



# Council of the Cherokee Nation

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

## Meeting Minutes - Final RULES COMMITTEE

*Joe Byrd, Chair*

*Recording Secretary, Shelli Brittain*

*Phone: 1-800-995-9465,*

*E-mail: council-public@cherokee.org*

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Thursday, October 26, 2017

1:00 PM

Tribal Council Offices

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### CALL TO ORDER

**Chair Byrd called the meeting to order at 1:03 p.m.**

### INVOCATION

**Councilor Vazquez gave the invocation.**

### ROLL CALL

**Present** 15 - Keith Austin; Buel Anglen; Dick Lay; Shawn Crittenden; Wanda Hatfield; Rex Jordan; Bryan Warner ; Joe Byrd; Janees Taylor; Victoria Vazquez; Frankie Hargis ; E. O. "JR." Smith; Mike Shambaugh; Mike Dobbins and Mary Baker Shaw

**Absent** 1 - Harley Buzzard

**Late Arrival** 1 - David Walkingstick

### APPROVAL OF MINUTES

**Councilor Taylor moved to approve the minutes as submitted. Councilor Hargis seconded the motion. The motion carried.**

### REPORTS:

*Councilor Warner presented an eagle statue from the Paralyzed Veteran's Association Mid America Chapter to Deputy Chief Crittenden for placement in our Veteran's Center. He gave background on the organization and how the statue came about.*

Marshal Service - Shannon Buhl

*Marshal Tanner offered to answer questions in the absence of Marshal Buhl.*

Office of the Attorney General - Todd Hembree

*Ms. Chrissi Nimmo reported in the absence of Mr. Hembree. She provided an update on the Freedmen decision and the status conference held.*

FOIA-GRA - Gwen Terrapin

*Ms. Terrapin gave an update on the number of requests and the website.*

Tax Commission - Sharon Swepston

*Ms. Swepston offered to answer questions from the report provided. Councilor Taylor inquired about the impact on our smoke shops with the proposed cigarette tax increase.*

Election Commission - Connie Parnell

*Ms. Parnell gave a staffing update within the Election Commission office and offered to answer questions from the report provided. Councilor Lay requested clarification on the request form for the district addresses. He also inquired about the number of days required for their office to post a meeting agenda.*

Self-Governance - Karen Ketcher

*Ms. Ketcher was out on travel and unavailable. Chair Byrd inquired if someone else could report when Ms. Ketcher is unavailable.*

Gaming Commission - Jamie Hummingbird

*Mr. Hummingbird was unavailable to report.*

Human Resources - Nason Morton

*Mr. Morton provided follow up on the question regarding transfers within the Cherokee Nation and gave an explanation as seen on page 21 of the report provided. He provided some preliminary highlights from the health fair held yesterday. He reported on exit interviews performed within Human Resources. Councilor Baker Shaw asked several questions about the exit interviews and the process. Councilor Lay requested clarification on how fast after receiving notification of a position being vacated that it can be opened up to replace.*

## OLD BUSINESS

1. [17-102](#) A LEGISLATIVE ACT AMENDING TITLE 51 OF THE CHEROKEE NATION CODE ANNOTATED - CIVIL PROCEDURE  
*Councilor Warner moved to approve. Councilor Hargis seconded the motion. Councilor Taylor requested Mr. Morton provide an example of the process before an employee gets to the employee appeals board. The process Mr. Morton described will not change if this Act were to pass. Ms. Nimmo gave statistical information on past years Employee Appeal Board cases and terminations. She then provided a detailed explanation of the differences between the process now with the board and with the proposed changes.*

**Following lengthy discussion and questions Councilor Hargis offered an amendment to waive the filing fees. Councilor Walkingstick seconded the motion. The motion carried.**

**The motion to approve as amended carried with the following roll call vote:**

**Yea:** 11 - Keith Austin; Wanda Hatfield; Rex Jordan; Bryan Warner ; Joe Byrd; Janees Taylor; Victoria Vazquez; Frankie Hargis ; E. O. "JR." Smith; Mike Shambaugh and Mike Dobbins

**Nay:** 4 - Buel Anglen; Dick Lay; Shawn Crittenden and Mary Baker Shaw

**Abstain:** 1 - David Walkingstick

NEW BUSINESS

17-090

A RESOLUTION AUTHORIZING A GRANT OF EASEMENT FOR A TRANSMISSION LINE RIGHT-OF-WAY TO PLAINS AND EASTERN CLEAN LINE OKLAHOMA LLC, ACROSS THE ARKANSAS RIVER AND GRANTING A LIMITED CONSENT TO BE SUED

**Councilor Smith made a motion to reconsider the Resolution Authorizing a Grant of Easement for a Transmission Line Right-of-way to Plains and Eastern Clean Line Oklahoma LLC, Across the Arkansas River and Granting a Limited Consent to be Sued. The motion for approval was defeated at the last Rules committee. He stated he was confused at the time of the vote and thought the vote was to table. Councilor Jordan seconded the motion. Chair Byrd stated it would take a majority vote to place this item back on the agenda for reconsideration. The motion for reconsideration failed with the following roll call vote:**

**Yea:** 8 - Keith Austin; Wanda Hatfield; Rex Jordan; Victoria Vazquez; E. O. "JR." Smith; Mike Shambaugh; Mike Dobbins and Mary Baker Shaw

**Nay:** 8 - Buel Anglen; Dick Lay; David Walkingstick; Shawn Crittenden; Bryan Warner ; Joe Byrd; Janees Taylor and Frankie Hargis

1. 17-106

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF JAMES AMOS AS COMMISSIONER OF THE HOUSING AUTHORITY OF THE CHEROKEE NATION BOARD OF COMMISSIONERS

**Councilor Jordan made a motion to approve. Councilor Hargis seconded the motion. The motion carried.**

2. 17-107

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF ANTHONY YATES AS COMMISSIONER OF THE HOUSING AUTHORITY OF THE CHEROKEE NATION BOARD OF COMMISSIONERS

**Councilor Shambaugh made a motion to approve. Councilor Jordan seconded the motion. Councilor Hargis requested to be added as a sponsor. The motion carried.**

3. 17-108

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF BOB BERRY AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC

**Councilor Walkingstick moved to approve. Councilor Vazquez seconded the motion. The motion carried with Councilor Crittenden abstaining.**

4. [17-109](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF DEACON TURNER AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC  
**Councilor Hargis made a motion to approve. Councilor Vazquez seconded the motion. Councilor Austin made a motion to table as Mr. Turner is unable to attend today. Councilor Hargis seconded the motion. The motion carried.**
5. [17-110](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF GARY COOPER AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC  
**Councilor Jordan made a motion to approve. Councilor Hargis seconded the motion. The motion carried with Councilor Crittenden abstaining.**
6. [17-111](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF HAROLD "SAM" RAY HART AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC  
**Councilor Dobbins made a motion to approve. Councilor Jordan seconded the motion. The motion carried with Councilor Crittenden abstaining.**
7. [17-112](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF MICHAEL WATKINS AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC  
**Councilor Taylor made a motion to approve. Councilor Hargis seconded the motion. The motion carried with Councilor Crittenden abstaining.**
8. [17-113](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF BRENT TAYLOR AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC  
**Councilor Vazquez moved to approve. Councilor Jordan seconded the motion. The motion carried with Councilors Crittenden and Taylor abstaining.**
9. [17-114](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF BUCK CHARLES GEORGE AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC  
**Councilor Hatfield made a motion to approve. Councilor Jordan seconded the motion. The motion carried with Councilor Crittenden abstaining.**
10. [17-115](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF JERRY HOLDERBY AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC  
**Councilor Warner made a motion to approve. Councilor Jordan seconded the motion. The motion carried with Councilor Crittenden abstaining.**
11. [17-126](#) ACT RELATING TO AMENDMENT OF TITLE 18 ARTICLE 3 SECTION 18 OF THE CHEROKEE NATION GENERAL CORPORATION ACT, INCREASING THE DIVIDENDS, PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY  
**Councilor Lay made a motion to open for discussion only. Councilor Austin seconded the motion. Councilor Lay gave a brief explanation for his request for this amendment. He stated other Councilors have mentioned also wanting to amend. Following discussion Councilor Lay made motion to table. Councilor Baker Shaw seconded the motion. The motion carried.**

#### ANNOUNCEMENTS

ADJOURNMENT

**Councilor Hargis moved to adjourn. Councilor Shambaugh seconded the motion. The motion carried at 2:26 p.m.**

STAFF PRESENT:

<i>Danny Tanner</i>	<i>Chrissi Nimmo</i>	<i>Connie Parnell</i>
<i>Chad Harshaw</i>	<i>Gwen Terrapin</i>	<i>S. Joe Crittenden</i>
<i>Bill John Baker</i>	<i>Chuck Hoskin, Jr.</i>	<i>Canaan Duncan</i>
<i>Nason Morton</i>	<i>Todd Hembree</i>	<i>Lacey Horn</i>

VISITORS PRESENT:

<i>Pam Sellers</i>	<i>Sam Hart</i>	<i>Buck George</i>
<i>Brent Taylor</i>	<i>Harvey Chaffin</i>	<i>Michael Watkins</i>
<i>Bob Berry</i>	<i>Martha Calico</i>	<i>Jerry Holderby</i>
<i>Gary Cooper, Sr.</i>	<i>Teddye Snell</i>	<i>Tahlina Nofire Blakestad</i>
<i>Gary Cooper, Jr.</i>	<i>Tralyna Scott</i>	<i>Sheila Bird</i>
<i>Shawn Slaton</i>	<i>James Amos</i>	<i>Anthony Yates</i>