



Council of the Cherokee Nation

Meeting Minutes

Executive and Finance Committee

Thursday, June 25, 2009

3:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Jack D. Baker called the meeting to order at 3:05 p.m.

INVOCATION

Councilor Hoskin Jr. gave the invocation.

ROLL CALL

Present 14 - Bill John Baker; S. Joe Crittenden; David Thornton Sr. ; Don Garvin; Cara Cowan Watts; Buel Anglen; Jack D. Baker; Tina Glory Jordan; Jodie Fishinghawk; Janelle Fullbright; Chris Soap; Bradley Cobb; Chuck Hoskin, Jr. and Julia Coates

Late Arrival 3 - Meredith Frailey; Harley Buzzard and Curtis Snell

APPROVAL OF MINUTES

Councilor Cobb made a motion to approve the May 28th regular session minutes. Councilor Cowan Watts seconded the motion. Motion carried.

REPORTS:

Financial Report/Treasurer Report - Callie Catcher

Ms. Catcher offered to answer questions from her written report.

Cherokee Nation Enterprises - David Stewart

Mr. Stewart reported the net income for April was approximately \$7.5ml which is still below budget. The Hard Rock opening is approximately 30 days late and is now scheduled for the 3rd of August. Toby Keith will be present for his opening. In regard to disclosing bid amounts they are in the process of working out the final details. They are considering sending a letter to the TERO bidders on bids over \$5,000 listing the bid amounts submitted but not giving the corresponding company name. He requested an additional 30 days to finalize the process. Councilor Cobb requested a breakdown of Native American and Cherokee hires and promotion rates within departments and the casinos. Mr. Stewart stated currently it is broken down by casino, manager, supervisor, staff and top management but not each casino. The current employment remains in the 60 to 70% range. Councilor Garvin inquired

about gaming machines remaining at Blue Ribbon Downs after it is sold. Mr. Stewart stated the three race tracks are allowed to have a certain number of games regardless of the owner.

Cherokee Nation Businesses - David Stewart

Mr. Stewart announced they continue to stay focused on the acquisition of the IT company with hopes of have the purchase finalized in approximately 90 days. They are looking at multiple other companies and are in non disclosure agreements with some. He stated he would provide additional information as it becomes available. The subsidiaries are doing well. CCRC has been awarded a couple of large contracts. APSE is performing well but is just below budget. Waste management is scheduled to open at the end of July. Councilor Cowan Watts inquired if numerical goals had been set for Cherokee employment and job creation. Mr. Stewart stated they are looking percentage growth, total growth and growth based on investment. Councilor Cowan Watts inquired if he would be able to present a strategy plan in this regard to the Council. Mr. Stewart stated the strategy is in place however the actual metrics on the number of jobs is not. He offered to possibly be able to provide the information at the beginning of the year.

Councilor Cowan Watts made a motion to amend the agenda to address new business item 1 regarding the Oklahoma Historical Society Inc and to add the Chilocco item to the agenda as new business item #4. Councilor Garvin seconded the motion. Motion carried.

1.

REQUEST FOR A \$50,000 CONTRIBUTION TO THE OKLAHOMA HISTORICAL SOCIETY INC.

Chair Jack D. Baker introduced Dr. Bob Blackburn who is the Director of the Oklahoma Historical Society. Mr. Blackburn provided a back ground of the Oklahoma Historical Society. He requested help with the museum and sites they maintain such as the Sequoyah Home Site and the Murrell Home.

Councilor Bill John Baker made a motion for approval. Councilor Cowan Watts seconded the motion. Motion carried.

Cherokee Nation Industries - Robert Drvostep

Mr. Drvostep announced the forecasted revenue for the month of May was \$8ml and the actual was \$7.45ml. The profit forecast was a loss \$129,000 and the actual was \$94,000. They are currently working on the 2010 budget and plan to have it approved by the CNI Board on the 10th of July. Councilor Bill John Baker inquired if next years budget will be closer. Mr. Drvostep stated the 2010 budget currently has a small profit and believes it is more realistic.

Career Services/Employment - Diane Kelley

Ms. Kelley announced they are in the process of moving the Tribal Employment Rights Office which is currently behind the complex up to South Gate across from Sequoyah High School. The new location is along the highway where they will be able to place signs. The TERO office will be demolished once vacated. She stated she has been meeting with Marvin Jones, Anna Knight, Shelly McClain and Callie Catcher regarding stimulus funds, NAHASDA and the procedures for the bidding process. This program will allow them to have additional staff in the Tribal

Employment Rights Office. Willard Mounce moved from Community Service Department back to the TERO office. Last week they held an abatement and lead base paint training with 16 of the 17 participants being full blood. She announced they have over 650 Summer Youth kids from the ages of 14 to 24. This is the largest group of participants they have ever had. They have stopped taking applications although they are still placing kids. On Monday and Tuesday at the Job Corp Campus for a Cultural Day, Career Day and hog fry for the Summer Youth participants. They will be hosting a retirement party for Karl Hussman the Center Director tomorrow. AERT held a job fair at Watts this week with over 480 people in attendance. They will return in July to begin taking applications. A health professional job fair will be held in Claremore to assist with the staffing shortages. This is the last of a four week certified case manager training for Emma Gibson in Albuquerque. Once she returns she will begin training other staff members. The pay cards issued to the Summer Youth participants is a pilot project. They have experience a few issues with the pay cards and requested questions be directed to her or Callie Catcher. Ms. Kelley announced the stimulus funds have arrived for the Summer Youth program.

Commerce - Anna Knight

Ms. Shay Smith offered to answer questions from the Commerce report. Councilor Buzzard inquired as to what collection efforts are made on the charge off loans. Ms. Smith stated they have collateral on all of the loans and still continue collection efforts even after the charge off.

CONSENT ITEMS:

T.E.R.O. CERTIFICATIONS

Chair Jack D. Baker announced an additional TERO recommendation list had been provided today in which they are requesting approval along with the list in the packet.

Councilor Garvin moved to approve both lists as recommended. Councilor Crittenden seconded the motion. Motion carried.

CEMETERY RESTORATION ASSISTANCE APPLICATIONS

Mr. Doug Evans announced in addition to the requests in the packet there are the following 4 additions:

*Stoney Point - Christie Cemetery in Adair County
Caney Cemetery in Cherokee County
Ketchum Cemetery in Craig County
Peters Cemetery in Sequoyah County*

Councilor Thornton moved to approve the 8 cemetery requests. Councilor Frailey seconded the motion. Motion carried.

LAW ENFORCEMENT REQUESTS

Mr. Evans announced in addition to the packet are the following requests:

*\$2,656 - Okay Police Department - Councilor Garvin
\$2,656 - Town of Webber Falls - Councilor Garvin
\$2,656 - Warner Policy Department - Councilor Garvin
\$2,656 - Muskogee County Sheriffs Office - Councilor Garvin*

\$2,656 - Pourm Police Department - Councilor Garvin
\$2,656 - Ft. Gibson Police Department - Councilor Garvin
\$2,656 - Wagoner County Sheriffs Department - Councilor Garvin
\$5,350 - City of Owasso - Councilor Anglen
\$3,500 - Craig County Reserves - Councilor Hoskin Jr.

Councilor Thornton moved to approve the requests. Councilor Anglen seconded the motion. Motion carried.

COMMUNITY ASSISTANCE

Mr. Evans announced an updated report has been provided today and added the Washington County Cherokee Association for \$500 from Councilor Cobb.

Councilor Anglen made a motion to approve. Councilor Coates seconded the motion. Motion carried.

ROADS

Mr. Evans gave an overview of the roads report he provided.

Councilor Garvin moved to approve. Councilor Thornton seconded the motion. Motion carried.

OLD BUSINESS

None pending.

NEW BUSINESS

1. REQUEST FOR A \$50,000 CONTRIBUTION TO THE OKLAHOMA HISTORICAL SOCIETY INC.

This item was addressed during the reports.

2. AN ACT REPEALING AND SUPERSEDING CHEROKEE NATION LAW REGARDING LABOR AND THE EMPLOYMENT RIGHTS ORDINANCE AND DECLARING AN EMERGENCY

Sponsors: Councilor Cara Cowan Watts and Councilor Jodie Fishinghawk

Councilor Cowan Watts moved to table for one month. Councilor Thornton seconded the motion. Motion carried.

3. AN ACT AMENDING LEGISLATIVE ACT #19-08 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2009 - MOD 9; AND DECLARING AN EMERGENCY

Sponsors: Councilor Jack D. Baker and Councilor Cara Cowan Watts

Mr. Evans announced the text on the front of the legislation has a total of \$573,954,689 which was calculated before the full Council meeting where the \$280,000 Delaware pass through was enacted. This number will need to be adjusted by \$280,000 before adjustments for today's activities.

He inquired if the \$50,000 donation approved earlier would be added to the donation budget and included as part of mod 9. Councilor Cowan Watts made a motion to this

affect. Councilor Bill John Baker seconded the motion. Motion carried.

Mr. Evans gave his review of the budget modification. The Treasurer's Office provided a handout in regard to the community recreation center requesting the budget be substituted and reduced by \$150,000. Mr. Evans concurred with the Treasurer's office on the request. Councilor Fishinghawk inquired if this request frees up \$150,000. Mr. Evans stated the result of the revised budget is a \$150,000 less utilization of general fund revenues. Councilor Fishinghawk made a motion to move this \$150,000 to the individual water and sewer budget. Councilor Bill John Baker seconded the motion. Motion carried.

Mr. Evans continued with his review. Councilor Garvin stated for the record he is opposed to moving the Gore tag office to Sallisaw as it would increase the drive of Three Rivers people by 20 miles. Councilor Thornton went on record as well in opposition to the move to Sallisaw. Councilor Garvin made a motion to take out the Cherokee Nation Tax Commission request. Councilor Thornton seconded the motion. Councilor Bill John Baker made a motion to table for one month to separate the numbers due to the Jay tag office being included in this line item. Councilor Garvin stated he wants to stop the Gore office from moving to Sallisaw. Chair Jack D. Baker inquired if the motion is to reduce the amount budgeted to only fund the Jay office. Mr. Evans stated there is an approximate \$6,800 budgeted for staff at the Jay office for the remainder of the year. Councilor Garvin stated his motion is to eliminate the funding for the move of the Gore office. Mr. Evans inquired if the numbers for each office would be available by the Council meeting. Ms. Catcher stated they could be. Councilor Bill John Baker made a motion to table line 4 for the Sallisaw and Jay tag offices until the Council meeting to get the correct amounts. Councilor Crittenden seconded the motion. Councilor Buzzard voiced concern for tabling the request and how it would affect the Jay office. Mr. Todd Hembree voiced concern about tabling a line item until Council meeting. He stated the appropriate motion would be to strike the appropriate portion and pass the Act to Full Council at which time it could be amended on the floor and substituted back in if needed with the correct numbers. Councilor Bill John Baker withdrew the motion to table. Councilor Bill John Baker made a motion to strike the move to Sallisaw from Gore. Mr. Evans inquired how strike something that is unquantifiable in an appropriation bill. Mr. Hembree stated the motion should be move to strike line 4 then at the Council meeting move to add the funding request for the Jay office budget. Councilor Garvin made the motion to strike line item 4. Councilor Thornton agreed but didn't understand why the figures couldn't be determined now. Mr. Evans stated he is unsure how much the transfer is of the funding request. The numbers are not broken down between the two offices. Ms. Catcher announced she has emailed Ms. Sharon Swebston requesting the amounts for each office. Chair Jack D. Baker announced they would continue with the review of the mod and address this issue at the completion of the review. If the numbers aren't available at that time we will take a vote on the motion to strike.

Mr. Evans continued with his review. Councilor Fishinghawk requested clarification as to why the transfer was not booked for EPC. Ms. Catcher stated it was an oversight. Upon the completion of Mr. Evans review the numbers were not yet obtained from Ms. Swebston. Chair Jack D. Baker stated the motion on the floor is to strike line 4 and if necessary add back the amounts for the Jay tag office. The motion carried to strike line item 4.

Councilor Bill John Baker moved to approve Mod 9 as amended. Councilor Anglen seconded the motion. Motion carried.

4.

A RESOLUTION RESCINDING RESOLUTION 62-08 OF THE CHEROKEE NATION TRIBAL COUNCIL WHICH AUTHORIZED A LOAN OF \$300,000 TO THE CHILOCCO BENEFIT ASSOCIATION, INC.

Sponsors: Councilor Cara Cowan Watts

Councilor Bill John Baker inquired as to why we are doing a \$25,000 donation instead of a \$300,000 loan guarantee. Councilor Cowan Watts stated it is her understanding that the loan was problematic and never happened. Ms. Catcher stated the documents she received in regard to this issue were not in the form of a loan guarantee but in the form of opening a bank account in the amount of \$300,000. Councilor Cowan Watts stated members of the Chilocco committee and Mr. Parris both gave the amount of \$25,000 as a donation. They have stated they could use the funds to begin some of the renovations needed right away. Councilor Bill John Baker called for the question.

Councilor Cowan Watts moved to approve and include the \$25,000 donation in budget mod 9. Councilor Anglen seconded the motion. Motion carried.

ANNOUNCEMENTS

Chair Jack D. Baker congratulated Alan Hefner an IT staff member on his upcoming wedding.

ADJOURNMENT

Councilor Cowan Watts made a motion to adjourn. Councilor Coates seconded the motion. Motion carried at 4:32 p.m.

STAFF PRESENT:

Callie Catcher	Shay Smith	Ginger Brown
Diane Kelley	Doug Evans	Melanie Knight
Gregg Simmons		

VISITORS PRESENT:

Bob Drvostep	David Stewart	Jerry Crew
Guy Wolcott	Shawn Slaton	Todd Hembree
Bryan Collins	Dr. Bob Blackburn	

APPROVAL / DISTRIBUTION

Minutes submitted by: Shelli Brittain, Legal & Legislative Coordinator

Motion to approve minutes made by: Bill John Baker

Minutes attested and concurred by: Jack D Baker

Date: 7/30/09