

PASSED

CHEROKEE COUNCIL HOUSE
CHEROKEE, QUALLA BOUNDARY, NC

NOV 02 2023

Date: _____

RESOLUTION NO. 26 (2023)

*A resolution to exclude Tammy Ann Hutchins 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, TAMMY ANN HUTCHINS (Date of Birth: 02/22/1971) is not a member of the Eastern Band of Cherokee Indians, and has an address indicating she has been living in Fletcher, North Carolina; and
- WHEREAS, on September 27, 2023, TAMMY ANN HUTCHINS was arrested at 1285 Old Bryson City Road, Whittier, North Carolina, on the 3200 Acre Tract of EBCI Tribal Trust lands; and
- WHEREAS, TAMMY ANN HUTCHINS was charged in Swain County District Court case number 23-CR-429222 with Trafficking in Methamphetamine, Maintaining a Dwelling for Controlled Substances, and Possession of Drug Paraphernalia, with a pending court date of January 30, 2024; and
- WHEREAS, on October 18, 2023, TAMMY ANN HUTCHINS was served with a Writ of Emergency Temporary Exclusion, signed by a magistrate of the Cherokee Court, which excludes TAMMY ANN HUTCHINS from Tribal Trust lands until hearing by Tribal Council; and
- WHEREAS, due to the nature of the alleged on-going criminal actions of TAMMY ANN HUTCHINS, Tribal Council has good reason to believe that TAMMY ANN HUTCHINS 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, TAMMY ANN HUTCHINS 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 TAMMY ANN HUTCHINS 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 TAMMY ANN HUTCHINS 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 Chief of Police Carla Neadeau.

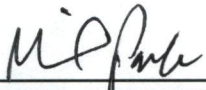
The attached Resolution/Ordinance No. 26 dated NOVEMBER 2, 2023 was:

PASSED (X)

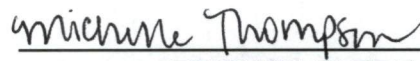
KILLED ()

and ratified in open Council on NOVEMBER 2, 2023 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 Wahnetah	X			
David Wolfe	X			
Adam Wachacha	X			
Mike Parker	X			
Bo Crowe	X			
Jim Owle	X			
Dike Sneed	X			
Michael Stamper	X			
	100	0	0	0



TRIBAL COUNCIL CHAIRMAN



ENGLISH CLERK



PRINCIPAL CHIEF

APPROVED (☒) VETOED ()

VETO UPHELD () VETO DENIED ()

DATE: 11-9-23

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 ()