

AMENDED
PASSED

Cherokee Council House
Cherokee, North Carolina
JUL 09 2020

Date

Resolution No. 217 (2020)

WHEREAS, the Eastern Band of Cherokee Indians (EBCI) Tribal Council directs the management and control of all real or personal property belonging to the Tribe. Charter and Governing Document, sec. 16 and 23 (1986).

WHEREAS, EBCI Tribal Council is empowered to establish Tribal laws and regulations. Charter and Government, sec. 23 (1986).

WHEREAS, Tribal officials of the EBCI shall protect and conserve Tribal resources and ensure the appropriate use of Tribal resources falling under the scope of the office of the Tribal official. C.C. §117-45.3(d)(3).

WHEREAS, not only does Tribal officials mean elected officials; but also, individuals who serve on boards and commissions; as well as, individuals appointed by the Principal Chief or Tribal Council. C.C. §117-45.1(a)(1).

WHEREAS, Mingo Falls is a cherished, sacred, and beautiful location on the Qualla Boundary.

WHEREAS, Mingo Falls is being damaged and irreparably harmed by over use.

WHEREAS, it is essential that Mingo Falls be protected and preserved for future generations.

NOW THEREFORE BE IT RESOLVED by the Eastern Band of Cherokee Indians in Tribal Council assembled, with a quorum is present, that access to Mingo Falls by non-residents, be limited to the main trail and to the foot bridge below the falls.

BE IT FURTHER RESOLVED that the Division of Agriculture and Natural Resources shall conduct an environmental impact study with a goal of repair and report their finding to Tribal Council on or before September 30, 2020.

BE IT STILL FURTHER RESOLVED that the Division of Agriculture and Natural Resources establish a long-term protection and preservation plan for the falls and surrounding area in accordance with C.C. §113-1 (c).

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

Submitted by Perry Shell on behalf of John Randall French and the EBCI

Cherokee Council House
Cherokee, North Carolina

JUL 09 2020

Date

Amendment to Resolution No. 217 (2020):

Amend the, "BE IT FURTHER RESOLVED," insert the word "analysis" after "environmental impact", and insert the name "John Randall French" after the word Council

The attached Resolution/Ordinance No. 217 dated July 9, 2020 was:

PASSED (X)

KILLED ()

and ratified in open Council on July 9, 2020 by 76 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 Wahneetah	X			
David Wolfe	X			
Adam Wachacha	X			
Bo Crowe	X			
Chelsea Saunooke	X			
Albert Rose				X
Dike Sneed	X			
Tommye Saunooke	X			
	76	0	0	24



TRIBAL COUNCIL CHAIRMAN



ENGLISH CLERK



PRINCIPAL CHIEF

APPROVED (☒) VETOED ()

VETO UPHeld () VETO DENIED ()

DATE: 7/20/2020

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 ()