



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

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Monday, July 16, 2012

6:00 PM

Council Chambers

CALL TO ORDER

Tina Glory-Jordan
Speaker of the Council

Speaker Jordan called the meeting to order at 6:00 p.m. Speaker Glory-Jordan gave appreciation to the Eastern Band of Cherokee Indians for the new gavel she was given at Tri-Council.

INVOCATION

Councilor Byrd 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 Hoskin Jr. moved to approve the June 11th regular session minutes. Councilor Keener seconded the motion. The motion carried.

STATE OF THE NATION

Bill John Baker
Principal Chief

Deputy Chief Joe Crittenden announced for the first time in approximately one hundred and seventy eight years representatives were present from the Eastern Band of the Cherokees, United Keetoowah Band and the Cherokee Nation at the Tri-Council meeting in Cherokee, North Carolina. A court date hasn't been set in regard to the counter suit filed by the Federal Government against the Cherokee Nation in the ongoing Freedman litigation. We are looking forward to having all parties present at the table and getting a definite ruling on the matter. A

cross-deputization agreement has been signed between the U.S. Marshals, Claremore Police Department and the Cherokee Nation to better serve our people while at the Claremore Indian Hospital. The application deadline for the Elders in Need Program has been extended to August 3rd. On June 22nd our Remember the Removal riders made it home safely. During the Unity Conference the Tribal Youth Council received on behalf of the Cherokee Nation an award of appreciation for our continued financial support. Deputy Chief Crittenden requested a moment of silence for the list of our fellow Cherokees whom we have lost over the last month. Veterans honored this month were Leonard Gary Brown, and father and son Louie G. Powell and Jody A. Powell.

AMEND THE AGENDA

Councilor Jack D. Baker moved to amend the agenda to include four items that came out of committees today. Councilor Keener seconded the motion. The motion carried as items 13 through 16 of new business.

ACTION OF UNFINISHED BUSINESS

None pending.

COMMITTEE REPORTS

Monthly Reports:

Housing Authority - Gary Cooper

Mr. Cooper announced the July board meeting would be held on Tuesday, one week from tomorrow, at 5:30 p.m. The meeting time has changed back to 5:30 to allow the opportunity for others to attend. They continue to take applications for the new construction program. They are in the process of reviewing survey proposals they received. To date they have received 915 applications for the new construction program. The Rental Assistance staff has been busy accepting applications for the college housing program formerly known as the dorm assistance program. The Community Shield Insurance program continues to be successful with 2,338 participants.

Cherokee Nation Business, LLC - Shawn Slaton

Mr. Slaton reported the on the April financials. He announced they ended the month with a consolidated net income of \$8.2ml and a year to date net income of \$56.9ml. The businesses contributed \$225,000 in tax collections to the Cherokee Nation. In regard to the expansion projects the Catoosa casino opening date has been moved to mid-September. The Ramona opening date has been moved up to the 28th of August. The hotel at Catoosa is scheduled to open the week of December 10th. They have conducted several job fairs at Ramona as it will add approximately one-hundred new jobs. A job fair will be held in Bartlesville on July 17th and the 24th and in Ramona on the 8th of August. He announced some of their employees recently volunteered as speakers and mentors at a week-long college prep course for Cherokee college bound students, they also helped with landscaping at the Cherokee Heritage Center, and held fundraisers for the American Diabetes Association. He apologized to both the Council and the Administration for inaccurate information in an employee services report. The error in the spreadsheet reported 51% of their

employment was Cherokee and it should have been 98.6%. They have 4,173 employees with 67.6% of those being Cherokee and 8.5% other natives for a total of 76.1% Native American employment.

OLD BUSINESS

None pending.

NEW BUSINESS

Community Services Committee

1. [12-080](#) **A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR YOUTH SHELTER SERVICES BY THE DEPARTMENT OF CHILDREN, YOUTH AND FAMILY SERVICES TO THE U.S. FAMILY AND YOUTH SERVICES BUREAU, RUNAWAY AND HOMELESS YOUTH PROGRAM**

Councilor Thornton moved to approve. Councilor Hargis seconded the motion. Councilor Walkingstick requested to be added as a sponsor. The motion carried.

Enactment No: R-67-12

2. [12-081](#) **A RESOLUTION AUTHORIZING THE DONATION OF SURPLUS EQUIPMENT TO KENWOOD WATER DISTRICT**

Councilor Snell moved to approve. Councilor Fishinghawk seconded the motion. The motion carried.

Enactment No: R-68-12

3. [12-082](#) **A RESOLUTION APPROVING AND AUTHORIZING THE SUBMISSION OF THE FISCAL YEAR 2013 INDIAN HOUSING PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

Councilor Hargis moved to approve. Councilor Byrd seconded the motion. The motion carried.

Enactment No: R-69-12

Rules Committee

4. [12-064](#) **A RESOLUTION CONFIRMING THE NOMINATION OF LYNNA CARSON AS A BOARD MEMBER OF THE CHEROKEE NATION ENVIRONMENTAL PROTECTION AGENCY**

After a few comments were made the motion to approve carried with some opposition.

Enactment No: R-70-12

5. [12-077](#)**A RESOLUTION CONFIRMING THE NOMINATION OF LINDA O'LEARY AS REGISTRAR FOR THE CHEROKEE NATION REGISTRATION COMMITTEE**

Councilor Hoskin Jr. moved to approve. Councilor Hargis seconded the motion. Upon the conclusion of questions and comments the motion to approve carried with the following roll call vote:

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

Nay: 4 - Buel Anglen;Lee Keener Jr.;Cara Cowan Watts and Julia Coates

Enactment No: R-71-12

6. [12-085](#)**A RESOLUTION AUTHORIZING CHEROKEE NATION MARSHAL SERVICE TO DONATE ONE (1) 1993 CHEVROLET AMBULANCE TO CRAIG COUNTY EMERGENCY MANAGEMENT**

Councilor Hoskin Jr. moved to approve. Councilor Byrd seconded the motion. Councilors Frailey, Byrd, Lay, Snell and Hargis requested to be added as sponsors. The motion to approve carried.

Enactment No: R-72-12

7. [12-056](#)**AN ACT AMENDING LEGISLATIVE ACT 11-10 RELATING TO CREATION OF JOBS GROWTH; ADDING LANGUAGE TO ASSIGN SEAT DESIGNATIONS**

Councilor Hargis moved to approve. Councilor Snell seconded the motion. The motion to approve carried by the following roll call vote:

Yea: 16 - Buel Anglen;David Thornton, Sr. ;Don Garvin;Jack D. Baker;Meredith Frailey;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: 1 - Lee Keener Jr.

Enactment No: LA-23-12

8. [12-087](#)**AN ACT RELATING TO AND AMENDING TITLE 10 OF THE CHEROKEE NATION CODE ANNOTATED, THE CHILDREN'S CODE - SECTIONS 1.2, 25, 27, 28, 29.1, 40.2, 40.3, 40.4, 40.11 AND 60.2; AND DECLARING AN EMERGENCY**

Councilor Cowan Watts moved to approve. Councilor Keener seconded the motion. All Council members requested to be added as sponsors. The motion to approve carried by acclamation.

Enactment No: LA-24-12

9. [12-078](#)**A LEGISLATIVE ACT AMENDING LA-34-07 - DEFINING NEPOTISM, AND DEFINING ACCEPTABLE PARAMETERS FOR EMPLOYMENT AND CONTRACTING AND AMENDING TITLE 28, "ETHICS", ADDING NEW SECTIONS OF THE CHEROKEE NATION CODE ANNOTATED**

Councilor Hoskin Jr. moved to approve. Councilor Lay seconded the motion.

Councilor Cowan Watts made a motion to amend to include the list of proposed amendments she provided. Councilor Coates seconded the motion. Councilor Cowan Watts gave an explanation of her proposed amendments. After other comments were made the motion to approve failed by the following roll call vote:

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

Nay: 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

Councilor Cowan Watts requested clarification regarding conflicts of interest.

The original motion to approve carried with the following roll call vote:

Yea: 8 - Chuck Hoskin Jr. ;David Walkingstick;Dick Lay;Jodie Fishinghawk;Janelle Fullbright;Tina Glory Jordan;Frankie Hargis and Joe Byrd

Nay: 6 - Buel Anglen;Don Garvin;Jack D. Baker;Meredith Frailey;Lee Keener Jr. and Julia Coates

Abstain: 3 - David Thornton, Sr. ;Curtis Snell and Cara Cowan Watts

Enactment No: LA-25-12

10. [12-090](#)**AN ACT REPEALING LEGISLATIVE ACT 36-10 AND AMENDING LEGISLATIVE ACT 06-10; REVISING TITLE 26 ("ELECTIONS") OF THE CHEROKEE NATION CODE ANNOTATED; AMENDING § 5, ADDING PROVISIONS FOR APPORTIONMENT; AND DECLARING AN EMERGENCY**

Councilor Hoskin Jr. moved to approve. Councilor Walkingstick seconded the motion.

Councilor Cowan Watts provided a handout of proposed amendments and an alternate map on page 7. She moved to approve the amendments and the map she provided. Councilor Anglen seconded the motion.

After discussion was held the motion failed by the following roll call vote:

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

Nay: 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

Councilor Fishinghawk offered a friendly amendment to amend the legislation and the map with what has been handed out. Councilor Hoskin Jr. gave clarification that the handout provided by Councilor Fishinghawk contains another version of the map and

Act in the book with non-substantive changes, more specifically updating district names and identifying office holders. The friendly amendment was accepted. Speaker Glory-Jordan clarified the packet in which the friendly amendment was accepted designates the map as exhibit A.

After some discussion was held Councilor Coates handed out an alternate map and made a motion to approve. Councilor Cowan Watts seconded the motion. Speaker Glory-Jordan designated this map as Coates amendment.

Enactment No: LA-26-12

RECESS

Following additional discussion Councilor Hoskin Jr. made a motion for a ten minute recess. Councilor Walkingstick seconded the motion. Speaker Glory-Jordan granted the request at 7:28 p.m.

RECONVENE

Speaker Glory-Jordan called the meeting back to order at 7:45 p.m.

12-090

AN ACT REPEALING LEGISLATIVE ACT 36-10 AND AMENDING LEGISLATIVE ACT 06-10; REVISING TITLE 26 ("ELECTIONS") OF THE CHEROKEE NATION CODE ANNOTATED; AMENDING § 5, ADDING PROVISIONS FOR APPORTIONMENT; AND DECLARING AN EMERGENCY

Speaker Glory-Jordan clarified that prior to the break the map referred to as the Coates amendment was being discussed. After additional discussion was held Councilor Walkingstick called for the question.

Speaker Glory-Jordan stated the vote now is to substitute the map referred to as the Coates amendment for exhibit A of the main motion. The motion failed with the following roll call vote:

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

Nay: 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

Speaker Glory-Jordan commented we are now back to the main motion with the friendly amendment designated as the packet with the map marked exhibit A. Councilor Cowan Watts requested clarification on the proposed legislation.

Councilor Cowan Watts made a motion to replace exhibit A with an alternate map. Councilor Coates seconded the motion. Speaker Glory-Jordan stated this map would be designated as the Watts 2 amendment.

After discussion was held the motion to approve failed with the following roll call vote:

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

Nay: 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

Speaker Glory-Jordan stated we are now back to the complete packet of an Act and map marked exhibit A. Councilor Cowan Watts began reading comments into the record. Speaker Glory-Jordan stated she would not allow comments to be read into the record.

Councilor Coates challenged the decision of the Chair. Councilor Hoskin Jr. called for the question on the Chairs order. The motion to override the chair failed with the following roll call vote:

Yea: 6 - Buel Anglen;Don Garvin;Jack D. Baker;Lee Keener Jr.;Cara Cowan Watts and Julia Coates

Nay: 11 - David Thornton, Sr. ;Meredith Frailey;Chuck Hoskin Jr. ;Curtis Snell;David Walkingstick;Dick Lay;Jodie Fishinghawk;Janelle Fullbright;Tina Glory Jordan;Frankie Hargis and Joe Byrd

[12-090](#)

AN ACT REPEALING LEGISLATIVE ACT 36-10 AND AMENDING LEGISLATIVE ACT 06-10; REVISING TITLE 26 ("ELECTIONS") OF THE CHEROKEE NATION CODE ANNOTATED; AMENDING § 5, ADDING PROVISIONS FOR APPORTIONMENT; AND DECLARING AN EMERGENCY

After additional discussion was held Councilor Walkingstick called for the question. Speaker Glory-Jordan stated this vote is on the designated act and map marked exhibit A. 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-26-12

Executive and Finance Committee

11. [12-083](#)

AN ACT AMENDING LEGISLATIVE ACT #20-11 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2012 - MOD 10; AND DECLARING AN EMERGENCY

Councilor Fishinghawk moved to approve. Councilor Hoskin Jr. seconded the motion. The motion carried by acclamation.

Enactment No: LA-27-12

12. [12-075](#)

AN ACT AMENDING LEGISLATIVE ACT #21-11 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2012 - MOD 4; AND DECLARING AN EMERGENCY

Councilor Fishinghawk moved to approve. Councilor Hoskin Jr. seconded the motion. After a few comments were made the motion carried with the

following roll call vote:

Yea: 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

Enactment No: LA-28-12

13. [12-089](#) **A RESOLUTION AUTHORIZING THE SUBMISSION OF A SPECIAL GRANT APPLICATION TO THE CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC) FOR FUNDING TO DEVELOP AND BUILD CAPACITY TO IMPLEMENT INTERVENTIONS**

Councilor Fullbright moved to approve. Councilor Garvin seconded the motion. The motion carried.

Enactment No: R-73-12

14. [12-091](#) **A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, ADMINISTRATION FOR CHILDREN AND FAMILIES, OFFICE OF CHILD CARE FOR TRIBAL MATERNAL, INFANT AND EARLY CHILDHOOD HOME VISITING GRANT PROGRAM**

Councilor Lay moved to approve. Councilor Walkingstick seconded the motion. The motion carried.

Enactment No: R-74-12

15. [12-088](#) **A RESOLUTION AUTHORIZING CHEROKEE NATION WAREHOUSE TO DONATE SURPLUS OFFICE EQUIPMENT TO BALLOU INDIAN BAPTIST CHURCH IN MAYES COUNTY**

Councilor Frailey moved to approve. Councilor Cowan Watts seconded the motion. The motion carried.

Enactment No: R-75-12

16. [12-092](#) **A RESOLUTION AUTHORIZING THE DONATION OF SURPLUS OFFICE EQUIPMENT TO THE STILWELL POLICE DEPARTMENT**

Councilor Hargis moved to approve. Councilor Snell seconded the motion. The motion carried.

Enactment No: R-76-12

ANNOUNCEMENTS

Councilor Thornton inquired if anyone in the audience was from Dartmouth.

Councilor Keener announced tomorrow night at the Hard Rock Hotel golf course in Catoosa from 6:00 to 8:00 p.m. District 5 will host a joint meeting with the Tulsa Cherokee Association, the Victory Cherokee Organization and Rogers County Tiawah.

Councilor Walkingstick recognized the new Director of Health at Hastings, Dr. Roger

Montgomery.

Councilor Cowan Watts reiterated the information given by Councilor Keener with additional details.

Councilor Coates announced Northeastern State University hosted a Summer Abroad in the Cherokee Nation program this week. She recognized those participants in attendance as well as the program hosts Kinsey Shade and Eric Marshall.

Councilor Byrd gave a brief summary of the Tri-Council meeting held last week. He commended everyone for the work on the redistricting maps.

Councilor Lay gave appreciation for the recognition of his son tonight.

Councilor Fishinghawk announced there were three chiefs of the Cherokee Nation in attendance at the Tri Council meeting as well, Chief Baker, Chief Crittenden and Chief Byrd.

Councilor Walkingstick congratulated Councilor Byrd for winning the golf tournament at Tri Council.

Councilor Byrd commended Councilor Walkingstick for carrying the ceremonial torch the last two miles to the Kituwah Mound.

Speaker Glory-Jordan commented everyone here is passionate about their positions and everyone has a heart for the Cherokee people they represent. She commended all of her fellow Councilors.

ADJOURNMENT

Councilor Garvin moved to adjourn. Councilor Hargis seconded the motion. The motion carried at 8:39 p.m.

Next Tribal Council meeting will be held on Monday, August 13th at 6:00 p.m. at the tribal headquarters, W.W. Keeler Complex.