



# Council of the Cherokee Nation

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

## Tribal Council Minutes - Draft

### TRIBAL COUNCIL

*Meredith Frailey, Speaker*

*Recording Secretary, Shelli Brittain*

*Phone: 1-800-995-9465*

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Monday, March 14, 2011

6:00 PM

Council Chambers

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#### CALL TO ORDER

Meredith Frailey  
Speaker of the Council

**Speaker Frailey called the meeting to order at 6:00 p.m.**

#### INVOCATION

**Councilor Hoskin Jr. 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 Fishinhawk; Julia Coates; Tina Glory Jordan and Bill John Baker

#### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

**Councilor Cobb moved to approve the February 14th regular session minutes. Councilor Cowan Watts seconded the motion. The motion carried.**

**Councilor Jack D. Baker moved to amend the agenda to include three items passed out of the Resource committee earlier today as items 13 through 15. Item 13 would be a resolution approving the Cleary Law Group, P. C., special counsel engagement agreement related to Tar Creek natural resources damages assessment. Item 14 would be a resolution approving agreement concerning the cooperation and coordination among the Tar Creek trustee council Indian tribes. Item 15 would be a resolution authorizing disclaimer of interest or quitclaim deed related to settlement of quiet title action. Councilor Bill John Baker 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 Glen Carpenter, and brothers Donald and Charles Harnage. In program service updates he announced they had broke ground on the new Vinita Clinic Health Center. Sequoyah High School will extend their school day to make up time lost in the winter storms. He honored Marybelle Chase with the Ga Du Gi Award which recognizes citizens who work to benefit all Cherokees. Ms. Chase was nominated by At Large Councilor Jack D. Baker and members of her community. Chief Smith announced the Cherokee Nation would be hosting a job resource fair on April 7th at Catoosa. The Career Services Group will have an open house for the new Career Literacy Center on March 24th. Tomorrow is the annual Cherokee Nation Legislative Day at the State Capitol.*

## ACTION OF UNFINISHED BUSINESS

*None pending.*

## COMMITTEE REPORTS

## Monthly Reports:

## Housing Authority - David Southerland

*Mr. Southerland announced the March board meeting was held last Friday and the next meeting is scheduled for April 19th at noon. This year's premium payment on Community Shield was over a million dollars this year covering 2,300 Cherokee families. He provided a status update on the issues from the arctic blast.*

## Cherokee Nation Business, Inc - David Stewart

*Mr. Shawn Slaton reported in the absence of David Stewart. Mr. Slaton announced in addition to the monthly dividend contribution for December they contributed approximately \$212,000 to the Nation in taxes. He provided expansion updates for the Ramona, Ft. Gibson and Tahlequah projects. The CNB employees created over 600 valentine cards for local veterans. Eleven employees participated in Read Across America and some of the Roland employees sponsored a 5K run to benefit area teachers. Their employment totals 3,919 with a total Cherokee employment of 59.3%. He provided an update on the roof collapse at Catoosa. Councilor Glory-Jordan requested the number of jobs filled in the prior month, if they were filled with Cherokees and if not an explanation as to why they weren't at the next Executive & Finance Committee meeting then continue each month thereafter. Councilor Fishinghawk requested a hard copy of the succession plan.*

## OLD BUSINESS

*None pending.*

## NEW BUSINESS

Resource Committee

1. [11-014](#) **A RESOLUTION AUTHORIZING THE ENVIRONMENTAL PROGRAMS GROUP TO SUBMIT AN APPLICATION TO THE U. S. ENVIRONMENTAL PROTECTION AGENCY FOR CLEAN AIR SECTION 103 FUNDING**

Councilor Cowan Watts made a motion to approve items 1 and 2 in Toto. Councilor Soap seconded the motion. The motion carried.

Enactment No: R-11-11

2. [11-015](#) **A RESOLUTION AUTHORIZING CHEROKEE NATION AND CHEROKEE NATION ENVIRONMENTAL PROGRAMS GROUP TO JOIN THE U.S. EPA'S TRIBAL PESTICIDES PROGRAM COUNCIL**

Approved in Toto.

Enactment No: R-12-11

Rules Committee

3. [11-021](#) **A RESOLUTION CONFIRMING THE NOMINATION OF PAMELA BICKFORD AS A BOARD MEMBER OF THE ECONOMIC DEVELOPMENT TRUST AUTHORITY BOARD OF DIRECTORS**

Councilor Thornton moved to approve items 3 through 8 in Toto. Councilor Cobb seconded the motion. The motion carried.

Enactment No: R-13-11

4. [11-022](#) **A RESOLUTION CONFIRMING THE NOMINATION OF AMBER FITE AS A BOARD MEMBER OF THE ECONOMIC DEVELOPMENT TRUST AUTHORITY BOARD OF DIRECTORS**

Approved in Toto.

Enactment No: R-14-11

5. [11-023](#) **A RESOLUTION CONFIRMING THE RENOMINATION OF LORILEE SMILEY AS A BOARD MEMBER OF THE ECONOMIC DEVELOPMENT TRUST AUTHORITY BOARD OF DIRECTORS**

Approved in Toto.

Enactment No: R-15-11

6. [11-024](#) **A RESOLUTION CONFIRMING THE NOMINATION OF JEFF LIMORE AS A BOARD MEMBER OF THE CHEROKEE NATION SEQUOYAH HIGH SCHOOL BOARD OF EDUCATION**

Approved in Toto.

Enactment No: R-16-11

7. [11-025](#) **A RESOLUTION CONFIRMING THE RENOMINATION OF AMON BAKER AS A BOARD MEMBER OF THE CHEROKEE NATION SEQUOYAH HIGH SCHOOL BOARD OF EDUCATION**

Approved in Toto.

Enactment No: R-17-11

8. [11-028](#) **A RESOLUTION CONFIRMING THE NOMINATION OF PATSY EDGAR AS A BOARD MEMBER OF CHEROKEE NATION COMMUNITY ASSOCIATION CORPORATION**

Approved in Toto.

Enactment No: R-18-11

9. [11-019](#) **A RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VI SECTION 3 OF THE CHEROKEE NATION CONSTITUTION, PURSUANT TO ARTICLE XV SECTION 2, ELIMINATING TERM LIMITS FOR THE OFFICE OF CHEROKEE NATION TRIBAL COUNCIL; SUPERSEDING RESOLUTION 21-09**

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

Enactment No: R-19-11

10. [11-020](#) **A RESOLUTION REPLACING RESOLUTION #129-09 EXPRESSLY WAIVING THE SOVEREIGN IMMUNITY OF THE CHEROKEE NATION AND OF CHEROKEE NATION HOME HEALTH SERVICES, INC., TO THE EXTENT IT MAY EXIST, AS IT APPLIES TO THE BANK OF CHEROKEE COUNTY AND CHEROKEE NATION HOME HEALTH SERVICES, INC. LOAN AGREEMENTS AND PROVIDING FOR A GUARANTEE BY CHEROKEE NATION OF THE LOAN AGREEMENTS UP TO \$786,000**

Councilor Jack D. Baker moved to approve. Councilor Cowan Watts seconded the motion. The motion carried with Councilor Bill John Baker abstaining.

Enactment No: R-20-11

11. [11-002](#)      **A RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VI SECTION 13 OF THE CHEROKEE NATION CONSTITUTION, PROVIDING FOR SPECIAL ELECTIONS FOR VACANCIES IN THE TRIBAL COUNCIL IN CASE OF REMOVAL, DEATH, RESIGNATION OR DISABILITY; THIS RESOLUTION SUPERCEDES RESOLUTION 80-08**
- Councilor Fishinghawk moved to approve. Councilor Jack D. Baker seconded the motion. The motion carried.
- Enactment No: R-21-11

Executive and Finance Committee

12. [11-018](#)      **AN ACT AMENDING LEGISLATIVE ACT #29-10 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2011 - MOD 5; AND DECLARING AN EMERGENCY**
- Councilor Jack D. Baker moved to approve by acclamation. Councilor Cobb seconded the motion. Councilor Snell offered a friendly amendment to substitute the Law Enforcement request with the one provided prior to this meeting which includes a donation to the town of Colcord. The friendly amendment was accepted. The motion carried by acclamation.
- Enactment No: LA-07-11

Resource Committee

13. [11-034](#)      **A RESOLUTION APPROVING THE CLEARLY LAW GROUP, P.C., SPECIAL COUNSEL ENGAGEMENT AGREEMENT RELATED TO TAR CREEK NATURAL RESOURCE DAMAGES ASSESSMENT**
- Councilor Cowan Watts moved to approve. Councilor Garvin seconded the motion. The motion carried.
- Enactment No: R-22-11
14. [11-035](#)      **A RESOLUTION APPROVING AGREEMENT CONCERNING THE COOPERATION AND COORDINATION AMONG THE TAR CREEK TRUSTEE COUNCIL INDIAN TRIBES**
- Councilor Cowan Watts moved to approve. Councilor Anglen seconded the motion. The motion carried.
- Enactment No: R-23-11
15. [11-043](#)      **A RESOLUTION AUTHORIZING DISCLAIMER OF INTEREST OR QUITCLAIM DEED RELATED TO SETTLEMENT OF QUIET TITLE ACTION**
- Councilor Hoskin Jr. moved to approve. Councilor Bill John Baker seconded the motion. The motion carried.
- Enactment No: R-24-11

## ANNOUNCEMENTS

*Councilor Garvin congratulated Councilor Janelle Fullbright for being the new Council person elect for 2011 to 2015 in District 3.*

*Councilor Bill John Baker recognized a group from the Early Childhood Unit and Leadership Academy.*

*Councilor Fullbright introduced her daughter Natalie.*

*Councilor Thornton introduced Mr. and Mrs. Henshaw from Sequoyah County.*

*Speaker Frailey congratulated the Locust Grove boy's basketball team for beating Vinita to make it to State.*

*Councilor Garvin announced the Ft. Gibson girl's are State Champions.*

*Councilor Snell announced the Kansas girls made it to the finals at State.*

*Speaker Frailey requested the Council candidates present introduce themselves. Those present were Gary Stopp, Ollie Starr, Brandon Girty, Junior Sierra, Lee Keener and Paul Stover.*

*Councilor Glory-Jordan invited all of those running for seat 3 in District 1 to her hog fry on March 29th at the Tahlequah Community Building.*

## ADJOURNMENT

**Councilor Bill John Baker moved to adjourn. Councilor Cowan Watts seconded the motion. The motion carried at 6:45 p.m.**

Next Tribal Council meeting will be held on April 11th at 6:00 p.m. at the tribal headquarters, W.W. Keeler Complex.