



Council of the Cherokee Nation

Council House
17763 S. Muskogee Ave.
Tahlequah, OK 74464

Meeting Minutes - Final RULES COMMITTEE

Meredith Frailey, Chair

Recording Secretary, Shelli-Brittain
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Thursday, January 26, 2012

1:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Frailey called the meeting to order at 1:00 p.m.

INVOCATION

Councilor Snell gave the invocation.

ROLL CALL

Present 17 - Buel Anglen; Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Jodie Fishinhawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; Lee Keener Jr.; David Walkingstick; Julia Coates; Frankie Hargis and Joe Byrd

APPROVAL OF MINUTES

Councilor Anglen moved to approve the December 13th regular session minutes. Councilor Thornton seconded the motion. Councilor Cowan Watts moved to amend the minutes to include more depth on some of the more critical issues. Councilor Thornton seconded the motion. Mr. Hembree stated they would need to present in the same manner as an amendment to legislation.

Councilor Cowan Watts moved to table to next month. **Councilor Coates** seconded the motion. The motion carried.

APPROVAL OF MINUTES

Councilor Hoskin Jr. moved to approve the December 12th subcommittee minutes. **Councilor Glory-Jordan** seconded the motion. The motion carried.

AMEND THE AGENDA

Councilor Hoskin Jr. moved to amend the agenda to add the legislation that passed out of the impeachment subcommittee. Copies of the legislation have been provided. **Councilor Glory-Jordan** seconded the motion. The motion carried.

REPORTS:

Marshal Service - Shannon Buhl

Mr. Buhl offered to answer questions from the report provided; he offered to make changes as to how the report is provided. Councilor Cowan Watts inquired about the update she requested on the Claremore Indian Hospital jurisdictional issues. Councilor Thornton voiced concern for District 3 needing Marshal coverage. Councilor Walkingstick inquired about cross deputizing with the Oklahoma Highway Patrol. Councilor Hoskin Jr. requested information showing the number of times the Marshal Service patrols the low income properties.

Office of the Attorney General - Todd Hembree

Ms. Hammons commented they have been very busy. She announced Ms. Chrissi Nimmo is here and available to answer questions in regard to the South Carolina case. Ms. Hammons reminded everyone that they are bound by confidentiality with regard to juvenile cases. She offered to answer questions from the report provided. Councilor Cowan Watts gave appreciation to Ms. Hammons and all of the work she and her staff have done over the past several years.

Election Commission -

No one was present to report.

Tax Commission - Sharon Swepston

Ms. Swepston announced effective February first they would only be open on Tuesday until 6:00 p.m. in the Tahlequah office instead of Tuesday and Thursday. Councilor Cowan Watts inquired about penalties for someone who fraudulently fronts a tag for someone or has a tag out of jurisdiction.

Self-Governance - Vickie Hanvey

Secretary of State, Charles Head, announced Ms. Hanvey is out on travel and that he would make sure that her report is submitted to this office within the next few moments.

Gaming Commission - Jamie Hummingbird

Mr. Hummingbird apologized for his report not making it in to the packet that it was submitted. He reported that as of the end of the calendar year 2010 the Nation under the term of the State compact has contributed in excess of one hundred million dollars in fees paid to the State. Councilor Cowan Watts inquired about the process for someone being banned from the casinos for a gambling issue.

Codification - Todd Hembree

Mr. Hembree announced he and Mr. Morton had a meeting with Mr. Jon James in regard to placing the files in one universal format. He commented if confirmed as the AG he would make this a top priority with the staff. He stated the project is 90% complete.

Youth Leadership Council - Mark Skinner

No one was present to report.

Registrar Citizenship Data Update - David Justice

Councilor Cowan Watts commented she had requested information be provided that is already compiled but has yet to receive. Mr. Head stated they met this week and the data is being compiled. Councilor Cowan Watts stated a map was generated and produced for this committee, she requested the table of the population associated with the zip code for this map.

OLD BUSINESS

1. [TMP-181](#) IMPLEMENTATION OF AN INDEPENDENT INFORMATION TECHNOLOGY SERVICE FOR THE CHEROKEE NATION TRIBAL COUNCIL (Discussion Only)
Councilor Hoskin Jr. moved to table. Councilor Lay seconded the motion. The motion carried.
2. [TMP-182](#) DEVELOPMENT OF FIFTEEN (15) SEPARATE COUNCIL DISTRICTS FOR THE CHEROKEE NATION TRIBAL COUNCIL (Discussion Only)
Councilor Thornton commented they have been promised a map and a database. Mr. Hembree commented this is the same issue Councilor Cowan Watts was referring to. He stated he would work to ensure the Council gets the data they need in order to complete this project in a timely fashion. Councilor Hoskin Jr. reminded everyone that the deadline for completion is June 2012. He stated the biggest challenge is to make sure we have a population that is accurate and reasonable. Councilor Cowan Watts requested this be placed on the agenda next month for action. She also requested to be added as a sponsor. Councilor Hoskin Jr. requested Mr. Hembree to provide a historical timeline of legal issues next month.
Councilor Thornton moved to table to next month.

NEW BUSINESS

1. [TMP-179](#) SELECTION OF COMMITTEE CHAIR & CO-CHAIR:

Rules Committee
Executive & Finance Committee
Community Service Committee
Education & Culture Committee
Health Committee
Resources Committee

Councilor Glory-Jordan nominated Chuck Hoskin Jr. as Rules Chair. Councilor Cowan Watts seconded the motion. No other nominations were presented. The motion carried with no opposition.

Appreciation was given to Speaker Frailey for her outstanding eight years of service as Rules chair.
Councilor Fishinghawk moved to nominate David Walkingstick as co-chair of Rules. Councilor Glory-Jordan seconded the motion. Councilor Cowan Watts moved to nominate Lee Keener as co-chair of Rules.

Councilor Coates seconded the motion.

Chair Hoskin Jr. asked direction from Mr. Hembree on the procedure for multiple nominations.

Upon the recommendation of Mr. Hembree votes were cast by a show of hands and Ms. Brittain audibly signify in the record who is voting for who. The nominee reaching the majority of 9 votes is elected.

9 - Votes cast for Councilor Walkingstick:

Councilors Byrd, Fishinghawk, Fullbright, Hargis, Hoskin Jr., Glory-Jordan, Lay, Snell and Walkingstick.

8 – Votes cast for Councilor Keener:

Councilors Anglen, Baker, Coates, Frailey, Garvin, Keener, Thornton and Cowan Watts.

Chair Hoskin Jr. announced Councilor Walkingstick received a majority vote of 9 and is the co-chair of Rules committee.

Councilor Glory-Jordan moved to nominate Jodie Fishinghawk as chair of Executive & Finance. Councilor Byrd seconded the motion.

Councilor Keener moved to nominate Jack D. Baker as chair of Executive & Finance. Councilor Cowan Watts seconded the motion.

9 - Votes cast for Councilor Fishinghawk:

Councilors Byrd, Fishinghawk, Fullbright, Hargis, Hoskin Jr., Glory-Jordan, Lay, Snell and Walkingstick.

8 – Votes cast for Councilor Baker:

Councilors Anglen, Baker, Coates, Frailey, Garvin, Keener, Thornton and Cowan Watts.

Chair Hoskin Jr. announced Councilor Fishinghawk received a majority vote of 9 and is the chair of Executive & Finance committee.

Councilor Fishinghawk moved to nominate Chuck Hoskin Jr. as co-chair of Executive & Finance. Councilor Hargis seconded the motion.

Councilor Anglen moved to nominate Jack D. Baker as co-chair of Executive & Finance. Councilor Cowan Watts seconded the motion.

9 - Votes cast for Councilor Hoskin Jr.:

Councilors Byrd, Fishinghawk, Fullbright, Hargis, Hoskin Jr., Glory-Jordan, Lay, Snell and Walkingstick.

8 – Votes cast for Councilor Baker:

Councilors Anglen, Baker, Coates, Frailey, Garvin, Keener, Thornton and Cowan Watts.

Chair Hoskin Jr. announced Councilor Hoskin Jr. received a majority vote of 9 and is the co-chair of Executive & Finance committee.

Councilor Garvin moved to nominate David Thornton as chair of Community Service. Councilor Cowan Watts seconded the motion.

Councilor Walkingstick moved to nominate Dick Lay as chair of Community Service. Councilor Glory-Jordan seconded the motion.

8 - Votes cast for Councilor Thornton:

Councilors Anglen, Baker, Coates, Frailey, Garvin, Keener, Thornton and Cowan Watts.

9 – Votes cast for Councilor Lay:

Councilors Byrd, Fishinghawk, Fullbright, Hargis, Hoskin Jr., Glory-Jordan, Lay, Snell and Walkingstick.

Chair Hoskin Jr. announced Councilor Lay received a majority vote of 9 and is the chair of Community Service committee.

Councilor Fishinghawk moved to nominate Frankie Hargis as co-chair of Community Service. Councilor Glory-Jordan seconded the motion.

Councilor Cowan Watts moved to nominate David Thornton as co-chair of Community Service. Councilor Coates seconded the motion.

9 - Votes cast for Councilor Hargis:

Councilors Byrd, Fishinghawk, Fullbright, Hargis, Hoskin Jr., Glory-Jordan, Lay, Snell and Walkingstick.

8 – Votes cast for Councilor Thornton:

Councilors Anglen, Baker, Coates, Frailey, Garvin, Keener, Thornton and Cowan Watts.

Chair Hoskin Jr. announced Councilor Hargis received a majority vote of 9 and is the co-chair of Community Service committee.

Councilor Fishinghawk moved to nominate Joe Byrd as chair of Education & Culture. Councilor Hargis seconded the motion.

Councilor Cowan Watts moved to nominate Dr. Julia Coates as chair of Education & Culture. Councilor Anglen seconded the motion.

9 - Votes cast for Councilor Byrd:

Councilors Byrd, Fishinghawk, Fullbright, Hargis, Hoskin Jr., Glory-Jordan, Lay, Snell and Walkingstick.

8 – Votes cast for Councilor Coates:

Councilors Anglen, Baker, Coates, Frailey, Garvin, Keener, Thornton and Cowan Watts.

Chair Hoskin Jr. announced Councilor Byrd received a majority vote of 9 and is the chair of Education & Culture committee.

Councilor Fishinghawk moved to nominate Don Garvin as co-chair of Education & Culture. Councilor Cowan Watts seconded the motion. No other nominations were presented. The motion carried with no opposition.

Councilor Byrd nominated Janelle Fullbright as Health Chair. Councilor Cowan Watts seconded the motion. No other nominations were presented. The motion carried with no opposition.

Councilor Hargis moved to nominate Dick Lay as co-chair of Health. Councilor Snell seconded the motion.

Councilor Keener moved to nominate Cara Cowan Watts as co-chair of Health. Councilor Anglen seconded the motion.

9 - Votes cast for Councilor Lay:

Councilors Byrd, Fishinghawk, Fullbright, Hargis, Hoskin Jr., Glory-Jordan, Lay, Snell and Walkingstick.

8 – Votes cast for Councilor Cowan Watts:

Councilors Anglen, Baker, Coates, Frailey, Garvin, Keener, Thornton and Cowan Watts.

Chair Hoskin Jr. announced Councilor Lay received a majority vote of 9 and is the co-chair of Health committee.

Councilor Lay nominated Curtis Snell as Resource Chair. Councilor Thornton seconded the motion. No other nominations were presented. The motion carried with no opposition.

Councilor Cowan Watts moved to nominate Dick Lay as co-chair of Resource. Councilor Keener seconded the motion. Councilor Lay declined the nomination. Councilor Lay moved to nominate David Thornton as co-chair of Resource. Councilor Thornton declined the nomination.

Councilor Fishinghawk nominated Frankie Hargis. as Resource co-chair. Councilor Glory-Jordan seconded the motion. No other nominations were presented. The motion carried with no opposition.

2. [11-098](#)

A RESOLUTION ELECTING THE OFFICE OF SPEAKER FOR THE CHEROKEE NATION TRIBAL COUNCIL

Councilor Fishinghawk moved to nominate Tina Glory-Jordan with an amendment to this resolution for the ending date to read August of 2015. Councilor Walkingstick seconded the motion. Councilor Cowan Watts called for division to vote on the amendment separately. Councilor Garvin moved to nominate David Thornton as speaker. Councilor Anglen seconded the motion.

After additional discussion was held the motion to amend the resolution to August 2015 carried with the following roll call vote:

Yea: 10 - Chuck Hoskin Jr. ; Curtis Snell; Don Garvin; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd

Nay: 7 - Buel Anglen; David Thornton, Sr. ; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Lee Keener Jr. and Julia Coates

9 - Votes cast for Councilor Glory-Jordan:

Councilors Byrd, Fishinghawk, Fullbright, Hargis, Hoskin Jr., Glory-Jordan, Lay, Snell and Walkingstick.

8 – Votes cast for Councilor Thornton:

Councilors Anglen, Baker, Coates, Frailey, Garvin, Keener, Thornton and Cowan Watts.

Chair Hoskin Jr. announced Councilor Glory-Jordan received a majority vote of 9 for Speaker of the Council.

3. [11-099](#)

A RESOLUTION ELECTING THE OFFICE OF DEPUTY SPEAKER FOR THE CHEROKEE NATION TRIBAL COUNCIL

Councilor Fishinghawk moved to nominate Chuck Hoskin Jr. with an amendment to this resolution for the ending date to read August of 2015. Councilor Fullbright seconded the motion. With no other nominations presented the motion to approve and amend carried with no opposition.

4. [11-100](#)

A RESOLUTION ELECTING THE OFFICE OF SECRETARY OF THE TRIBAL COUNCIL

Councilor Byrd moved to nominate Jodie Fishinghawk. Councilor Glory-Jordan seconded the motion with a friendly amendment to this resolution for the ending date to read August of 2015. Councilor Byrd accepted the friendly amendment. Councilor

Cowan Watts stated with it being in the Council Rules of Procedure for this position to be one year the agenda would have to be amended for consideration of Rules of procedure and then the amendment from one year to four years. Mr. Hembree agreed and read both the relevant portion of the Constitution and the Council Rules of Procedure. Councilor Glory-Jordan amended her friendly amendment to reflect a term of February 2012 to January 2013. Councilor Byrd accepted. Councilor Cowan Watts moved to nominate David Thornton. Councilor Coates seconded the motion.

9 - Votes cast for Councilor Fishinghawk:

Councilors Byrd, Fishinghawk, Fullbright, Hargis, Hoskin Jr., Glory-Jordan, Lay, Snell and Walkingstick.

8 – Votes cast for Councilor Thornton:

Councilors Anglen, Baker, Coates, Frailey, Garvin, Keener, Thornton and Cowan Watts.

Chair Hoskin Jr. announced Councilor Fishinghawk received a majority vote of 9 for the Secretary of the Council.

AMEND THE AGENDA

Councilor Glory-Jordan moved to amend the agenda to select advisory board members for CNB and the Housing Authority. Councilor Fishinghawk seconded the motion. The motion carried.

SELECTION OF CNB ADVISORY BOARD MEMBERS

Councilor Glory-Jordan moved to expand to eight advisory board members. Councilor Cowan Watts seconded the motion. The motion carried.

Mr. Hembree was once again requested to provide guidance as how to proceed with these nominations. He recommended to first determining if there are more than 8 who wish to be on the advisory board.

The following 13 Councilors expressed interest in being an advisory board member: Councilors Baker, Byrd, Fishinghawk, Frailey, Fullbright, Hargis, Hoskin Jr., Glory-Jordan, Keener, Lay, Snell, Thornton and Cowan Watts.

Councilor Glory-Jordan called for division and each spot be voted on separately. Councilor Cowan Watts voiced concern for limiting the people who were duly elected by the constituents Cherokee Nation from participating in one of our most critical activities and responsibilities to the tribe. Mr. Hembree stated any person or Council member can attend but if a quorum were to manifest it would need to be broken.

Councilor Cowan Watts moved to table to next month. Councilor Coates seconded the motion. The motion failed with the following roll call vote:

Yea: 7 - Buel Anglen; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Lee Keener Jr. and Julia Coates

Nay: 10 - Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd

Councilor Glory-Jordan asked each position be done separately. She nominated Councilor Hoskin Jr. for position 1. Councilor Walkingstick seconded the motion. Councilor Anglen moved to nominate Councilor Cowan Watts to position 1. Councilor Coates seconded the motion.

9 – Votes cast for Councilor Hoskin Jr.:

Councilors Byrd, Fishinghawk, Fullbright, Hargis, Hoskin Jr., Glory-Jordan, Lay, Snell and Walkingstick.

7 - Votes cast for Councilor Cowan Watts:

Councilors Anglen, Baker, Coates, Frailey, Garvin, Keener and Thornton.

Chair Hoskin Jr. announced Councilor Hoskin Jr. received a majority vote of 9 and has the first CNB advisory board position.

Councilor Fishinghawk nominated Councilor Glory-Jordan for position 2. Councilor Hargis seconded the motion. With no other nominations made the motion to approve carried with Councilor Coates opposed.

Councilor Fishinghawk nominated Councilor Byrd for position 3. Councilor Walkingstick seconded the motion. With no other nominations made the motion to approve carried with the following roll call vote:

Yea: 10 - Joe Byrd, Jodie Fishinghawk, Janelle Fullbright, Frankie Hargis, Chuck Hoskin Jr., Tina Glory-Jordan, Dick Lay, Curtis Snell, David Thornton, and David Walkingstick

Nay: 7 - Buel Anglen, Jack D. Baker, Julia Coates, Meredith Frailey, Don Garvin, Lee Keener, and Cara Cowan Watts.

Councilor Glory-Jordan nominated Councilor Fishinghawk for position 4. Councilor Snell seconded the motion. With no other nominations made the motion to approve carried with Councilors Coates, Cowan Watts and Keener opposed.

Councilor Fishinghawk nominated Councilor Hargis for position 5. Councilor Glory-Jordan seconded the motion. With no other nominations made the motion to approve carried with Councilors Coates, Cowan Watts and Anglen opposed.

Councilor Walkingstick nominated Councilor Snell for position 6. Councilor Hargis seconded the motion. With no other nominations made the motion to approve carried with no opposition.

Councilor Fishinghawk nominated Councilor Fullbright for position 7. Councilor Glory-Jordan seconded the motion. With no other nominations made the motion to approve carried with no opposition.

Councilor Fishinghawk nominated Councilor Lay for position 8. Councilor Hargis seconded the motion. With no other nominations made the motion to approve carried with no opposition.

SELECTION OF HACN ADVISORY BOARD MEMBERS

Councilor Hargis nominated Councilor Snell for position 1. Councilor Fishinghawk seconded the motion. With no other nominations made the motion to approve carried with no opposition.

Councilor Glory-Jordan nominated Councilor Fishinghawk for position 2. Councilor Hargis seconded the motion. With no other nominations made the motion to approve carried with no opposition.

Councilor Byrd nominated Councilor Hargis for position 3. Councilor Lay seconded the motion. With no other nominations made the motion to approve carried with no opposition.

5. [12-008](#) A RESOLUTION CONFIRMING THE NOMINATION OF M. TODD HEMBREE AS ATTORNEY GENERAL FOR THE CHEROKEE NATION
- Councilor Fishinghawk moved to approve. Councilor Walkingstick seconded the motion. All Council members requested to be added as sponsors. After several comments, questions and endorsements were made the motion to approve carried with no opposition.**
6. [12-009](#) A RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN THE CHEROKEE NATION AND THE TULSA DISTRICT, UNITED STATES ARMY CORPS OF ENGINEERS
- Councilor Fullbright withdrew this item as it now moot. It passed committee then full Council on the 16th of January. Councilor Frailey commented the applicable laws referred to are the federal laws. She inquired if a partial waiver would be needed in regard to these particular clauses. Mr. Hembree stated he would be in abundance of caution to do so.**
7. [12-011](#) AN ACT AMENDING LEGISLATIVE ACT 25-01 THE FREEDOM OF INFORMATION ACT SETTING FORTH DISCLOSURE REQUIREMENTS AND DECLARING AN EMERGENCY
- Councilor Cowan Watts requested to be added as a sponsor. She moved to approve. Councilor Anglen seconded the motion. The motion carried by acclamation.**
8. [12-012](#) AN ACT AMENDING TITLE 63 OF THE CHEROKEE NATION CODE ANNOTATED, AMENDING LEGISLATIVE ACT 22-08 RELATING TO SEX OFFENDER REGISTRATION AND NOTIFICATION AND DECLARING AN EMERGENCY
- Councilor Cowan Watts moved to approve. Councilor Garvin seconded the motion.*
- Councilor Glory-Jordan moved to table. Councilor Walkingstick seconded the motion. The motion to table carried with the following roll call vote:**
- Yea:** 9 - Chuck Hoskin Jr. ; Curtis Snell; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd
- Nay:** 7 - Buel Anglen; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Lee Keener Jr. and Julia Coates
- Not In Room:** 1 - David Thornton, Sr.

9. [12-013](#) AN ACT AMENDING TITLE 21 OF THE CHEROKEE NATION CODE ANNOTATED, AMENDING LEGISLATIVE ACT 20-08 RELATING TO SEX CRIMES AND OTHER CRIMES AGAINST THE PERSON
Councilor Cowan Watts moved to approve. Councilor Frailey seconded the motion.
Councilor Glory-Jordan moved to table. Councilor Walkingstick seconded the motion. The motion carried.
10. [11-120](#) AN ACT REVISING TITLE 51 ("IMPEACHMENT"), CHAPTER 8, SECTIONS 81 - ? OF THE CHEROKEE NATION CODE ANNOTATED; AMENDING LA#10-02; AND DECLARING AN EMERGENCY
Councilor Glory-Jordan moved to approve. Councilor Hargis seconded the motion. Councilor Cowan Watts questioned conflict with the whistleblowers act and enforceability.
Councilor Anglen moved to table. Councilor Cowan Watts seconded the motion. The motion to table failed with the following roll call vote:
Yea: 6 - Buel Anglen; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts and Julia Coates
Nay: 9 - Chuck Hoskin Jr. ; Curtis Snell; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; Lee Keener Jr.; Frankie Hargis and Joe Byrd
Not In Room: 2 - David Thornton, Sr. and David Walkingstick
Chair Hoskin Jr. gave an overview of the changes made to the legislation by the subcommittee. The motion to approve carried with the following roll call vote:
Yea: 15 - Buel Anglen; Chuck Hoskin Jr. ; Curtis Snell; Don Garvin; Jack D. Baker; Meredith Frailey; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; Lee Keener Jr.; David Walkingstick; Julia Coates; Frankie Hargis and Joe Byrd
Abstain: 1 - Cara Cowan Watts
Not In Room: 1 - David Thornton, Sr.

ANNOUNCEMENTS

ADJOURNMENT

Councilor Walkingstick moved to adjourn. Councilor Garvin seconded the motion. The motion carried at 3:15 p.m.

STAFF PRESENT:

Shannon Buhl
Chrissi Nimmo
Doug Evans
Nason Morton

Sharon Sweptson
Jamie Hummingbird
Lacey Horn
Amy Brill

Diane Hammons
Charles Head
Sara Hill
Bill Foster

VISITORS PRESENT:

Todd Hembree
Kalyn Free
Ollie Starr
Charles Dry

Patricia Carpenter
Larry Horn
James Thornton
Marilyn Vann

Phyllis Lay
Raymond Vann
Gina Olaya
Carey Tilley