

TABLED

Cherokee Council House
Cherokee, North Carolina

AUG 13 2010

DATE

ORDINANCE NO. 429 (2010)

WHEREAS, the Tribal Casino Gaming Enterprise (TCGE) was established in the public interest to provide an organizational business plan directing the Tribe's Class III gaming operations; and

WHEREAS, the TCGE has the power and duty to approve annual operating, capital and working capital budgets which fund both short and long range goals of the Tribe's gaming operation; and

WHEREAS, as a Tribal enterprise and instrumentality, the TCGE should be subject to the same financial accountability as Tribal divisions, programs, commissions and other enterprises; and

WHEREAS, Cherokee Code Section 16A-5(c)(1) should be amended to require that the annual budget of TCGE be included in the Executive Committee's proposed budget presented to the Tribal Council annually for approval.

NOW THEREFORE, BE IT ORDAINED by the Tribal Council of the Eastern Band of Cherokee Indians assembled, at which a quorum is present, that Cherokee Code Section 16A-5(c)(1) be amended to read as follows:

Sec. 16A-5. Powers and duties of Board of Advisors.

(c) *Budgetary and Financial Authority.* The TCGE shall have the power and duty to:

(1) ~~Approve~~ Prepare annual operating, capital, and working capital budgets, which fund short range and long range goals and objectives of a gaming operation and the strategies used to accomplish these goals and objectives, ~~and provide a detailed summary of the budget for the coming year to the Principal Chief and the Tribal Council upon approval by the Board of Advisors; which are to be included in the Executive Committee's proposed budget submitted annually to Tribal Council for approval;.~~

BE IT FURTHER ORDAINED that all other sections of Cherokee Code Chapter 16A – Tribal Casino Gaming Enterprise – shall remain in full force and effect and that all other ordinances inconsistent with this ordinance are rescinded.

BE IT STILL FURTHER ORDAINED that Cherokee Code Sec. 117-47 – Balanced Budget Act – be revised to reflect the above changes to Cherokee Code Section 16A-5(c)(1).

BE IT FINALLY ORDAINED that this ordinance shall be effective when ratified by the Principal Chief.

Submitted by: Perry Shell, Big Cove Community Tribal Council representative
Alan B. Ensley, Yellowhill Community Tribal Council representative
David Wolfe, Yellowhill Community Tribal Council representative