



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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Wednesday, January 17, 2018

10:00 AM

Tribal Council Offices

CALL TO ORDER

Chair Byrd called the meeting to order at 10:04 a.m.

INVOCATION

Councilor Warner gave the invocation.

ROLL CALL

Present 15 - Keith Austin; Buel Anglen; Dick Lay; Shawn Crittenden; Wanda Hatfield; Rex Jordan; Bryan Warner ; Joe Byrd; Janees Taylor; Victoria Vazquez; Frankie Hargis ; E. O. "JR." Smith; Mike Shambaugh; Mike Dobbins and Mary Baker Shaw

Late Arrival 2 - David Walkingstick and Harley Buzzard

APPROVAL OF MINUTES

Councilor Hargis made a motion to approve the December 11, 2017 regular session minutes as submitted. Councilor Jordan seconded the motion. The motion carried.

REPORTS:

Marshal Service - Shannon Buhl

Mr. Buhl offered to answer questions from the report provided. He briefed the Council on the armed robbery they assisted in last night. Their annual computer give away to students in need was recently held. Chair Byrd inquired about the total number of Marshals on staff.

Office of the Attorney General - Chrissi Nimmo

Ms. Nimmo provided an update on the Freedman, UKB and opioid cases. She offered to answer questions from the report provided. Chair Byrd inquired which case law was referenced in the opioid decision stating the Cherokee Nation courts didn't have jurisdiction. Councilor Baker Shaw requested clarification on the opioid case.

Councilor Walkingstick inquired when the next status conference would be held in regard to the Freedmen case. He also asked several other questions pertaining to the freedman including the reference in the opinion Freedman of Cherokee Nation band.

FOIA-GRA - Gwen Terrapin

Ms. Terrapin reported on the totals for 2017. One FOIA request has been submitted for 2018 to date and at this time is outstanding. She gave an update on the website along with an overview of some upcoming changes. Councilor Lay requested clarification on some of the old requests being removed from the site.

Election Commission - Marcus Fears

Mr. Marcus Fears the new Administrator provided an overview of the report provided and offered to answer questions. Councilor Buzzard requested a new precinct in the Northern part of Ottawa County. Councilor Lay inquired about the election records retention. Councilor Crittenden requested a brief education on the absentee ballots.

Tax Commission - Sharon Swepston

Ms. Swepston reported the Adair office is closed due to not having any heat. Councilor Lay requested a tag office in Dewey or Nowata.

Self-Governance - Karen Ketcher

Ms. Ketcher offered to answer questions from the report provided. Councilor Lay inquired about the reference to the revised certified degree of Indian blood policy in her report and requested clarification. He requested a copy of the original policy and the revised policy be sent to the Council. He requested any future changes that the Council be notified immediately. He also requested clarification on the contract support cost as to how much and which fund it will go too. Councilor Buzzard requested an update on the road issues at Sequoyah High School. Councilor Taylor requested clarification on the LIHEAP audit referenced in the report.

Gaming Commission - Jamie Hummingbird

Mr. Hummingbird reported the NIGC has made its final ruling on the technical aides and technical standards for class II gaming machines. The 2017 external audits are now underway. He provided the December numbers for the compact fee payments. Councilor Austin inquired how often the Commission meets and requested those meetings be provided on the Council calendars. Councilor Baker Shaw inquired when the gaming compact is up with the state of Oklahoma. She requested clarification on the different gaming classes. She inquired as to the PMO employees referred to in the report. Councilor Lay commented on his attendance at the Gaming Commission meetings.

Human Resources - Nason Morton

Mr. Morton offered to answer questions from the report provided. He commented on the upcoming revisions to the automated systems. Councilor Crittenden requested clarification on a situation where an employee was wrongfully accused and suspended for five days without pay, do they get that pay reimbursed when it is determined they are wrongfully accused. He inquired about their involvement with the hiring of behavioral health employees. Councilor Lay inquired about the status of the exit interview process. Mr. Morton gave an update on the position vacant process.

OLD BUSINESS

None pending.

NEW BUSINESS

1. [18-001](#) A RESOLUTION CONFIRMING THE NOMINATION OF DR. CHARLES GRIM AS A BOARD MEMBER OF CHEROKEE NATION HEALTH PARTNERS
Councilor Baker Shaw made a motion to approve. Councilor Walkingstick seconded the motion. All Councilors present requested to be added as a sponsor. The motion carried.
2. [18-002](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF T. LUKE BARTEAUX AS A DISTRICT JUDGE OF THE CHEROKEE NATION DISTRICT COURT
Councilor Byrd made a motion to approve. Councilor Jordan seconded the motion. Councilor Hargis and Vazquez requested to be added as sponsors. The motion to approve carried.
3. [18-007](#) A RESOLUTION RECOGNIZING CHEROKEE CITIZEN TERRELL BARNOSKI
Councilor Byrd moved to approve. Councilor Walkingstick seconded the motion. The motion carried.
4. [17-136](#) A LEGISLATIVE ACT AMENDING TITLE 12 OF THE CHEROKEE NATION CODE ANNOTATED - CIVIL PROCEDURE - COMPREHENSIVE ACCESS TO JUSTICE ACT AMENDMENT
Councilor Vazquez moved to approve. Councilor Hargis seconded the motion. After discussion was held Councilor Anglen made a motion to table. Councilor Baker Shaw seconded the motion. The motion carried with Councilor Lay opposed.
5. [17-137](#) A LEGISLATIVE ACT AMENDING TITLE 12 OF THE CHEROKEE NATION CODE ANNOTATED - CIVIL PROCEDURE - CIVIL CODE MODERNIZATION AND ANTI-TRUST ACT
Councilor Vazquez moved to approve. The motion failed for the lack of a second.
6. [18-006](#) ACT RELATING TO AN AMENDMENT TO THE CONCURRENT ENROLLMENT SCHOLARSHIP ACT OF 2011 TO REVISE THE ELIGIBILITY REQUIREMENTS
Councilor Walkingstick made a motion to approve with the following amendments: To strike "or private" in sections 2 and 4, in section 5A-1b to strike "If the student attends a public high school", and to add "for spring and/or fall semesters" at the end of the first sentence in both 5A-1e and f. Councilor Crittenden seconded the motion. Councilor Byrd inquired if the Education Department was okay with the proposed changes. The motion to approve carried by acclamation.

ANNOUNCEMENTS

Councilor Dobbins via audio and video conference announced he is very disappointed he could not physically attend the meetings today due to their changes. He stated there are rules of procedure for the changes and those were not followed. He made a request for an agenda item next month for discussion pertaining to this issue.

ADJOURNMENT

Councilor Walkingstick made a motion to adjourn. Councilor Hargis seconded the motion. The motion carried at 11:41 p.m.

STAFF PRESENT:

<i>Shannon Buhl</i>	<i>Marcus Fears</i>	<i>Sharon Swebston</i>
<i>Gwen Terrapin</i>	<i>Chrissi Nimmo</i>	<i>Canaan Duncan</i>
<i>Jamie Hummingbird</i>	<i>Ron Etheridge</i>	<i>Jennifer Pigeon</i>
<i>Ethan Holcomb</i>	<i>Karen Ketcher</i>	<i>Sonja Glory</i>
<i>Bill John Baker</i>	<i>Nason Morton</i>	<i>Marsha Lamb</i>

VISITORS PRESENT:

<i>Luke Barteaux</i>	<i>Carolyn Allen</i>	<i>Pam Sellers</i>
<i>Solen Deerinwater</i>	<i>Jami Murphy</i>	<i>Martha Calico</i>
<i>Tahlina Nofire Blakestad</i>	<i>Teddye Snell</i>	