

# AMENDED PASSED

CHEROKEE COUNCIL HOUSE  
CHEROKEE, QUALLA BOUNDARY, NC

Date: MAY 05 2022

## RESOLUTION NO. 282 (2022)

*A resolution to exclude Scott James Rossa 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 those lands and the welfare of the members of the Tribe; 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, SCOTT JAMES ROSSA (date of birth 01/15/1961) is not a member of the Eastern Band of Cherokee Indians, and has been employed as a Physical Education teacher at Cherokee Central Schools; and

WHEREAS, on March 22, 2022, an incident occurred at Cherokee Central Schools which is described in a Cherokee Police Incident Report, attached hereto as Exhibit A; and

WHEREAS, on March 29, 2022 the incident was assigned to an investigator with the Cherokee Indian Police Department, and the matter is currently under investigation;

WHEREAS, on April 11, 2022, the detective assigned to the investigation took the matter to Assistant United States Attorney John Pritchard and the prosecution of the matter was declined; and

WHEREAS, Tribal Council has good reason to believe that SCOTT JAMES ROSSA is a threat to the integrity, law and order of Eastern Band of Cherokee Indians 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, SCOTT JAMES ROSSA is hereby temporarily excluded from all Tribal lands and is hereby notified and ordered to vacate all tribal lands.

BE IT FURTHER RESOLVED that this temporary exclusion prohibits SCOTT JAMES ROSSA from entering on or being present on Tribal lands for any purpose except as required by Tribal Council or as allowed pursuant to Tribal Court order.

BE IT FURTHER RESOLVED that, subject to the terms of this resolution, if SCOTT JAMES ROSSA is found improperly on Tribal lands at any time after the effective date of this resolution he shall be treated as a trespasser and appropriate legal action shall be taken against him.

BE IT FURTHER RESOLVED that SCOTT JAMES ROSSA is hereby notified that the Tribal Council will meet and consider whether this temporary exclusion should be made a permanent exclusion at the Tribal Council scheduled for the following date: June 2, 2022, and SCOTT JAMES ROSSA is notified to attend such meeting to present his defense, if any, and he shall not be in violation of this resolution when attending such meeting or when traveling to and from such meeting.

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 Tribal Council Representative Bo Crowe.*

AMENDED

PASSED

MAY 05 2022

CHEROKEE COUNCIL HOUSE  
CHEROKEE, NORTH CAROLINA  
May 5, 2022

AMENDMENT Resolution/ORDINANCE NO. 282 (2022) :

- Amend the submitted by and add, Tribal Council Representative, Bill Taylor and Vice Chief Alan "B" Ensley, so that the resolution reads, "Submitted by: Tribal Council Representative Bo Crowe, Tribal Council Representative Bill Taylor and Vice Chief Alan "B" Ensley

The attached Resolution/Ordinance No. 282 dated MAY 5, 2022 was:

PASSED (X)

KILLED ( )

and ratified in open Council on MAY 5, 2022 by 100 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			
	100	0	0	0

Richard French  
TRIBAL COUNCIL CHAIRMAN

Michelle Thompson  
ENGLISH CLERK

OPLOT JSTW  
PRINCIPAL CHIEF

APPROVED (✓) VETOED ( )

VETO UPHeld ( ) VETO DENIED ( )

DATE: 5/5/22

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 ( )