

Committee: Community Service

Date: 2-13-12

Committee Date: 2-23-12

Author: D. Southerland / M. Lynn

Sponsor: Meredith Frailey, Chuck Hoskin, Jr.

**RESOLUTION NO. 26-12**

**COUNCIL OF THE CHEROKEE NATION**

**A RESOLUTION AUTHORIZING AN APPLICATION TO THE FEDERAL HIGHWAY ADMINISTRATION FOR INDIAN RESERVATION ROADS BRIDGE PROGRAM FUNDING FOR BRIDGE #15 OVER ROCK CREEK, MAYES COUNTY, OKLAHOMA**

**WHEREAS**, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government on 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**, Title 23 United States Code provides funding to repair or replace bridges on the Indian Reservation Roads (IRR) system;

**WHEREAS**, the implementing regulations promulgated in 23 CFR Part 661 outlines the eligibility requirements for IRR Bridge Program funding;

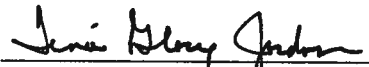
**WHEREAS**, Bridge #15 is located on an approved IRR route (#0650); it is recorded in the National Bridge Inventory (NBI #02609) and is structurally deficient;

**WHEREAS**, Bridge #15 provides crucial access for many Cherokee citizens and is hereby identified as a candidate for replacement.

**BE IT RESOLVED BY THE CHEROKEE NATION**, that the Federal Highway Administration is hereby authorized to pursue all matters necessary to fund the replacement of Bridge #15, which is herein deemed a priority for the IRR Bridge Program.

**CERTIFICATION**


The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 23<sup>rd</sup> day of February, 2012, having 13 members present, constituting a quorum, by the vote of 13 yea; 0 nay; 0 abstaining.



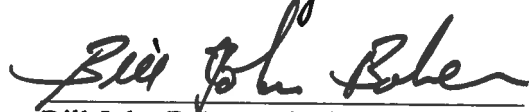
Tina Glory-Jordan, Speaker

Cherokee Nation Tribal Council


**ATTEST:**

  
\_\_\_\_\_  
Jodie Fishinghawk, Secretary  
Cherokee Nation Tribal Council

Approved and signed by the Principal Chief this 28th day of February, 2012.

  
\_\_\_\_\_  
Bill John Baker, Principal Chief  
Cherokee Nation

**ATTEST:**

  
\_\_\_\_\_  
Charles Head, Secretary of State  
Cherokee Nation

**ADMINISTRATIVE  
CLEARANCE**

Program/Project Manager:

*[Signature]* 2/13/12  
Signature/Initial Date

Department Director:

Michael Lynn  
*[Signature]* 2/13/12  
Signature/Initial Date

Group Leader:

*[Signature]* 2/13/12  
Signature/Initial Date

Government Resources:

Signature/Initial Date

Administration Approval:

*[Signature]* 2/13/12  
Signature/Initial Date

**LEGISLATIVE CLEARANCE:**

Legal & Legislative Coordinator:

*[Signature]* 2/13/12  
Signature/Initial Date

Standing Committee & Date:

*[Signature]* 2/23/12

Chairperson:

*[Signature]*  
Signature/Initial Date

Returned to Presenter:

Date

**Cherokee Nation  
Act/Resolution Proposal Form**

Act  Resolution

**TITLE:** A Resolution in support of an application to the FHWA for IRR Bridge Program Funding for Bridge #15 in Mayes County.

**DEPARTMENT CONTACT:** Michael Lynn

**RESOLUTION PRESENTER:** David Southerland/Michael Lynn

**COUNCIL SPONSOR:** Meredith Frailey

**NARRATIVE:**

On 2/10/12, The Roads Department received a request from Mayes County for funding assistance on Bridge #15. The IRR Bridge Program Rules (23 CFR Part 661) require a resolution from the governing body in order to be considered for approval. This bridge is structurally deficient and is on the Nation's IRR system. Its replacement would greatly benefit the safety and driving conditions for tribal citizens in this area. The SAFETEA-LU legislation expires March 31<sup>st</sup> at which time any remaining funds will lapse without a Congressional extension. A speedy submittal could put the Nation in a good position for funding approval and therefore, last minute approval is requested.