



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
Phone: 1-800-995-9465,
E-mail: council-public@cherokee.org*

Thursday, January 30, 2014

1:00 PM

Tribal Council Offices

CALL TO ORDER

Chair Byrd called the meeting to order at 1:17 p.m.

INVOCATION

Councilor Snell gave the invocation.

ROLL CALL

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

Absent 2 - Harley Buzzard and Frankie Hargis

APPROVAL OF MINUTES

Councilor Walkingstick moved to approve the December 17, 2013 regular session minutes. Councilor Lay seconded the motion. The motion carried.

REPORTS:

Due to the lengthy agenda Councilor Glory Jordan requested the written reports be accepted.

Councilor Glory Jordan moved to let the reports stand. Councilor Thornton seconded the motion. The motion carried.

Marshal Service - Shannon Buhl

Office of the Attorney General - Todd Hembree

Codification - Todd Hembree

Election Commission - Bill W. Horton

Tax Commission - Sharon Swepston

Self-Governance - Vickie Hanvey

Gaming Commission - Jamie Hummingbird

Registration - Linda O'Leary

OLD BUSINESS

1. [13-123](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF COLEMAN BARTOW FITE AS A DISTRICT JUDGE OF THE CHEROKEE NATION DISTRICT COURT
Councilor Glory Jordan moved to approve. Councilor Walkingstick seconded the motion. Judge Fite wasn't available for questions. The motion to approve carried.

2. [13-137](#) AN ACT AMENDING THE CHEROKEE NATION GAMING COMMISSION ACT, SETTING REQUIREMENTS AND DECLARING AN EMERGENCY
Councilor Baker requested the minimum wage legislation be placed back on the agenda next month as the ninety day table has expired.
Councilor Fishinghawk moved to table for thirty days. Councilor Thornton seconded the motion. The motion carried.

NEW BUSINESS

1. [14-001](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF PATSIANN NIX SMITH AS A BOARD MEMBER OF THE CHEROKEE NATION FOUNDATION
Councilor Glory Jordan moved to approve and commented Ms. Smith isn't present today but was available not too long ago when she was appointed to complete someone else's term. Councilor Walkingstick seconded the motion. Councilors Walkingstick, Fullbright, Vazquez and Fishinghawk requested to be added as sponsors. The motion to approve carried.

2. [14-002](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF SHANNON FISHER AS COMMISSIONER OF THE CHEROKEE NATION GAMING COMMISSION
Councilor Fullbright moved to approve. Councilor Thornton seconded the motion. All Councilors requested to be added as sponsors. After discussion was held the motion to approve carried.

3. [14-003](#) A RESOLUTION ELECTING THE OFFICE OF SECRETARY OF THE TRIBAL COUNCIL
Councilor Glory Jordan moved to reappoint our current Secretary Councilor Fishinghawk. Councilor Fullbright seconded the motion. The motion carried with Councilor Coates abstaining.

4. [14-007](#) A RESOLUTION RATIFYING IMPLEMENTATION AGREEMENT # 2 (IMPLEMENTING 2008 MEMORANDUM OF AGREEMENT AS TO NAHASDA FUNDING FOR DELAWARE FORMULA CURRENT ASSISTED STOCK) BETWEEN THE CHEROKEE NATION AND THE DELAWARE TRIBE OF INDIANS

Councilor Lay moved to approve. Councilor Walkingstick seconded the motion. Discussion was held and a friendly amendment was accepted to insert the implementation date of April 1, 2014 and to correct the title. Once discussion was exhausted the motion to approve carried

5. [14-004](#) AN ACT AMENDING LA-46-12 REVISING TITLE 26 ("ELECTIONS") OF THE CHEROKEE NATION CODE ANNOTATED

Councilor Glory Jordan moved to approve stating these amendments would make out law consistent with our Constitution and how the Election Commission does their business. Councilor Fishinghawk seconded the motion. Councilor Lay voiced concern for TERO protection. Councilor Glory Jordan offered language for a friendly amendment addressing Councilor Lay's concerns by including policies for TERO. The language would be included in Chapter 2 § 11 "within ninety days from adoption of this act the Commission shall adopt tribal preference policies for hiring and contracting". The friendly was accepted. Councilor Keener offered a friendly amendment to change "membership" to "citizenship". The friendly was accepted.

After numerous questions were asked Councilor Cowan Watts made a motion to restore the original language in #8 of page 6. Councilor Keener seconded the motion. Councilor Lay requested a definitive time period. He offered a friendly amendment of inserting language of "at least forty-five days in advance of the election" following the new language "posted after their selection". The friendly was not accepted by Councilor Cowan Watts.

Councilor Cowan Watts motion to restore the language in Chapter 2 § 11 C8 failed by the following roll call vote:

Yea: 5 - Cara Cowan Watts; Lee Keener Jr.; Julia Coates; Jack D. Baker and Don Garvin

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

Abstain: 1 - Dick Lay

Councilor Lay offered his friendly amendment once again to insert language of "at least forty-five days in advance of the election" following the new language "posted after their selection" in Chapter 2 §11 C8. The friendly amendment was accepted. Councilor Baker suggested inserting Councilor Lay's friendly following "Approve the number and location of precincts" for better flow. Councilor Lay accepted the request.

Councilor Cowan Watts requested clarification on Chapter 2 §11 E. After discussion was held Councilor Cowan Watts made a motion to restore the original language in E. Councilor Keener seconded the motion. The motion failed with the following roll call vote:

Yea: 5 - Cara Cowan Watts; Lee Keener Jr.; Julia Coates; Jack D. Baker and Don Garvin

Nay: 10 - Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Joe Byrd; Curtis Snell; Janees Taylor; David Thornton, Sr. and Victoria Vazquez

Councilor Walkingstick called for the question. Councilors Cowan Watts, Keener and Garvin voiced concern for cutting off debate. The motion to approve with the accepted friendly amendments carried with the following roll call vote:

Yea: 10 - Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Joe Byrd; Curtis Snell; Janees Taylor; David Thornton, Sr. and Victoria Vazquez

Nay: 5 - Cara Cowan Watts; Lee Keener Jr.; Julia Coates; Jack D. Baker and Don Garvin

6. TMP-299

ANNUAL REVIEW OF THE TRIBAL COUNCIL TRAVEL EXPENSE POLICY AND POSSIBLE ACTION ON ANY SUGGESTED CHANGES

Councilor Glory Jordan commented this is the annual review of the Council Travel Policy as requested each January. Councilor Fishinghawk provided a copy of the travel policy with a proposed amendment to not allow travel on Council travel funds once they announce or declare filing for a higher office. She moved to approve the addition of paragraph 7 under definitions. Councilor Glory Jordan seconded the motion. Councilor Cowan Watts offered a friendly amendment for it to be any travel other than official travel. The friendly was not accepted.

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

Yea: 10 - Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Joe Byrd; Curtis Snell; Janees Taylor; David Thornton, Sr. and Victoria Vazquez

Nay: 5 - Cara Cowan Watts; Lee Keener Jr.; Julia Coates; Jack D. Baker and Don Garvin

ANNOUNCEMENTS

Chair Byrd announced the next meeting is tentatively scheduled for Thursday, March 27th at 1:00 p.m.

Councilor Baker introduced a visitor in the audience.

ADJOURNMENT

Councilor Walkingstick moved to adjourn. Councilor Vazquez seconded the motion. The motion carried at 2:57 p.m.

STAFF PRESENT:

<i>Chuck Hoskin, Jr.</i>	<i>Sara Hill</i>	<i>Jamie Hummingbird</i>
<i>Sharon Swepston</i>	<i>Vickie Hanvey</i>	<i>Shannon Fisher</i>
<i>Elizabeth Odell</i>		

VISITORS PRESENT:

Lisa Long
Cheryl Brown

Gina Olaya
Ollie Starr

Harvey Chaffin
Phil Powers