

TABLED

Cherokee Council House
Cherokee, North Carolina

AUG 13 2010
DATE

ORDINANCE NO. 430 (2010)

WHEREAS, the Tribal Bingo Enterprise (TBE) was established in the public interest to provide an organizational business plan directing the Tribe's Class II gaming operations; and

WHEREAS, the TBE 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 Class II gaming operation; and

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

WHEREAS, Cherokee Code Section 16B-5(c)(1) should be amended to require that the annual budget of TBE 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 16B-5(c)(1) be amended to read as follows:

Sec. 16B-5. Powers and duties of Board.

(c) *Budgetary and Financial Authority.* The TBE 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 16B – Tribal Bingo Enterprise – shall remain in full force and effect and that all other ordinances inconsistent with this ordinance are rescinded.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