

PASSED

CHEROKEE COUNCIL HOUSE
CHEROKEE, QUALLA BOUNDARY, NC

Date: FEB 01 2022

RESOLUTION NO. 128 (2022)

A resolution to exclude Tella Antoinette Page from the lands of the Eastern Band of Cherokee Indians.

- WHEREAS, the Eastern Band of Cherokee Indians ("EBCI" or "Tribe") has the sovereign authority to exclude persons from lands of the Eastern Band in order to protect the integrity, law and order of the lands, and the welfare of Tribal members; and
- WHEREAS, the Tribal Council has codified its authority to exclude persons from the lands of the Eastern Band at Chapter 2 of the Cherokee Code; and
- WHEREAS, the power to exclude is an inherent and essential part of Tribal sovereignty that is indispensable to the Tribe's autonomy and self-governance; and
- WHEREAS, TELLA ANTOINETTE PAGE (Date of Birth: 12/29/1968) is not a member of the Eastern Band of Cherokee Indians, and has been residing in Bryson City in Swain County, North Carolina; and
- WHEREAS, on December 22, 2021, TELLA ANTOINETTE PAGE was found on Birdtown Road on Tribal trust lands; and
- WHEREAS, while on Birdtown Road, TELLA ANTOINETTE PAGE is alleged to have been in possession of methamphetamine; and
- WHEREAS, subsequent to her arrest by Cherokee Indian Police Department officers, a Swain County magistrate found probable cause to charge TELLA ANTOINETTE PAGE with Felony Possession of a Schedule II Controlled Substance, in violation of N.C.G.S. § 90-95(A)(1); and
- WHEREAS, TELLA ANTOINETTE PAGE is currently facing a charge of Felony Possession of Methamphetamine in Swain County District Court in case number 21-CR-50613, with a court date pending on March 22, 2022; and
- WHEREAS, while in custody, on December 22, 2021, TELLA ANTOINETTE PAGE was served with a Writ of Emergency Temporary Exclusion issued by a Cherokee Court magistrate; and
- WHEREAS, the criminal history search of TELLA ANTOINETTE PAGE indicates she was previously arrested in 2016 in Swain County on charges of Possession With Intent to Manufacture, Sell, or Deliver a Schedule II Controlled Substance, a Schedule III Controlled Substance, and a Schedule IV Controlled Substance, all of which are felonies; and

WHEREAS, in 2017, TELLA ANTOINETTE PAGE was again arrested in Swain County and charged with Possession With Intent to Manufacture, Sell or Deliver a Schedule II Controlled Substance and a Schedule IV Controlled Substance; and

WHEREAS, TELLA ANTOINETTE PAGE has also faced prior charges of Maintaining a Dwelling for Controlled Substances and Possession of Drug Paraphernalia; and

WHEREAS, due to the nature of the alleged criminal actions in December 2021 of TELLA ANTOINETTE PAGE and based on her residing near Tribal trust lands in Swain County, the Tribal Council has good reason to believe that TELLA ANTOINETTE PAGE is a threat to the integrity, law and order of EBCI lands and the welfare of the members of the Tribe.

NOW THEREFORE, BE IT RESOLVED by the Tribal Council, in Council assembled with a quorum present, and with the number of votes required by Tribal law, TELLA ANTOINETTE PAGE is hereby PERMANENTLY EXCLUDED from all Tribal lands and is hereby notified and ordered to vacate all tribal lands.

BE IT FURTHER RESOLVED that this permanent exclusion prohibits TELLA ANTOINETTE PAGE from entering on or being present on Tribal lands for any purpose except as required by Tribal Council or Tribal Court.

BE IT FURTHER RESOLVED that if TELLA ANTOINETTE PAGE is found improperly on Tribal lands at any time after the effective date of this resolution, she shall be treated as a trespasser and appropriate legal action shall be taken against her.

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

Submitted by the Attorney General's Office on behalf of the Chief of Police as provided in Cherokee Code Chapter 2.

The attached Resolution/Ordinance No. 128 dated FEBRUARY 1, 2022 was:

PASSED (X)

KILLED ()

and ratified in open Council on FEBRUARY 1, 2022 by 88 voting for the act
and 0 members voting against it as follows:

VOTE	FOR	AGAINST	ABSTAIN	ABSENT
Richard French	X			
Teresa McCoy	X			
Boyd Owle	X			
Bucky Brown	X			
TW Saunooke	X			
David Wolfe	X			
Adam Wachacha	X			
Bo Crowe				X
Bill Taylor	X			
Albert Rose	X			
Dike Sneed	X			
Tommye Saunooke	X			
	88	0	0	12



TRIBAL COUNCIL CHAIRMAN



ENGLISH CLERK



PRINCIPAL CHIEF

APPROVED (✓) VETOED ()

VETO UPHeld () VETO DENIED ()

DATE: 2/2/22

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 ()