

**PASSED**  
**RESCINDED**  
APR 02 2019

Cherokee Council House  
Cherokee, North Carolina  
Date MAR 12 2019

Resolution No. 513 (2019)

WHEREAS, the Division of Commerce reviews business operations that may make a positive impact on the economic, community, cultural, or environmental development on and off the Qualla Boundary; and

WHEREAS, the Eastern Band of Cherokee Indians has as a stated goal of the greater diversification of Tribal revenue streams; and

WHEREAS, the "Cherokee Community Antenna Television Franchise" was approved by ordinance in 1979, which took form as Cherokee Cablevision, and Cherokee Cablevision is a profitable business venture; and

WHEREAS, Cherokee Cablevision has been offered for purchase to the Eastern Band of Cherokee Indians; and

WHEREAS, acquisition of Cherokee Cablevision will, with necessary upgrades, allow the Eastern Band of Cherokee Indians to deliver broadband internet, cable, and phone services to enrolled members;

NOW THEREFORE BE IT RESOLVED, by the Tribal Council of the Eastern Band of Cherokee Indians in Council assembled, at which a quorum is present that the Principal Chief is authorized to purchase Cherokee Cablevision and all associated assets for a total purchase price not exceed \$3,500,000.

BE IT FURTHER RESOLVED, that funding for the purchase and closing costs will come from the fund balance of the Endowment Fund No. 2.

BE IT FINALLY RESOLVED, that all resolutions that are inconsistent with this resolution are rescinded, and that this resolution shall become effective when ratified by the Principal Chief.

Submitted by: Division of Commerce

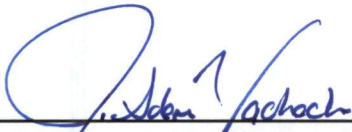
The attached Resolution/Ordinance No. 513 dated MARCH 12, 2019 was:

**PASSED ( X )**

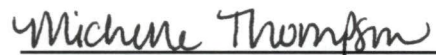
**KILLED ( )**

and ratified in open Council on MARCH 12, 2019 by 60 voting for the act  
and 40 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		
Jeremy Wilson		X		
Albert Rose		X		
Lisa Taylor	X			
Tommye Saunooke	X			
	40	60	0	0



TRIBAL COUNCIL CHAIRMAN



ENGLISH CLERK



PRINCIPAL CHIEF

APPROVED ( 4 ) VETOED ( )

VETO UPHOLD ( ) VETO DENIED ( )

DATE: 4/2/19

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 ( )

# PASSED

CHEROKEE COUNCIL HOUSE  
CHEROKEE, NORTH CAROLINA

APR 02 2019

DATE

RESOLUTION NO. 545 (2019)

WHEREAS, on June 21, 1979, the Eastern Band of Cherokee Indians (EBCI) passed the "Ordinance Granting a Franchise to Cherokee Cablevision. Eastern Band of Cherokee Indians Tribal Council Ordinance (June 21, 1979).

WHEREAS, the above referenced ordinance established the Cherokee Cablevision "as an arm of the Tribe..." Eastern Band of Cherokee Indians Tribal Council Resolution No. 383 (1979).

WHEREAS, the EBCI paid eighty-nine thousand eight hundred seventy-five dollars (\$89,875) from the general revenue sharing funds for their share in the Cherokee Cablevision. Eastern Band of Cherokee Indians Tribal Council Resolution No. 4 (1979).

WHEREAS, the franchise term is for twenty (20) years from the effective date of Ordinance No. 114 (2000) which is February 28, 2000.

WHEREAS, the franchise term expires February 28, 2020.

WHEREAS, "[i]n the event...the grantee fails to renew this franchise at the termination of the franchise period, all the property of the grantee used in connection with the operation under this franchise shall remain the property of the grantee. *The grantee shall offer said property for sale at current market value and the grantor [EBCI] shall have first option of refusal on the purchase of the system; said offer of the sale will be on reasonable terms and conditions at the prevailing current market value for such property.*" C.C. §153-3(7).

WHEREAS, in light of the above researched resolutions, rescinding Resolution No. 513 (2019) is appropriate and a current market value is established for purchasing the system.

NOW THEREFORE BE IT RESOLVED by the Eastern Band of Cherokee Indians in Council assembled, at which a quorum is present, the Tribal Council rescinds Resolution No. 513 (2019).

BE IT FURTHER RESOLVED the Commerce Department obtain an current market value for the system.

BE IT FINALLY RESOLVED that the Principal Chief in coordinate with the Commerce Department shall carry out the intent of this resolution and this resolution shall become effective upon ratification.

*Submitted by: Richard French, Big Cove/Tow String Representative*



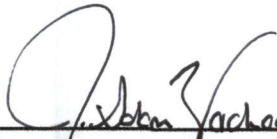
The attached Resolution/Ordinance No. 545 dated April 2, 2019 was:

**PASSED ( X )**

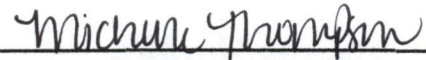
**KILLED ( )**

and ratified in open Council on April 2, 2019 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			
Jeremy Wilson	X			
Albert Rose	X			
Lisa Taylor	X			
Tommye Saunooke	X			
	100	0	0	0



TRIBAL COUNCIL CHAIRMAN



ENGLISH CLERK

  
PRINCIPAL CHIEF

VETO UPHELD ( ) VETO DENIED ( )

APPROVED (✓) VETOED ( )

DATE: 4/17/19

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 ( )