



Council of the Cherokee Nation

Council House
17763 S. Muskogee Ave.
Tahlequah, OK 74464

Meeting Minutes - Final RULES COMMITTEE

Chuck Hoskin Jr., Chair

*Recording Secretary, Shelli-Brittain
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Thursday, September 27, 2012

1:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Hoskin Jr. called the meeting to order at 1:15 p.m.

INVOCATION

Councilor Snell gave the invocation.

ROLL CALL

Present 16 - Buel Anglen; Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; Lee Keener Jr.; David Walkingstick; Julia Coates; Frankie Hargis and Joe Byrd

Late Arrival 1 - Cara Cowan Watts

APPROVAL OF MINUTES

Councilor Thornton moved to approve the August 30th regular session minutes. Councilor Baker seconded the motion. The motion carried.

REPORTS:

Marshal Service - Shannon Buhl

Mr. Danny Tanner reported in the absence of Mr. Buhl. He offered to answer questions from the report provided.

Office of the Attorney General - Todd Hembree

Mr. Hembree gave the highlights of issues their office has been working on including the Freedman cases and United Keetoowah Band cases.

Codification - Todd Hembree

Mr. Hembree reported all materials have been submitted to West Publishing and are waiting on them to return a contract.

Election Commission - Bill W. Horton

Mr. Harvey Chaffin, the Election Commission Attorney, announced Mr. Horton has arrived yet and commented the report has been provided if there are questions the Commission secretary is available. Chair Hoskin Jr. inquired if identification is required at the polling place. Mr. Chaffin stated they have selected an election provider.

Chair Hoskin Jr. announced the Employee Appreciation Event has moved to the Sequoyah High School gym and the nurses are here until 2:00 p.m. for flu shots.

Tax Commission - Sharon Swepston

Ms. Swepston offered to answer questions from the report provided. Chair Hoskin Jr. inquired if the Commission has had the opportunity to review the subsidy legislation and the steps needed to implement. Councilor Thornton announced next month there would be an agenda item for owner/operators.

Self-Governance - Vickie Hanvey

Ms. Hanvey provided a handout of updated information in relation to the Delaware issues. Councilor Lay voiced concern for amendments made to the MOA with the Delaware without the consent of the Council. Mr. Hembree gave clarification on the MOA and Delaware issues and offered to meet with Councilors on an individual basis for additional questions.

Gaming Commission - Jamie Hummingbird

Mr. Hummingbird announced the ribbon cutting for the re-opening of casino 3 at Catoosa is scheduled for tomorrow at 10:00 a.m. He stated they are in the process of examining the changes made late last week by the NIGC to the internal controls and facility licensing requirements. Councilor Garvin gave congratulations to Mr. Hummingbird for the award he would be soon receiving. Councilor Keener inquired about the percentage of games that would be phased out over the next five years.

Tribal Youth Council - Brian Barlow and Noah Collins

Youth Councilors Noah Collins and Brian Barlow provided an update from the report provided and offered to answer questions. Chair Hoskin Jr. requested the list of Youth Council include the school they attend.

Registrar Citizenship Data Update - David Justice

Mr. Justice provided an update in numbers and offered to answer questions.

OLD BUSINESS

1. [12-111](#) A RESOLUTION CONFIRMING THE NOMINATION OF DAWNENA MACKEY AS A BOARD MEMBER OF CHEROKEE NATION COMMUNITY ASSOCIATION CORPORATION

Councilor Glory-Jordan moved to approve. Councilor Hargis seconded the motion. After discussion was held and the Attorney General's office confirmed there isn't a conflict of interest the motion to approve carried with no

opposition.

2. [12-086](#) AN ACT AMENDING LEGISLATIVE ACT 03-09 AND TITLE 68 CHAPTER 3 OF THE CHEROKEE NATION CODE ANNOTATED - SALES TAX; ADDING EXEMPTIONS FOR ONE HUNDRED PERCENT (100%) PERMANENTLY DISABLED VETERANS AND FOR ALL VETERANS WHO ARE CITIZENS OF THE CHEROKEE NATION

Councilor Glory-Jordan stated they are still working on the definition of veterans and moved to table for a month. Councilor Cowan Watts seconded the motion. The motion carried.

3. [12-107](#) AN ACT RELATING TO DRUG TESTING FOR ELECTED OFFICIALS

Councilor Byrd moved to table for one more month. Councilor Walkingstick seconded the motion. The motion carried.

4. [12-110](#) AN ACT RELATING TO THE VOTING RESIDENCY OF CITIZENS OF THE CHEROKEE NATION

Councilor Garvin moved to approve. Councilor Thornton seconded the motion. Mr. David Justice provided clarification on the maps provided and the history of this situation. Mr. Chaffin, the Election Commission Attorney, provided the Election Commission's point of view. Councilor Glory-Jordan commented this should be a rule instead of being specific to this one residence. She offered a friendly amendment to set a rule that if a house is 75% or more, as determined by GEO Data, within the Cherokee Nation jurisdictional boundaries the Cherokee citizen residing in the home can vote within the district. The friendly was accepted if changed to 60%. Councilor Baker offered a friendly amendment to allow the citizen a one-time determination of which district they would like to vote if the home is divided between two districts. The friendly was accepted.

After additional discussion was held and additional questions were raised Councilor Cowan Watts moved to table. Councilor Walkingstick seconded the motion. The motion carried with some opposition and Councilor Lay opposing.

5. [12-108](#) A LEGISLATIVE ACT REPEALING THE SUNSHINE ETHICS ACT AND ALL SUBSEQUENT AMENDMENTS AND CREATING A NEW ETHICS ACT ENTITLED "THE CHEROKEE NATION EHTICS ACT OF 2012"

Councilor Glory-Jordan provided a handout of proposed amendments for consideration. She stated they have canvased other tribes to review their requirements. She stated the biggest changes are in Section 28-19-A. She moved to approve. Councilor Fishinghawk seconded the motion. Councilor Cowan Watts raised several questions and with just receiving the document she moved to table for a month to allow time to review. Councilor Anglen seconded the motion.

The motion to table failed by the following roll call vote:

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

Nay: 10 - Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd

Not In Room: 1 - Don Garvin

Additional discussion was held. Councilor Baker requested some scriveners' errors be corrected.

When discussion was exhausted the motion to approve carried with the following roll call vote:

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

Nay: 4 - Don Garvin; Jack D. Baker; Lee Keener Jr. and Julia Coates

Abstain: 2 - Buel Anglen and Cara Cowan Watts

NEW BUSINESS

1. [12-121](#) AN ACT RELATING TO CHEROKEE NATION GUARDIANSHIP AND CONSERVATORSHIP CODE
Councilor Frailey moved to approve. Councilor Byrd seconded the motion. After discussion was held the motion to approve carried with no opposition.
2. [TMP-224](#) EXECUTIVE SESSION - DISCUSSION OF TRIBAL COUNCIL PERSONNEL MATTER
Councilor Glory-Jordan withdrew this item.

ANNOUNCEMENTS

Chair Hoskin Jr. announced the Employee Appreciation events have already started and encouraged everyone to attend.

ADJOURNMENT

Councilor Byrd moved to adjourn. Councilor Hargis seconded the motion. The motion carried at 3:18 p.m.

STAFF PRESENT:

<i>Danny Tanner</i>	<i>Todd Hembree</i>	<i>Sharon Swepston</i>
<i>Dianna Turtle</i>	<i>Marsha Lamb</i>	<i>David Justice</i>
<i>Vickie Hanvey</i>	<i>Bill Foster</i>	<i>Sara Hill</i>
<i>Juli Skinner</i>	<i>Elizabeth O'Dell</i>	<i>Jamie Hummingbird</i>
<i>Susan Work</i>	<i>Robert Garcia</i>	<i>Patrick Hill</i>
<i>Dawnena Mackey</i>		

VISITORS PRESENT:

<i>Raymond Vann</i>	<i>Larry Horn</i>	<i>Dianne Barker Harrold</i>
<i>Ruth Ann Weaver</i>	<i>Farrell Prater</i>	<i>Harvey Chaffin</i>
<i>Martha Calico</i>	<i>Noah Collins</i>	<i>Brian Barlow</i>
<i>Ollie Starr</i>	<i>Bill Horton</i>	