

Cherokee Council House  
Cherokee, North Carolina

\_\_\_\_\_  
(Date)

RESOLUTION NO. \_\_\_\_\_ (2018)

WHEREAS, the Cherokee Code states that any elected official is subject to suspension and impeachment for breach of the Cherokee Code or violation of their oath of office; and

WHEREAS, the code states that Tribal employees are subject to suspension and termination for breach of the Personnel Policy and other matters; and

WHEREAS, the code states that there must be an investigation prior to an impeachment of an elected official; and

WHEREAS, the Cherokee Code at Sec. 117A-14 states that during the investigation that the elected official shall be suspended of their duties until the investigation is complete and the person is cleared of any wrongdoing; and

WHEREAS, the Tribal Council voted unanimously to start an investigation into whether Principal Chief, Richard G. Sneed, violated the laws of the Cherokee Code by secretly authorizing payouts to seven individuals in a settlement that:

1. Was not authorized or approved by Tribal Council, and
2. Was in excess of the lawfully authorized amount in the Cherokee Code of an amount not to exceed any insurance coverage available; and
3. He pushed to pay an amount that was \$175,000 higher than the Tribal Representatives agreed to pay at the settlement conference; without any consultation, approval or need and this unilateral action resulted in direct harm to the Tribe and its general funds; and
4. Did not receive authorization through budget processes and was paid from General Fund without the money being authorized or allocated by the Tribal Council, and
5. Did not receive Executive Committee approval, and
6. Did not receive Business Committee approvals, and
7. Was a unilateral negotiation secretly conducted with intent to keep the results from public or legislative scrutiny which points to collusion causing this to have the appearance of impropriety in conflict with the Code of Ethics, and

8. The individuals involved as parties and employees (in critical positions with the power to cover this up at the same time as being a party subject to gain financially) have direct conflicts in their involvement

WHEREAS, there also are many issues beyond this matter that should be included into the investigation that involve violations of the Personnel Policy and the wrongful acts of pushing for pay raises to certain finance office personnel who were involved in the secretive payouts to their boss and former boss in these matters.

NOW, THEREFORE BE IT RESOLVED by the Eastern Band of Cherokee Indians in Council assembled, at which a quorum is present, that in accordance with the law and to assure fairness and completeness in the pending investigation that Principal Chief Sneed shall be placed on suspension while the investigation is being conducted and shall not return to office until either the investigation exonerates him or he is acquitted following any impending impeachment if the investigation shows that crimes or violations of policy have been committed.

BE IT FURTHER RESOLVED that Principal Chief Sneed shall turn over all EBCI property and Vice-Chief Ensley shall function as Acting Principal Chief until these matters are concluded.

BE IT FURTHER RESOLVED that Vice-Chief Ensley is authorized to sign and ratify this resolution in consideration of the direct conflict of interest from Principal Chief Sneed in his interests in this matter.

BE IT FINALLY RESOLVED this resolution shall become effective upon ratification by Vice-Chief Ensley.

Submitted by: Sherry Smoker and Onita Bush