

CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

DATE

RESOLUTION NO. _____ (2024)

WHEREAS, The Eastern Band of Cherokee Indians authorized the Election Board to be an IMPARTIAL board to oversee and conduct elections; and

WHEREAS, The Election Board is in a position to identify how the Tribe’s election laws are applied and how changes or modifications to the election law would be beneficial to the spirit behind the laws and to the general public; and

WHEREAS, on September 7, 2017, A general election was held for the Eastern Band of Cherokee Indians; and

WHEREAS, on September 7, 2017, there were four individuals on the ballot for the Birdtown community, and

WHEREAS, the results on Election Day fell within the two percent margin, (Section 161-6(b)) between Albert Rose and Ashley Sessions; and

WHEREAS, Ashley Sessions requested an official recount of the ballots in the Birdtown community by The Board of Elections. The request was sent within 24 hours of the election via email; and

WHEREAS, The Board of Elections granted Ashley Sessions’ request and conducted an official recount by hand, three times. The recount was broadcasted online and on the local cable channel in Cherokee, NC on September 13, 2017, and

WHEREAS, The Board of Elections and Chairwoman, Denise Ballard announced Ashley Sessions the clear winner of the Birdtown Community after the recount of the ballots on September 13, 2017; and

WHEREAS, Chairwoman, Denise Ballard informed Ashley Sessions that she should resign from her job at that time in order to spend time with her aunt, who was in hospice care, and to prepared to be sworn in as an elected official on October 2, 2017; and

WHEREAS, Ashley Sessions was provided with budgets, and other confidential information by the tribal finance department after being declared the winner in the Birdtown community during the official recount on September 13, 2017, and

WHEREAS, on October 10, 2017, The Board of Elections issued their decision to hold a runoff election only between Ashley Sessions and Albert Rose although every candidate from every community gained votes. This decision contradicted what Chairwoman, Denise Ballard had told Ashley Sessions and what she had publicly announced tribal wide during the broadcasted recount on September 13, 2017, and

WHEREAS, the negligence of the Board of Election, specifically, Chairwoman Denise Ballard, caused Ashley Sessions to improperly and unfairly lose wages of \$160,000 that would have been paid to her during her two-year term as an elected official for the Birdtown Community; and

NOW THEREFORE BE IT RESOLVED by the Eastern Band of Cherokee Indians, in Council assembled, at which a quorum is present, the EBCI Tribal Council has the authority by the Charter and Governing Document and Cherokee Code to indemnify Ashley Sessions with a payment of \$160,000 (ONE HUNDRED SIXTY THOUSAND DOLLARS) to be paid from the Tribes General Endowment Fund to compensate for financial loss caused by the actions of the Board of Elections; and

BE IT FURTHER RESOLVED the payment of \$160,000 (ONE HUNDRED SIXTY THOUSAND DOLLARS) shall be paid to Ashley Sessions within 10 (TEN) business days once ratified by the Principal Chief; and

BE IT FINALLY RESOLVED that this resolution shall become effective upon ratification.

Submitted by: Ashley Sessions, Enrolled Member of the EBCI, Birdtown Community Member