

PASSED

CHEROKEE COUNCIL HOUSE
CHEROKEE, QUALLA BOUNDARY, NC

Date: DEC 05 2024

RESOLUTION NO. 369 (2024)

A resolution to exclude Alan Nathaniel Rhinehart 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, ALAN NATHANIEL RHINEHART (Date of Birth: 08/03/1978) 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, RHINEHART has a lengthy criminal history that includes multiple drug charges, larceny charges, breaking and entering charges, assault charges, and is a convicted felon; and

WHEREAS, RHINEHART also has an extensive driving history record as well which includes, but not limited to driving while license revoked, fictitious information to officers, reckless driving, possession/display fictitious license plate, no operator’s license, cancelled/revoked license plate, and speeding; and

WHEREAS, Cherokee Indian Police Department have encountered RHINEHART on numerous occasions, including observing RHINEHART frequenting known drug houses, and transporting enrolled members from known drug houses to other known drug houses; and

WHEREAS, RHINEHART has no business whatsoever in Cherokee and has no reason to constantly be on our Boundary contributing to the drug epidemic we are currently battling.

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, ALAN NATHANIEL RHINEHART is hereby PERMANENTLY EXCLUDED from all Tribal lands and is hereby notified and ordered to vacate all tribal lands.

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

BE IT FURTHER RESOLVED that if ALAN NATHANIEL RHINEHART 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 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 ___369___ 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 Paul

TRIBAL COUNCIL CHAIRMAN

Michelle Thompson

ENGLISH CLERK

Richard Hood

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 ()