45 p.m. The commission returned from executive session at 6:26 p.m. Randy Campbell made a motion which was seconded by Rick Doherty to return from executive session at 6:26 p.m. The motion was approved by all commissioners present.

Attorney Harvey Chaffin announced we needed to introduce as exhibit as part of the records, a copy of email and the documents received from the attorney for Rhonda Brown-Fleming. These documents had been received prior to the deadline. Challengers Marcus Thompson and Twila Pennington were given opportunity to read through the documents and to respond if desired. Attorney Harvey Chaffin stated the Election Commission had considered this email and documents in their decision. Questions were posed by Twila Pennington and Marcus Thompson and Marcus Thompson offered further information. The commission took the responses from these challengers into consideration.

A motion was made by Rick Doherty and seconded by Randy Campbell to enter into executive session at 6:41 p.m. The motion was approved by all commissioners present.

A motion was made by Randy Campbell and seconded by Rick Doherty to return from executive session at 6:45 p.m. The motion was approved by all commissioners present.

Case 2019-5: Marcus Thompson and Twila Pennington Contest of Eligibility of Rhonda Brown-Fleming, Candidate for Chief-

Vice-Chair Pamela Sellers read the decision in case 2019-5 on the eligibility of candidate Rhonda Brown-Fleming. A motion was made by Rick Doherty and seconded by Randy Campbell to deem candidate Rhonda Brown-Fleming not eligible to be a candidate for Chief because she does not meet the 270 day residency requirements, and further finds that any challenge to the candidate on the basis that she is not Cherokee by blood has no validity and Cherokee Freedman Citizens are eligible to run for office if they meet all other requirements for the office, applicable to Cherokee citizens. The decision in Case 2019-5 was read in its entirety and is attached. (Attachment #6)

A motion was made by Rick Doherty and seconded by Randy Campbell to strike the word "court" on page one, paragraph two of this decision and replace with the word "commission." The motion was approved by all commissioners present.

Vice-Chair, Pamela Sellers announced this was the conclusion of this hearing.

Announcements:

Attorney Harvey Chaffin announced the timeframe according to the statute for the appeal process.

Adjourn:

A motion was made by Rick Doherty to adjourn the meeting at 6:52 p.m.

The meeting was adjourned.



Minutes submitted by Carolyn Allen, Secretary
Cherokee Nation Election Commission
Submitted: March 8, 2019

BEFORE THE CHEROKEE NATION ELECTION COMMISSION
OF THE CHEROKEE NATION

In Re: Challenge to the Eligibility of)
Chuck Hoskin, Jr., Candidate) Eligibility Hearing No. 2019 - 1
for Chief, for)
the 2019 General Election)

DECISION

Now on this 21st day of February, 2019, this matter came on for hearing before the Cherokee Nation Election Commission and the Contestant, Robin Mayes, appears in person: and the Candidate Chuck Hoskin, Jr., appears by and through his attorney S. Douglas Dodd.

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 as provided by law; finds that Notice of this Hearing was given and served as provided by law; finds that the Candidate, Chuck Hoskin, Jr., is eligible to be a candidate for Chief.

IT IS THEREFORE THE DECISION OF THE CHEROKEE NATION ELECTION COMMISSION that Chuck Hoskin, Jr., is eligible to be a candidate for Chief for the Cherokee Nation 2019 General Election.

Dated this 21st day of February, 2019.

Cherokee Nation Election Commission

BY: Shawna Calico
Shawna Calico, Chairperson and Member

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

BY: Carolyn Allen
Carolyn Allen, Secretary/Treasurer and Member

BY: Randy Campbell
Randy Campbell, Member

BY: Rick Doherty
Rick Doherty, Member

BEFORE THE CHEROKEE NATION ELECTION COMMISSION
OF THE CHEROKEE NATION

In Re: Challenge to the Eligibility of)
Bryan Warner, Candidate) Eligibility Hearing No. 2019 - 2
for Deputy Chief for)
the 2019 General Election)

DECISION

Now on this 21st day of February, 2019, this matter came on for hearing before the Cherokee Nation Election Commission and the Contestant, Robin Mayes, appears in person: and the Candidate Bryan Warner, appears by and through his attorney S. Douglas Dodd.

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 as provided by law; finds that Notice of this Hearing was given and served as provided by law; finds that the Candidate, Bryan Warner, is eligible to be a candidate for Deputy Chief.

IT IS THEREFORE THE DECISION OF THE CHEROKEE NATION ELECTION COMMISSION that Bryan Warner, is eligible to be a candidate for Deputy Chief for the Cherokee Nation 2019 General Election.

Dated this 21st day of February, 2019.

Cherokee Nation Election Commission

BY: Shawna Calico
Shawna Calico, Chairperson and Member

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

BY: Carolyn Allen
Carolyn Allen, Secretary/Treasurer and Member

BY: Randy Campbell
Randy Campbell, Member

BY: Rick Doherty
Rick Doherty, Member

BEFORE THE CHEROKEE NATION ELECTION COMMISSION
OF THE CHEROKEE NATION

In Re: Challenge to the Eligibility of)
Debra Proctor, Candidate)
for Council, District 3 for)
the 2019 General Election)

Eligibility Hearing No. 2019 - 3

DECISION

Now on this 21st day of February, 2019, this matter came on for hearing before the Cherokee Nation Election Commission and the Contestant, Robin Mayes, appears in person: and the Candidate Debra Proctor, appears by and through her attorney Michael D. Parks.

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 as provided by law; finds that Notice of this Hearing was given and served as provided by law; finds that the Candidate, Debra Proctor, is eligible to be a candidate for Council District 3.

IT IS THEREFORE THE DECISION OF THE CHEROKEE NATION ELECTION COMMISSION that Debra Proctor, is eligible to be a candidate for Council District 3 for the Cherokee Nation 2019 General Election for District 3.

Dated this 21st day of February, 2019.

Cherokee Nation Election Commission

BY: Shawna Calico
Shawna Calico, Chairperson and Member

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

BY: Carolyn Allen
Carolyn Allen, Secretary/Treasurer and Member

BY: Randy Campbell
Randy Campbell, Member

BY: Rick Doherty
Rick Doherty, Member

BEFORE THE CHEROKEE NATION ELECTION COMMISSION
OF THE CHEROKEE NATION

In Re: Challenge to the Eligibility of)
Buel Anglen, Candidate)
for Council, District 13 for)
the 2019 General Election)

Eligibility Hearing No. 2019 - 4

DECISION

Now on this 21st day of February, 2019, this matter came on for hearing before the Cherokee Nation Election Commission and the Contestant, Joe Deere, appears in person and by and through his attorney, Carly Griffith Hotvedt: and the Candidate Buel Anglen, appears in person and 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 as provided by law; finds that Notice of this Hearing was given and served as provided by law; finds that the Candidate, Buel Anglen, is not eligible to be a candidate for Council District 13.

IT IS THEREFORE THE DECISION OF THE CHEROKEE NATION ELECTION COMMISSION that Buel Anglen, is not eligible to be a candidate for Council District 13 for the Cherokee Nation 2019 General Election for District 13.

Dated this 21st day of February, 2019.

Cherokee Nation Election Commission

BY: _____
Shawna Calico, Chairperson and Member

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

BY: Carolyn Allen
Carolyn Allen, Secretary/Treasurer and Member

BY: Randy Campbell
Randy Campbell, Member

BY: Rick Doherty
Rick Doherty, Member

BEFORE THE CHEROKEE NATION ELECTION COMMISSION
OF THE CHEROKEE NATION

In Re: Challenge to the Eligibility of)
Rhonda Brown-Fleming, Candidate) Eligibility Hearing No. 2019 - 5
for Chief, for)
the 2019 General Election)

DECISION

Now on this 21st day of February, 2019, this matter came on for hearing before the Cherokee Nation Election Commission and the Contestants, Marcus Thompson and Twila Pennington, appear in person; and the Candidate Rhonda Brown-Fleming., appears not, having submitted by and through her attorney, Percy Squire, documentation to be made part of the record in support of her eligibility.

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 and after full deliberation, finds that the Challenge was timely filed by Cherokee Citizens and Registered Voters as provided by law; finds that Notice of this Hearing was given and served as provided by law; finds that the Candidate, Rhonda Brown-Fleming is not eligible to be a candidate for Chief, because she does not meet the 270 days residency requirements within the jurisdictional boundaries of the Cherokee Nation. The ^{Commission} ~~court~~ further finds that any challenge to the candidate on the basis that she is not Cherokee by blood has no validity and Cherokee Freedman Citizens are eligible to run for office if they meet all other requirements for the office, applicable to all Cherokee Citizens.

IT IS THEREFORE THE DECISION OF THE CHEROKEE NATION ELECTION COMMISSION that Rhonda Brown-Fleming, is not eligible to be a candidate for Chief, because she does not meet the 270 days residency requirements within the jurisdictional boundaries of the Cherokee Nation for the Cherokee Nation 2019 General Election.

IT IS FURTHER THE DECISION OF THE CHEROKEE NATION ELECTION COMMISSION that any challenge to the candidate on the basis that she is not Cherokee by blood has no validity and Cherokee Freedman Citizens are eligible to run for office if they meet all other requirements for the office, applicable to all Cherokee Citizens.

Dated this 21st day of February, 2019.

Cherokee Nation Election Commission

BY: _____
Shawna Calico, Chairperson and Member

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

BY: *Carolyn Allen*
Carolyn Allen, Secretary/Treasurer and Member

BY: *Randy Campbell*
Randy Campbell, Member

BY: *Rick Doherty*
Rick Doherty, Member



Cherokee Nation Election Commission – Special Meeting
 Contest of Candidacy Hearings Sign-In Sheet
 Thursday, February 21, 2019 1:00 PM

Print Name	Signature
ROBIN WATERS	[Handwritten Signature]
Greenatcher	[Handwritten Signature]
Karen Qualls	[Handwritten Signature]
Brenda DeBord Anglen	[Handwritten Signature]
Deborah A Beep	[Handwritten Signature]
Debra Dech	[Handwritten Signature]
Pauline Cornselle	[Handwritten Signature]
Freddie Frances	[Handwritten Signature]
Cheri Hanks	[Handwritten Signature]
Michael Parker	[Handwritten Signature]
Marcus Moore	[Handwritten Signature]
Carly Griffith Holcomb	[Handwritten Signature]
Luke Hester	[Handwritten Signature]
Jerry Hester	[Handwritten Signature]
Jim Casey	[Handwritten Signature]
Twila Pennington	[Handwritten Signature]
Cheryl Brown	[Handwritten Signature]