

CAPITAL CITY CHEROKEE COMMUNITY (CCCC) BY-LAWS

ARTICLE I PURPOSE

Section 1. The Capital City Cherokee Community (CCCC) is a non-political, non-profit Native American organization whose members reside in the mid-Atlantic region, outside the boundaries of the Federally-recognized Cherokee Nation Tribal Jurisdictional Service Area (TJSA) that spans 14 counties of northeastern Oklahoma. The CCCC is subject to Federal income tax exemption under Section 501(c)(3) of Title 26 of the United States Code.

Section 2. The CCCC is fully sanctioned by the Cherokee Nation as an official Satellite Community dedicated to fellowship and the promotion of its members' shared Cherokee culture, language, heritage, history, and traditions. We come together as a community based on our common interest in the continuation of and love for the Cherokee People and Nation.

Section 3. Given the CCCC's distance from the present-day heart of Cherokee culture, it is our critical task to seek innovative ways to encourage members to foster stronger civic and cultural ties with those who reside in the Cherokee Nation Tribal Jurisdictional Service Area, and maintain regular communication with our elected officials. Such efforts are indicative of responsible citizenship.

Section 4. The CCCC is determined to develop projects and programs, including but not limited to:

- a. Helping At-Large Cherokee citizens enhance their knowledge of Cherokee language, culture, and history;
- b. Finding and maintaining fellowship with other Cherokee Nation citizens;
- c. Maintaining contact with Tribal Council representatives;
- d. Establishing reciprocal relationships with Cherokee Nation communities and programs in northeastern Oklahoma;
- e. Interacting appropriately with other regional Native American organizations and issues;
- f. Locating and promulgating reliable information about issues pertaining specifically to the Cherokee Nation and generally to Native Americans in order to strengthen personal and collective senses of identity as Cherokees and citizens of a Cherokee government;
- g. Maintaining satellite community policies and procedures in accordance with Cherokee Nation Community Association (CNCA) by-laws to ensure the CCCC's continuity.

CAPITAL CITY CHEROKEE COMMUNITY (CCCC) BY-LAWS

ARTICLE II MEMBERSHIP

Section 1. Types of Membership.

- a. **Citizen Membership.** Members who are enrolled citizens of the Cherokee Nation (GWYᎠ DᎢP or *Tsalagihí Ayeli*).
- b. **Associate Membership.** Members who are enrolled citizens of the other two Federally-recognized Cherokee tribes:
 - i. United Keetoowah Band of Cherokee Indians in Oklahoma (DhYSGY DhGWY or *Anigiduwagi Anitsalagi*)
 - ii. Eastern Band of Cherokee Indians (GWYᎠ SGUᎠY or *Tsalagiyi Detsadanilvgi*).
- c. **Honorary Membership.** The Leadership Council shall grant honorary, non-voting membership to the Principal Chief and Deputy Chief of the Cherokee Nation, At-Large members of the Tribal Council of the Cherokee Nation, the Cherokee Nation Community Association (CNCA) Board of Directors, and other select community leaders and representatives at the Leadership Council's discretion.

Section 2. Membership Requirements.

- a. The Leadership Council shall grant membership to all eligible applicants who complete a Membership Application and submit payment of annual dues in the amount of thirty dollars (\$30) per individual or forty dollars (\$40) per household containing more than one enrolled Citizen or Associate Member. Members must submit their annual membership dues by January 1. Any member in arrears for ninety (90) days will be dropped from membership without a vote by the Leadership Council.
- b. In accordance with the CNCA By-laws, an individual's membership shall not cause the CCCC's membership to fall below 60% Citizen Membership.
- c. The Leadership Council shall provide the CNCA Board of Directors with an updated membership on a semi-annual basis.

Section 3. Rights and Obligations of Members.

- a. Upon payment (or partial or full waiver) of membership dues, an individual or household membership shall receive one CCCC e-Newsletter on a quarterly basis.¹

¹ See Article III.

CAPITAL CITY CHEROKEE COMMUNITY (CCCC) BY-LAWS

- b. Each Citizen and Associate Member shall have voting rights in CCCC elections.
- c. At the time of application, each household shall designate the names of participating Citizen or Associate Members over eighteen (18) years of age residing at the same address for voting purposes.

Section 4. Termination of Membership.

- a. The Leadership Council may vote to terminate membership for the following reasons:
 - i. Violation of the CCCC By-laws
 - ii. Actions detrimental to the organization's health and/or reputation
- b. Only the Leadership Council has authority to investigate cause for membership termination and vote to terminate a membership.
- c. Any member may bring a grievance to the Leadership Council concerning conduct by a member whom they believe to be in violation of the by-laws and/or to have acted in a manner detrimental to the organization's health and/or reputation.
- d. The Leadership Council shall investigate all grievances in an objective manner. As part of an investigation, the Leadership Council is obliged to receive testimony and evidence from the accused member in his/her own defense. The Leadership Council shall terminate membership only by a majority vote of Leadership Council members.
- e. A Leadership Council member who is the subject of another member's grievance shall recuse himself/herself from the investigative process and his/her vote will not be received or counted in the process of reaching a decision on the question of membership termination.
- f. The Leadership Council's decision is final. Requested reinstatement will be determined by majority vote of the Leadership Council.

Section 5. Friends of the Capital City Cherokee Community.

- a. Non-enrolled individuals of Cherokee descent and non-Cherokee individuals (including same-household spouses and life/domestic partners of Citizen or Associate Members) who are interested in learning more about Cherokee culture, language, heritage, history, and tradition are welcome to participate in CCCC events.
- b. Donations from non-member friends in an amount equal to that of individual member dues will receive invitations to CCCC events and the Newsletter. (The donation requirement does not apply to same-household spouses or life/domestic partners of Citizen or Associate Members.)

CAPITAL CITY CHEROKEE COMMUNITY (CCCC) BY-LAWS

ARTICLE III SUBSCRIPTIONS

Section 1. Types of Subscriptions.

- a. Upon establishment of a quarterly CCCC e-Newsletter, the following subscriptions shall be adopted:
 - i. Members: Free annual subscription
 - ii. Non-members: \$30 annual subscription
- b. Upon member request, the Leadership Council shall provide a physical copy of the Newsletter.
- c. At the Leadership Council's discretion, it shall provide e-Newsletter subscriptions to specified non-members. Such subscriptions may include non-At-Large members of the Tribal Council of the Cherokee Nation and other select community leaders and representatives.
- d. The Leadership Council is the approving authority for all subscription requests.

ARTICLE IV MEETINGS

Section 1. Types of Meetings.

- a. **General Meetings.** The CCCC shall hold a General Meeting at least every two months (bimonthly) at a regular time. Upon its first meeting of the calendar year, the Leadership Council will approve a nominal calendar of bimonthly meetings for the calendar year and communicate it to the CCCC membership.
- b. **Leadership Council Meetings.** The Leadership Council shall meet (either physically or virtually) monthly at a regular time, which shall be determined by the Leadership Council upon its election.

Section 2. Meeting Announcements.

- a. The Leadership Council shall officially announce the time and place of all General Meetings at least fourteen (14) days in advance.
- b. Any change to or cancellation of a scheduled General Meeting must be announced at least fourteen (14) days in advance.

CAPITAL CITY CHEROKEE COMMUNITY (CCCC) BY-LAWS

ARTICLE V LEADERSHIP COUNCIL

Section 1. Leadership Council Composition.

- a. The Leadership Council shall be comprised of seven members, at least five (5) of whom shall be Citizen Members.
- b. The Leadership Council's Executive Board, which consists of the President, Vice President, Secretary, and Treasurer, shall be occupied by Citizen Members. All other offices of the Leadership Council are open to Associate Members.
- c. Each Leadership Council member shall be a CCCC member in good standing.
- d. Only one member of any household may serve at any given time.

Section 2. Leadership Council Terms.

- a. Leadership Council members shall serve a term of two years.
- b. Terms shall be staggered as follows:
 - i. Upon election of the seven inaugural Leadership Council members, the top four vote getters shall fulfill an entire term of two (2) years.
 - ii. The remaining three shall fulfill a term of one (1) year.
 - iii. Thereafter, all Leadership Council members shall be elected to a term of two (2) years.
- c. A Leadership Council member may only serve two (2) consecutive terms for a maximum of four (4) consecutive years in a specific office. If a former Leadership Council member desires to run again after completion of two (2) consecutive terms, he/she must remain off the Leadership Council for one (1) year before running again for a specific office. This shall not prevent a Leadership Council member from running for a different office on the Leadership Council.

Section 3. Leadership Council Positions and Duties.

- a. **President.**
 - i. Provide general leadership to the CCCC;
 - ii. Set the agenda for, coordinate, and conduct Leadership Council Meetings.
- b. **Vice-President.**

CAPITAL CITY CHEROKEE COMMUNITY (CCCC) BY-LAWS

- i. Assume the duties of the President and preside at all meetings in the President's absence;
 - ii. Keep all meeting records in the Secretary's absence.
- c. **Secretary.**
- i. Take attendance and keep minutes at Leadership Council and General Meetings, and maintain all other records (except as provided herein);
 - ii. Monitor and manage the CCCC's email account, forwarding emails directed to specific Leadership Council members as necessary.
 - iii. ~~Maintain CCCC membership rolls and directories and provide a semi-annual membership list to the CNCA Board of Directors.~~
- d. **Treasurer/*Membership Coordinator*.**
- i. Manage banking functions and maintain accounting records, to include managing a Leadership Council-determined list of signatories on all CCCC accounts;
 - ii. Submit an annual budget to the Leadership Council for approval; upon approval the Leadership Council shall make the budget available for CCCC members' review;
 - iii. Provide an annual financial report to the CNCA Board of Directors.²
 - iv. *Promote CCCC membership;*
 - v. *Present prospective membership applications to the Leadership Council for approval;*
 - vi. *Provide notification to members of pending membership renewals thirty (30) days in advance of membership lapse;*
 - vii. *Maintain CCCC membership rolls and directories and provide a semi-annual membership list to the CNCA Board of Directors.*
- e. **~~Membership Coordinator~~. Combined with role of Treasurer in October 2018.**
- i. ~~Promote CCCC membership;~~

² See Article IX, §1, paragraph (a).

CAPITAL CITY CHEROKEE COMMUNITY (CCCC) BY-LAWS

- ~~ii. Present prospective membership applications to the Leadership Council for approval;~~
- ~~iii. Provide notification to members of pending membership renewals thirty (30) days in advance of membership lapse;~~
- ~~iv. Convey information concerning new and renewed membership dues to the Treasurer, and work in conjunction with the Treasurer to ensure the CCCC's fiscal health.~~
- ~~v. Maintain CCCC membership rolls and directories and provide a semi-annual membership list to the CNCA Board of Directors.~~

f. Events Coordinator.

- i. Coordinate and promote CCCC gatherings, events, and meetings;
- ii. Liaise with Cherokee Nation officials on occasion of annual community meetings;
- iii. Work in conjunction with the Community Relations Liaison.

g. Community Relations Liaison.

- i. Establish liaison with local, State/Commonwealth/District, and Federal organizations and agencies to promote CCCC interests and raise interest about Cherokee community issues (to include Native American rights in general);
- ii. Establish, edit, and publish a quarterly CCCC e-Newsletter in both electronic and, upon request, print forms;
- iii. Construct and maintain an official CCCC website;
- iv. Establish and maintain a social media presence;
- v. Work in conjunction with the Events Coordinator;
- vi. Lead a Newsletter/Website Committee, which is comprised of the Community Relations Liaison and other CCCC non-Leadership Council members approved and appointed by the Leadership Council.

Section 4. Transfer of Records. All Leadership Council members shall transfer any relevant written and/or electronic records pertaining to the CCCC in their possession to their successors throughout the life of the organization.

Section 5. Quorum. A quorum of the Leadership Council will be reached when a majority

CAPITAL CITY CHEROKEE COMMUNITY (CCCC) BY-LAWS

is present. Leadership Council members will not conduct official business unless a quorum is present.

Section 6. Attendance. Leadership Council members shall attend at least seventy-five percent (75%) of scheduled Leadership Council Meetings and at least seventy-five per cent (75%) of scheduled General Meetings. If a Leadership Council member fails to attend at least 75% of scheduled meetings, the Council shall investigate the reason(s) for absence and consider possible termination in regard to the member's seat on the Leadership Council.

Section 7. Vacancies. In the event of a vacancy on the Leadership Council, the remaining Leadership Council members shall elect a member by majority vote to serve the remainder of the vacated term. If Article VI §2 paragraph (d) is utilized, the newly elected member will be exempt from the term limit requirement.

Section 8. Youth Representative. The Leadership Council may appoint an honorary member to the Leadership Council to represent members 18 years of age and under. The Youth Representative must be a Cherokee Nation citizen and a member of a CCCC household in good standing. *The Youth Representative is not bound by attendance requirements.*

Section 9. Youth Council. The Leadership Council may establish a Youth Council to be chaired by the Youth Representative. *Youth Council members must be Cherokee Nation citizens and members of a CCCC household in good standing.*

ARTICLE VI ELECTIONS

Section 1. Election Committee.

- a. Leadership Council elections shall be held on an annual basis every October, the date for which shall be decided during the May Leadership Council meeting.
- b. Ninety (90) days prior to a Leadership Council election, the incumbent Leadership Council shall appoint an Election Committee, which shall consist of three (3) Citizen or Associate Members in good standing and at least 16 years of age. The Election Committee shall be selected at random by lottery from a pool of volunteers.
- c. Candidates and their immediate families are ineligible to serve on the Election Committee.

Section 2. Announcements of Candidates.

- a. All candidates must be Citizen or Associate Members in good standing and at least 18 years of age.
- b. Candidates must declare their candidacy no later than forty-five (45) days in advance

CAPITAL CITY CHEROKEE COMMUNITY (CCCC) BY-LAWS

of the election. Each candidate shall provide a written statement of candidacy and a biographical sketch of no more than 200 words to the Election Committee to be distributed to the CCCC membership no later than thirty (30) days in advance of the election.

- c. If no candidates declare for a particular office within forty-five (45) days prior to the election, the Election Committee will attempt to recruit additional candidates.
- d. If there is no qualified candidate for any office, the office will remain vacant until such time that the Leadership Council elects a member per Article V §7.

Section 3. Election Procedures.

- a. Secret balloting will be conducted by mail. The Election Committee shall mail ballots via United States Postal Service (USPS) to every voting member at least twenty-one (21) days in advance of the election. Voting members shall return their ballots via any certified mail carrier. The Election Committee must receive marked ballots by mail the day prior to the election, or hand-delivered marked ballots the day of the election, in order to be considered valid.
- b. The Membership Coordinator shall provide the Election Committee with the number (but not the names) of current members, and number each ballot accordingly. One (1) ballot will be placed in each envelope and the envelope will be sealed. The Membership Coordinator shall then provide mailing labels to the Election Committee for application to the envelopes.
- c. The ballots shall be opened and counted at the General Meeting in which the election takes place. One Election Committee member shall open the envelope and remove the ballot; a second Election Committee member shall record the number on the ballot; the third Election Committee member shall record the votes on the ballot. After all votes have been counted, they shall be recounted by the entire Election Committee to verify the results.
- d. The Election Committee shall announce the new Leadership Council members at the General Meeting, but shall not announce the vote totals. Individual candidates may inquire privately of the Election Committee to obtain only their own vote totals.
- e. In case of a tie, the Election Committee shall conduct a runoff election by secret vote among the members present at the General Meeting.
- f. Newly elected Leadership Council members shall assume office immediately upon notification.
- g. The Election Committee shall keep the ballots for thirty (30) days after the election. After thirty (30) days, the Election Committee shall shred and recycle the ballots, and

CAPITAL CITY CHEROKEE COMMUNITY (CCCC) BY-LAWS

disband.

ARTICLE VII AMENDING THE BY-LAWS

Section 1. Proposing Amendments.

- a. Any member may submit a proposed amendment of these by-laws to the Leadership Council at least sixty (60) days prior to an election of Leadership Council members. The Leadership Council will collect all proposed amendments and present them for a vote annually at the same time as the election for Leadership Council members.
- b. The Leadership Council shall have the discretion to bring any proposed amendment to the immediate vote of the membership if the Leadership Council deems that approving the amendment is of an urgent nature.
- c. The vote to accept proposed amendments shall be conducted by mail in the same manner as the election of Leadership Council members.³

Section 2. Approval of Amendments.

- a. The conduct of a valid election to amend the by-laws requires that the CCCC membership return an affirmative vote of two-thirds (2/3) of the returned ballots.

ARTICLE VIII GIFTS AND DONATIONS

Section 1. Acceptance of Gifts and Donations.

- a. The Leadership Council has sole authority to approve acceptance of any gifts and donations below five thousand dollars (\$5000).
- b. The CNCA Board of Directors has sole authority to approve donations to the CCCC of five thousand dollars (\$5000) or greater.

Section 2. Contributions by the CCCC.

- a. The Leadership Council has sole authority to approve contribution of all donations or honoraria made by the CCCC below five hundred dollars (\$500).
- b. The CCCC membership must vote to approve donations or honorariums of five hundred dollars (\$500) or greater. The vote shall be announced two (2) weeks prior to the General Meeting during which the vote will take place.

³ See Article VI, §3.

CAPITAL CITY CHEROKEE COMMUNITY (CCCC) BY-LAWS

ARTICLE IX REPORTS

Section 1. Required Reports.

a. Financial Report.

- i. The Leadership Council shall submit an annual financial report to the CNCA Board of Directors, to include a statement of the receipts and expenditures, and a statement of current assets and liabilities in accordance with CNCA requirements. If the CCCC has final assets of \$5000 or more, the Treasurer shall also present a budget of the current year's projected receipts and expenditures.
- ii. The Treasurer shall also make monthly financial reports to the Leadership Council and semi-annual written reports to the membership.

b. Membership Report.

- i. The Leadership Council shall submit a membership report to the CNCA Board of Directors in accordance with CNCA requirements.

ARTICLE X COMMITTEES

Section 1. Oversight of Committees.

- a. The Leadership Council shall oversee the functioning of all committees.

Section 2. Types of Committees.

- a. There shall be two *regularly appointed* committees:
 - i. Election Committee⁴
 - ii. Newsletter Committee⁵
- b. The Leadership Council may form other committees at its discretion.

⁴ See Article VI, §1.

⁵ See Article V, §3, paragraph (g)(vi).

CAPITAL CITY CHEROKEE COMMUNITY (CCCC) BY-LAWS

ARTICLE XI ENDORSEMENTS AND REPRESENTATIONS

Section 1. Endorsements.

- a. No CCCC member shall use the CCCC name in any political campaign or to endorse a candidate for political office in the Cherokee Nation or any other election.
- b. As an organization, the CCCC is prohibited from campaigning for or endorsing any candidate for political office in the Cherokee Nation or any other election.

Section 2. Representations.

- a. Except with Leadership Council permission, no CCCC member may use the name of the organization to represent themselves for direct commercial gain or to self-promote the member's outside interests.
- b. CCCC members may state their membership and position for identification purposes only on résumés and other similar applications.

ARTICLE XII DISSOLUTION

Section 1. Procedure.

- a. *The CCCC may dissolve at any time by a two-thirds (2/3) vote of the membership, provided that at least five (5) days' notice of the proposal to dissolve has been given to all members.*

Section 2. Distribution of Assets.

- a. *Upon the dissolution of the CCCC, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code.*
- b. *When the dissolution occurs, all assets will be disposed accordingly, with a final CCCC Leadership Council meeting to dispose of all assets.*

CAPITAL CITY CHEROKEE COMMUNITY (CCCC) BY-LAWS

AMENDMENT 1

The proposed Amendment 1 was approved on October 22, 2016, by a majority vote of CCCC membership.

ARTICLE XII DISSOLUTION

Section 1. Procedure.

- b. The CCCC may dissolve at any time by a two-thirds (2/3) vote of the membership, provided that at least five (5) days' notice of the proposal to dissolve has been given to all members.

Section 2. Distribution of Assets.

- c. Upon the dissolution of the CCCC, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code.
- d. When the dissolution occurs, all assets will be disposed accordingly, with a final CCCC Leadership Council meeting to dispose of all assets.

Proposed Amendments 2 through 5 were approved on October 28, 2017, by a majority vote of CCCC membership.

AMENDMENT 2

ARTICLE V, Section 3.c.iii Leadership Council, Leadership Council Positions and Duties, Secretary

Currently reads as: Maintain CCCC membership rolls and directories, and provide a semi-annual membership list to the CNCA Board of Directors.

Proposed Amendment: Move Section 3.c.iii to Membership Coordinator as Section 3.e.v.

Rationale: Move responsibility to Membership Coordinator to better align position responsibilities.

AMENDMENT 3

ARTICLE V, Section 3.e Leadership Council, Leadership Council Positions and Duties, Membership Coordinator

CAPITAL CITY CHEROKEE COMMUNITY (CCCC) BY-LAWS

Currently reads as: N/A

Proposed Amendment: Add Section 3.e.v - Maintain CCCC membership rolls and directories, and provide a semi-annual membership list to the CNCA Board of Directors.

Rationale: Move responsibility from Secretary to Membership Coordinator to better align position responsibilities.

AMENDMENT 4

ARTICLE V, Section 8 Leadership Council, Youth Representative

Currently reads as: The Leadership Council may appoint an honorary member to the Leadership Council to represent members 18 years of age and under. The Youth Representative is not bound by attendance requirements.

Proposed Amendment: Insert - The Youth Representative must be a Cherokee Nation citizen and a member of a CCCC household in good standing.

Rationale: To align with the CCCC by-law requirements for Leadership Council members.

AMENDMENT 5

ARTICLE V, Section 9 Leadership Council, Youth Council

Currently Reads As: The Leadership Council may establish a Youth Council to be chaired by the Youth Representative.

Proposed Amendment: Insert - Youth Council members must be Cherokee Nation citizens and members of a CCCC household in good standing.

Rationale: To align with the CCCC by-law requirements for Leadership Council members.

The proposed Amendment 6 was approved on October 13, 2018, by a majority vote of CCCC membership.

AMENDMENT 6

**Article and Title: Article V, Section 3.d
Leadership Council, Leadership Council Positions and Duties, Treasurer
And
Article and Title: Article V, Section 3.e**

CAPITAL CITY CHEROKEE COMMUNITY (CCCC) BY-LAWS

Leadership Council, Leadership Council Positions and Duties, Membership Coordinator

Proposed Amendment: Combine the positions and responsibilities of the Treasurer and the Membership Coordinator into the position of Treasurer/Membership Coordinator, renumbering the Treasurer responsibilities as needed. Proposed by the CCCC Leadership Council.

Rationale: Move the Membership Coordinator responsibilities to the Treasurer's position for efficiency.

- A majority vote of the CCCC Leadership Council approved these by-laws on May 3, 2015.
- A majority vote of the CCCC membership approved these by-laws (Amendment 1) on October 24, 2015.
- The CCCC Leadership Council acknowledged these by-laws on October 22, 2016.
- A majority vote of the CCCC membership approved these by-laws (Amendment 2 – 5) on October 28, 2017.
- The CCCC Leadership Council acknowledged these by-laws on October 28, 2017.
- A majority vote of the CCCC membership approved these by-laws (Amendment 6) on October 13, 2018.
- The CCCC Leadership Council acknowledged these by-laws on October 28, 2017.

CAPITAL CITY CHEROKEE COMMUNITY (CCCC) BY-LAWS

CCCC Leadership Council Acknowledgement of October 13, 2018 By-Laws

Ian Everhart, President

Not Available

VACANT, Vice President

Pam Tinker, Secretary

Pam Tinker

Sherry Whitaker, Treasurer/
Membership Coordinator

Sherry Whitaker

Melanie Schneider,
Events Coordinator

Melanie Schneider

April Day, Community
Relations Liaison

See page 16.2

CAPITAL CITY CHEROKEE COMMUNITY (CCCC) BY-LAWS

CCCC Leadership Council Acknowledgement of October 13, 2018 By-Laws

Ian Everhart, President

Not Available

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April Day, Community
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