

PASSED

CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

Date: JUL 27 2017

EMERGENCY RESOLUTION NO. 667 (2017)

- WHEREAS, Tribal Council Resolution No. 610 (passed on May 30, 2017) recognized that the positions of Vice Chief of the Tribe and Tribal Secretary were vacant and it was unknown when they would be filled; and
- WHEREAS, those vacancies made it impossible to comply with Cherokee Code § 117-23(b) ("Disbursal of Tribal Funds"), which states that "No Tribal funds shall be paid out except upon the warrant of any two of the following Tribal officials: the Principal Chief, Vice-Chief or Tribal Secretary"; and
- WHEREAS, if left unaddressed, the vacancies would have impeded the Tribe's ability to pay its financial obligations including, but not limited to, per capita distributions and payroll; and
- WHEREAS, Resolution No. 610 (2017) addressed the problem by providing that Tribal funds would be paid out upon the signature of Principal Chief Richard G. Sneed alone, and the resolution provided for the honoring and accepting of those payments, for Tribal Per Capita Distributions of net gaming revenue, Payroll, and Accounts Payable accounts; and
- WHEREAS, the authority granted in Resolution No. 610 (2017) expires at 5:00 p.m. on July 28, 2017, or when a new Vice Chief is sworn in, whichever event occurs first; and
- WHEREAS, on the date the present resolution is being considered, the positions of Vice Chief and Tribal Secretary are still vacant or, if either one has been filled, there is not sufficient time to change signature cards, printed signature blocks, and other items necessary for the daily conduct of the Tribe's business; and
- WHEREAS, it is necessary to extend the temporary authority granted in Resolution No. 610 (2017).
- NOW THEREFORE BE IT RESOLVED by the Tribal Council of the Eastern Band of Cherokee Indians assembled, at which a quorum is present, that the authority granted by Tribal Council Resolution No. 610 (passed on May 30, 2017) is hereby extended until a Vice Chief is sworn in and the appropriate authorizations and conversion of signatory authority are completed, or until December 31, 2017 at 5:00 p.m., whichever event occurs first.

BE IT FURTHER RESOLVED that this action is consistent with § 20 of the Tribal Charter and Governing Document and is necessary, due to the emergency presented, to ensure the proper and continued conduct of Tribal business and the necessary payment of Tribal debt.

BE IT FINALLY RESOLVED that all resolutions that are inconsistent with this resolution are rescinded, and that this resolution shall become effective when ratified by the Principal Chief.

Submitted by Michael W. McConnell, Associate Attorney General

The attached Resolution/Ordinance No. 667 dated July 27, 2017 was:

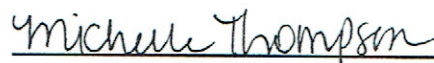
PASSED (X)
KILLED ()

and ratified in open Council on July 27, 2017 by 100 voting for the act and 0 members voting against it as follows:

VOTE	FOR	AGAINST	ABSTAIN	ABSENT
Teresa McCoy	X			
Richard French	X			
Travis Smith	X			
B Ensley	X			
Anita Lossiah	X			
Brandon Jones	X			
Bill Taylor	X			
Bo Crowe	X			
Adam Wachacha	X			
Albert Rose	X			
Marie Junaluska	X			
Tommye Saunooke	X			
	100	0	0	0



TRIBAL COUNCIL CHAIRMAN



ENGLISH CLERK



PRINCIPAL CHIEF

APPROVED () VETOED ()

VETO UPHeld () VETO DENIED ()

DATE: 7/28/17

I hereby certify that the foregoing act of the Council was duly:

PASSED ()
KILLED ()

and ratified in open Council after the same has been interpreted by the Official Interpreter and has been fully and freely discussed.

INTERPRETED ()

OMITTED ()