

TABLED

Cherokee Council House
Cherokee, North Carolina

JUN 01 2021

Date

ORDINANCE NO. 476 (2020)

WHEREAS, the Charter and Governing Document authorizes and empowers the Eastern Band of Cherokee Indians (EBCI) Tribal Council to adopt laws and regulations for the general government of the Tribe. Charter and Governing Document, sect. 23 (Sept. 5, 1995) *see also* C.C. §117-10.

WHEREAS, The Eastern Band of Cherokee Indians (EBCI) Tribal Council shall authorize all tribal monies being paid out. Charter and Governing Document, sec. 20 (Sept. 5, 1995).

WHEREAS, the EBCI Tribal Council constitutes the Eastern Band of Cherokee Indian's Legislative Branch of government. C.C. §117-10.

WHEREAS, the EBCI passed the Allocation and Per Capita Distribution of Gaming Net Revenue Ordinance on July 10, 1995 which established per capita at fifty percent (50%) of the distributable net revenue. C.C. §16C-5(j) (2018) (originally enacted as Eastern Band of Cherokee Indians Tribal Council Ordinance No. 582 (1995)).

WHEREAS, on March 11, 2021, the Tribal Council passed the Commercial Gaming and Hospitality Revenue Plan which allocates the commercial gaming revenue to essential services. Eastern Band of Cherokee Indians Tribal Council Ordinance No. 366 (2021) (current version at C.C. §55D-1 and 2 (2021)).

WHEREAS, no changes have been made to the per capita distribution percentage in almost twenty-six years; and,

WHEREAS, the commercial gaming revenue will be allocated to essential services, there is a need to increase the distributable net revenue.

NOW, THEREFORE, BE IT ORDAINED by the Eastern Band of Cherokee Indians in Council assembled, at which a quorum is present that the Eastern Band of Cherokee Indians Tribal Council amends the Cherokee Code Ch. 16C, as follows in EXHIBIT A.

BE IT FURTHER ORDAINED the provisions of the Ordinance which amend or adopt new sections of the Cherokee Code shall be codified by the Department of Justice. The Department of Justice shall incorporate such amended provisions in the next codification of the Cherokee Code.

BE IT STILL FURTHER ORDAINED should any provision of this Ordinance be determined invalid by the Cherokee Supreme Court, or the Cherokee Court without appeal to the Cherokee Supreme Court, or any other court of competent jurisdiction, those portions of this Ordinance which are not determined invalid shall remain the law of the Eastern Band of Cherokee Indians

BE IT FINALLY ORDAINED that this ordinance shall become effective when ratified. Charter and Governing Document, sect. 12 (Oct. 8, 1986).

Submitted by: Tony Bernhisel

Cherokee Code

Chapter 16C – GAMING REVENUE ALLOCATION PLAN

Sec. 16C-5. – Distribution to members.

(j) *Percentage of distributable net revenue.* The percentage of the distributable net revenue available for distribution to each competent adult member under this Chapter shall be determined by applying the following formula: An amount shall be added which is the sum of Total Shares. Total Shares is defined as: Total Shares = 12 months/12 shares of the competent adult + 12 months/12 shares minors + x months per deceased members (as defined in section 16C-5(b))/12 shares. Total shares shall then be divided into ~~50~~ 60 percent of distributable net revenue to equal the distribution per share. The distribution per share shall be multiplied by the total shares distributable to competent adult members, minors, and deceased members which shall equal no more than the Minors Trust Fund and/or per capita distribution which is required pursuant to this Chapter. Anyone not on the certified roll for the semi-annual distribution shall have no right to any past Minors Trust Fund and/or per capita distributions. This requirement shall become effective on the date of ratification of the ordinance from which this Article derives.

Sec. 16C-9. – Revenue allocation percentages.

(A) Effective October 1, ~~2015~~ 2021, distributable net revenue shall be distributed to fund per capita distributions, Tribal government operations, and the general welfare funds established under this Chapter as follows:

(1) For Harrah's Cherokee Casino Resort:

(a) Per Capita Distributions (§§ 16C-5, 16C-6)~~50.00~~ 60.00%

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- (b) Endowment Fund No. 2
- (c) Business and Economic Development Fund
- (d) Debt Service Sinking Fund (§ 16C-14)
- (e) Capital Improvement Program (§ 16C-17)

A portion not to exceed ~~45.5~~ 35.5% of Harrah's Cherokee Casino Resort gaming net revenues as determined in a needs-based budget approach shall be allocated to the following Programs as approved by the Tribal Council in the adoption of the annual budget:

- (f) Tribal General Fund;
- (g) Housing Fund (§ 16C-15);
- (h) Higher Education Fund (§ 16C-16);
- (i) Cherokee Central Schools Assistance Fund (§ 16C-18);
- (j) Kituwah Language Immersion (§ 16C-21).

(2) For Harrah's Cherokee Valley River Casino:

- (a) Per Capita Distributions (§§ 16C-5, 16C-6)~~50.00~~ 60.00%
- (b) Technology Enhancement Fund

A portion not to exceed ~~45.5~~ 35.5% of Harrah's Cherokee Valley River Casino earning net revenues as determined in a needs-based budget approach shall be allocated to the following programs as approved by the Tribal Council in the adoption of the annual budget:

- (c) Tribal General Fund;
- (d) Health Program Supplemental Fund/PHHS;
- (e) Police and Corrections Fund (§ 16C-20).

TABLED

REVISED

AMENDED

PASSED

SEP 12 1995

Cherokee Council House
Cherokee, North Carolina

JUL 10 1995

Date

ORDINANCE NO. 582 (1995)

**SHORT TITLE: ALLOCATION AND PER CAPITA DISTRIBUTION OF GAMING
NET REVENUE ORDINANCE**

§16-19. Statement of Policy.

(a) This Ordinance is enacted in order to promote the general welfare of the Eastern Band of Cherokee Indians and its members, to provide for fair and equitable per capita distribution to eligible enrolled members from revenues allocated by the Tribal Council from gaming activities conducted by and on behalf of the Eastern Band of Cherokee Indians; and

(b) In order to provide for long term investment of profits derived from tribal gaming activities, to be invested in a manner which will provide for the general welfare of the Tribe over a period of time longer than is presently provided in the Tribe's Gaming Compact with the State of North Carolina; and

(c) In order to provide for an allocation of specified amounts to the Tribe's general fund, to be used in the current operating budget of the Tribe in each fiscal year.

§16-20. Definitions. For purposes of this Ordinance:

(a) "Act" means the Indian Gaming Regulatory Act, Pub.L. 100-497, 25 U.S.C. §§2701 et seq.

(b) "BIA" means the Bureau of Indian Affairs, or the official of such agency with the duty or assigned authority to act in behalf of the agency.

(c) "Endowment and Investment Fund" means a trust fund established pursuant to this Ordinance to administer funds allocated for investment and appreciation for the long-term benefit of the Tribe and its members.

(d) "External Investments" means investments that may be made by the Reserve Fund and the Endowment and Investment Fund which must be made under the Prudent Investor Rule, with the investment advisor not making an investment for the Tribe different

from any other funds under his investment control, with such investments limited to off-reservation assets.

(e) "Interim Distribution Fund" means a fund into which 50% of tribal net gaming proceeds are deposited monthly by Tribal Management and from which funds are distributed as per capita payments to competent adult members on an annual basis and into the Reserve Fund annually for minor and other legally incompetent members. This fund shall be invested only in U.S. Treasury bills and other U.S. Government obligations having a maturity no later than December 15 of the current tribal fiscal year.

(f) "Internal Investments" means investments that are made by allocation or distribution of funds through the tribal budget process, with such investments limited to on-reservation assets.

(g) "Manager" means that person or institution retained by the Tribe to manage and oversee the investments of the Reserve Fund.

(h) "Members" means those persons who are duly recognized as members of the Eastern Band of Cherokee Indians by the Tribe.

(i) "Membership Allocation" means the funds which are dedicated to distribution to members under §16-5(b) of the Tribal Gaming Ordinance and which, when funded, constitutes the Interim Distribution Fund.

(j) "Minor" shall mean a member who has not yet reached the age of 22 years.

(k) "Net Revenues" means gross revenues of gaming activities less amounts paid out as prizes, less total operating expenses (including debt service and fees paid to a management contractor within the meaning of 25 U.S.C. §2711) as audited and certified by an independent certified audit firm retained by the Tribe in accordance with generally accepted accounting principles.

(l) "Ordinance" means this Allocation and Per-Capita Distribution Ordinance.

(m) "Reserve Fund" or "Reserve Fund for Enrolled Minors and Incompetents" means a Fund created by the Tribe whose sole purpose is to receive a portion of the net gaming revenues for and in behalf of enrolled minor and incompetent members, with said funds to be invested for the long-term benefit of the minor and incompetent members of the Tribe as the Manager of such fund may determine.

(n) "Revenue Allocation Plan" means that plan providing for the use of funds derived from tribal gaming operations by the tribal General Fund and the Endowment and Investment Fund.

(o) "State" means the State of North Carolina.

(p) "Tribal Council" means the legislative body of the Eastern Band of Cherokee Indians.

(q) "Tribal Management" means the Executive Committee and the Tribal Finance Officer, who shall be jointly responsible for calculating net revenues on a monthly basis for purposes of this Ordinance and for making monthly deposits of such revenues into the appropriate accounts or funds under this Ordinance.

(r) "Tribe" means the Eastern Band of Cherokee Indians.

§16-21. Allocations and Applications of Net Revenues. In order to provide for the general welfare of the Tribe and its members, the Tribal Council shall review the income and expenses of tribal gaming operations each year and after due consideration of the need to fund tribal government operations and programs, shall determine the overall needs of the tribe and its members as well as the need to promote tribal economic development and shall then adopt a budget which will include the amount provided for allocation of available gaming funds. This budget shall include a determination of what amount shall be provided for tribal purposes under the Tribal Gaming Ordinance, §16-5(a) of the Cherokee Code. The budget shall first provide for distribution of 50% of net gaming revenues to tribal members under this Allocation and Per Capita Distribution Ordinance. The remaining 50% of net gaming revenues shall be allocated for distribution to support tribal government operations, enterprises or programs; provide for general welfare of the Tribe and its members; promote tribal economic development; donate to charitable organizations; or fund operations of local government agencies; all as the Tribal Council may deem necessary or appropriate, subject to the provisions of the Revenue Allocation Plan for the funding of the Endowment and Investment Fund and the General Fund in this Ordinance.

§16-22. Membership and Eligibility.

(a) **Membership Requirements.** Those members, including minors and other legal incompetents, who are recognized by the Tribe as duly enrolled, shall be eligible for annual allocations in the Reserve Fund and/or per capita payments.

(b) **Applications, Written Determination of Eligibility.** Applications for a finding of eligibility may be made at any time and shall be submitted in such form and manner as the Enrollment Office may reasonably require. In order to provide for the orderly review and consideration, applications submitted within less than sixty (60) days of a scheduled distribution date shall not be eligible for distribution until the next scheduled distribution. At least Forty-five (45) days, but no longer than fifty (50) days before the annual date of distribution to the Reserve Fund or per capita payments as provided in §16-24 of this Ordinance, the Enrollment Office shall publish a list of those persons found eligible for such

payments. Any applicant found not to be eligible shall be provided with a written determination of the basis for the denial by the Enrollment Office.

(c) Appeal of Findings. Any person who believes that the Enrollment Office has made an erroneous determination regarding their own membership may appeal that finding in accordance with the Tribal Enrollment Ordinance. The Enrollment Officer shall offer such evidence and testimony as may be appropriate to justify the finding of ineligibility.

§16-23. Distribution to Members.

(a) Per capita payments shall be made annually to all competent adult members eligible for the distribution as well as appropriate shares to the Reserve Fund on behalf of minor and incompetent members.

(b) Distribution to members shall be made within 75 days following the end of the fiscal year. The annual audit of tribal gaming operations shall be completed no later than 60 days following the close of the fiscal year. Tribal Management shall make appropriate allocations and transfers and insure that per capita distributions are made no later than 75 days after the end of the fiscal year.

(c) The Tribal Enrollment Office shall deliver to Tribal Management a current certified roll of all members eligible under this Ordinance as of September 30 and the Tribal Enrollment Ordinance, no later than October 15 of each year. This roll shall also be published in the Cherokee One Feather no later than October 15 of each year, together with notice to promptly notify the Enrollment Office of any objections to persons listed on the roll, identification of any persons deemed to be ineligible for distribution or of the death of any person listed on the roll.

(d) The percentage of the net gaming revenue available for distribution to each competent adult member under this Ordinance shall be determined by applying the following formula: a fraction shall be developed whose numerator is the number of competent adult members appearing on the tribal roll as of September 30 and a denominator is the total number of tribal members appearing on the roll. This fraction shall be multiplied by Fifty (50%) per cent of the net gaming revenue. The product of this equation shall then be divided by the number of competent adult members, which amount shall represent the per capita payment for each competent adult member for that year.

(e) The balance of the funds after calculation of the amount to be distributed to competent adult members as set forth in §16-23(b) shall be transferred to the Reserve Fund for the benefit of enrolled minor and incompetent adult members, to be allocated as set forth in §16-24.

§16-24. Minors and other Legal Incompetents. The interest of minors and other legally incompetent members otherwise entitled to receive per capita payments shall be disbursed as follows:

(a) Reserve Fund for Enrolled Minors and Incompetents.

(1) Within sixty (60) days of passage and approval of this Ordinance by the Secretary of Interior, a Reserve Fund shall be established for all minor members and legally incompetent members who shall be eligible for per capita payments. The Tribe shall select an institutional Manager with suitable expertise and discretion to administer the Reserve Fund as well as an individual Manager who shall assure the investments for the Reserve Fund are appropriate. The eligibility and actual receipt by a member of a per capita distribution upon reaching the age of 22 years shall not compel or otherwise change the conditions and provisions of the Reserve Fund as set forth in the following subsections.

(2) The Reserve Fund shall be a Fund created by the Tribe whose sole purpose is to receive a portion of funds allocated for per capita distribution under §16-5(b) of the Tribal Gaming Ordinance. The Reserve Fund shall be invested in External Investments for the long term benefit of the minors and incompetent adult members as the Managers of such Fund may determine. Reserve Fund assets shall be invested in a reasonable and prudent manner so as to protect the principle and seek a reasonable return.

(3) Funds from the Reserve Fund not used for education or health purposes will be paid directly to the minor member in accordance with procedures established by the Reserve Fund Managers. Such procedures shall include payment of a de minimis balance when the member reaches the age of 22 years, with distribution of the remaining balance over a period of five (5) years in annual payments. Nothing in these procedures shall prohibit the minor member, upon reaching majority, from electing to defer payment of some or all of the payment of their portion of the Reserve Fund indefinitely. This provision shall not operate to compel disbursement of funds to members legally determined to be incompetent.

(b) Early Distribution to Minors and Incompetents for Education.

(1) Distribution to such members from the Reserve Fund prior to when they reach the age of 22 years shall be made only for attendance at a secondary school, college, graduate or professional school. For purposes of this Ordinance, "secondary school" shall mean a private school or boarding school that is a member of the National Association of Independent Schools. Incompetent members shall be eligible to receive a distribution for special training or education in programs or schools for disabled or handicapped students.

(2) Application for distribution from the Reserve Fund for educational purposes may be made by the member, their parent or legal guardian and must be approved by the Managers. The funds disbursed may not exceed the cost of tuition, miscellaneous fees, room, board, books and equipment. Funds may be disbursed, upon a showing of special need, but only in an amount up to the proportional share allocated to that person at the time of the disbursement, to the parents or the guardians of the trust beneficiaries in such amounts as may be necessary to provide for the education of the member.

(3) If the member is still a minor, in order to request such funds, a written request must be submitted to the Managers of the Reserve Fund by a parent or legal guardian. The parent or legal guardian shall maintain records sufficient to demonstrate that the funds disbursed are expended for the child's education needs as required by this Ordinance and any other applicable law.

(c) Early Distribution to Minors and Incompetents for Health Care.

(1) Funds in the Reserve Fund allocated a minor or legally incompetent member shall be available for the benefit of such member's unmet health care needs when the needs of such person are not being met from other available personal, tribal or other public sources and upon a finding of special need by the Cherokee Court. In order to request such funds, a written request must be submitted to the Manager of the Reserve Fund by a parent or legal guardian. The parent or legal guardian shall maintain records sufficient to demonstrate that the funds disbursed are expended for the child's special health care needs as required by this Ordinance and any other applicable law.

(2) Application for funds for unmet serious health care needs may be made by the member, their parent or legal guardian and must be approved by the Reserve Fund Managers.

§16-25. Taxation. All payments made to individual members are subject to federal taxation and members receiving per capita payments shall be subject to the withholding of appropriate amounts for such tax payment in the manner and to the extent provided by applicable law.

§16-26. Technical Amendments. Technical amendments to this Ordinance are herewith authorized whenever and wherever necessary in order to comply with language and terms established or required by the U.S. Tax Code that would effect the intent and purpose of this Ordinance, in order to preserve and limit taxation of per capita distributions until such distributions are received by the individual members or by their parent or legal guardian. Tribal Council herewith approves and confirms technical language amendments proposed by tax counsel in connection with the establishment of the various funds set forth in this Ordinance, together with subsequent proposed technical amendments from tax counsel for the

Tribe or the Funds resulting from changes to the U.S. Tax Code, federal tax regulations, court decisions or interpretations thereof.

§16-27. Revenue Allocation Plan. The Fifty (50%) percent of net gaming revenues not distributed to individual members or to the Reserve Fund shall be allocated for tribal purposes under §16-5(a) in the following manner:

(a) Commencing in fiscal year 1996 and each year thereafter, tribal operations shall be funded by payment to the General Fund either in the amount representing 25% of net gaming revenues or Four Million Eight Hundred Thousand (\$4,800,000) Dollars, whichever is the lesser; and,

(b) For fiscal year 1997 and each year thereafter, tribal operations through the General Fund shall be permitted to receive an increase in its allocation from net gaming revenues by a maximum of ten (10%) per cent over the prior year's allocation, while remaining subject to the limitation of 25% of the net gaming revenues for each such year;

(c) Commencing in fiscal year 1996 the Tribal Council shall allocate the use of gaming funds in the general fund through its budget process, specifically approving a budget for the categories established by the Act as set forth in §16-5(a) of the Cherokee Code; and,

(d) Commencing in fiscal year 1996 and each year thereafter, the Endowment and Investment Fund shall be funded in the amount of 25% of net gaming revenues or the balance of gaming net revenues not allocated to tribal operations under §16-27(c), whichever is greater.

(e) Tribal Management shall make monthly deposits from net gaming revenues into these Funds.

§16-28. Cherokee Endowment and Investment Fund. The Tribal Council shall create and fund a separate Endowment and Investment Fund with net gaming revenues as directed in §16-27(d). The purpose of this Fund shall be to provide a long term investment and capital appreciation vehicle for the Tribe. The goal for the fund shall be to accumulate and grow capital for the long term economic growth and security of the Tribe and its members. Tribal Management shall make monthly deposits from net gaming revenues into this Fund.

§16-29. Investment of Endowment and Investment Funds. Money deposited in this Fund shall be invested in a balanced investment portfolio seeking long-term gain and capital appreciation, with investments not subject to investment limitations of GASB. Such funds may also be used to purchase additional lands for the Tribe, to acquire new or on-going business enterprises for the Tribe, to acquire additional business enterprises and/or to supplement existing tribal business enterprises and to pay off existing indebtedness of the

Tribe or tribal enterprises but such funds shall be limited to External Investments as defined in this Ordinance.

§16-30. Limitations on Investment of Endowment and Investment Fund. No more than ten (10%) percent of the Fund may be invested in any single stock, bond, instrument, entity, company, fund or project or cumulatively.

§16-31. Trustee of Endowment and Investment Fund. The Tribe shall appoint a Trustee for the Fund, who shall be selected by the Tribal Business Committee and approved by the Tribal Council. The Trustee shall be an individual qualified and experienced in managing and investing funds but such Trustee shall consult and work with not less than three institutional trustees to establish a balanced portfolio for the Fund. After appointment by the Tribal Council, the Trustee and Tribe shall enter into a Trust Agreement setting forth the terms and conditions of the Trust and the duties of the Trustee and provisions for removal and appointment of a substitute Trustee by the Tribe.

§16-32. Amendments. Except for technical amendments provided in §16-26, this Ordinance may be amended by action of the Tribal Council in a meeting at which a quorum is present by a majority vote of the Council Membership.

§16-33. Ratification. This Ordinance shall become effective upon ratification by the Principal Chief and approval by the BIA.

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Amendment: Change to 18 years instead of 22 years of age.

The attached Resolution/Ordinance No. 582 dated JUL 10 1995 was Passed (✓) Killed () and ratified in open Council on SEP 12 1995 by 63 voting for the act and 18.5 members voting against it as follows:

VOTE	FOR	AGAINST	ABSTAIN	ABSENT
William R. Taylor				✓
Glenn J. Bradley	✓			
Teresa McCoy		✓		
Dan McCoy				✓
Jess Murphy	✓			
Richard Welch	✓			
Robert Blankenship	✓			
Marion Teesateskie		✓		
Larry Blythe		✓		
Carroll Parker	✓			
Abe Wachacha	✓			
Jimmy Welch	✓			
TOTAL	63	18.5	0	18.5

William R Taylor
 TRIBAL COUNCIL CHAIRMAN

Myrtle Johnson
 TRIBAL COUNCIL ENGLISH CLERK

Carroll Parker
 PRINCIPAL CHIEF

APPROVED (✓) VETOED ()

VETO UPHELD () VETO DENIED () DATE _____

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.

In testimony, whereof, I have hereunto set my hand and affixed the seal of the said Band of Indians Superintendent, Cherokee Indian Agency.

INTERPRETED () W. Lewis J. Chumbley, Jr.
 OMITTED

() _____
 INTERPRETED

TABLED

PASSED
MAR 11 2021

CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA
JAN 14 2021

DATE

ORDINANCE NO. 366 (2021)

An ordinance identifying the Tribal funds to which revenues received by the Tribe from commercial gaming and hospitality entities created by the Tribe will be allocated and thereby identifying the purposes for which the revenues may be used.

WHEREAS, the Eastern Band of Cherokee Indians is a federally-recognized Indian tribe with sovereign authority to make its own laws and direct the management and control of all revenues that come into the Tribal treasury; and

WHEREAS, the Tribe has a long-standing goal of diversifying its revenue sources to build a more resilient Tribal economy to more securely support essential governmental services and benefits for Tribal members and their families; and

WHEREAS, through collaborative efforts of the Principal Chief, Vice Chief and Tribal Council, the Tribe has established a commercial gaming and hospitality entity as a critical component of a multi-faceted economic diversification strategy; and

WHEREAS, Tribal leadership has identified the priorities of health, education, housing, and long-term investment on behalf of the Tribe and its members with the goal of permanently endowing these services and benefits for future generations of Cherokee People; and

WHEREAS, this ordinance amends Tribal law to express that proceeds from the Tribe's commercial gaming and hospitality operations shall be allocated to these priorities to promote and sustain essential services and benefits to Tribal members.

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, that the Cherokee Code shall be amended by adding thereto a new Chapter, to be designated as Chapter 55D, to read as follows:

Chapter 55D

Commercial Gaming and Hospitality Revenue Plan

Sec. 55D-1. Purpose.

(a) The Eastern Band of Cherokee Indians ("Tribe") has a primary interest in:

- (1) Exercising its inherent sovereign authority to make laws that protects the interests of the Tribe and its members and to manage and control all monies that enter the Tribal treasury.

38 (2) Establishing and expanding business in the private sector to provide for economic
39 diversification to permanently endow and support essential services to the Tribe and
40 its members.

41 (b) The purpose of this chapter is to identify the Tribal funds to which monies received
42 from commercial gaming and hospitality will be allocated.

43
44 Sec. 55D-2. Allocation of revenues from certain commercial gaming properties.

45 Whenever the commercial gaming and hospitality entity formed by the Tribe and known as
46 EBCI Holdings, LLC, obtains net revenues that qualify for distribution to the Tribe pursuant to
47 the EBCI Holdings operating agreement, the operating agreement provides that such revenues
48 received by the Tribe shall be allocated to the Tribal funds according to the allocation described
49 in this section and the Tribe shall use such revenues for the purposes expressed in Tribal law for
50 the identified funds.

51 (a) Debt Service Sinking Fund established in C.C. § 16C-14 shall be allocated twenty-five
52 percent (25%) of annual proceeds.

53 (b) Endowment Fund No. 1 established in C.C. § 16C-10 shall be allocated twenty-five
54 percent (25%) of annual proceeds.

55 (c) Higher Education Endowment established in C.C. § 16C-16 shall be allocated twenty
56 percent (20%) of annual proceeds.

57 (d) Cherokee Indian Hospital Reserve Account established in C.C. § 130B-13 shall be
58 allocated twenty percent (20%) of annual proceeds.

59 (e) Housing Fund established in C.C. § 16C-15 shall be allocated ten percent (10%) of
60 annual proceeds.

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62 BE IT FURTHER ORDAINED that any ordinance or resolution in conflict with this ordinance is
63 hereby rescinded.

64 BE IT FINALLY ORDAINED this ordinance shall become effective upon ratification by the
65 Principal Chief and shall remain in effect until implemented to rescinded.

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67 *Submitted by Richard G. Sneed, Principal Chief*

The attached Resolution/Ordinance No. 366 dated JANUARY 14, 2021 was:

PASSED (X)

KILLED ()

and ratified in open Council on MARCH 11, 2021 by 100 voting for the act and 0 members voting against it as follows:

VOTE	FOR	AGAINST	ABSTAIN	ABSENT
Richard French	X			
Perry Shell	X			
Boyd Owle	X			
Bucky Brown	X			
Tom Wahneetah	X			
David Wolfe	X			
Adam Wachacha	X			
Bo Crowe	X			
Chelsea Saunooke	X			
Albert Rose	X			
Dike Sneed	X			
Tommye Saunooke	X			
	100	0	0	0

TRIBAL COUNCIL CHAIRMAN

ENGLISH CLERK

PRINCIPAL CHIEF

APPROVED () VETOED ()

VETO UPHeld () VETO DENIED ()

DATE: 3/23/21

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 ()