



Council of the Cherokee Nation

Cherokee Nation Complex
17675 S. Muskogee Ave.
Tahlequah, OK 74464

Tribal Council Minutes - Final TRIBAL COUNCIL

Meredith Frailey, Speaker

Recording Secretary, Shelli Brittain

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Monday, April 11, 2011

6:00 PM

Council Chambers

CALL TO ORDER

Meredith Frailey
Speaker of the Council

Speaker Frailey called the meeting to order at 6:02 p.m.

INVOCATION

Councilor Garvin gave the invocation.

ROLL CALL

Shelli Brittain
Legal & Legislative Coordinator

Present 17 - Buel Anglen; Cara Cowan Watts; David Thornton Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; S. Joe Crittenden; Bradley Cobb; Chris Soap; Chuck Hoskin, Jr. ; Curtis Snell; Harley Buzzard; Janelle Fullbright; Jodie Fishinghawk; Julia Coates; Tina Glory Jordan and Bill John Baker

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

**Councilor Cobb moved to approve the March 14th regular session minutes.
Councilor Thornton seconded the motion. The motion carried.**

STATE OF THE NATION

Chad Smith
Principal Chief

Principal Chief Smith recognized family and friends who passed over the last month and requested a moment of silence. Cherokee Veterans honored this month were the Holton Family which included James, Jeanette, Lynette, and Kimberly. In program service updates he announced Cherokee Nation's good credit rating was reaffirmed by the Finch Ratings Company recently as a Triple B rating which is an institutional grade rating. Redbird Smith Health Center just completed a remodeling project which part of the construction provides for a pharmacy that includes a robotic system to help fill prescriptions more quickly, reduce patient wait time, and insuring accuracy. The same system is

in place at Hastings and in construction at the Three Rivers Health Center. Cherokee Nation will present its annual funding to the public schools. The funds are generated through our motor vehicle tax law. Oklahoma Schools received more than 2.7 million dollars this year. He announce the grand opening of the new dental clinic at the Salina Clinic on Thursday, April 28th. He gave congratlitiions to the volunteers of the Cherokee Nation Income Tax Assistance Program. Cherokee Nation Enviromental Group is celebrating Earth Day with the City of Tahlequah and Save the Illinois River Group. He gave congratulations to Meredith Frailey, Speaker of the Council who was named the Oklahoma Naitonal Guard Legislator of the Year.

ACTION OF UNFINISHED BUSINESS

None pending.

COMMITTEE REPORTS

Monthly Reports:

Housing Authority - David Southerland

David Southerland announced the April Board meeting was cancelled due to being one commissioner short but they do have a couple of people identified that will be considered. Once the Chief makes the considerations he will forward those on to the Council for approval. The time for submitting this years Indian Housing Plan is getting close and Marvin Jones is in the process of preparing the 2011 and 2012 IHP's which will be presented to the Council in the near future. The 2011 IHP is due July 1st and the 2012 IHP is due July 18th.

Cherokee Nation Business, Inc - David Stewart

David Stewart reported the month of January was a good month financially and they are ahead by10% of last year. CNB as a whole was up, CNE was up from last year, and CNI has a slight dip in its backlog but they are working aggressively to recover. The board actions for last month include the Ramona and Ft. Gibson expansions which will create between 150 to 200 jobs. The site work for Tahlequah and the collapsed casino #3 at Hard Rock was approved and will start immediately. They completed the lease purchase for the building in Pryor for move of the Telecom Division at CNI and expect that to be accomplished by July 15th. Councilor Bill John Baker requested information on the low bid for the casino construction. Councilor Fishinghawk requested information on evaluation process and the bonus formula for CNI.

OLD BUSINESS

None pending.

NEW BUSINESS

Community Services Committee

1. [11-030](#) **A RESOLUTION AUTHORIZING THE DEPARTMENT OF CHILDREN, YOUTH AND FAMILY SERVICES TO SUBMIT AN APPLICATION FOR FUNDING TO THE OKLAHOMA OFFICE OF JUVENILE AFFAIRS, FOR EMERGENCY YOUTH SHELTER SERVICES, AND PREVENTION AND DIVERSION SERVICES**

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

 Enactment No: R-25-11

Resource Committee

2. [11-031](#) **A RESOLUTION AUTHORIZING THE SUBMISSION OF A PROPOSAL TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY FOR A CHEROKEE LEAD CERTIFICATION/ACCREDITATION PROGRAM**

 Councilor Snell moved to approve. Councilor Anglen seconded the motion. The motion carried.

 Enactment No: R-26-11

Councilor Cowan Watts moved to amend the agenda to add items 19 and 20 which passed out of Resource Committee earlier this afternoon. Councilor Garvin seconded the motion. The motion carried.

3. [11-032](#) **A RESOLUTION AUTHORIZING CHEROKEE NATION TO SUBMIT A FORMAL GRANT APPLICATION TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY FOR THE DEVELOPMENT OF AN INTERTRIBAL ENVIRONMENTAL COUNCIL (ITEC) PESTICIDES MANAGEMENT PROGRAM**
..Body
WHEREAS, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government in behalf of the Cherokee people;

WHEREAS, the Cherokee Nation is a federally recognized Indian Nation with a historic and continual government to government relationship with the United States of America;

WHEREAS, the Cherokee Nation has established the Environmental Protection Commission and the Environmental Programs Group to protect public health, welfare, and the environment;

WHEREAS, the Cherokee Nation has previously received funding for

pesticides projects;

WHEREAS, with the award of proper funding, the Cherokee Nation Environmental Programs will develop a comprehensive ITEC pesticides management program.

BE IT RESOLVED BY THE CHEROKEE NATION, that the Tribal Council hereby authorizes Cherokee Nation Environmental Programs to submit a formal application to the U.S. Environmental Protection Agency for a 2012 ITEC Pesticides Management Program, and that the Principal Chief (or his designee) shall be authorized to conduct contract negotiations and execute all official documents in this regard.

A motion was made by Councilor Cara Cowan Watts, seconded by Councilor Don Garvin, that this Resolution be Approved in toto. The motion carried unanimously by consent.

Enactment No: R-27-11

4. [11-033](#)

A RESOLUTION AUTHORIZING CHEROKEE NATION ENVIRONMENTAL PROGRAMS TO SUBMIT A FORMAL GRANT APPLICATION TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY FOR AN INDIAN GENERAL ASSISTANCE PROGRAM REGIONAL PRIORITIES (GAP) GRANT PACKAGE

A motion was made by Councilor Cara Cowan Watts, seconded by Councilor Don Garvin, that this Resolution be Approved in toto. The motion carried unanimously by consent.

Enactment No: R-28-11

5. [11-036](#)

A RESOLUTION AUTHORIZING CHEROKEE NATION ENVIRONMENTAL PROGRAMS TO SUBMIT A FORMAL GRANT APPLICATION TO THE TRIBAL WATER POLLUTION CONTROL PROGRAM

A motion was made by Councilor Cara Cowan Watts, seconded by Councilor Don Garvin, that this Resolution be Approved in toto. The motion carried unanimously by consent.

Enactment No: R-29-11

6. [11-037](#)

A RESOLUTION TO SUPPORT THE APPLICATION TO DOE FOR "RENEWABLE ENERGY DEVELOPMENT AND DEPLOYMENT IN INDIAN COUNTRY PROGRAM" UNDER PROGRAM ANNOUNCEMENT DE-FOA-0000424

A motion was made by Councilor Cara Cowan Watts, seconded by Councilor Don Garvin, that this Resolution be Approved in toto. The motion carried unanimously by consent.

Enactment No: R-30-11

7. [11-038](#)

A RESOLUTION AUTHORIZING CHEROKEE NATION TO NEGOTIATE

AND/OR ADVERTISE FOR BID TO LEASE TRIBAL UNITS ON FEE OR TRUST LAND

Councilor Bill John Baker moved to approve. Councilor Glory-Jordan seconded the motion. The motion carried.

Enactment No: R-31-11

8. [11-039](#)

A RESOLUTION AUTHORIZING THE PLACEMENT OF LAND IN TRUST - KIRK

A motion was made by Councilor Bill John Baker, seconded by Councilor Tina Glory Jordan, that this Resolution be Approved in toto. The motion carried unanimously by consent.

Enactment No: R-32-11

9. [11-040](#)

A RESOLUTION AUTHORIZING THE PLACEMENT OF LAND IN TRUST - HAAS

A motion was made by Councilor Bill John Baker, seconded by Councilor Tina Glory Jordan, that this Resolution be Approved in toto. The motion carried unanimously by consent.

Enactment No: R-33-11

10. [11-041](#)

A RESOLUTION AUTHORIZING THE PLACEMENT OF LAND IN TRUST - ACME AND VICTORY CEMETERY

Councilor Anglen moved to approve. Councilor Cowan Watts seconded the motion. The motion carried.

Enactment No: R-34-11

11. [11-042](#)

A RESOLUTION AUTHORIZING THE PLACEMENT OF LAND IN TRUST - ROLAND TRUCK PLAZA AND HOTEL

Councilor Thornton moved to approve. Councilor Cobb seconded the motion. The motion carried.

Enactment No: R-35-11

Rules Committee

12. [11-045](#)

A RESOLUTION CONFIRMING THE NOMINATION OF JANIE DIBBLE AS A GOVERNING BOARD MEMBER OF CHEROKEE NATION COMPREHENSIVE CARE AGENCY

Councilors Cowan Watts, Jack D. Baker and Cobb requested to be listed as sponsors.

Councilor Cowan Watts moved to approve. Councilor Cobb seconded the motion. The motion carried.

Enactment No: R-36-11

13. [11-048](#) **A RESOLUTION CONFIRMING THE NOMINATION OF DEBORAH SCOTT AS A BOARD MEMBER OF CHEROKEE NATION COMMUNITY ASSOCIATION CORPORATION**
- Councilor Jack D. Baker moved to approve. Councilor Coates seconded the motion. The motion carried.
- Enactment No: R-37-11
14. [11-049](#) **A LEGISLATIVE ACT AMENDING TITLE 10 OF THE CHEROKEE NATION CODE ANNOTATED - PATERNITY; AMENDING CHAPTER 3 PATERNITY**
- Councilor Jack D. Baker moved to approve. Councilor Cobb seconded the motion. The motion carried by acclimation.
- Enactment No: LA-08-11
15. [11-056](#) **A RESOLUTION IN SUPPORT OF THE ADAIR STATE PARK LOCATED IN STILWELL, ADAIR COUNTY, OKLAHOMA AND A REQUEST TO THE STATE OF OKLAHOMA FOR IT TO REMAIN OPEN**
- Councilor Fishinghawk moved to approve. Councilor Crittenden seconded the motion. The motion carried.
- Enactment No: R-38-11
16. [11-057](#) **A RESOLUTION IN SUPPORT OF LAKE EUCHA STATE PARK LOCATED IN DELAWARE COUNTY, OKLAHOMA AND A REQUEST TO THE STATE OF OKLAHOMA FOR IT TO REMAIN OPEN**
- A motion was made by Councilor David Thornton, seconded by Councilor S. Joe Crittenden, that this Resolution be Approved in toto. The motion carried unanimously by consent.
- Enactment No: R-39-11
17. [11-058](#) **A RESOLUTION IN SUPPORT OF THE BRUSHY LAKE STATE PARK LOCATED IN SEQUOYAH COUNTY, OKLAHOMA AND A REQUEST TO THE STATE OF OKLAHOMA FOR IT TO REMAIN OPEN**
- A motion was made by Councilor David Thornton, seconded by Councilor S. Joe Crittenden, that this Resolution be Approved in toto. The motion carried unanimously by consent.

Executive and Finance Committee

18. [11-044](#) **AN ACT AMENDING LEGISLATIVE ACT #29-10 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2011 - MOD 6; AND DECLARING AN EMERGENCY**
- Councilor Soap moved to remove \$72,785 from the Council budget and add to

the contract health budget for dentures and eyeglasses. Councilor Coates seconded the motion. The motion failed by the following roll call vote:

Yea: 7 - Buel Anglen; Don Garvin; Jack D. Baker; Meredith Frailey; Chris Soap; Harley Buzzard and Julia Coates

Nay: 9 - Cara Cowan Watts; David Thornton Sr. ; S. Joe Crittenden; Bradley Cobb; Chuck Hoskin, Jr. ; Janelle Fullbright; Jodie Fishinghawk; Tina Glory Jordan and Bill John Baker

Abstain: 1 - Curtis Snell

The motion to approve as amended carried by acclamation.

19. [11-055](#) **A RESOLUTION AUTHORIZING THE ENVIRONMENTAL PROGRAMS GROUP TO SUBMIT AN APPLICATION TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY FOR COMMUNITY AIR TOXICS FUNDING**

A motion was made by Councilor Cara Cowan Watts, seconded by Councilor S. Joe Crittenden, that this Resolution be Approved in toto. The motion carried unanimously by consent.

Enactment No: R-41-11

20. [11-054](#) **A RESOLUTION AUTHORIZING CHEROKEE NATION ENVIRONMENTAL PROGRAMS TO SUBMIT A FORMAL GRANT APPLICATION TO THE USEPA FOR THE DEVELOPMENT OF A CHEROKEE NATION PESTICIDES MANAGEMENT PROGRAM**

A motion was made by Councilor Cara Cowan Watts, seconded by Councilor S. Joe Crittenden, that this Resolution be Approved in toto. The motion carried unanimously by consent.

Enactment No: R-42-11

ANNOUNCEMENTS

Speaker Frailey gave the Council candidates in attendance the opportunity to introduce themselves. Those in attendance were Pamela Iron, Gary Stopp, Bob Stover, Lee Keener, Jack McCrary, and Callie Hathcoat.

Councilor Cowan Watts introduced the new At Large Youth Leadership Councilor.

Councilor Coates announced the upcoming Central and Northern California Picnics.

ADJOURNMENT

Councilor Jack D. Baker moved to adjourn. Councilor Cowan Watts seconded the motion. The motion carried at 7:35 p.m.

The next Tribal Council meeting will be held on May 16th at 6:00 p.m. at the tribal headquarters, W.W. Keeler Complex.