

TABLED

CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

MAY 31 2012

(DATE)

ORDINANCE NO. 208 (2012)

WHEREAS, Tribal Council enacted Ord. No. 218 on April 8, 2010 regarding the Cherokee Police Commission; and

WHEREAS, Fred Penick is an enrolled member of the Eastern Band of Cherokee Indians, and desires that the Cherokee Police Commission be given complete authority to operate as the decision-making entity for the Cherokee Police Department; and

WHEREAS, Fred Penick requests that Ord. No. 281 (2010) be amended that employees of the Cherokee Police Department shall be accountable to the Cherokee Police Commission, and that the Commission have the authority to handle any and all personnel issues that occur within the Cherokee Police Department.

NOW, THEREFORE BE IT ORDAINED by the Tribal Council of the Eastern Band of Cherokee Indians in Council assembled, at which a quorum is present, the following shall be enacted regarding Ord. No. 281 (10), Chapter 120, Cherokee Police Commission:

- Strike Sec. 120-5. Authority, subsection (a) in its entirety as it currently reads:

The Cherokee Police Commission is hereby vested with the following authority:

- (a) Oversight of all Tribal Law Enforcement programs. The Chief of Police and other Tribal Law Enforcement Managers shall manage the daily operations of their respective program and shall implement the Commission's policies and goals; the Chief of Police and other Tribal Law Enforcement Managers shall report to the Commission.
(delete)

Amend as follows:

Sec. 120-5. Authority.

The Cherokee Police Commission is hereby vested with the following authority:

- (a) ***Oversight of daily operations of all Tribal Law Enforcement programs, and shall manage the daily operations of the respective program and shall implement the Commission's policies and goals; the Chief of Police and other***

Tribal Law Enforcement Managers shall report directly to the Cherokee Police Commission.

BE IT FURTHER ORDAINED the remainder of Ord. No. 218 (10) shall remain the same.

BE IT FURTHER ORDAINED any and all legislation in conflict with this ordinance is hereby amended.

BE IT FINALLY ORDAINED this ordinance shall become effective upon ratification by the Principal Chief.

Submitted by: Fred Penick, enrolled member of EBCI