



# Council of the Cherokee Nation

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

## Tribal Council Minutes - Final TRIBAL COUNCIL

*Tina Glory-Jordan, Speaker*

*Recording Secretary, Shelli Brittain*

*Phone: 1-800-995-9465*

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

---

Monday, September 17, 2012

6:00 PM

Council Chambers

---

### CALL TO ORDER

Tina Glory-Jordan  
Speaker of the Council

**Speaker Glory-Jordan called the meeting to order.**

### INVOCATION

**Councilor Hargis gave the invocation.**

### ROLL CALL

Shelli Brittain  
Legal & Legislative Coordinator

**Present** 17 - Buel Anglen; David Thornton, Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Chuck Hoskin Jr. ; Curtis Snell; David Walkingstick; Lee Keener Jr.; Dick Lay; Jodie Fishinghawk; Janelle Fullbright; Cara Cowan Watts; Julia Coates; Tina Glory Jordan; Frankie Hargis and Joe Byrd

### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

**Councilor Anglen moved to approve the August 13th minutes. Councilor Garvin seconded the motion. The motion carried.**

### STATE OF THE NATION

Bill John Baker  
Principal Chief

*Chief Baker welcomed everyone present. He requested a moment of silence for those who have passed over the last month. He announced the opening of the permanent facility in Ramona was today. This past weekend they traveled Texas where three At Large community meetings were held. The holiday Pow Wow was the largest attendance ever with other events also being well attended. They held the State of the Nation inside and are considering making it a permanent change. He recognized Jamie Hummingbird for being named the Gaming Regulator of the Year by the International Master of Gaming Law. He announced he and Deputy Chief Crittenden threw out the first balls of the slow pitch and fast pitch tournaments. He*

*introduced the new Miss Cherokee, Chirsty Kingfisher and Jr. Miss Cherokee, Julie Thornton. Chief Baker reported he attended the Democratic National Convention and had the honor of doing the roll call for the State of Oklahoma. Tomorrow night they will present \$455,000 to the rural fire departments. They have had a soft opening for the new tribal membership cards which can be used as a State I.D.*

#### CHEROKEE WARRIOR VETERAN AWARDS

S. Joe Crittenden  
Deputy Principal Chief

*Deputy Chief Crittenden read a news release regarding the death of Cherokee citizen, John Townsend a soldier lost recently in Afghanistan. Veterans recognized for the month were Joe Fourkiller, Clyde Southerland Jr., and Tommy Pack.*

#### RECESS

*Councilor Cowan Watts requested a five minute recess. Speaker Glory-Jordan honored the request for recess at 6:29 p.m.*

#### RECONVENNE

*Speaker Glory-Jordan called the meeting back to order at 6:34 p.m.*

*Deputy Chief Crittenden recognized the Youth Choir and announced they would be singing a couple of the songs on their newly released CD.*

#### ACTION OF UNFINISHED BUSINESS

*None pending.*

#### COMMITTEE REPORTS

##### Monthly Reports:

##### Housing Authority - Gary Cooper

*Mr. Cooper reported the next board meeting will be held tomorrow at 5:30 p.m. The construction of homes has had a slow start. He has bid out and received the labor portion for up to fifty homes in the southern portion of the Cherokee Nation. He announced they received TERO bids back on every specialty area other than insulation in the ceilings and walls. They will be bidding out in the Northern areas within the next couple of weeks. He provided an update on the Community Shield Insurance program. Councilor Cowan Watts requested clarification on the TERO bid process. Councilor Byrd inquired of the percentage who have applied who don't have land.*

##### Cherokee Nation Business, LLC - Shawn Slaton

*Mr. Slaton reported both June and July have great results. Approximately \$254,000 in tax collections was provided to the Cherokee Nation. The Ramona ribbon cutting was held this morning. Casino Three at Hard Rock will open tomorrow at noon. They have plans to demolish the Cherokee Inn. Cherokee CRC has been awarded a*

*contract with the BIA for the Anadarko Riverside School. They currently have approximately 4,100 employees with a Cherokee percentage of 69.2% and other Native Americans at 8.1% for a total of 77.3% Native American employment. Councilor Keener inquired about books recently removed from the shelves at the gift shops. Councilor Byrd inquired about the status of the feasibility study for Sallisaw Creek Park. Councilor Cowan Watts requested additional information on the contract for Riverside School. She requested an update on the actuals showing how much has been paid to Kalyn Free. Councilor Snell inquired about the status of the truck stop by Rose.*

OLD BUSINESS

*None pending.*

NEW BUSINESS

Community Services Committee

1. [12-099](#)            **A RESOLUTION AUTHORIZING THE FOOD DISTRIBUTION PROGRAM TO SUBMIT AN APPLICATION FOR FUNDING TO THE UNITED STATES DEPARTMENT OF AGRICULTURE**  
  
 Councilor Lay moved to approve. Councilor Hoskin Jr. seconded the motion. The motion carried.  
  
 Enactment No: R-79-12
  
2. [12-100](#)            **A RESOLUTION AUTHORIZING THE FAMILY ASSISTANCE DEPARTMENT TO SUBMIT AN APPLICATION TO THE UNITED STATES DEPARTMENT OF HEALTH & HUMAN SERVICES FOR FY '2013 FUNDING FOR LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)**  
  
 Councilor Hargis moved to approve. Councilor Cowan Watts seconded the motion. The motion carried.  
  
 Enactment No: R-80-12
  
3. [12-104](#)            **AN ACT AMENDING LA 36-02 TO ADD TWO ADDITIONAL ADVISORY BOARD OF DIRECTORS TO THE CHEROKEE NATION HOUSING AUTHORITY**  
  
 Councilor Fishinghawk moved to approve. Councilor Hoskin Jr. seconded the motion. The motion carried by acclamation.  
  
 Enactment No: LA-32-12

Health Committee

4. [12-102](#)            **A RESOLUTION AUTHORIZING CHEROKEE NATION HEALTH SERVICES TO ASSUME MANAGEMENT, SUPERVISION AND OVERSIGHT OF CHEROKEE NATION HOME HEALTH AGENCY AND**

**HOSPICE OF THE CHEROKEES**

*Councilor Fullbright moved to approve. Councilor Fishinghawk seconded the motion. Council Attorney, Dianne Barker Harrold stated the Attorney General's office has some issues that need to be resolved prior to finalization. She requested it be sent back to committee.*

**Councilor Cowan Watts moved to table back to committee. Councilor Garvin seconded the motion. The motion carried.**

Resource Committee

- 5. [12-101](#) **A RESOLUTION AUTHORIZING THE SALE OF A HOUSE TO THE JAMES BEAVER FAMILY LOCATED IN LOCUST GROVE, OKLAHOMA, MAYES COUNTY**  
 Councilor Frailey moved to approve. Councilor Byrd seconded the motion. The motion carried.  
 Enactment No: R-81-12

Rules Committee

- 6. [12-114](#) **A RESOLUTION CONFIRMING THE NOMINATION OF FARRELL MACKY PRATER AS A MEMBER OF THE CHEROKEE NATION REGISTRATION COMMITTEE**  
 Councilor Hoskin Jr. moved to approve. Councilor Cowan Watts seconded the motion. The motion carried.  
 Enactment No: R-82-12
- 7. [12-115](#) **A RESOLUTION CONFIRMING THE NOMINATION OF BETTY BARKER AS A MEMBER OF THE CHEROKEE NATION REGISTRATION COMMITTEE**  
 Councilor Fishinghawk moved to approve. Councilor Baker seconded the motion. The motion carried.  
 Enactment No: R-83-12
- 8. [12-116](#) **A RESOLUTION CONFIRMING THE NOMINATION OF LINDA O'LEARY AS REGISTRAR FOR THE CHEROKEE NATION REGISTRATION COMMITTEE**  
 Councilor Lay moved to approve. Councilor Hoskin Jr. seconded the motion. Councilor Cowan Watts inquired how the Registration committee works, how often they meet, their roles and responsibilities. The motion carried.  
 Enactment No: R-84-12
- 9. [12-120](#) **A RESOLUTION AUTHORIZING THE FILING OF A FRIENDLY SUIT AGAINST THE ELECTION COMMISSION SEEKING A DECLARATORY JUDGMENT REGARDING THE VOTER DISTRICT AMENDMENT ACT OF 2012**

*Councilor Hoskin Jr. moved to approve with the following amendments in the first Be It Resolved clause strike "shall file" and insert "ratifies" in the next paragraph strike "by its attorney Dianne Barker Harrold, shall file" and insert "ratifies" also the same correction in the title of the resolution. Councilor Fishinghawk seconded the motion.*

**After lengthy discussion and questions asked about a second lawsuit the motion to approve carried with the following roll call vote:**

**Yea:** 12 - David Thornton, Sr. ;Don Garvin;Meredith Frailey;Chuck Hoskin Jr. ;Curtis Snell;David Walkingstick;Dick Lay;Jodie Fishinghawk;Janelle Fullbright;Tina Glory Jordan;Frankie Hargis and Joe Byrd

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

Enactment No: R-85-12

10. [12-097](#)

**AN ACT AMENDING LA#13-07 CHEROKEE ADMINISTRATIVE PROCEDURES ACT**

**Councilor Hoskin Jr. moved to approve. Councilor Byrd seconded the motion. After discussion was held the motion to approve carried with the following roll call vote:**

**Yea:** 10 - David Thornton, Sr. ;Chuck Hoskin Jr. ;Curtis Snell;David Walkingstick;Dick Lay;Jodie Fishinghawk;Janelle Fullbright;Tina Glory Jordan;Frankie Hargis and Joe Byrd

**Nay:** 7 - Buel Anglen;Don Garvin;Jack D. Baker;Meredith Frailey;Lee Keener Jr.;Cara Cowan Watts and Julia Coates

Enactment No: LA-33-12

11. [12-109](#)

**AN ACT RELATING TO SUBSIDIES FOR SMOKESHOP RETAILERS**

**Councilor Thornton moved to approve with the correction in the first paragraph of Section 3 to strike rebate and insert subsidy. Councilor Fishinghawk seconded the motion. Councilors Hargis, Fishinghawk, Garvin, Anglen and Cowan Watts requested to be added as sponsors. Councilor Garvin offered a friendly amendment to change 50% where stated to 75%. The friendly was accepted. The motion to approve carried by acclamation.**

Enactment No: LA-34-12

12. [12-112](#)

**AN ACT RELATING TO THE CREATION, AND REGULATION OF ARMED SECURITY WITHIN CHEROKEE NATION**

**Councilor Baker moved to approve. Councilor Hoskin Jr. seconded the motion. All Councilors requested to be included as sponsors. The motion to approve carried.**

Enactment No: LA-35-12

Executive and Finance Committee

13. [12-105](#)

**AN ACT AMENDING LEGISLATIVE ACT #20-11 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2012 OPERATING - MOD 12; AND DECLARING AN EMERGENCY**

**Councilor Fishinghawk moved to approve. Councilor Cowan Watts seconded the motion. The motion to approve carried by acclamation.**

Enactment No: LA-36-12

14. [12-117](#)

**AN ACT AUTHORIZING AND APPROVING THE FISCAL YEAR 2013 OPERATING BUDGET; AND DECLARING AN EMERGENCY**

*Councilor Fishinghawk moved to approve. Councilor Hoskin Jr. seconded the motion. Councilor Lay offered a friendly amendment to move line items 3329025 and 3329050 from the Health budget to the reserved by appropriations budget. The friendly was accepted. Treasurer Horn provided a handout of the changes made at committee today. Councilor Hoskin Jr. offered a friendly amendment to temporarily take funds from the Back to Work program in the amount of \$400,000 and place with the Markoma gym with the understanding of when carryover comes forward the funds would be replenished along with an additional \$400,000 to Markoma gym. The friendly was accepted.*

**Councilor Baker made a motion to transfer \$60,000 from the Public School Outreach to the Heritage Center. Councilor Frailey seconded the motion. After discussion was held Councilor Thornton moved to table and discuss at committee. Councilor Byrd seconded the motion. The motion to table carried with the following roll call vote:**

**Yea:** 10 - David Thornton, Sr. ;Chuck Hoskin Jr. ;Curtis Snell;David Walkingstick;Dick Lay;Jodie Fishinghawk;Janelle Fullbright;Tina Glory Jordan;Frankie Hargis and Joe Byrd

**Nay:** 7 - Buel Anglen;Don Garvin;Jack D. Baker;Meredith Frailey;Lee Keener Jr.;Cara Cowan Watts and Julia Coates

*After additional discussion was held Speaker Glory-Jordan announced she would be limiting debate to 5 minutes per Councilor. After additional debate was held Councilor Coates yielded her time to Mr. Bryan Pollard to go over the plan for the Phoenix in regard to their budget cuts.*

*Councilor Garvin made a motion to put their budget back to its funding amount prior to budget hearings. Councilor Coates seconded the motion. Speaker Glory-Jordan commented this motion would take funding away from the Head Start. After additional discussion was held Councilor Fishinghawk yielded her time to Ms. Verna Thompson of the Head Start. Once the discussion was exhausted Councilor Walkingstick called for the question.*

**Councilor Garvin’s motion failed with the following roll call vote:**

**Yea:** 4 - Buel Anglen;Don Garvin;Cara Cowan Watts and Julia Coates

**Nay:** 13 - David Thornton, Sr. ;Jack D. Baker;Meredith Frailey;Chuck Hoskin Jr. ;Curtis Snell;David Walkingstick;Lee Keener Jr.;Dick Lay;Jodie Fishinghawk;Janelle Fullbright;Tina Glory Jordan;Frankie Hargis and Joe Byrd

*Councilor Walkingstick called for the question on the main motion as amended.*

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

**Yea:** 9 - Chuck Hoskin Jr. ;Curtis Snell;David Walkingstick;Dick Lay;Jodie Fishinghawk;Janelle Fullbright;Tina Glory Jordan;Frankie Hargis and Joe Byrd

**Nay:** 8 - Buel Anglen;David Thornton, Sr. ;Don Garvin;Jack D. Baker;Meredith Frailey;Lee Keener Jr.;Cara Cowan Watts and Julia Coates

Enactment No: LA-37-12

15. [12-118](#)

**AN ACT AUTHORIZING AND APPROVING THE FISCAL YEAR 2013 CAPITAL APPROPRIATIONS BUDGET; AND DECLARING AN EMERGENCY**

**Councilor Fishinghawk moved to approve. Councilor Thornton seconded the motion. After a few questions were asked the motion to approve carried with the following roll call vote:**

**Yea:** 15 - Buel Anglen;David Thornton, Sr. ;Don Garvin;Jack D. Baker;Chuck Hoskin Jr. ;Curtis Snell;David Walkingstick;Dick Lay;Jodie Fishinghawk;Janelle Fullbright;Cara Cowan Watts;Julia Coates;Tina Glory Jordan;Frankie Hargis and Joe Byrd

**Nay:** 2 - Meredith Frailey and Lee Keener Jr.

Enactment No: LA-38-12

AMEND THE AGENDA

**Councilor Baker moved to amend the agenda to include the four items passed out of Health committee earlier this afternoon. Councilor Fishinghawk seconded the motion. The motion carried.**

**Councilor Baker moved to approve items 16 through 19 in Toto. Councilor Cowan Watts seconded the motion.**

12-122

**A RESOLUTION CONFIRMING THE NOMINATION OF CONNIE DAVIS AS A GOVERNING BOARD MEMBER OF THE CHEROKEE NATION COMPREHENSIVE CARE AGENCY (PACE)**

**Approved in Toto.**

Enactment No: R-86-12

[12-123](#)

**A RESOLUTION CONFIRMING THE NOMINATION OF DEBORAH PROCTOR AS A GOVERNING BOARD MEMBER OF CHEROKEE NATION COMPREHENSIVE CARE AGENCY (PACE)**

**Approved in Toto.**

Enactment No: R-87-12

12-124

**A RESOLUTION CONFIRMING THE NOMINATION OF CONNIE DAVIS AS A GOVERNING BOARD MEMBER OF THE CHEROKEE NATION HOME HEALTH SERVICES, INCORPORATED**

**Approved in Toto.**

Enactment No: R-88-12

12-125

**A RESOLUTION CONFIRMING THE NOMINATION OF DEBORAH PROCTOR AS A GOVERNING BOARD MEMBER OF THE CHEROKEE NATION HOME HEALTH SERVICES, INCORPORATED****Approved in Toto.**

Enactment No: R-89-12

## ANNOUNCEMENTS

*Councilor Coates commented the meeting wasn't streamed.**Councilor Cowan Watts gave appreciation for the work on the budget.**Councilor Frailey announced the 13-under little league team in Locust Grove won the World Series.**Councilor Thornton announced the Vian cheerleaders won the 3A Regional Championship.**Councilor Walkingstick announced they would have a community meeting on October the 16th at the Tahlequah Community Building in Tahlequah.**Councilor Fishinghawk invited everyone to attend a dinner at Bell School on September 26th and the CNI Picnic would be held on September 22nd.*

## ADJOURNMENT

**Councilor Garvin moved to adjourn. Councilor Walkingstick seconded the motion. The motion carried at 9:02 p.m.**

Next Tribal Council meeting will be held on October 15th at 6:00 p.m. at the tribal headquarters, W.W. Keeler Complex.