



# 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*  
*Phone: 1-800-995-9465,*  
*E-mail: council-public@cherokee.org*

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Thursday, May 26, 2011

1:00 PM

Legislative Conference Room

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### CALL TO ORDER

**Chair Frailey** called the meeting to order at 1:18 p.m.

### INVOCATION

**Councilor Buzzard** gave the invocation.

### ROLL CALL

**Present** 16 - Bill John Baker; Bradley Cobb; Buel Anglen; Cara Cowan Watts; Chris Soap; Chuck Hoskin, Jr. ; David Thornton Sr. ; Don Garvin; Harley Buzzard; Jack D. Baker; Janelle Fullbright; Jodie Fishinghawk; Julia Coates; Meredith Frailey; S. Joe Crittenden and Tina Glory Jordan

**Absent** 1 - Curtis Snell

### APPROVAL OF MINUTES

**Councilor Cobb** moved to approve the April 28th regular session minutes.  
**Councilor Garvin** seconded the motion. The motion carried.

### REPORTS:

### AMEND THE AGENDA

**Councilor Glory-Jordan** moved to amend the agenda to allow the resolutions nominating board members prior to the reports. **Councilor Cowan Watts** seconded the motion. The motion carried.

### NEW BUSINESS

1. [11-073](#) A RESOLUTION CONFIRMING THE NOMINATION OF JAMES AMOS AS COMMISSIONER OF THE HOUSING AUTHORITY OF THE CHEROKEE NATION BOARD OF COMMISSIONERS

**Councilor Glory-Jordan moved to approve. Councilor Cowan Watts seconded the motion. Councilors Cowan Watts, Fullbright, Thornton and Garvin requested to be added as sponsors. The motion carried.**

2. [11-074](#)

A RESOLUTION CONFIRMING THE NOMINATION OF J. ANTHONY YATES AS A COMMISSIONER OF THE HOUSING AUTHORITY OF THE CHEROKEE NATION BOARD OF COMMISSIONERS

**Councilor Thornton moved to approve. Councilor Fullbright seconded the motion. Councilors Fullbright, Thornton and Garvin requested to be added as sponsors. The motion to approve carried.**

REPORTS:

Marshal Service - Sharon Wright

*Ms. Wright apologized for her late report submittal and offered to answer questions.*

Office of the Attorney General - Diane Hammons

*Ms. Hammons provided the options regarding the Eastern Oklahoma Offices Bureau of Indian Affairs recent decision pertaining to the United Keetoowah Band placing 76 acres in trust. She stated the next action that needs to be taken is the notice of intent to appeal. She announced five Marshals are deployed in Joplin, Missouri assisting in the tornado aftermath. Councilor Fishinghawk inquired as to the budget amount for the law firm assisting in the UKB case. She requested a copy of the contract with the firm. Councilor Buzzard inquired about the UKB claiming IRR roads in our jurisdictional boundaries and receiving allocations for those roads. Ms. Hammons commented they have sent requests in regarding these issues to various federal agencies. Councilor Glory-Jordan requested the past expenditures to the firm and what case is provided along with the contracts requested by Councilor Fishinghawk. She also inquired as to an approximate budget anticipated for the next year.*

GEG Investigation Report - Diane Hammons

Election Commission - Roger Johnson

*No one was present to report. A written report was provided.*

Tax Commission - Sharon Swepston

*Mr. Andy Quetone offered to answer questions in the absence of Ms. Swepston.*

Self-Governance - Vickie Hanvey

*Ms. Hanvey offered to answer questions from the report provided.*

Gaming Commission - Jamie Hummingbird

*No one was present to report from the Gaming Commission.*

Codification - Todd Hembree

*Mr. Hembree commented the codification is almost complete. He met with the West Law representative about the items needed to provide a cost estimate.*

Registrar Citizenship Data Update - Todd Enlow

*Mr. Enlow reported he didn't submit a formal report as there aren't a lot of updates from last month. The 911 data processing map is very encouraging as it reflects several updates that have occurred over the last few months. They have estimated approximately \$60,000 needed to complete the project for Nowata, McIntosh, Sequoyah and Adair counties. He stated they have completed an analysis and it is cheaper and more efficient to contract with SDR as they are the company who does the 911 addressing for the other counties. A funding proposal will be submitted to I.H.S. The goal for completion is May of next year. Mr. Hembree requested someone review the process used by the Oklahoma Legislature to redistrict. He announced the next 911 meeting is on Tuesday, June 7th at 1:00 p.m. in the Geo Data Center.*

**Councilor Bill John Baker commented Councilor Hoskin Jr. is present VIA video stream and isn't on official Cherokee business. Legislative Act 42-07, the Remote Attendance Act, requires a two-thirds vote to allow his participation in this meeting. He made a motion to allow Councilor Hoskin Jr. to participate in this meeting VIA remote attendance. Councilor Cowan Watts seconded the motion. The motion carried with no opposition.**

## OLD BUSINESS

1. [11-050](#) AN ACT ESTABLISHING PROCEDURES AND REQUIREMENTS FOR THE NAMING OF BUILDINGS OR FACILITIES OF THE CHEROKEE NATION AND ITS ENTITIES  
*Councilor Hoskin Jr. moved to approve to allow discussion. Councilor Glory-Jordan seconded the motion. Councilor Hoskin Jr. inquired about the status of the Administration developing policy in this regard. Ms. Ragsdale stated they are in the process of developing the policy at this time. Councilor Hoskin Jr. once again reiterated this Act isn't to hamper the Administration's ability to continue to develop appropriate names. He stated it would prevent the Administration from publically announcing a buildings name without the act of Council.*  
**Councilor Hoskin Jr. moved to table for one month. Councilor Glory-Jordan seconded the motion. The motion carried.**
  
2. [11-053](#) AN ACT REQUIRING ALL ELECTED OFFICIALS OF THE CHEROKEE NATION TO UNDERGO RANDOM DRUG TESTING  
*Councilor Crittenden commented this has been discussed over the last two months. He stated the intent is fairness in that if the employees have to undergo random drug testing the elected officials should as well. He moved to approve. Councilor Bill John Baker seconded the motion. Councilor Jack D. Baker requested clarification if the motion was to approve the Crittenden version or the Hoskin Jr. version. Councilor Crittenden stated the original version he had submitted. Councilor Coates voiced concern for legislating this instead of creating policy. She stated the Administration is reviewing the current employee policy at this time. Mr. Ragsdale offered an invitation to meet and review the current policy and make changes to fit everyone. Councilor Crittenden agreed with the idea of group working together on this issue.*

**Councilor Glory-Jordan moved to table until the July meeting. Councilor Crittenden seconded the motion. The motion carried.**

3. [11-062](#) AN ACT REQUIRING DRUG TESTS FOR CHEROKEE NATION EMPLOYEES TO BE BASED ON WARRANTED AND REASONABLE SUSPICION  
**Councilor Coates moved to table until the July meeting. Councilor Jack D. Baker seconded the motion. The motion carried.**
4. [11-063](#) A LEGISLATIVE ACT RELATING TO AMENDING THE CHEROKEE NATION SOVEREIGN IMMUNITY ACT, LA#23-04  
*Mr. Brad Carson provided an overview of the New Market Tax Credits and the very technical change in this amendment.*  
**Councilor Jack D. Baker moved to approve. Councilor Cowan Watts seconded the motion. The motion carried by acclamation.**
5. [TMP-168](#) DISCUSSION REGARDING THE ADMINISTRATION'S USE OF CONTRACTORS TO CONDUCT FOCUS GROUPS/OPINION SURVEYS OF CHEROKEE NATION EMPLOYEES AND CITIZENS  
**Councilor Hoskin Jr. withdrew this item with the concurrence of Councilor Glory-Jordan. Councilor Glory-Jordan concurred.**

#### NEW BUSINESS

1. [11-073](#) A RESOLUTION CONFIRMING THE NOMINATION OF JAMES AMOS AS COMMISSIONER OF THE HOUSING AUTHORITY OF THE CHEROKEE NATION BOARD OF COMMISSIONERS  
**Addressed prior to reports.**
2. [11-074](#) A RESOLUTION CONFIRMING THE NOMINATION OF J. ANTHONY YATES AS A COMMISSIONER OF THE HOUSING AUTHORITY OF THE CHEROKEE NATION BOARD OF COMMISSIONERS  
**Addressed prior to reports.**
3. [11-075](#) A RESOLUTION AUTHORIZING THE DONATION OF SURPLUS EQUIPMENT TO FLINT RIDGE RURAL WATER DISTRICT  
**Councilor Buzzard moved to approve. Councilor Thornton seconded the motion. All Council members requested to be included as sponsors. The motion to approve carried.**
4. [11-076](#) AN ACT DECLARING RESOLUTION 17-97 AND LEGISLATIVE ACT 6-97 VOID AB INITIO AND DIRECTING CORRECTION OF THE LEGISLATIVE RECORD  
*Councilor Jack D. Baker stated these are Acts that have been discussed before that was passed by Council when there wasn't a quorum present. This Act is to clean up the legislative record. He moved to approve. Councilor Cowan Watts seconded the motion. Councilor Glory-Jordan requested a legal opinion in regard to the constitutionality and it possibly being retroactive.*  
**Councilor Glory-Jordan moved to table to allow time for the legal opinion. Councilor Hoskin Jr. seconded the motion. The motion failed with the following roll call vote:**

**Yea:** 6 - Bill John Baker; Chuck Hoskin, Jr. ; David Thornton Sr. ; Jodie Fishinghawk; S. Joe Crittenden and Tina Glory Jordan

**Nay:** 9 - Bradley Cobb; Buel Anglen; Cara Cowan Watts; Chris Soap; Don Garvin; Harley Buzzard; Jack D. Baker; Julia Coates and Meredith Frailey

**Not In Room:** 1 - Janelle Fullbright

*Councilor Soap inquired if the process has changed to keep this from happening today. Councilor Hoskin Jr. inquired about these two items within the codification process. Mr. Hembree stated it is and will be his recommendation that these two items be repealed as part of the codification process. Councilor Hoskin Jr. stated there is already a process in place and that this legislation is completely unnecessary. He too questioned the constitutionality of the proposed legislation.*

**Councilor Hoskin once again moved to table to allow time to research the constitutionality of this item. Councilor Fishinghawk seconded the motion. The motion failed by voice vote.**

**After additional discussion was held and a request was made for a formal opinion to be given prior to the June Council meeting the motion to approve carried with the following roll call vote:**

**Yea:** 11 - Bradley Cobb; Buel Anglen; Cara Cowan Watts; Chris Soap; David Thornton Sr. ; Don Garvin; Harley Buzzard; Jack D. Baker; Janelle Fullbright; Julia Coates and Meredith Frailey

**Nay:** 5 - Bill John Baker; Chuck Hoskin, Jr. ; Jodie Fishinghawk; S. Joe Crittenden and Tina Glory Jordan

#### AMEND THE AGENDA

**Councilor Cobb made a motion to amend the agenda to add a time sensitive resolution. Councilor Anglen seconded the motion. The motion carried with Councilor Cowan Watts opposed.**

#### 11-078

A RESOLUTION AUTHORIZING THE DISPOSAL OF THE SOUTH COFFEYVILLE MOBILE HOME (220000 SEMINOLE ST.)

**Councilor Cobb moved to approve. Councilor Bill John Baker seconded the motion. The motion carried.**

#### ANNOUNCEMENTS

*Councilor Garvin announced he was glad Councilor Fullbright was in attendance today as she made a great effort with her health issues to be here. He also announced Mr. Hembree's daughter won the State Championship in the 1600 meter and 3200 meter races.*

#### ADJOURNMENT

**Councilor Jack D. Baker moved to adjourn. Councilor Garvin seconded the motion. The motion carried at 2:53 p.m.**

STAFF PRESENT:

*David Southerland  
Sharon Wright  
Jamie Custer  
Nason Morton*

*Ashley Canoe  
Pat Ragsdale  
Diane Hammons  
Melanie Knight*

*Vickie Harvey  
Paula Ragsdale  
Todd Enlow*

VISITORS PRESENT:

*James Amos  
Jim Carrington  
Ollie Starr*

*Anthony Yates  
Brad Carson*

*Todd Hembree  
Gina Olaya*