



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, June 16, 2014

6:00 PM

Council Chambers

CALL TO ORDER

Tina Glory-Jordan
Speaker of the Council

Speaker Glory Jordan called the meeting to order at 6:00 p.m.

INVOCATION

Councilor Byrd gave the invocation.

ROLL CALL

Shelli Brittain
Legal & Legislative Coordinator

Present 16 - David Walkingstick; Lee Keener Jr.; Dick Lay; Janelle Fullbright; Cara Cowan Watts; Julia Coates; Tina Glory Jordan; Joe Byrd; David Thornton, Sr. ; Frankie Hargis ; Don Garvin; Curtis Snell; Janees Taylor; Harley Buzzard; Jack D. Baker and Victoria Vazquez

Absent 1 - Jodie Fishinghawk

AMEND THE AGENDA

Councilor Lay moved to amend the agenda to add 3 resolutions passed out of committees earlier today. Councilor Taylor seconded the motion. The motion carried to be new business items 12 through 14.

AMEND THE AGENDA

Councilor Hargis moved to amend the agenda to move new business #8 prior to new business #1. Councilor Lay seconded the motion. The motion carried.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Councilor Baker moved to approve the May 12th regular session minutes. Councilor Keener seconded the motion. The motion carried.

STATE OF THE NATION

Bill John Baker
Principal Chief

Chief Baker recognized by personal preference ninety-two year old Joe Leathers. Mr. Leathers is a first cousin to his dad and will be honored later this evening during the Cherokee Warrior Awards. The Cherokee Nation car tags have been completely rolled out for the entire state of Oklahoma. The Remember the Removal bike ride is in progress and they will return this Thursday at the Cherokee Courthouse square. We still await a decision from the Federal Court on the Freedman case. We were fortunate enough to have a Cherokee citizen, Heath Harper, confirmed by the Senate of the United States of America to be the Ambassador to the U.N. Human Rights Council. The Cherokee Nation was just awarded a \$2.5ml grant for new equipment to be placed in the new hospital and new clinics. Our Learn and Grow Project is in full swing. The Cherokee Nation has completed a one mile stretch of waterline in Nowata, Oklahoma. A reimbursement agreement has been signed with the Veteran's Administration for Native American Veterans to be seen by us and billed back to the VA. He gave special recognition the Cherokee Nation and CNB Communication teams for being national finalist in four categories of the prestigious PR Daily Award this year. Health Director, Connie Davis, recognized Tommy Hayes for his accomplishments, he is the lead instructor and Program Director for our Surgical Technical Program. Chief Baker announced the Career Services Group is here tonight to promote the new website Cherokeecareerconnections.com. He recognized the Summer Youth Interns and requested they introduce themselves and where they are from. Lastly he requested a moment of silence for those who have passed over the last month.

CHEROKEE WARRIOR VETERAN AWARDS

S. Joe Crittenden
Deputy Principal Chief

Deputy Chief Crittenden recognized Veterans Jiffy Woodall (deceased), Andy Girty, Cyrus "Cy" Gilmore, Joseph "Joe" Leathers, and Winfred Wink.

ACTION OF UNFINISHED BUSINESS

None pending.

COMMITTEE REPORTS

Monthly Reports:

Housing Authority - Gary Cooper

Mr. Cooper announced the next board meeting will be tomorrow at 5:30. The Annual Convention and elections for the National American Indian Housing Council was held two weeks ago in Kansas City. He provided an update from the 4th session of the Negotiated Rule Making held last week. Today the Housing Authority provides assistance to over 6,000 families each month.

Cherokee Nation Business, LLC - Shawn Slaton

Mr. Slaton gave an overview of the financials for March. They contributed an additional \$283,000 in tax collections to the Nation. The four clinics are underway. The Cherokee CRC was awarded a contract by the Washington Headquarter Services. The Cherokee Technology Solutions is partnering with the SBA to host free onsite training session in web based seminars for Native Corporations interested in joining the 8A Program. The Cherokee Casino and Will Rogers Downs are offering a fun filled family evening on June 21st where there will be food, activities for kids, live music, car display and fireworks. Their current total employment at the end of May was 6,024 for all CNB employees with 73.4% Cherokee, 7.1% other Native American and a total Native American employment of 80.5%. He offered to answer questions from the report provided.

OLD BUSINESS

None pending.

NEW BUSINESS

8. [14-050](#) **A RESOLUTION CONFIRMING THE APPOINTMENT OF JENNIFER D. GOINS AS A COMMISSIONER OF THE CHEROKEE NATION GAMING COMMISSION**

Councilor Vazquez moved to approve. Councilor Hargis seconded the motion. After discussion was held the motion to approve carried with the following roll call vote:

- Yea:** 10 - David Walkingstick; Dick Lay; Janelle Fullbright; Tina Glory Jordan; Joe Byrd; David Thornton, Sr. ; Frankie Hargis ; Curtis Snell; Janees Taylor and Victoria Vazquez
- Nay:** 6 - Lee Keener Jr.; Cara Cowan Watts; Julia Coates; Don Garvin; Harley Buzzard and Jack D. Baker

Education and Culture Committee

1. [TMP-300](#) **DISCUSSION AND POSSIBLE ACTION: THE CHEROKEE NATION EDUCATION SCHOLARSHIP DOCTORAL PROGRAM**

Speaker Glory Jordan withdrew this item as it has been taken care of through policy.

2. [14-047](#) **AN ACT RELATING TO AN AMENDMENT TO THE CONCURRENT ENROLLMENT SCHOLARSHIP ACT OF 2011 TO REVISE ELIGIBILITY REQUIREMENTS**

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

Executive and Finance Committee

3. [14-052](#) **A RESOLUTION AUTHORIZING THE DEVELOPMENT AND SUBMISSION OF A GRANT APPLICATION TO THE DEPARTMENT OF JUSTICE FOR A SECOND CHANCE ACT COMPREHENSIVE COMMUNITY-BASED ADULT REENTRY PROGRAM UTILIZING MENTORS**
- Councilor Byrd moved to approve. Councilor Cowan Watts seconded the motion. The motion carried.
4. [14-053](#) **A RESOLUTION AUTHORIZING CHEROKEE NATION WAREHOUSE TO DONATE SURPLUS OFFICE EQUIPMENT TO LOCUST GROVE POLICE DEPARTMENT IN MAYES COUNTY**
- Councilor Taylor moved to approve. Councilor Thornton seconded the motion. The motion carried.
5. [14-054](#) **AN ACT AMENDING LEGISLATIVE ACT #22-13 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2014 - MOD 6; AND DECLARING AN EMERGENCY**
- Councilor Taylor moved to approve. Councilor Cowan Watts seconded the motion. The motion carried by acclamation.
6. [14-055](#) **AN ACT AMENDING LEGISLATIVE ACT #21-13 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2014 - MOD 9; AND DECLARING AN EMERGENCY**
- Councilor Taylor moved to approve. Councilor Garvin seconded the motion. Councilor Walkingstick offered a friendly amendment with a change in the project list for Charitable Contributions within his district, this has a zero dollar change. Councilor Byrd offered an amendment to change Markoma to \$15,000 and leave \$5,000 unallocated. The amendments were accepted. The motion to approve as amended carried by acclamation.

Rules Committee

7. [14-049](#) **A RESOLUTION CONFIRMING THE NOMINATION OF ROBIN MCCLAIN SMITH AS A BOARD MEMBER OF CHEROKEE NATION COMMUNITY ASSOCIATION CORPORATION**
- Councilor Walkingstick moved to approve. Councilor Vazquez seconded the motion. After discussion was held the motion to approve carried with the following roll call vote:
- Yea:** 10 - David Walkingstick; Dick Lay; Janelle Fullbright; Tina Glory Jordan; Joe Byrd; David Thornton, Sr.; Frankie Hargis; Curtis Snell; Janees Taylor and Victoria Vazquez
- Nay:** 6 - Lee Keener Jr.; Cara Cowan Watts; Julia Coates; Don Garvin; Harley Buzzard and Jack D. Baker

9. [14-051](#) **A RESOLUTION AUTHORIZING THE SUBMISSION FOR TRIBAL HISTORIC PRESERVATION OFFICE STATUS WITH THE NATIONAL PARK SERVICE**

Councilor Vazquez moved to approve. Councilor Hargis seconded the motion. The motion to approve carried with no opposition.

10. [14-043](#) **AN ACT AMENDING LA-06-98 AND LA-21-12, "CHEROKEE NATION GOVERNMENTAL RECORDS ACT" DECLARING AN EMERGENCY**

Councilor Fullbright moved to approve. Councilor Vazquez seconded the motion. Councilor Buzzard offered a friendly amendment to change the 20 days to 10 days to be consistent with the FOIA Act. The friendly was accepted. Councilor Cowan Watts raised concern regarding §5E. Councilor Coates provided a handout and offered an amendment adding a new section 114. Attorney General Hembree commented this would apply to FOIA and not GRA. Councilor Keener inquired if FOIA should be voted on GRA.

Councilor Cowan Watts made a motion to table until after the FOIA Vote (new business item 11). The motion failed with the following roll call vote:

Yea: 7 - Lee Keener Jr.; Dick Lay; Cara Cowan Watts; Julia Coates; Don Garvin; Harley Buzzard and Jack D. Baker

Nay: 9 - David Walkingstick; Janelle Fullbright; Tina Glory Jordan; Joe Byrd; David Thornton, Sr. ; Frankie Hargis ; Curtis Snell; Janees Taylor and Victoria Vazquez

Councilor Cowan Watts commented the FOIA is the controlling Act. Attorney General Hembree provided clarification between the FOIA and the GRA.

RECESS

After additional discussion and concerns were voiced Speaker Glory Jordan requested a recess at 7:55 p.m.

RECONVENNE

Speaker Glory Jordan called the meeting back to order at 8:04 p.m.

[14-043](#) **AN ACT AMENDING LA-06-98 AND LA-21-12, "CHEROKEE NATION GOVERNMENTAL RECORDS ACT" DECLARING AN EMERGENCY**

Speaker Glory Jordan announced the discussion would continue with the GRA and Councilor Lay still has the floor. After discussion was exhausted the motion to approve as amended carried with the following roll call vote:

Yea: 14 - David Walkingstick; Dick Lay; Janelle Fullbright; Julia Coates; Tina Glory Jordan; Joe Byrd; David Thornton, Sr. ; Frankie Hargis ; Don Garvin; Curtis Snell; Janees Taylor; Harley Buzzard; Jack D. Baker and Victoria Vazquez

Nay: 2 - Lee Keener Jr. and Cara Cowan Watts

AMEND THE AGENDA

Per the request of Speaker Glory Jordan, Councilor Hargis made a motion to amend the agenda to move items 12, 13 and 14 prior to 11. Councilor Lay

seconded the motion. The motion carried.

12. [14-056](#) **A RESOLUTION APPROVING AND AUTHORIZING THE SUBMISSION OF THE FISCAL YEAR 2015 INDIAN HOUSING PLAN TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

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

13. [14-057](#) **A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION BY THE DEPARTMENT OF CHILDREN, YOUTH AND FAMILY SERVICES TO THE U.S. DHHS, FAMILY VIOLENCE PREVENTION AND SERVICES PROGRAM, FOR VICTIMS OF FAMILY VIOLENCE**

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

14. [14-063](#) **A RESOLUTION TO INITIATE THE CHEROKEE NATION HEALTH DENTAL CROWN PROGRAM**

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

11. [14-044](#) **AN ACT AMENDING LA-25-01, LA-24-04, AND LA-04-12, "FREEDOM OF INFORMATION AND RIGHTS OF PRIVACY ACT" DECLARING AN EMERGENCY**

Councilor Fullbright moved to approve. Councilor Vazquez seconded the motion. Councilor Lay requested clarification on the Independent Information Officer. Councilor Coates requested clarification on the amendment made in committee to remove "regular, fulltime" and replace with "contract" employee. She requested clarification on Section 105 A 14 regarding "Documents otherwise publically available or previously provided".

Councilor Coates made a motion to amend to add a new section 114 as provided by handout regarding the ability to go to the Administrative Appeals Board. Councilor Cowan Watts seconded the motion. Councilor Taylor inquired if a work group would be subject to the Open Meetings Act. Councilor Lay offered a friendly amendment to strike in A. "and any person denied attendance of a work group or subcommittee meeting of to the Tribal Council under the Open Meetings Act". The friendly was accepted. After discussion was held the motion to approve this amendment failed with the following roll call vote:

Yea: 7 - Lee Keener Jr.; Dick Lay; Cara Cowan Watts; Julia Coates; Don Garvin; Harley Buzzard and Jack D. Baker

Nay: 9 - David Walkingstick; Janelle Fullbright; Tina Glory Jordan; Joe Byrd; David Thornton, Sr. ; Frankie Hargis ; Curtis Snell; Janees Taylor and Victoria Vazquez

Upon the completion of additional discussion the motion to approve as submitted carried with the following roll call vote:

Yea: 10 - David Walkingstick; Janelle Fullbright; Tina Glory Jordan; Joe Byrd; David Thornton, Sr. ; Frankie Hargis ; Curtis Snell; Janees Taylor; Harley Buzzard and Victoria Vazquez

Nay: 6 - Lee Keener Jr.; Dick Lay; Cara Cowan Watts; Julia Coates; Don Garvin and Jack D. Baker

ANNOUNCEMENTS

Councilor Keener congratulated Michael Taylor of Preston who graduated from the Oklahoma Highway Patrol last week.

Speaker Glory Jordan announced they are having a community meeting on Thursday at Lost City.

ADJOURNMENT

Councilor Garvin moved to adjourn. Councilor Cowan Watts seconded the motion. The motion carried at 9:03 p.m.

Next Tribal Council meeting will be held on Monday, July 14th at 6:00 p.m. at the tribal headquarters, W.W. Keeler Complex.