



# 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 Coke*  
*Phone: 1-800-995-9465,*  
*E-mail: council-public@cherokee.org*

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Thursday, August 27, 2020

2:00 PM

Tribal Council Offices

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### CALL TO ORDER

**Chair Byrd called the meeting to order at 2:02 p.m.**

### INVOCATION

**Councilor Duncan gave the invocation.**

### ROLL CALL

**Present** 17 - Joe Byrd; Janees Taylor; Victoria Vazquez; Harley Buzzard; E. O. "JR." Smith; Mike Shambaugh; Mike Dobbins; Mary Baker Shaw; Canaan Duncan; Rex Jordan; Wes Nofire; Daryl Legg; Shawn Crittenden; Dora Patzkowski; Joe Deere; Keith Austin and Julia Coates

### APPROVAL OF MINUTES

**Councilor Duncan made a motion to approve the July regular session minutes as submitted. Councilor Taylor seconded the motion. The motion carried.**

### REPORTS:

Marshal Service - Shannon Buhl

*Mr. Buhl reported they would not be sending Marshals to assist with relief efforts there due to the COVID issues here. He offered to answer questions from the report provided.*

Office of the Attorney General - Sara Hill

*Ms. Hill gave an update on the gaming compact renewal litigation with Governor Stitt along with other cases filed in regard to compacting. A lawsuit was filed today, in which we are one of the Plaintiffs, pertaining to tracking of foster care children. They are working on several McGirt related issues. She provided an update on the McGirt decision and how it effects other pending cases. She reported they are gearing up in the Attorney General's office to be prepared for the prosecution of upcoming cases. AG Hill announced she is part of the Commission for the Protection of Cherokee*

*Nation Sovereignty and also the Intergovernmental Law Enforcement Task Force. Councilor Nofire inquired about the members of the commission and if the Council would approve the members. Councilor Buzzard inquired about citizens being on the commission instead of just employees and elected officials. Councilor Shambaugh requested a copy of the court filings AG Hill referred to. Councilor Deere inquired about case managers for our citizens in jail. Councilor Legg inquired about the Constitution not allowing us to provide defense attorneys unless they qualify for a public defender. Councilor Nofire inquired if the Council could sit in on the commission and task force meetings.*

FOIA-GRA - Gwen Terrapin

*Ms. Terrapin wasn't available to report.*

Tax Commission - Sharon Swepston

*Ms. Swepston offered to answer questions from the report provided. Councilor Shambaugh inquired if it has slowed down at the tags offices.*

Gaming Commission - Janice Purcell

*Ms. Purcell offered to answer questions from the report provided.*

Human Resources - Alana Casteel

*Ms. Casteel offered to answer questions from the report provided. Councilor Taylor requested clarification on the Human Resources budget narrative where it states there is a follow up to all applicants once a job opening closes. Councilor Smith inquired about how long they have been sending out the electronic responses. Councilor Buzzard inquired about exit interviews and requested additional information on the terminations.*

OLD BUSINESS

- 1. [TMP-388](#) DISCUSSION ONLY: RESTRICTIONS TO CHANGING MEETING DAYS AND TIMES OF THE CHEROKEE COUNCIL  
  
**Councilor Dobbins voiced concerns for changing the Council and committee meeting dates. He stated he needs predictability to allow him to create a schedule. The meetings shouldn't be a moving target and should only be changed if an absolute emergency or holiday. Other councilors offered comments.**

NEW BUSINESS

- 1. [20-042](#) A RESOLUTION CONFIRMING THE NOMINATION OF SHAWNA BAKER AS A JUSTICE OF THE CHEROKEE NATION SUPREME COURT  
  
**Councilor Taylor made a motion to approve. Councilor Shambaugh seconded the motion. Councilors asked multiple questions and voiced concerns. The motion to approve carried with the following roll call vote:**

**Yea:** 13 - Joe Byrd; Janees Taylor; Victoria Vazquez; E. O. "JR." Smith; Mike Shambaugh; Mike Dobbins; Canaan Duncan ; Rex Jordan; Daryl Legg; Shawn Crittenden; Dora Patzkowski; Joe Deere and Keith Austin

**Nay:** 4 - Harley Buzzard; Mary Baker Shaw; Wes Nofire and Julia Coates

- 2. [20-043](#) A RESOLUTION EXPRESSLY AGREEING TO JURISDICTION AND AUTHORIZING A LIMITED WAIVER OF SOVEREIGN IMMUNITY OF THE CHEROKEE NATION IN CONNECTION WITH THE ASSOCIATED PRESS IMAGES LICENSING AGREEMENT

**Councilor Duncan moved to approve. Councilor Shambaugh seconded the motion. Mr. Tyler Thomas was present for any questions. The motion to approve carried.**

- 3. [20-044](#) A RESOLUTION SUPPORTING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CHEROKEE NATION AND THE STATE OF OKLAHOMA REGARDING JURISDICTION OVER INDIAN CHILDREN WITHIN THE CHEROKEE NATION RESERVATION

**Councilor Deere moved to approve. Councilor Vazquez seconded the motion. Councilor Dobbins requested to be added as a sponsor. The motion to approve carried.**

- 4. [20-045](#) CHEROKEE NATION RESERVATION, JUDICIAL EXPANSION AND SOVEREIGNTY PROTECTION ACT

**Councilor Shambaugh moved to approve. Councilor Duncan seconded the motion. Councilor Nofire requested clarification on the salary changes the requested to be included as a sponsor. The motion to approve carried.**

- 5. [20-046](#) A RESOLUTION REGARDING LEGISLATION PROPOSED BY THE FIVE TRIBES AND STATE OF OKLAHOMA

**Councilor Nofire moved to approve. Councilor Buzzard seconded the motion. The motion to approve failed with the following roll call vote:**

**(Councilor Coates requested in announcement to change her vote from nay to yea)**

**Yea:** 4 - Harley Buzzard; Mary Baker Shaw; Wes Nofire and Julia Coates

**Nay:** 13 - Joe Byrd; Janees Taylor; Victoria Vazquez; E. O. "JR." Smith; Mike Shambaugh; Mike Dobbins; Canaan Duncan ; Rex Jordan; Daryl Legg; Shawn Crittenden; Dora Patzkowski; Joe Deere and Keith Austin

- 6. [20-048](#) AN ACT AMENDING THE CHEROKEE NATION CEMETERIES PRESERVATION ACT OF 2017 TO PROVIDE FOR THE REPAIR AND RESTORATION OF UNMARKED AND DAMAGED HISTORICAL CHEROKEE GRAVES AND DECLARING AN EMERGENCY

**Councilor Deere made a motion to approve. Councilor Taylor seconded the motion. Councilor Buzzard requested an overview of the amendment. Councilors Taylor and Vazquez requested to be added as sponsors. The motion to approve carried.**

ANNOUNCEMENTS

*Councilor Coates requested to change her vote on Resolution 20-046 from nay to yea.*

ADJOURNMENT

**Councilor Duncan moved to adjourn. Councilor Shambaugh seconded the motion. The motion carried at 3:42 p.m.**

STAFF PRESENT:

|                           |                      |                      |
|---------------------------|----------------------|----------------------|
| <i>Taralee Montgomery</i> | <i>Todd Enlow</i>    | <i>Chrissi Nimmo</i> |
| <i>Luke Barteau</i>       | <i>Shannon Buhl</i>  | <i>Sara Hill</i>     |
| <i>Chuck Hoskin Jr.</i>   | <i>Bryan Warner</i>  |                      |
| <i>Remote:</i>            |                      |                      |
| <i>Sharon Swepston</i>    | <i>Alana Casteel</i> | <i>Tyler Thomas</i>  |

VISITORS PRESENT:

|                     |                  |                    |
|---------------------|------------------|--------------------|
| <i>Shawna Baker</i> | <i>Tim Brown</i> | <i>Teddy Snell</i> |
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