



# Council of the Cherokee Nation

Council House  
17763 S. Muskogee Ave.  
Tahlequah, OK 74464

## Meeting Minutes - Draft RULES COMMITTEE

*Chuck Hoskin Jr., Chair*

*Recording Secretary, Shelli-Brittain  
Phone: 1-800-995-9465,  
E-mail: council-public@cherokee.org*

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Thursday, March 28, 2013

1:00 PM

Legislative Conference Room

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### CALL TO ORDER

**Chair Hoskin Jr. called the meeting to order at 1:02 p.m.**

### INVOCATION

**Councilor Thornton gave the invocation.**

### ROLL CALL

**Present** 14 - Buel Anglen; Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Tina Glory Jordan; Janelle Fullbright; Lee Keener Jr.; David Walkingstick; Frankie Hargis and Joe Byrd

**Late Arrival** 3 - Jodie Fishinghawk; Dick Lay and Julia Coates

### APPROVAL OF MINUTES

**Councilor Thornton moved to approve the February 28, 2013 regular session minutes. Councilor Hargis seconded the motion. The motion carried.**

### AMEND THE AGENDA

**Councilor Glory-Jordan made a motion to amend the agenda to move new business items 1 – 5 prior to reports. Councilor Hargis seconded the motion. The motion carried.**

### APPROVAL OF MINUTES

*Councilor Cowan Watts stated she had a request to amend the minutes as they should have noted she had filed a point of order and protested the motion to change highway 20 to old highway 20. Chair Hoskin Jr. stated note would be made in these minutes to reflect the request.*

## NEW BUSINESS

1. [13-007](#) A RESOLUTION CONFIRMING THE NOMINATION OF LYNN BURRIS AS A BOARD MEMBER OF THE CHEROKEE NATION ADMINISTRATIVE APPEALS BOARD
- Councilor Glory-Jordan moved to approve. Councilor Fishinghawk seconded the motion. Courtney Roark Thompson, the new Government Relations Director for the Cherokee Nation, introduced Judge Lynn Burris.*
- The motion to approve carried with the following roll call vote: Chair Hoskin Jr. in regard to the point of order requested it be noted that Councilor Coates orally indicated a no vote but had no visual contact therefore her vote could not be recorded.**
- Yea:** 11 - Chuck Hoskin Jr. ; Curtis Snell; Don Garvin; Jack D. Baker; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd
- Nay:** 5 - Buel Anglen; David Thornton, Sr. ; Meredith Frailey; Cara Cowan Watts and Lee Keener Jr.
- Late Arrival:** 1 - Julia Coates
2. [13-029](#) A RESOLUTION CONFIRMING THE NOMINATION OF CURTIS KEITH AUSTIN AS AN EDITORIAL BOARD MEMBER OF THE CHEROKEE PHOENIX
- Chair Hoskin Jr. stated this nomination to the Editorial Board is a Council pick and there were two candidates who have had an expression through Councilors. Both of their resumes have been provided: Mr. Gerald Wofford who is the incumbent and Curtis Keith Austin. Councilor Glory-Jordan made a motion to nominate Curtis Keith Austin. Councilor Fishinghawk seconded the motion. Mr. Austin gave a brief overview of his background. After questions ceased Councilor Baker called point of order and inquired if a motion was also needed for Mr. Wofford to decide who to choose. Chair Hoskin Jr. provided clarification of the process taken in the past and stated it would be the practice taken today. Councilor Cowan Watts made a motion to go into executive session. After discussion was held the motion to enter into executive discussion was denied as the reasoning didn't meet one of the three Constitutional requirements.*
- After additional questions were asked the motion to approve Mr. Austin as a nominee to the Editorial Board carried with the following roll call vote: Councilor Coates once again didn't have visual contact but voiced a no vote, her vote doesn't count.**
- Yea:** 9 - Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick and Frankie Hargis
- Nay:** 6 - Buel Anglen; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts and Lee Keener Jr.
- Abstain:** 1 - Joe Byrd
- Not In Room:** 1 - Julia Coates

3. [13-044](#) A RESOLUTION CONFIRMING THE NOMINATION OF ROY J. HAMILTON AS A BOARD MEMBER OF CHEROKEE NATION COMMUNITY ASSOCIATION CORPORATION
- Councilor Fishinghawk moved to approve. Councilor Walkingstick seconded the motion. After numerous questions and concerns were voiced the motion to approve carried with the following roll call vote: Councilor Coates no vote doesn't count as no visual has been acquired.**
- Yea:** 10 - Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd
- Nay:** 6 - Buel Anglen; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts and Lee Keener Jr.
- Late Arrival:** 1 - Julia Coates

4. [13-045](#) A RESOLUTION CONFIRMING THE NOMINATION OF SHAUN A. SHEPHERD AS A MEMBER OF THE BOARD OF DIRECTORS OF CHEROKEE NATION WASTE MANAGEMENT, LLC
- Councilor Hargis moved to approve. Councilor Glory-Jordan seconded the motion. Chair Hoskin Jr. made note for the record Councilor Coates now has both audio and visual contact. Mr. Shepherd gave a brief overview of his background. After comments and questions ceased the motion to approve carried with no opposition.**

5. [13-046](#) A RESOLUTION CONFIRMING THE NOMINATION OF PATSIANN NIX SMITH AS A BOARD MEMBER OF CHEROKEE NATION FOUNDATION
- Councilor Glory-Jordan moved to approve. Councilor Byrd seconded the motion. Councilor Byrd requested to be added as a sponsor. After questions and comments were completed the motion to approve carried with no opposition.**

REPORTS:

*Chair Hoskin Jr. requested with the full agenda to stand on written reports and entertain necessary questions only.*

Marshal Service - Shannon Buhl

*Marshal Buhl had to leave due to a public safety issue. Councilor Cowan Watts requested the Claremore Indian Health Service hospital reports be included in the monthly report.*

Office of the Attorney General - Todd Hembree

*Attorney General Hembree offered to answer questions from the report provided. Councilor Cowan Watts requested clarification on the new AG website and inquired about the status of codification. Mr. Hembree provided handouts regarding NCAI held in March along with the FKG Legislative Update. He provided an update on the pending lawsuits. Councilor Glory-Jordan stated she would be requesting our Legal and Legislative Coordinator, Shelli Brittain, to poll the Council to move the April 15th meetings to April 22nd to allow those who wish to attend the Baby Veronica case at the U.S. Supreme Court if they so wish. The results of the poll will be announced*

*before the conclusion of the next meeting. Councilor Garvin requested an update on the car tags. Councilor Thornton requested an update on the WD Mayo.*

Codification - Todd Hembree

*The update was provided in the Attorney General's report.*

Election Commission - Bill W. Horton

*No one was present to report.*

Tax Commission - Sharon Swepston

*Ms. Fonda Gritts offered to answer questions in the absence of Ms. Swepston. Councilor Anglen inquired about a solution to the staff shortage in Collinsville.*

Self-Governance - Vickie Hanvey

*Ms. Hanvey provided a handout on questions previously asked about contract support cost. She also provided a handout on the land settlement in regard to the Cobbell settlement.*

Gaming Commission - Jamie Hummingbird

*Mr. Hummingbird offered to answer questions from the report. Councilor Keener requested clarification on the report. Councilor Fullbright inquired about the process for drug testing within the Gaming Commission and CNE employees. Councilor Byrd inquired about the status of the internet gaming.*

Registrar Citizenship Data Update - David Justice

*Mr. Justice gave an update on the Registration numbers. Councilor Cowan Watts inquired about the number of bad addresses.*

## OLD BUSINESS

1. [TMP-239](#) DISCUSSION ONLY - CHEROKEE PHOENIX

*Councilor Keener requested an update from Mr. Bryan Pollard. Councilor Cowan Watts inquired if the past couple of years travel will be added. Councilor Glory-Jordan requested it be posted for the past seven years. Councilor Keener inquired as to the number of subscriptions to date. Councilor Glory-Jordan commented there is a small budget request in the mod to be considered at the next meeting for the Phoenix to get them through the remainder of the year.*

2. [13-031](#) EMPLOYEE CONDUCT IN POLITICAL MATTERS ACT OF 2013

**Councilor Fishinghawk moved to table for one month. Councilor Glory-Jordan seconded the motion. The motion carried.**

NEW BUSINESS

- 6.     13-047           A RESOLUTION CONFIRMING THE NOMINATION OF AMBER LYNN GEORGE AS A BOARD MEMBER OF CHEROKEE NATION FOUNDATION

**Councilor Glory-Jordan made a motion to table for one month. Councilor Thornton seconded the motion. The motion carried.**
- 7.     13-051           A RESOLUTION AUTHORIZING CHEROKEE NATION TO BECOME A MEMBER OF THE NATIONAL CONGRESS OF AMERICAN INDIANS AND TO APPOINT THE TRIBAL DELEGATE AND ALTERNATES

**Councilor Glory-Jordan moved to approve. Councilor Byrd seconded the motion. The motion carried with no opposition.**
- 8.     13-048           A RESOLUTION AUTHORIZING THE LIMITED WAIVER OF SOVEREIGN IMMUNITY OF THE CHEROKEE NATION IN CONNECTION WITH A WIND DEVELOPMENT AGREEMENT WITH CHILOCCO WIND FARM, LLC

**Councilor Glory-Jordan withdrew this item.**
- 9.     13-049           A RESOLUTION AUTHORIZING THE LIMITED WAIVER OF SOVEREIGN IMMUNITY OF THE CHEROKEE NATION IN CONNECTION WITH THE WIND ENERGY EVALUATION LEASES AND WIND RESOURCE LEASES TO CHILOCCO WIND FARM, LLC

*Councilor Glory-Jordan moved to approve. Councilor Hargis seconded the motion. Ms. Elizabeth Odell from the Attorney General's office gave an overview of the intent. Councilor Fishinghawk offered a friendly amendment to strike the "U.S. Northern District Court" and change to the "District Court of the Cherokee Nation". The friendly was accepted.*

**After additional discussion was held Councilor Byrd moved to table until the final contract is received. Councilor Thornton seconded the motion. Ms. Odell stated if it is tabled we would lose our agreement connection. The motion to table carried with Councilor Cowan Watts opposed.**

AMEND THE AGENDA

**A motion was made by Councilor Fishinghawk, seconded by Councilor Glory Jordan, that this matter be Amend the agenda . The motion carried by the following vote.**

**Yea:** 6 - David Thornton, Sr. ; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; David Walkingstick and Joe Byrd

**Nay:** 5 - Buel Anglen; Jack D. Baker; Cara Cowan Watts; Lee Keener Jr. and Julia Coates

**Abstain:** 6 - Chuck Hoskin Jr. ; Curtis Snell; Don Garvin; Meredith Frailey; Dick Lay and Frankie Hargis

ANNOUNCEMENTS

*Councilor Glory-Jordan requested the Chair schedule a Special Rules meeting for April 11th at 1:00 with one agenda item will be an amendment to the Election Law pertaining to public officials acting as watchers in the election. She stated there may*

*be other items added to the agenda. Chair Hoskin Jr. stated he would call the special meeting as requested.*

*Chair Hoskin Jr. recognized Mr. Austin's daughter, Alyssa, who was present with her Dad during his nomination process. Councilor Glory-Jordan stated she may also bring forward a resolution dealing with behavior during meetings.*

ADJOURNMENT

**Councilor Byrd moved to adjourn. Councilor Walkingstick seconded the motion. The motion carried at 3:19 p.m.**

STAFF PRESENT:

<i>Elizabeth Odell</i>	<i>Bryan Pollard</i>	<i>Fonda Gritts</i>
<i>Nason Morton</i>	<i>Todd Hembree</i>	<i>Shannon Buhl</i>
<i>Vickie Hanvey</i>	<i>David Justice</i>	<i>Terrisa Muskrat</i>
<i>Chelsea Wilson</i>	<i>Ginger Brown</i>	<i>Dawnea Mackey</i>
<i>Lisa Long</i>	<i>Jamie Hummingbird</i>	<i>Courtney Roark Thompson</i>

VISITORS PRESENT:

<i>Keith Austin</i>	<i>Gerald Wofford</i>	<i>Larry Horn</i>
<i>Patsiann Smith</i>	<i>Roy Hamilton</i>	<i>Shaun Shepherd</i>
<i>Raymond Vann</i>	<i>Robin Mayes</i>	<i>Susan Chapman Plumb</i>
<i>Dianne Barker Harrold</i>		