

**CHEROKEE COUNCIL HOUSE  
CHEROKEE, NORTH CAROLINA**

**Date:** \_\_\_\_\_

**RESOLUTION NO. \_\_\_\_\_ (2023)**

*A resolution to confirm the use of ARPA funds by the Cherokee School Board to pay for the first phase of damage assessment, design, and repairs to Cherokee school buildings due to water infiltration and related causes.*

WHEREAS, on May 5, 2023, the Cherokee School Board and others met with Tribal Council to provide an overview of the water infiltration issue that has been identified in some school buildings on the Cherokee schools' campus; and

WHEREAS, the water infiltration issue has damaged, and will continue to damage, affected school buildings until appropriate repairs are made; and

WHEREAS, the anticipated repairs are made more complicated by the fact that the buildings were constructed using Structural Insulated Panels (SIPS), which provide the primary wall system in the buildings; and

WHEREAS, the School Board proposes to undertake design work, air quality monitoring and repairs in phases, and Phase 1, focusing on "Building R", is estimated to cost approximately \$7,600,000 (seven million, six hundred thousand dollars); and

WHEREAS, the total cost to repair all of the damaged buildings is not yet known because the extent of the damage is not yet known, but it is anticipated that the total cost to repair will be many millions of dollars and will take 3-5 years to complete; and

WHEREAS, in Resolution No. 424 (2022), based on information available at the time, Tribal Council allocated approximately \$5,000,000 (five million dollars) of ARP funds (American Rescue Plan funds) to begin the assessments, designs and repairs described by the School Board in more detail on May 5, 2023; and

WHEREAS, the Cherokee School Board requests Tribal Council to approve the School Board's phased approach for more deeply assessing the damage, designing plans for repair, providing continued air-quality monitoring, and repairing the damaged buildings, and to approve the School Board's request to use the \$5,000,000 (five million dollars) in ARP funds allocated in Resolution No. 424 (2022) for Phase 1, and to allocate an additional \$2,600,000 (two million, six-hundred thousand dollars) to the School Board for Phase 1.

NOW THEREFORE BE IT RESOLVED, the Eastern Band of Cherokee Indians Tribal Council, in Council assembled, at which a quorum is present, that Tribal Council hereby approves the plan proposed by the Cherokee School Board for

1 implementing a phased approach to assessing damage, designing repairs,  
2 monitoring air quality, and making repairs to the affected buildings on the  
3 Cherokee schools campus, and employing legal counsel and experts in water  
4 infiltration conditions in order to advise the Cherokee School Board and Tribal  
5 Council on potential legal recourse in these matters.  
6

7 BE IT FURTHER RESOLVED, that the Tribe is authorized and shall fund Phase 1, which will  
8 focus on Building R, at an estimated cost of approximately \$7,600,000 (seven  
9 million, six hundred thousand dollars), to be made up of \$5,000,000 (five million  
10 dollars) in ARPA funds allocated in Resolution No. 424 (2022), and by allocating  
11 an additional \$2,600,000 (two million, six-hundred thousand dollars), which  
12 additional amount shall be paid from the following Tribal account:  
13  
14  
15

---

16 BE IT FURTHER RESOLVED, that the School Board and Tribal Council acknowledge that the  
17 cost for Phase 1 will be a small part of the overall cost, and that additional  
18 funding resolutions will be necessary as project plans are developed.  
19

20 BE IT FURTHER RESOLVED, that the Cherokee School Board is authorized to take the steps  
21 necessary to move this project forward consistent with this resolution and the  
22 general plan described to Tribal Council on May 5, 2023, but with the knowledge  
23 that the general plan may have to be revised as new details emerge.  
24

25 BE IT FURTHER RESOLVED, that the Cherokee School Board shall update Tribal Council  
26 regularly, not less than once each calendar quarter, on the progress of the project.  
27

28 BE IT FINALLY RESOLVED that all resolutions that are inconsistent with this resolution are  
29 rescinded, and that this resolution shall become effective when ratified by the  
30 Principal Chief.  
31

32  
33 *Submitted by T. W. Saunooke and the Cherokee School Board*