



Council of the Cherokee Nation

Meeting Minutes Resource Committee

Monday, January 12, 2009

4:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Snell called the meeting to order at 4:12 p.m.

INVOCATION

Councilor FISHINGHAWK gave the invocation.

ROLL CALL

Ex Officio Member John Master was in attendance.

Present 14 - Bill John Baker; S. Joe Crittenden; Meredith Frailey; Cara Cowan Watts; Jack D. Baker; Tina Glory Jordan; Jodie FISHINGHAWK; Janelle Fullbright; Harley Buzzard; Curtis Snell; Chris Soap; Bradley Cobb; Chuck Hoskin, Jr. and Julia Coates

Late Arrival 3 - David Thornton Sr. ; Don Garvin and Buel Anglen

APPROVAL OF MINUTES

Councilor Cobb made a motion to approve the December 15, 2008 regular session minutes. Councilor Jack Baker seconded the motion. Motion carried.

REPORTS:

1. Management Resources - Jack Farmer/Angela Drewes

Mr. Farmer announced since the beginning of the seed bank program exchange they have received ten calls requesting seeds. The program looks to be a success.

2. Real Estate Services - Linda Donelson

Ms. Donelson stated with the additional properties going into trust recently they have been working with the Accounting Department to ensure the proper taxation is being given. Councilor Cowan Watts inquired as to the status of the Claremore Federal Building and the Rogers County Cherokee Association land. Ms. Donelson stated the Claremore Federal Building is still in the City waiting for publication. They are working on the the land for the Rogers County Cherokee Association. Councilor Cowan Watts requested a response in writing on this issue by Wednesday.

3. Roads & Transportation - Michael Lynn

Mr. Lynn announced his report had been provided and offered to answer questions. Councilor Hoskin Jr. inquired about the South Coffeerville street project. Mr. Lynn stated he would check into the issue and respond back. Councilor Bill John Baker stated the roads report had not been received and requested an oral report. Mr.

Lynn apologized and stated he was under the impression it had been sent over. He gave the following IRR update:

Barber Road - acquiring right of way and finalizing the design. They are planning a community meeting for the area.

NE Ft. Gibson - have received right of way plans from the engineer.

Rice Woodard - in the process of relocating utilities.

Red Barn - contractors are still working under the liquidated damages clause of the contract. They are working on the fencing and general clean up.

Greasy Road - rehab plans are complete and they are waiting on the environmental.

Dahlongegah South - in the design phase

Twin Oaks Bull Hollow - in the right of way acquisition phase.

Daytown Drycreek - is complete.

Cedar Crest road and bridge - met with new county commissioner and ready to move forward.

The Stilwell to Tahlequah Transit program route continues to have a low but steady turnout. They are reviewing the possibility of additional stops to pick up more passengers as well as additional drop off points. The Claremore and Pryor route to Catoosa has began for CNE employees the first of January.

Mr. Lynn stated there are tribally funded projects moving forward to Executive and Finance this month but he doesn't have a current list at this time.

Councilor Buzzard inquired about the Hulbert Lost City project. Mr. Lynn replied they are working on the design of the project.

4. Public Comments: Road Issues - Michael Lynn

5. Environmental Programs - Ryan Callison

Mr. Tom Elkins offered to answer questions from the report. In regard to the Green Policy Initiative they have received a proposal from a TERO company pertaining to some of the recycling initiative. They are setting up a meeting with the company to discuss the proposal. They continue to look at acquiring a bulb crusher.

Councilor Fishinghawk requested Mr. Jack Farmer send to the Council the presentation of the Cherokee Nation Master Plan Development. Mr. Farmer replied to submit the request to Dianna Turtle and he would see that it was done. Councilor Glory-Jordan inquired if he preferred everything to be in a GRA request. Mr. Farmer stated in the particular request there are a lot of items and it would be difficult to report and he wanted to ensure accurate information is given. Councilor Glory-Jordan stated the report provided reads completed initial presentation to Chief Smith and Melanie Knight on the Cherokee Nation Master Plan and Development Process. She inquired as to why it couldn't be shared with the Council. Mr. Farmer stated there are a lot of items on the plan and they have not had the opportunity to review them with the Administration totally and it would be premature to report on those items. He stated once the plan is complete they will provide a total report. He

stated if a request was made through Dianna Turtle it could probably provided but at this point it is premature. Councilor Glory-Jordan stated she finds it outrageous that we continue to see that the Legislative body of this Government can not receive information by requesting it through a committee. It is outrageous that we cannot get this information in a timely manner without a GRA. Mr. Farmer requested clarification. He inquired if she was asking about the master plan process or the capitol improvement plan. Councilor Glory-Jordan stated the reports read you have completed the initial presentation to Chief Smith and Melanie Knight the Cherokee Nation Master Plan Development Process. Mr. Farmer apologized and stated he thought she was speaking of a different plan. He stated he would have Dana Espinol, Director of Planning, provide more details on this issue. Councilor Glory-Jordan stated she would like to have a copy by Friday if possible to all Councilors. Councilor Bill John Baker inquired as to what the one is he is unable to share. Mr. Farmer replied there have been procedures established and he is just following them. The Capitol Improvement plan has not been completed. Councilor Bill John Baker inquired if this included the Court House and Council House. Mr. Farmer agreed. Councilor Fishinghawk requested a copy of the plan and stated she is not going through Dianna Turtle however if for your own best interest you want to go through Dianna Turtle you can.

OLD BUSINESS

1. A LEGISLATIVE ACT RELATED TO CHEROKEE NATION SUSTAINABLE ENERGY AND RESOURCES - For Discussion Only

Sponsors: Councilor Cara Cowan Watts

Mr. Elkins stated this item pertains to the Green Policies which he reported on earlier.

Councilor Cowan Watts made a motion to table to next month. Councilor Jack Baker seconded the motion. Motion carried.

NEW BUSINESS

1. A RESOLUTION AUTHORIZING THE SUBMISSION OF THE CHEROKEE NATION'S INTEGRATED RESOURCE MANAGEMENT PLAN GRANT PROPOSAL TO THE BUREAU OF INDIAN AFFAIRS

Sponsors: Councilor Curtis Snell

Mr. Farmer stated this is a request to apply for a grant from the BIA in the amount of \$58,383 with no match required. The purpose is to provide a historical baseline on all of our land to serve as a guide for land planning for Natural Resources and provide procedures for land use.

Councilor Garvin made a motion to approve. Councilor Bill John Baker seconded the motion. Motion carried.

2. A RESOLUTION AUTHORIZING TO AMEND RESOLUTION NO. 86-08 FOR LEASING TRUST LAND TO BELL DEPENDENT SCHOOL DISTRICT #33

Sponsors: Councilor S. Joe Crittenden

Councilor Crittenden stated this resolution amends a resolution previously passed for 12 1/2 acres and this resolution is for 20 acres. He stated the land is to be used for a ball field, track, parking area, and living quarters for security in accordance with Bell School. Ms. Donelson stated they are using more land than the previous resolution states and this would encompass all of the land being used within the lease agreement. Councilors Crittenden and Fishinghawk questioned if this contained the

mutual help home by the community building as well. Ms. Donelson stated if it isn't our home it would not be included. Councilor Crittenden requested clarification be given prior to a vote that the house is not included. Ms. Donelson stated she would review the issue.

Councilor Fishinghawk made a motion to table till next month. Councilor Crittenden seconded the motion. Motion carried unanimously.

3. LANDFILL - Status update

Mr. Tom Elkins stated the report had been provided and that he addressed some of the issues within the report. There were four main issues within the assessment provided; 1) leachate at the landfill 2) methane gas at the landfill 3) arsenic concentrations at the landfill and 4) thallium concentrations at the landfill. They were concerned that the pH was higher than normal drinking water in the leachate pond. He stated this is not uncharacteristic for a leachate pond. This is never allowed to go into the streams and is separated from the storm water. He stated the methane concentrations have been in excess of the upper explosive limit for a while now. The EPC and Commissioners are aware of the situation. The plan is as the construction of the landfill proceeds they will mitigate by digging a trench and inserting vents. Mr. Elkins stated they have done a lot of soil samples in North East Oklahoma through Superfund and it is very common for arsenic and thallium to be present. Councilor Fishinghawk stated she had never received the background samples she requested. Mr. Elkins apologized and agreed to provide the information. Councilor Soap inquired if there is anything in the report that stands out to Mr. Elkins. Mr. Elkins stated this report just reiterates what is found in the quarterly soil samples we have taken. The report suggests further sampling should be done but he didn't feel it necessary. He stated they already do more testing than is required. Councilor Soap inquired if a memo would be generated by Mr. Elkins group that would summarize this report in a format that could be communicated. Mr. Elkins suggested as operator of the landfill it should come from CNB and they could concur with the memo. Councilor Garvin inquired as to the cost of this report and is the company TERO certified. Mr. Elkins stated approximately \$35,000 and not a TERO company.

ANNOUNCEMENTS

Councilor Bill John Baker announced per Lita Maupin there is not an Executive and Legislative Conference today.

ADJOURNMENT

Councilor Bill John Baker made a motion to adjourn. Councilor Thornton seconded the motion. Motion carried at 4:58 p.m.

STAFF PRESENT:

<i>Tom Elkins</i>	<i>Linda Donelson</i>	<i>Dana Espinol</i>
<i>Jack Farmer</i>	<i>Angela Drewes</i>	<i>Michael Lynn</i>

VISITORS PRESENT:

<i>Jim Ketcher</i>	<i>Shriley Crowder</i>
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APPROVAL / DISTRIBUTION

Minutes submitted by: Shelli Brittain, Legal & Legislative Coordinator

Motion to approve minutes made by:

Cara Cowan Watts

Minutes attested and concurred by: Curtis D. Shell

Date: 2/17/09