

AMENDED
PASSED

CHEROKEE COUNCIL HOUSE
CHEROKEE, QUALLA BOUNDARY, NC

Date: DEC 05 2024

RESOLUTION NO. 367 (2024)

A resolution to exclude Donald Jesse Cogdill 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 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, DONALD JESSE COGDILL (Date of Birth: 01/09/1988) is not a member of the Eastern Band of Cherokee Indians, but is said to be residing in and around the Qualla Boundary; and

WHEREAS, On October 13 ,2024, officers of the Cherokee Indian Police Department were dispatched to 930 paint town road, where they found DONLAD COGDILL unconscious and slumped over in the driver’s seat of a car; and

WHEREAS, officers were able to roust COGDILL by knocking on the window of the car. However, when he woke, COGDILL jumped and accelerated his car into a CIPD patrol car; and

WHEREAS, COGDILL admitted that his intoxication was due to “Fentanyl”; and

WHEREAS, COGDILL has a lengthy criminal history that includes multiple drug charges, assault with a deadly weapon charge, multiple larceny charges, multiple breaking and entering charges, and is a convicted habitual felon with gang affiliation with Folk Nation.

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, DONALD JESSE COGDILL is hereby PERMANENTLY EXCLUDED from all Tribal lands and is hereby notified and ordered to vacate all tribal lands.

41 BE IT FURTHER RESOLVED that this permanent exclusion prohibits
42 DONALD JESSE COGDILL from entering or being present on Tribal
43 lands for any purpose except as required by Tribal Council or Tribal Court.
44

45 BE IT FURTHER RESOLVED that if DONALD JESSE COGDILL
46 is found improperly on Tribal lands at any time after the effective date of this
47 resolution, he shall be treated as a trespasser and appropriate legal action shall be
48 taken against him.
49

50 BE IT FINALLY RESOLVED that all resolutions inconsistent with this resolution are rescinded,
51 and that this resolution shall become effective when ratified by the Principal
52 Chief.
53

54 *Submitted by Chief of Police Carla Neadeau.*

CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA
DECEMBER 5, 2024

AMENDMENT to RESOLUTION No. 367 (2024):

- Line 25, correct the spelling of "DONLAD" to "DONALD"

The attached Resolution/Ordinance ___367___ dated _DECEMBER 5, 2024___ was:

PASSED (X)

KILLED ()

and ratified in open Council on DECEMBER 5, 2024 by 68 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			
	68	0	0	32

Mike Park
TRIBAL COUNCIL CHAIRMAN

Michelle Thompson
ENGLISH CLERK

Michael Aick
PRINCIPAL CHIEF

APPROVED (✓) VETOED ()

VETO UPHeld () VETO DENIED ()

DATE: 12-10-24

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 ()