

PASSED

CHEROKEE COUNCIL HOUSE  
CHEROKEE, NORTH CAROLINA

Date: 0707 6 0 NVF

JAN 09 2020

RESOLUTION NO. 94 (2019)

WHEREAS, various tribal entities and tribal programs have demonstrated to Tribal Council that the continued administration and enforcement of the 1.75% Tribal Employment Rights Fee (the TERO Fee) imposed by C.C. § 92-28B will have an immediate negative impact on the budgets of the Tribal entities and programs by raising contract costs; and

WHEREAS, on July 24, 2019, Tribal Council held a work session on the subject of the TERO fee; and

WHEREAS, at the work session, significant concerns were raised that C.C. § 92-28B is too broad, does not give necessary notice and direction to those who have to comply with it, and due to increased contracting costs will put entities and programs in financial jeopardy; and

WHEREAS, the sole purpose of the TERO Fee is to provide a funding source for TERO with the hope of making TERO self-supporting, but Tribal Council is currently funding TERO through the Tribe's regular budgeting process and will continue to do so; and

WHEREAS, placing a moratorium on the administration and enforcement of the TERO Fee will not jeopardize TERO's on-going operations but will give Tribal Council the time it needs to re-visit the law and make modifications; and

NOW, THEREFORE, BE IT RESOLVED by the Eastern Band of Cherokee Indians in Tribal Council Assembled, at which a quorum is present, that the Tribal Council does hereby impose a moratorium on the administration, collection and enforcement of the TERO Fee created and imposed by C.C. § 92-28B. This moratorium shall remain in place pending until this resolution is rescinded.

BE IT FINALLY RESOLVED that all resolutions inconsistent with this resolution are rescinded, and that this resolution shall become effective when ratified by the Principal Chief.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 Richard G. Sneed, Principal Chief*

The attached Resolution/Ordinance No. 94 dated JANUARY 9, 2020 was

**PASSED ( X )**

**KILLED ( )**

and ratified in open Council on JANUARY 9, 2020 by 100 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			
Bo Crowe	X			
Chelsea Saunooke	X			
Albert Rose	X			
Dike Sneed	X			
Tommie Saunooke	X			
	100	0	0	0

  
TRIBAL COUNCIL CHAIRMAN

  
ENGLISH CLERK

  
PRINCIPAL CHIEF

APPROVED ( ☒ ) VETOED ( )

~~VETO UPHOLD~~ ( ) VETO DENIED ( )

DATE: 1/30/2020

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 ( )