



## **CHEROKEE NATION ELECTION COMMISSION**

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

### **AGENDA**

### **SPECIAL MEETING**

*Tuesday, September 6<sup>th</sup>, 2022*

*1:30 P.M.*

- I. Call to order
- II. Roll call
- III. Approval of Minutes from the August 9<sup>th</sup> Regular Meeting
- IV. Old Business-None
- V. Current Items
  - a. Consideration and possible action regarding server backups.
  - b. Consideration and possible action on Maxim Agreement.
  - c. Consideration and possible action regarding Robin Mayes FOIA request.
- 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**  
9-8-22

September 2, 2022 by 5:00 PM  
Cherokee Nation Election Office  
17763 S. Muskogee Ave  
Tahlequah, OK 74464

Chairperson: Rick Doherty

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



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### **CHEROKEE NATION ELECTION COMMISSION**

#### **Special Meeting Minutes**

Tuesday, September 6th, 2022

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

- The Special Meeting of the Cherokee Nation Election Commission for September 6th, 2022 was called to order by Chairman Rick Doherty at 1:30 P.M.

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

- Election Commission Secretary Shawna Calico called roll and a quorum was established with the following Commissioners present:
  - Rick Doherty – Chairman
  - Pamela Sellers – Vice Chairperson
  - Shawna Calico – Secretary/Treasurer
  - Randy Campbell – Commissioner
  - Elizabeth Ballew – Commissioner
- Office staff present was: Marcus Fears & Connie Parnell
- Election Commission Attorney Harvey Chaffin was present.
- Election Commission Investigator Nick Goodwin was present.
- Visitors present: John Young

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

- Chairman Rick Doherty asked for approval and/or discussion regarding the minutes of the August 9<sup>th</sup> Regular Meeting. Randy Campbell made a motion seconded by Pam Sellers to approve the August 9<sup>th</sup> Regular Meeting minutes. The motion was approved by all Commissioners.

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

- None

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

- Consideration and possible action regarding server backups.
  - i. Marcus Fears and Connie Parnell reported on the EC server backups. Elizabeth Ballew made a motion seconded by Pam Sellers to move forward with Acronis software and 2 new external hard drives. The motion was approved by all Commissioners.
- Consideration and possible action on Maxim Agreement.
  - i. Connie Parnell reported on EC backup and amendments that needed to be made to the Maxim Agreement in order to cover work needed for the backup upgrade. Elizabeth Ballew made a motion seconded by Pam Sellers to increase the Maxim Agreement by \$5,000. The motion was approved by all Commissioners.



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- Consideration and possible action regarding Robin Mayes FOIA request.
  - i. Marcus Fears reported and presented a written breakdown of the time already spent and the amount of additional time needed to fulfill the request. Elizabeth Ballew made a motion seconded by Randy Campbell to send the written breakdown to the CN FOIA office with amendments. The motion was approved by all Commissioners.

### **VI. Executive Session**

- Pam Sellers made a motion seconded by Randy Campbell to enter Executive Session at 1:59 P.M. The motion was approved by all Commissioners.
- Pam Sellers made a motion seconded by Elizabeth Ballew to exit Executive Session at 2:10 P.M. The motion was approved by all Commissioners.

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

- Elizabeth Ballew made a motion seconded by Pam Sellers to release Tara Windham back to Career Services as her services are no longer needed. The motion was approved by all Commissioners.

### **VIII. Announcements**

- Connie announced that Simon from Hart Intercivic would be in the office on September 13<sup>th</sup> and 14<sup>th</sup> for training.

### **IX. Adjourn**

- Elizabeth Ballew made a motion seconded by Pam Sellers to adjourn at 2:20 P.M. The meeting was adjourned.

Minutes submitted by Shawna Calico, Secretary/Treasurer

Shawna Calico



## Connie Parnell

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**From:** John Rose <johnrose@maximconsulting.net>  
**Sent:** Tuesday, August 30, 2022 11:34 AM  
**To:** Connie Parnell  
**Cc:** Nick Hammons; Aaron Kirsten (Contact aaronk@maximconsulting.net)  
**Subject:** <EXTERNAL> Backup Strategy

Connie,

Per our phone call, I wanted to present a couple of options that could take the tape drive out of the equation. Here are the steps of each option.

### ① Using Acronis Software

- Buy two external hard drives. Recommended size, 2TB+, the larger the better. They will be switched each week with the other going to safe deposit box.
- Get trial version of Acronis Cyber Protection for Windows Server and install
- Change Oracle Export (occurs M-F at 11pm currently) to be requested at 9pm M-F after Oracle backup via Windows Task Scheduler
- Configure Acronis to perform backup of Export and Oracle Backup folders only M-Th and to do a full system backup on Fridays and to write to external hard drive
- If satisfied after 30 day trial, license Acronis \$539/yr.
- Pros:
  - Can do full server backup to hard drive
  - Manages retention on hard drive automatically
- Cons:
  - Ongoing cost for licensure

### ② Using custom scripts

- Buy two external hard drives. Recommended size, 2TB+, the larger the better. They will be switched each week with the other going to safe deposit box.
- Change Oracle Export (occurs M-F at 11pm currently) to be requested at 9pm M-F after Oracle backup via Windows Task Scheduler
- Write scripts to backup Export and Oracle Backup folders to the external hard drive.
- Pros:
  - No licensing cost
- Cons:
  - Requires manual clean up of old data periodically (could potentially be done via script, but that would require additional effort)
  - No convenient way to back up the entire server

Either option:

- Can use the external hard drives immediately if files copied manually
- Remove BackupExec
- Cancel BackupExec subscription
- Throw tape drive in trash
- After cycling a new backup to safe deposit box, securely destroy tape backups

John Rose  
CEO

I, Robin Carter Mayes, a Citizen of the Cherokee Nation, request the following public records in accordance with Cherokee Nation Freedom of Information Act, 67 CNCA § 101 et seq.

- A list All Citizens of the Cherokee and their enrollment dates, as required by 11 CNCA §32.
- The Cherokee Register's current a list of the names of all persons who have relinquished their tribal citizenships, together with their former enrollment numbers and the effective dates of relinquishments of tribal citizenship as required by 11 CNCA §33(H).
- All Candidate Financials reports issued between June 1, 2010, and the present. This should include all candidates for chief, deputy chief, tribal council, and ballot propositions.
- Copy of the petitions circulated for the 2006 "by Blood" amendment.
- All Minutes of the meetings of the Cherokee Nation Election Commission between 2010 and the present. This should include both General and Special Meetings
- All Documents, transcripts, communications, commission reports, evidence, summons in the following CNEC admirative hearings
  - Cherokee Nation v Slover (2021)
  - Cherokee Nation v Wanda Hatfield (2019)
  - Cherokee Nation v Jodi Fishinghawk ( 2019)
  - Cherokee Nation v David Walkingstick(2019)
  - Cherokee Nation v Coates (2015)
- All Invoices, Purchase Orders, Receipts and Contracts involving the Cherokee Nation Election Commission that exceed \$45,000 in value between Jan 2014 and the June 2022.
- All transcripts, briefs, motions, petitions, opinions, evidence, lower court opinions and other court records involved in the cases of the Cherokee Nation Supreme Court.
  - David Comingdeere v Sam
    - a. Todd Hembree, Attorney General of the Cherokee Nation v. David Cornsilk
    - b. David Walkingstick v CNEC
    - c. In Re Vasquez
    - d. Micheal Moore v CNEC
    - e. Wilson v CNEC
    - f. Dick Lay v. Cherokee Nation Election Commission & Chuck Hoskin, Jr.
    - g. Meredith Frailey v. Cherokee Nation Election Commission and Brian Warner
    - h. Buel Anglen v. Cherokee Nation Election Commission and Joe Deere
    - i. In Re: Challenge to the Eligibility of Buel Anglen, Candidate for Council, District
    - j. In Re: Appeal Challenge to the Eligibility of Canaan Josiah Duncan, Candidate for Council, District 7 for the 2018-2019 Special Election
    - k. Chad Smith v. Cherokee Nation Election Commission(2016)
    - l. Robin Carter Mayes v. Cherokee Nation Election Commission and Canaan Duncan
    - m. In the Matter of the 2015 General Election for District 14 Council
    - n. Chad Smith v. Cherokee Nation Election Commission and Bill John Baker (2015)



- o. David Comingdeer v. Cherokee Nation, Diane Kelly, John & Jane Does 1-3
- Larry Paden v. Cherokee Nation Election Commission
- David Comingdeere v Sam
- In Re: Challenge to the Eligibility of Rhonda Brown-Fleming, Candidate for
- Roger Peacock v. Buel Anglen and Cherokee Nation Election Commission
- Cara Cowan Watts v. Cherokee Nation Election Commission
- Jack Edward Crittenden v. Cherokee Nation Election Commission
- Justin Carlton v. Cherokee Nation Election Commission and Don Garvin
- Dink Scott v. Cherokee Nation Election Commission and David Thornton
- Kathy Robonsion v. Lindsay Earls and the Cherokee Nation Election Commission
- Chad Smith v. Cherokee Nation Election Commission and Bill John Baker
- Chad Smith v. Cherokee Nation Election Commission (2016)
- Dobbins v. Cherokee Nation Election Commission (2013)

I request these documents be sent digitally, and efforts be taken to minimize all costs possible. Further, please let me know of any associated cost, how and where I should direct payment. If you estimate that expenses will exceed \$100, please let me know.

Respectfully,

ROBIN MAYES.

# CHEROKEE NATION ELECTION COMMISSION

   REGULAR MEETING

   ☒ SPECIAL MEETING

ELECTION COMMISSION PRESIDED BY: Rick Doherty

MEETING DATE: 9-6-22 at 1:30 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:

John Young

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Tuesday, September 6, 2022 1:30pm

Signature

John Young

[illegible]