Memo to: Qualla 2020 Committee Members

From: John Weiser

Ben Sherman

Date: August 20, 2014

Re: **Notes from July 15th Meeting**

This memo presents the notes from the July 15th meeting of the Qualla 2020 Committee.

Meeting Attendees:

The meeting was attended by the following individuals from the Qualla 2020 Committee:

Michell Hicks, Principal Chief

LeChay Arch

Bill Boyum

James Caldwell

Ethan Clapsaddle

Albert Crowe

Melissa Crowe

Mary Jane Ferguson

Peggy Hill

Hope Huskey

Tammy Jackson

Amy Kaloneheskie

Jason Lambert

Wanda Lawless

Lisa Leatherman

Anita Lossiah

Ruth McCoy

Skooter McCoy

Steve Morse

Paxton Myers

Annie Owen

Amy Parker

Forrest Parker

Paisley Raby

Jacob Reed

Russ Seagle

Ryan Sherby

Perry Shell

Devin Smith

Kayla Smith

Jody Taylor

Reuban Teesatuskie

Rowena Teesatuskie

John Tissue

Don Tomas

Angie Votaw

Amy Walker

Becky Walker

Darlene Whitetree

David Wyatt

Qualla 2020 overview

This was the six and final meeting for the Qualla 2020 Project.

The purpose of the Qualla 2020 Project is to diversify the Cherokee economy and reduce its risks so that it can better ensure the well-being of the Cherokee population into the future.  In order to do this, the Qualla 2020 Project will seek to mitigate the dependence of the economy on gaming revenues, and to develop and expand businesses in ways that uphold the core values of the Cherokee people.

At this meeting, the Qualla 2020 Committee reviewed and voted on each of the eleven action plans developed as part of the Committee’s work. A copy of the PowerPoint presented at the meeting can be accessed [here](https://www.dropbox.com/sh/cfsgruitn8y97lo/AAC_o_S6SR_2N3AwiqMyElyCa?dl=0).

**Real Estate Action Plans**

As discussed at the last meeting, the Qualla 2020 members reviewed the outline for an Action Plan for developing a new legal framework for individual possessory holdings:

* Goal:
  + Fund the legal work required to conduct research on how/whether other tribes have changed statutes regarding individual possessory interests, and to develop draft statutes and regulations that would simplifying the process for leases and sales of individual possessory interests
* Activities:
  + Engage outside expert counsel
  + Survey relevant tribal experience
  + Review existing EBCI statutes, regulations and case law
  + Develop initial draft of new proposed statutes and review with Executive and Tribal Council leadership
    - Public comment and community engagement
  + Prepare final draft of new proposed statutes for submission to Council
  + Develop regulations and procedures required to fully implement new statutes
* Resources required: approximately $40,000 for research, legal drafting and community engagement

The Committee also reviewed an outline of the Action Plan for compacting the BIA Realty function:

* Goal: create an implementation plan for compacting the BIA Realty function
* Activities:
  + Assessment of current Tribal Land Records documents management by BIA
  + Analysis of Realty Services workflow and procedures
  + Recommendations and modifications to Land Records Management database schema
  + Estimate of the initial startup implementation cost
  + Estimate of the long-term operating cost
* Organizational leadership – Commerce Department
* Organizational participants in addition to Commerce
  + Tribal Housing Program - Paulette Cox
  + EBCI Courts – Hannah Smith and her staff
  + Chief’s Office - Paxton Myers
  + Finance – Corey Blankenship or his designee
  + GIS Office – David Wyatt
* Total cost of implementation plan development: $50,000

*Discussion*

“Compacting” refers to a process in which the Tribe formally takes over responsibility for a function that has been performed by the BIA. The EBCI has already gone through the process of compacting the hospital, the courts and the schools. In each case, compacting the function has enabled the EBCI much greater control over how the function is performed and what services are provided, and has improved services to enrolled members. Compacting the BIA realty functions would enable the Tribe to reduce the time that is spent waiting for title status requests and for approvals of lease and sale transactions, because the Tribe would not be required to use the complex system of land records used by the BIA.

Because of the unique way in which the Qualla Boundary was created, and because the Qualla Boundary has never been subjected to allotment, the BIA does not have a direct fiduciary responsibility for individual possessory holdings. It only has a direct fiduciary responsibility to the Tribe for the Qualla Boundary as a whole. This means that it is not required to perform the realty functions for real estate transactions that involve just individual possessory holdings. The BIA has been performing these functions for individual possessory holdings at the request of the Tribe. The BIA has also indicated that it will stop performing the realty functions at some point in the future. At that time, the Tribe will be required to take on the realty functions for individual possessory holdings.

If the Tribe compacts the BIA realty functions before the BIA stops providing them entirely, it will receive the funding currently being spent by the BIA on the realty function. If the Tribe waits until the BIA stops providing the realty function before taking them on itself, it will not be able to get funding from the BIA. This highlights one pressing reason to move forward now with consideration of taking on the realty function.

The participants discussed a number of concerns about having the Tribe take over the real estate function:

* **Fairness:** Disputes about land ownership and leases will be resolved in Tribal Council. Having the BIA involved provides a measure of protection for individuals. How will that be maintained if the Tribe takes over the realty function?
* **Efficiency:** Although the BIA process may be slow at times, it does work, and it’s not paid for by the Tribe. It seems likely that taking over the realty function will end up costing the Tribe money. How do we know if the new system will be so much better that it is worth the cost?
* **Privacy:** the current system protects the privacy of all landowners, which some enrolled members really value. How will the new system protect privacy?

The participants agreed that it is important to address these concerns in the design of the new legal framework for individual possessory holdings.

Participants also noted the following items that should be addressed in moving forward:

* Who will pay for the required land surveys? Surveys are currently paid for by the Tribe – will this continue?
* Need to resolve disputed boundary lines and survey results. This is currently being worked on, but needs further work to resolve all known boundary issues.
* The new process should provide detailed information on how disputes are resolved, and the role of the Lands Committee, Business Committee and Tribal Council in dispute resolution.
* This entire issue may need to become part of the bigger discussion on the potential redrafting of the EBCI Constitution.

**VOTE:** the Qualla 2020 Committee voted unanimously to recommend these action plans to the EBCI Administration, EBCI Tribal Council and the Cherokee Preservation Foundation.

**Options for Increasing Tourism**

Skooter McCoy, Director of Destination Marketing for the EBCI, presented an update on his department’s work in developing and sharing a vision for the development of a coherent set of districts in Cherokee.

* Goal – To enhance the offerings of the Cherokee Cultural District and provide easy public access to the Oconaluftee Village
* Strategy
* Relocate Oconaluftee Village near the Museum
* Relocate Fairgrounds to the old High School site

At this time, objective is to determine if there is sufficient interest among Tribal Council and community to make pursuing a feasibility study worthwhile. EBCI Destination Marketing would like to avoid spending hundreds of thousands of dollars on a feasibility study only to find that the project is not of interest to Council and community.

Why relocate Oconaluftee Village?

* Need to boost visibility, so that visitation is increased
* Allows more space for programming and crafts
  + 6.8 acres vs. current 4.5
* Complemented by being next to Museum
* Doubles size of existing Village, allowing more programming and more jobs for enrolled members

Why relocate Fairgrounds?

* Expanded space allows more diverse programming
  + 18 acres vs. current 6
* Increases parking by 1/3
* Enables EBCI to attract conventions, which would build traffic for retail and expansions

Organizational Leadership

* Skooter McCoy, Destination Marketing
* John Tissue, CHA

Resources required

* Funding for feasibility study and planning
* Funding for construction and relocation projects
* Funding for initial operating costs

Concerns to be addressed in feasibility studies:

* Impact on retail, hospitality and restaurants
  + How to avoid creating additional competition for existing businesses
  + Role of existing businesses in renovated area
* Parking (including potential for parking deck)
* Location of EBCI archives
* Cost and funding

Participants raised the following concerns and suggestions about of the Tourism Master Plan:

* Working at the Oconaluftee Indian Village helps individuals to connect to Cherokee culture and heritage. It accurately reflects conditions and culture existing in the 1700s. It will be important to develop the new location in ways that perpetuate Cherokee culture and knowledge.
* Moving the Fairgrounds would be very difficult for the families whose ancestors granted the land that became the Fairgrounds. It is important to ensure that their wishes are taken into consideration when considering how to move forward.

Participants agreed that the first step in this action plan would be to conduct meetings with Tribal Council and community members to explore the potential for developing the old Cherokee High School site for convention and other event purposes, while also making appropriate accommodations for organizations/programs utilizing the site. It will be particularly important to consult with the families whose ancestral lands became the Fairgrounds, as well as Yellowhill and other communities. It will be important to understand community concerns and interests, and to shape the action plan as best as possible to address those concerns and interests.

Concerns to be addressed in feasibility studies include:

* Impact on retail, hospitality and restaurants
  + How to avoid creating additional competition for existing businesses
  + Role of existing businesses in renovated area
* Parking (including potential for parking deck)
* Location of EBCI archives
* Cost and funding

Question for voting: Should Destination Marketing move forward with exploring the potential relocation of the Oconaluftee Village and the Fairground with the families whose lands became the Ceremonial Fairgrounds, as well as Yellowhill and other communities?

**VOTE:** the Qualla 2020 Committee voted unanimously to recommend this action plan to the EBCI Administration, EBCI Tribal Council and the Cherokee Preservation Foundation.

**Small Business and Entrepreneurship Development**

The Qualla 2020 Committee discussed action plans intended to help spur small business and entrepreneurship development on the Boundary.

Action Plan: Create a Single Source of Information for Small Businesses

The goal for this action plan is to create a single source of relevant information on the web for businesses operating on or interested in coming to the Qualla Boundary. This would be similar to the Asheville Chamber of Commerce, and complementary to the web site already operated by the Cherokee Chamber of Commerce. The existing Cherokee Chamber of Commerce web site is targeted toward individual customers. These additional web resources would be targeted toward businesses.

*Activities*

* Conduct relevant research to identify “best models”
* Specific information to be included online:
  + Tribal law and regulations
    - Tribal approval and lease process
    - Tribal tax environment
    - Contact persons
    - Process flow chart or diagram
  + Business and demographic data
    - Revenues by business segment
    - Relocation information
    - Business that are in demand from tourists – but not yet on Boundary
    - Unemployment rates and workforce skills and experience
* Prepare and issue an RFP to web site development resources
* Select a firm to develop the web resources
* Develop hard copy version of online material
* Develop policy to ensure ongoing, timely maintenance of materials

**VOTE:** the Qualla 2020 Committee voted unanimously to recommend this action plan to the EBCI Administration, EBCI Tribal Council and the Cherokee Preservation Foundation.

Action Plan: Strengthen the Chamber of Commerce

As noted at the last meeting, the Chamber is struggling financially. Membership dues are sufficient to cover just 1/3 of the membership expense. The revenues from the fly fishing museum will help to close some of the gap, but not all of it. Support from the Foundation is winding down, and the Chamber needs to develop additional sources of revenue. The Chamber focuses on serving its members, and helping them to access markets. At the moment, the primary focus is on tourism businesses, which are the majority of the Chamber members. However, Chamber membership is open to all types of businesses, not just tourism businesses. The Chamber will be expanding services for non-tourism businesses in the future.

The Tribe is one potential source of additional revenue. There is precedent for having the public sector fund Chamber operations. For example, Haywood County provides $240,000 per year to the Haywood Chamber of Commerce for performing the Economic Development Council function for the County. In other local chambers, the municipal government often provides part of the support required by the local Chambers. This is often funded through a Tourism Development Authority using funds generated by a local room tax.

The EBCI Commerce Department is another potential source of direct funding. The EBCI Commerce Department carries responsibilities for the economic well-being of the community. That responsibility can be met in part by supporting the Chamber to strengthen its programs and operations. Incentives and support structures need to be created that would attract small business relocation to the area. Additionally, incentives and support structures are needed to encourage the development and growth of small businesses on the Boundary.

The Chamber can develop and adopt small business resources such as business planning, training, networking, financial assistance, business location, tax incentives and so on.

*Activities*

* Develop a business case for supporting the Chamber from EBCI Commerce funds
  + Anecdotal data suggests Chamber web site and travel guide generate 75% of referrals for hotel/motel/campground stays
* Create a plan for expanding business assets in Cherokee, including expansion of existing businesses, development of new businesses and relocation of business onto the Qualla Boundary
* Develop and provide a complete array of small business services to Cherokee, including information dissemination
* Collaborate with surrounding Chambers and economic development agencies to seek small business growth.

**VOTE:** the Qualla 2020 Committee voted unanimously to recommend this action plan to the EBCI Administration, EBCI Tribal Council and the Cherokee Preservation Foundation.

Action Plan: Support for 8(a) Businesses

Each year, the Federal government purchases $500 billion in goods and services. The 8(a) program provides opportunities for Native American Tribes and individuals to be able to participate in in these procurement opportunities.

The EBCI is currently considering the creation of a Tribal Enterprise Structure, which would be the entity that would hold the Tribal 8(a) license for the EBCI. Since this is already underway, there is no need for an additional action plan for the Tribal 8(a) certification. Instead, Qualla 2020 will focus on an action plan for assisting individual tribal members to apply for 8(a) certification.

Potential steps to assist individuals interested in 8(a) and other programs:

* Identify opportunities for Federal procurement contracts that may be appropriate for businesses owned by Tribal members
  + Review businesses owned by Tribal members to determine which industry code they fit under (NAICS)
  + Research federal purchasing opportunities for these codes to review potential opportunities
* Reach out to business owners to make them aware of Federal procurement opportunities.
  + One Feather
  + Email
  + Direct contacts
* Work with SBA to develop and deliver training programs and resources to support individual entrepreneurs.
  + Technical assistance in preparation of 8(a) application
  + Development of mentor/mentee relationships for 8(a)
  + Training for Hub Zone status
  + Connection to SBDC procurement specialists
* Provide training required for 8(a) application
  + Provide support for application costs
  + Facilitate mentor/protégé relationships
  + Provide training required for Hub Zone application
  + Connect business owners to SBTDC procurement specialists and to PTACs
* Organize mentoring and coaching opportunities for Tribal members seeking to expand their own business through 8(a) and other programs.
  + Enrolled members and SCORE volunteers with successful experience in 8(a) programs can help coach and mentor members seeking to expand 8(a) work
  + Potential for formal mentor/protégé relationship, which creates benefits in seeking new work

**VOTE:** the Qualla 2020 Committee voted unanimously to recommend this action plan to the EBCI Administration, EBCI Tribal Council and the Cherokee Preservation Foundation.

Action Plan: Expand Sales of Cherokee Artwork

As noted in the previous meeting, the Sequoyah Fund is proposing a multi-part Action Plan to help expand the sales of by Cherokee artists (both traditional and contemporary) of their work. There are four elements to the Action Plan:

* Create and manage a web site that would enable the artists to sell their work on line. Currently, although the Qualla Coop has an excellent web site, it does not allow objects to be purchased on line. It also is limited to traditional art. The web site would be branded as authentic Cherokee art. The art that is sold through the web site would have some way of providing a demonstration of authenticity (perhaps a logo, a seal, or a document). The web site would be moderated by an artist’s council, which would eventually take over the running of the web site.
* Serve as middleman for Cherokee artists by purchasing their work and then selling it on consignment in stores off the Boundary. One potentially attractive location for sales is Colonial Williamsburg. The store there has indicated an interest in stocking Cherokee art in the past, but the Cherokee art community wasn’t able to guarantee the level of production that Colonial Williamsburg wanted.
* Provide micro-loans to finance the expenses that are associated with starting up an artist’s participation in live events off the Boundary.
* Create a Cherokee Arts Council to help provide sustainability for these actions.

**VOTE:** the Qualla 2020 Committee voted unanimously to recommend this action plan to the EBCI Administration, EBCI Tribal Council and the Cherokee Preservation Foundation.

Action Plan: Create Economic Development Coalition

Participants reviewed the action plan for creating an economic coalition to support small business attraction, development and growth. This idea is based on the experience of the Asheville Chamber of Commerce, and its positive relationship with the Asheville-Buncombe County Economic Development Coalition. Potential members of the coalition include:

* Cherokee Chamber of Commerce – Amy Parker
* EBCI Commerce – Jason Lambert
* Sequoyah Fund – Russ Seagle
* Destination Marketing – Skooter McCoy
* Swain, Jackson and Haywood Counties
* Smoky Mountain Host
* WCU – Steve Morse
* CPF – Mary Jane Ferguson

This would be similar to the Economic Development Coalition of Asheville-Buncombe Counties.

Specific activities that the Coalition would undertake:

* Develop a coordinated strategy to create new jobs in all sectors of existing businesses through expansion and growth
* Create and implement a coordinated plan to attract businesses to locate in Cherokee and the surrounding three counties
* Develop a strategy that encourages entrepreneurial efforts to start businesses in targeted fields
* Coordinate and integrate the efforts of economic development on the Boundary with neighboring interests, including economic development agencies and Chambers of Commerce in Swain, Jackson and Haywood Counties, and Smoky Mountain Host as well.

**VOTE:** the Qualla 2020 Committee voted unanimously to recommend this action plan to the EBCI Administration, EBCI Tribal Council and the Cherokee Preservation Foundation.

Action Plan: Build a More Vibrant Entrepreneurial Culture

Participants discussed the need to build a more entrepreneurial culture on the Boundary. As compared to other parts of the US, individuals on the Boundary are more likely to pursue a stable job with a salary and benefits than to strike out on their own to start a businesses. This action plan links to the discussion above on the environment for small businesses.

Specific activities that may be included in an Action Plan:

* Establish a baseline description of a desirable/optimal small business environment
* Complete research necessary to map the small business environment in Cherokee
* Identify gaps/constraints between Cherokee environment and baseline
* Prioritize the challenges and attack the problem
* Create incentives to come to Cherokee
* Develop the resources and avenues to connect with potential small businesses locally, regionally and beyond
* Offer Indianpreneurship training
* Start, gain momentum, and sustain the effort
* Attract and develop “creative class” in the region
  + Can be attracted by:
  + Outdoor adventure and greenways
  + Diverse atmosphere and tourism
  + Sense of community
  + Clean and beautiful environment
  + Native American culture and heritage
  + One-stop shopping to set up business
  + But note: will need more restaurant and entertainment options
* Can be developed by:
* Education and training programs to support Knowledge Industry Entrepreneurship
* Help with reaching external markets
* Access to expensive tools (example: Fab Lab)

**VOTE:** the Qualla 2020 Committee voted unanimously to recommend this action plan to the EBCI Administration, EBCI Tribal Council and the Cherokee Preservation Foundation.

**Attracting Knowledge Industries**

The Committee members briefly reviewed the outline of an Action Plan for a marketing plan to attract knowledge industry businesses:

* Goal: identify and attract small-midsize knowledge businesses to Boundary and 7 counties of Western NC
* Activities:
  + Inventory and quantify the key assets of Mountain West Alliance region that make it uniquely attractive to small, growing, entrepreneurial knowledge industry businesses
  + Conduct market research to develop clear profiles of target market segments/customers who would find the assets of Mountain West Alliance locations attractive.
  + Develop “market offering”: sites, information, incentives to share with potentially interested companies.
  + Develop and launch marketing campaign
* Organizational home: Southwest Commission
* Potential Partners: EBCI Commerce, Economic Development Depts of 7 Western Counties, Duke Energy, Drake Software
* Resources Required
  + Inventory of product/sites: organizational in-kind
  + Logo and messaging: $5,000
  + Design/build web presence w/ interactive asset map: $7,500
  + Rich media content, photo/video: 3 videos @ approximately $3,000/video shot, edited, delivered = $9,000
  + Design and publish print collateral: $1,500
  + Market Research (Experian – Proof of concept):
  + Existing regional economic condition profile: Pro bono (Experian)
  + Develop surrounding target markets/businesses that align to built and natural assets of our region: $21,500
  + Initial outreach to identified targets: $1,500
  + Host reception with tech industry trade groups/entrepreneurs and local developers: $1,500 (local) TBD (neighboring metros)
* Total: approximately $50,000
* Potential funding in cash and in kind
  + Drake Software?
  + Special assessment from 7 counties?
  + EBCI? Cherokee Preservation Foundation?

The Committee members also reviewed the outline of an Action Plan to conduct a feasibility study for a fiber-enabled building and co-working space:

Goal: determine whether sufficient demand exists at specific rental price points to support cost of fiber-enabled office building/co-work space (similar to Mojo in Asheville)

This action plan is focused on assisting individual entrepreneurs and micro-businesses who need high-quality internet service and other digital tools and services to succeed, but who cannot yet afford to rent a fiber-enabled office suite, or to pay to have fiber connected to their place of business. Bringing fiber to an office that does not have a connection already can cost as much as $7,000, which is not affordable for many small businesses.

A practical alternative to this approach is to rent a workspace or an office cubicle in a fiber-enabled “co-work space”. These are buildings in which individuals or organizations can rent a desk, a cubby or a room by the hour, the day or the month. Mojo Coworking in Asheville is a good example of this type of building. It offers a variety of spaces for rent by the day, week, or month. It also provides access to high-quality internet service, copying, 3-D printing, conference rooms, and kitchens. The building has been quite successful in Asheville, and the key question is whether there is sufficient demand in the Qualla Boundary to make such a building viable here.

* Activities:
  + Develop profile of potential users
  + Conduct individual interviews and online survey of tech and home-based entrepreneurs businesses within a 30-mile radius/located in Jackson or Swain County
  + Develop estimate of potential demand for office and co-working space and a suite of services at particular price points
* Organizational leadership: Sequoyah Fund and Southwestern Commission
* Potential Partners: Chamber of Commerce, EBCI Commerce Department, WCU Small Business Technical Development Center, Haywood Committee College Entrepreneurial Program and the TERO Office.

**VOTE:** the Qualla 2020 Committee voted unanimously to recommend both of these action plans to the EBCI Administration, EBCI Tribal Council and the Cherokee Preservation Foundation.

**Timeline for Decision-Making**

The Qualla 2020 Committee encourages a thorough and deliberate process of engaging the community in discussions and in-depth conversation regarding all aspects of the Committee recommendations. Many of the recommendations will entail far-reaching changes in many aspects of life on the Boundary, and it is important for community members to be aware of what is recommended, why it is recommended and how it is intended to improve life on the Boundary. It will be crucial to understand concerns of community members, and to address those concerns in the final versions of the recommendations.

The following is a draft timeline for engaging the community, gathering input, refining the recommendations, and bringing them to the Tribal Council and the Cherokee Preservation Foundation for decision:

* August – September: Community Engagement
  + Discuss action plans with Tribal Council in working session
  + Modify action plans as appropriate and communicate significant changes back to the Qualla 2020 Committee
  + Present action plans to wide range of community members in meetings and get-togethers. Recruit action team leaders to participate.
  + Develop video describing action plans to be played on Channel 28
  + Prepare insert for the One Feather
  + Create Facebook page
* October – November: Prepare for Decision-making
  + Action team leaders
    - Revise action plans to incorporate community feedback
    - Prepare drafts for Tribal Council review
    - Prepare grant proposals for the Foundation
    - Prepare budgets and plans for EBCI funding
* December – January : Decisions by Tribal Council and Cherokee Preservation Foundation