



# Council of the Cherokee Nation

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

## Tribal Council Minutes - Final TRIBAL COUNCIL

*Meredith Frailey, Speaker*

*Recording Secretary, Shelli Brittain*

*Phone: 1-800-995-9465*

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

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Monday, October 11, 2010

6:00 PM

Council Chambers

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### CALL TO ORDER

**Speaker Frailey called the meeting to order at 6:00 p.m.**

### INVOCATION

**Councilor Fullbright gave the invocation.**

### ROLL CALL

**Present** 16 - Buel Anglen; Cara Cowan Watts; David Thornton Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; S. Joe Crittenden; Chris Soap; Chuck Hoskin; Curtis Snell; Harley Buzzard; Janelle Fullbright; Jodie Fishinghawk; Julia Coates; Tina Glory Jordan and Bill John Baker

**Late Arrival** 1 - Bradley Cobb

**Councilor Buzzard moved to amend the agenda to include a resolution authorizing Cherokee Nation Environmental Programs to submit a formal grant application to the U. S. Environmental Protection Agency for an Exchange Network Grant as item #10 and a resolution on Question 10 of the 25 CFR Part 170 Regulations as item #11. Councilor Bill John Baker seconded the motion. Motion carried.**

### STATE OF THE NATION

*Principal Chief Chad Smith recognized those who have passed over the last month with a moment of silence. Veterans honored this month were Eddie Morrison and Larry Hammons. Chief Smith announced more than \$305,000 was given to more than 127 rural fire departments in September during an awards banquet held at the Hard Rock Casino and Resort. The Cherokee Nation recently partnered with the City of Tahlequah in providing signs declaring the city parks both tobacco and smoke free zones. The Cherokee Nation Transit System has added a route from Muskogee to Tahlequah. We will once again be offering free flu shots in a drive thru clinic at Hastings this week from 7:00 a.m. to 6:00 p.m. Monday through Thursday and 7:00 a.m. to noon on Friday. The shots are available to all Native Americans this week and to non-Native Americans on Thursday. The Native American seniors in the Claremore area are invited to attend a special open house and a senior resource fair*

on Friday, October 15th from 10:00 to 2:00 at the Cherokee Nation Will Rogers Senior Housing Complex. Cherokee Nation history talks will be given on October 22nd from 10:30 to noon in the O Si Yo room. The deadline to apply for the Cherokee Nation Youth Leadership Council is the 10th of October. Chief Smith extended an invitation to the 2nd Annual Northeastern Oklahoma Regional Summit October 26th and 27th at Northeastern State University in Tahlequah. He also invited everyone to join the Cherokee Challenge and be part of the Tulsa Run on October 30th. On October 16th a Special Olympics fund raising event will be held at the Hard Rock Tower in Catoosa where he, Councilor Snell and several others will repel from the 19th floor. On November 1st in Durant, Oklahoma we will host the first Drum Awards in conjunction with the Seminoles, Creeks and Choctaws. This event will recognize national outstanding leaders in different areas. This year Wilma Mankiller is the Life Time Achievement Award recipient. Ron Allen, John Echo Hawk, LaDonna Harris, John Herrington, Billy Franks Jr., the Choctaw Code Talkers, the Choctaw Scholarship Advisement Program, and Wes Studie are among others who will be honored.

#### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

**Councilor Bill John Baker moved to approve the September 13th regular session minutes. Councilor Jack D. Baker seconded the motion. Motion carried.**

#### ACTION OF UNFINISHED BUSINESS

*None pending.*

#### COMMITTEE REPORTS

##### Monthly Reports:

##### Housing Authority - David Southerland

*Mr. Southerland announced they are in the process of rescheduling the Housing Authority Board meeting. The tentative date being considered is this Friday the 15th at noon. He reported he had visited with Ameron in regard to setting additional policy limits on the Community Shield policy. There are currently 2,300 families participating in the program. The occupancy rates in the low rent housing units is up.*

##### Cherokee Nation Business, Inc - David Stewart

*Mr. Shawn Slaton reported both July and August were good months. The feeling is 2010 will either be flat or a slight improvement over 2009. In addition to their normal contribution to the Cherokee Nation they contributed over \$200,000 in tax revenue. He stated the Special Olympics repel fundraiser is for companies all across the area. Each team must contribute \$1,200 to repel from the 19th floor. CNB and the Cherokee Nation have 16 teams who have met that goal. He announced their employees raised \$47,000 for the American Diabetes Association. The 5th Annual Cherokee Art Market was held this past weekend with over 2,000 people in attendance. The event center is open and has had 3 great events. CNB current employment is 3,850.*

## OLD BUSINESS

1. [10-015](#) **AN ACT AUTHORIZING THE RECEIPT OF REAL PROPERTY BY DONATION OR GIFT FROM INDIVIDUALS, CORPORATIONS AND ENTITIES TO THE CHEROKEE NATION**  

Councilor Cowan Watts moved to approve the amended version provided. Councilor Jack D. Baker seconded the motion. Councilor Glory-Jordan offered a friendly amendment to include “and/or personal” in the title. The friendly amendment was accepted. Motion carried by acclamation.

Enactment No: LA-30-10

## NEW BUSINESS

Education and Culture Committee

1. [10-111](#) **A RESOLUTION AUTHORIZING CAREER SERVICES TO DEVELOP AND SUBMIT A GRANT APPLICATION TO THE DHHS ADMINISTRATION FOR CHILDREN AND FAMILIES FOR A HEALTH PROFESSION OPPORTUNITY GRANT TO SERVE TANF RECIPIENTS AND OTHER LOW-INCOME INDIVIDUALS**  

Councilor Coates moved to approve. Councilor Bill John Baker seconded the motion. Motion carried.

Enactment No: R-86-10

Resource Committee

2. [10-112](#) **A RESOLUTION AUTHORIZING CHEROKEE NATION TO LEASE TRUST LAND TO TAHLEQUAH HOSPITAL FOUNDATION**  

Councilor Fullbright moved to approve. Councilor Crittenden seconded the motion. Councilor Thornton requested to be added as a sponsor. Motion carried.

Enactment No: R-87-10

Rules Committee

3. [10-115](#) **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 Cowan Watts moved to approve. Councilor Garvin seconded the motion. Motion carried.

Enactment No: R-88-10

4. [10-122](#)      **A RESOLUTION REQUESTING THE DONATION OF ONE FLAT SCREEN MONITOR FOR COMPUTER, THREE HARD DRIVES, FIVE WIRELESS KEYBOARDS AND FIVE WIRELESS MICE TO THE CLAREMORE VETERANS CENTER IN CLAREMORE, OKLAHOMA**
- Councilor Cowan Watts moved to approve. Councilor Crittenden seconded the motion. Motion carried.
5. [10-117](#)      **A LEGISLATIVE ACT AMENDING TITLE 68 - REVENUE AND TAXATION OF THE CHEROKEE NATION CODE ANNOTATED; AMENDING CHAPTER 3 SECTION 31 - DEFINITIONS; AND ADDING NEW SECTION 35**
- Councilor Anglen moved to approve by acclamation. Councilor Thornton seconded the motion. Motion carried.
- Enactment No: LA-31-10
6. [10-116](#)      **A RESOLUTION AUTHORIZING A BOXING/MIXED MARTIAL ARTS COMPACT WITH THE STATE OF OKLAHOMA**
- Speaker Frailey stated discussion during committee raised concern about waiving sovereign immunity. This compact with the State of Oklahoma would be for a period of one year with consecutive terms of one year unless either party gives a thirty day notice. The events would be regulated by the State under the Professional Boxing Safety Act and the State Athletic Commission Act and its rules. If a dispute arises it would be subject to binding arbitration only to the district court within that jurisdiction. Mr. Todd Hembree reported he had been in contact with Mr. Bob Huffman, CNB's attorney and has been provided with releases and the agreement for the use of the facilities which all promoters would have to sign. He stated the releases and the agreement have satisfied any concerns he would have pertaining potential liability as to the Cherokee Nation. Councilor Jack D. Baker moved to approve. Councilor Cobb seconded the motion. Councilor Garvin stated he would be opposed to the legislation and commented it wouldn't help the image of the Cherokee Nation.*
- The motion to approve carried with the following roll call vote:**
- Yea:** 15 - Buel Anglen;Cara Cowan Watts;David Thornton Sr. ;Jack D. Baker;Meredith Frailey;S. Joe Crittenden;Bradley Cobb;Chris Soap;Chuck Hoskin;Curtis Snell;Harley Buzzard;Jodie Fishinghawk;Julia Coates;Tina Glory Jordan and Bill John Baker
- Nay:** 2 - Don Garvin and Janelle Fullbright
- Enactment No: R-90-10
7. [10-109](#)      **A LEGISLATIVE ACT RELATED TO TITLE 26 "ELECTIONS" AS AMENDED BY LEGISLATIVE ACT 06-10 AND LEGISLATIVE ACT 22-10, ASSIGNING SEAT DESIGNATIONS AND SETTING EFFECTIVE DATE**
- Councilor Garvin moved to approve. Councilor Bill John Baker seconded the motion. Councilor Cowan Watts commented she would be voting in favor logistically although a court case is still pending. The motion carried with the following roll call vote:

**Yea:** 13 - Cara Cowan Watts;David Thornton Sr. ;Don Garvin;Meredith Frailey;Bradley Cobb;Chris Soap;Chuck Hoskin;Curtis Snell;Janelle Fullbright;Jodie Fishinghawk;Julia Coates;Tina Glory Jordan and Bill John Baker

**Nay:** 4 - Buel Anglen;Jack D. Baker;S. Joe Crittenden and Harley Buzzard

Enactment No: LA-32-10

8. [10-120](#)

**A RESOLUTION REQUESTING APPROVAL OF THE LOCATION OF EACH PRECINCT FOR THE 2011 CHEROKEE NATION ELECTION**

Councilor Cowan Watts moved to approve. Councilor Garvin seconded the motion. Councilor Fullbright requested to be added as a sponsor. Councilor Hoskin Jr. offered a friendly amendment to add Welch as an additional precinct in District 4. The friendly amendment was accepted. The motion to approve carried with the following roll call vote:

**Yea:** 14 - Cara Cowan Watts;David Thornton Sr. ;Don Garvin;Jack D. Baker;S. Joe Crittenden;Chris Soap;Chuck Hoskin;Curtis Snell;Harley Buzzard;Janelle Fullbright;Jodie Fishinghawk;Julia Coates;Tina Glory Jordan and Bill John Baker

**Nay:** 3 - Buel Anglen;Meredith Frailey and Bradley Cobb

Enactment No: R-91-10

Executive and Finance Committee

9. [10-123](#)

**A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR AN INDIAN COMMUNITY DEVELOPMENT BLOCK GRANT (ICDBG) APPLICATION FOR THE CHEROKEE CULTURAL ARTS CENTER AND FOOD DISTRIBUTION SITE IN COLLINSVILLE**

Councilor Buzzard announced this resolution was presented in committee with a match of \$200,000 and has been corrected to show a match of \$266,667. He moved to approve. Councilor Bill John Baker seconded the motion. Councilors Anglen and Cowan Watts requested to be added as sponsors. Motion carried.

Enactment No: R-92-10

10. [10-121](#)

**A RESOLUTION AUTHORIZING CHEROKEE NATION ENVIRONMENTAL PROGRAMS TO SUBMIT A FORMAL GRANT APPLICATION TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY FOR AN EXCHANGE NETWORK GRANT**

Councilor Cowan Watts moved to approve. Councilor Bill John Baker seconded the motion. Motion carried.

Enactment No: R-93-10

11. [10-124](#)

**A RESOLUTION ON QUESTION 10 OF THE 25 CFR PART 170**

**REGULATIONS**

**Councilor Buzzard moved to approve. Councilor Cowan Watts seconded the motion. Motion carried.**

Enactment No: R-94-10

**ANNOUNCEMENTS**

*Councilor Bill John Baker and Councilor Glory-Jordan extended invitations to everyone to attend their hog fry and community meeting tomorrow evening at 5:00 at the Tahlequah Community Building.*

*Councilors Cobb and Anglen announced they will be hosting their annual Cherokee community meeting in Collinsville on October 30th along with a hog fry at noon.*

*Councilors Fullbright and Thornton announced their community meeting and chili supper will be held on November 30th at the Blue Ribbon Banquet Hall in Sallisaw at 5:30 p.m.*

**ADJOURNMENT**

**Councilor Cowan Watts moved to adjourn. Councilor Jack D. Baker seconded the motion. Motion carried at 6:45 p.m.**

Next Tribal Council meeting will be held on November 22nd at 6:00 p.m. at the tribal headquarters, W.W. Keeler Complex.