



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
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Thursday, July 30, 2015

1:00 PM

Tribal Council Offices

CALL TO ORDER

Chair Byrd called the meeting to order at 1:05 p.m.

INVOCATION

Councilor Snell gave the invocation.

ROLL CALL

Present 15 - Cara Cowan Watts; Tina Glory Jordan; Janelle Fullbright; Dick Lay; Lee Keener Jr.; Julia Coates; Jack D. Baker; Harley Buzzard; Joe Byrd; Don Garvin; Frankie Hargis; Curtis Snell; Janees Taylor; David Thornton, Sr. and Victoria Vazquez

Absent 1 - Jodie Fishinghawk

Late Arrival 1 - David Walkingstick

APPROVAL OF MINUTES

**Councilor Hargis moved to approve the June 25th regular session minutes.
Councilor Vazquez seconded the motion. The motion carried.**

REPORTS:

Marshal Service - Shannon Buhl

Mr. Buhl commented there have been several fatalities on the river over the past few months and they have assisted on all of one of the incidents. He gave an update on the RAD program and graduation. Councilor Glory Jordan inquired if they had assisted in the recent murder investigation of a Cherokee county rancher. She inquired about a routine patrol through our tribal housing facilities. Mr. Buhl reported they are also involved in some federal criminal investigations. Councilor Glory Jordan inquired about the number of Marshals we currently have. Councilor Cowan Watts inquired as to the number of patrols at Claremore Indian Hospital. Councilor Walkingstick inquired about the Marshals relationships with other agencies. He also inquired about the different task forces that our Marshals are involved in currently.

Councilor Buzzard inquired about the length of time it takes to hire a marshal. Councilor Lay inquired if the federal cases are only on tribal lands. He also inquired who determines if the river is floatable. Councilor Thornton inquired about the different testing to become a marshal. Councilor Baker commended Marshal Josh Smith for his efforts and commitment to the Remember the Removal Bike Ride. Councilor Thornton commented on all of the positive changes within the Marshal Service.

Office of the Attorney General - Todd Hembree

Attorney General Hembree gave an update on the United Keetoowah Band cases and the Freedman cases. He reported they are working diligently with the State of Oklahoma on the implementation of the Hunting and Fishing Compact. He made comment about the revenue of the expanded tag compact. They are in the process of preparing a comprehensive report to the Council regarding all of the complaints, allegations and problems with the recent election along with recommendations. Councilor Lay inquired about the litigation we are in with Johnson & Johnson.

FOIA-GRA - Gwen Terrapin

Ms. Terrapin reported on the number of current FOIA and GRA requests. She also commented on the progress of information on the website.

Election Commission - Bill W. Horton

Mr. Horton gave appreciation to the Marshal Service and Security for their efforts during the election. Ms. Keeli Duncan gave an overview of the recent election. Councilor Coates gave appreciation for the prompt responses to her emails. She commented although the vote totals are high the absentees aren't. She stated she is receiving numerous complaints of absentee voters just now receiving their ballots or receiving them too late to return in time for the elections. Chairman Horton commented concern for the time crunch and suggested the general election be moved back to May instead of June. Councilor Cowan Watts inquired if they would work with the Attorney General in regard to the comprehensive report they are compiling regarding the recent election issues. She also inquired about the address and districting issues.

Tax Commission - Sharon Swepston

Ms. Swepston offered the answer questions from the report provided. She commented the reports for the At Large and expanded jurisdiction tag revenues are being provided monthly. She reported they have implemented the new electronic sign in system at the Tahlequah location. Councilor Taylor inquired about the online renewals. Councilor Buzzard requested clarification on the Veteran sales tax exemptions. Councilor Coates inquired about the renewal notices.

Self-Governance - Vickie Hanvey

Mr. Clint Hastings offered to answer questions from the report in the absence of Ms. Hanvey. Councilor Buzzard inquired about the \$2ml for roads listed in the report.

Gaming Commission - Jamie Hummingbird

Mr. Hummingbird reported on a hearing recently held that determined the NIGC could do a better job in determining if their training and technical assistance is effective. He announced after this month the one billion dollar mark will have been hit in

contributions to the state since inception of tribal state compacts back in 2005. Councilor Walkingstick inquired about the status of the implementation of the new ordinance. Councilor Taylor inquired about the status of the IRS consideration of lowering the reported winnings threshold. Councilor Buzzard inquired about class II gaming and a change with the fees.

Human Resources - Nason Morton

Ms. Julie Justice offered to answer questions from the report in the absence of Mr. Morton.

AMEND THE AGENDA

Councilor Cowan Watts made a motion to amend the agenda to consider an Act Rejecting the Recommendation of the Citizen's Committee Established Under Legislative Act 05-11 Which Calls for a Pay Increase for Elected Officials. Councilor Coates seconded the motion. The motion failed with the following roll call vote:

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

Nay: 6 - Tina Glory Jordan; Janelle Fullbright; David Walkingstick; Joe Byrd; Curtis Snell and David Thornton, Sr.

Abstain: 4 - Dick Lay; Frankie Hargis ; Janees Taylor and Victoria Vazquez

OLD BUSINESS

1. **TMP-329** DISCUSSION AND POSSIBLE ACTION: CLOSING THE LOOPHOLE ALLOWING CANDIDATE FOR PRINCIPAL CHIEF AND OTHER OFFICES TO RAISE AND SPEND MONEY AND ESCAPE ACCOUNTABILITY BY NOT FILING FOR OFFICE

Councilor Thornton stated the work group has met twice and are still gathering information. He made a motion to table both this item and the next until September 24th. Councilor Hargis seconded the motion. The motion carried.
2. **TMP-330** DISCUSSION AND POSSIBLE ACTION:
(A) WHAT CONSTITUTES SUFFICIENT BASIS FOR A COUNCILOR TO CLAIM TRAVEL TO AND FROM COUNCIL MEETINGS, INCLUDING TRAVEL FROM PERMANENT RESIDENCES AND FROM TEMPORARY WORK LOCATIONS OUTSIDE OF CHEROKEE NATION?
(B) MAY THE COUNCIL REQUIRE REIMBURSEMENT OF TRAVEL FUNDS, FOR TRAVEL TO AND FROM COUNCIL MEETINGS, FROM A COUNCIL MEMBER WHO DID NOT HAVE A SUFFICIENT BASIS TO CLAIM SUCH FUNDS?

Councilor Thornton stated the work group has met twice and are still gathering information. He made a motion to table both this item and the next until September 24th. Councilor Hargis seconded the motion. The motion carried.
3. **TMP-331** DISCUSSION AND POSSIBLE ACTION: REVIEW OF THE TRIBAL COUNCIL TRAVEL EXPENSE POLICY

Councilor Glory Jordan commented after not receiving any recommendations for change at this yearly review she would withdraw at this time.

NEW BUSINESS

1. [TMP-326](#) DISCUSSION AND POSSIBLE ACTION: REPORT FROM THE RECOGNITION WORK GROUP

Councilor Hargis reported the item submitted for consideration by Councilor Keener didn't meet the criteria for recognition by the majority of the work group.

2. [15-062](#) A RESOLUTION AUTHORIZING A LIMITED WAIVER OF SOVEREIGN IMMUNITY

Councilor Vazquez moved to approve. Councilor Glory Jordan seconded the motion. Mr. Jim Carrington with CNB gave an overview of the proposed waiver of sovereign immunity. After numerous questions, comments and concerns Councilor Vazquez moved to table for one month. Councilor Glory Jordan seconded the motion. The motion carried with Councilor Cowan Watts opposed.

3. [15-059](#) AN ACT RELATING TO DEPOSIT AND INVESTMENT OF FUNDS, AMENDING LA-13-85, CHAPTERS 2 AND 5; AND DECLARING AN EMERGENCY

Councilor Taylor withdrew this item to allow additional time for clarification of questions. She requested the Council direct any questions they may have to Treasurer Horn and/or Attorney General Hembree.

ANNOUNCEMENTS

Councilor Glory Jordan requested a Special Rules meeting the morning of our August Council meeting to consider the Oracle waiver of Sovereign Immunity which was just tabled. Chair Byrd agreed and announced a Special Rules meeting would be held at 11:30 a.m. on August 10th for consideration of the Oracle Waiver of Sovereign Immunity only.

ADJOURNMENT

Councilor Hargis moved to adjourn. Councilor Walkingstick seconded the motion. The motion carried at 2:46 p.m.

STAFF PRESENT:

<i>Shannon Buhl</i>	<i>Jamie Hummingbird</i>	<i>Sharon Swepston</i>
<i>Clint Hastings</i>	<i>Gwen Terrapin</i>	<i>Sara Hill</i>
<i>Keeli Duncan</i>	<i>Canaan Duncan</i>	<i>Todd Hembree</i>
<i>David Cornsilk</i>	<i>Jody Reece</i>	<i>Chuck Hoskin Jr.</i>
<i>John Paden</i>	<i>Julie Justice</i>	

VISITORS PRESENT:

<i>Chuck Garrett</i>	<i>Jim Carrington</i>	<i>Dan Carter</i>
<i>Teddy Snell</i>	<i>Bill Horton</i>	<i>Harvey Chaffin</i>
<i>Keith Austin</i>	<i>Farrell Prater</i>	<i>Rex Jordan</i>
<i>Dianne Barker Harrold</i>	<i>Janice Randall</i>	

