



Council of the Cherokee Nation

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

Meeting Minutes - Final RULES COMMITTEE

Meredith Frailey, Chair

Recording Secretary, Shelli-Brittain
Phone: 1-800-995-9465,
E-mail: council-public@cherokee.org

Thursday, March 25, 2010

1:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Frailey called the meeting to order at 1:03 p.m.

INVOCATION

Councilor Crittenden gave the invocation.

ROLL CALL

Present 13 - Bill John Baker; Buel Anglen; Cara Cowan Watts; Chris Soap; David Thornton Sr. ; Harley Buzzard; Jack D. Baker; Janelle Fullbright; Jodie Fishinghawk; Julia Coates; Meredith Frailey; S. Joe Crittenden and Tina Glory Jordan

Late Arrival 4 - Bradley Cobb; Chuck Hoskin, Jr. ; Curtis Snell and Don Garvin

APPROVAL OF MINUTES

Councilor Anglen made a motion to approve the February 25th regular session. Councilor Bill John Baker seconded the motion. Motion carried.

REPORTS:

1. Marshal Service - Sharon Wright

Mr. Frankie Dreadfulwater gave an overview of the Marshal Service written report in the absence of Ms. Wright.

Councilor Bill John Baker moved to amend the agenda to add report #9 the Youth Tribal Council. Councilor Cowan Watts seconded the motion. Motion carried.

2. Office of the Attorney General - Diane Hammons

Mr. Nason Morton reported for Diane Hammons. He announced a tribal jury term will begin Monday. An Indian Child Welfare case and the poultry appeal will be going before the Tenth Circuit Court for oral argument in early May.

3. GEG Investigation Report - Diane Hammons

Mr. Morton commented there was nothing new to report on GEG.

4. Election Commission - Roger Johnson

No one present to report.

5. Tax Commission - Sharon Swepston

Ms. Swepston offered to answer questions from her written report. Councilor Buzzard requested an update on the Jay tag office. Ms. Swepston stated they should be ready to install the counters, other office equipment and complete the parking lot by the first of April. The staff is hired and they have hopes to open in mid April.

6. Self-Governance - Vickie Hanvey

Ms. Hanvey announced they received \$3,575,000 of roads funding for 2010. Councilor Buzzard requested someone attend the NCAI meetings to brief the committees on the road reauthorization issues. Chair Frailey requested an update on the contract support cost arrearage. Ms. Hanvey stated IHS is very close to issuing their short fall report. Until the short fall report is complete they can't do the allocation or distribution of funds. A motion was filed with the court system stating the DOI was not living up to the conditions of the settlement. A memo was issued to the Regional Directors that the short fall report was top priority. She is part of the DOI work group and they are attempting to set a face to face meeting to go through the information that has been submitted. Until this issue is resolved we will not get our additional contract support cost funding. Councilor Bill John Baker inquired if discussions had been held on how the Health Bill will affect our clinics and hospitals. Ms. Hanvey stated from an operational standpoint Melissa Gower is the lead contact. Discussions have been held with the IHS directors regarding how they perceive some of the changes and the affects of those changes. An email was sent out issue by issue bullet points from the Director of IHS. Councilor Bill John Baker requested the information be provided to the Council.

7. Gaming Commission - Jamie Hummingbird

Mr. Hummingbird offered to answer questions from the report provided.

8. Codification - Todd Hembree

Mr. Hembree stated they are waiting on the Tribal Gaming Act to be completed as it is a major part of the Codification. They are also waiting on a decision on the redistricting case to complete the Election law. An evidentiary hearing should be held in April. As soon as these two items are complete it will be sent to West Law for a hard estimate of cost. Chair Frailey requested a brief overview of what LegiStar is and a status update. Ms. Shelli Brittain stated LegiStar is an online tracking system for legislation and minutes as well as Council member contact information, biography

and sponsorships. The Council members have been added from 1976 to current. If anyone has a bio or picture of past Council members please share the information. Approval of the instruction/information page has been received to be inserted on our Council web page. The link has been given out to a few people for testing with all good results at this point. Some of the comments about the program include everything they have looked for has been easily found and is in good quality, easy to use, very streamlined, and straight forward. The next step is to determine how long it will take to make the changes to the home page. Councilor Buzzard inquired how the program would be accessed upon its release. Ms. Brittain stated upon its release the legislative page of Cherokee.org will provide a link and instructions. Councilor Cowan Watts gave appreciation to both Chair Frailey and Ms. Brittain for the work put in on this program and its direction to provide our people with more access.

9. Youth Tribal Council -

Ms. Danielle Culp announced in the past Youth Council she represented District 7 and now with the revamping of the Youth Council she has become a member At Large. They were previously known as the Cherokee Nation Tribal Youth Council and during the revamp determined they wanted their name to reflect more what they want to achieve. Their new name is the Cherokee Nation Youth Leadership Council. They have recently moved from being under the direction of the Education Department to the Leadership Department and Todd Enlow. Their direct supervisor is Patrick Hill. They reviewed the 1989 Resolution and determined they wanted to realign the Youth Council to fit the resolution as passed. She read their new mission statement. Some of the current Council is seated for one year, some represent districts and some represent counties. Once the transition period is complete they will have a representative for each of our fourteen counties and one member At Large. Mr. Todd Enlow announced he is very proud of these young people and their accomplishments. Per the 1989 Resolution the Youth Council is to carry the voice of the Youth back to the Council therefore the request has been made to report to this committee quarterly. The focus for this entire year is cultural identity through history and language. Mr. Enlow stated the program has been expanded from 15 to 24 members. Next year it will be split into two Councils, one with a focus on the high school age group and the other with a focus on college and career ages. Councilor Buzzard inquired as to the procedure to involve the Youth Council in their community meetings and activities. Mr. Enlow requested Mr. Patrick Hill be contacted at 207-3191 to enable them to coordinate the activities.

OLD BUSINESS

None pending.

NEW BUSINESS

1. A RESOLUTION CONFIRMING THE RENOMINATION OF JOHN SHURR TO THE CHEROKEE PHOENIX EDITORIAL BOARD
Councilor Bill John Baker moved to approve. Councilor Jack D. Baker seconded the motion. Motion carried.
2. A LEGISLATIVE ACT REPEALING AND REPLACING LA#30-89, LA#9-90, LA#1-94, LA#126-95, LA#29-03, LA#37-03, LA#44-04, LA#20-06, AND LA#15-07, RELATING TO GAMING WITHIN THE JURISDICTION OF THE CHEROKEE NATION AND DECLARING AN EMERGENCY

Chair Frailey announced the Administration has withdrawn this Act for further work.

3. DISCUSSION ON AMENDING THE ADVISORY BOARD ACT - LA-35-02

Mr. Cobb stated the Council has three advisory board members each on the CNE, CNI and CNB boards. With the consolidations of those boards into one board the following issues need to be addressed: 1) does nine Councilors as advisory board members violate a quorum rule and 2) determine the appropriate number of advisory board members. Councilor Cobb suggested three advisory board members or possibly six at the most. Councilor Hoskin Jr. voiced concern for nine causing issue with a quorum. Councilor Bill John Baker commented three is a good number. With three advisory board members Leigh way is available if other Council members want to attend an occasional board meeting or certain issues. Mr. Hembree stated these corporations affect the entire government. He suggested the advisory board members be the committee Chairs. Councilor Cowan Watts also voiced concern of precluding Council members from attending the board meetings. She questioned the formality of needing advisory board members. Mr. Hembree stated being in the same room doesn't constitute a meeting. A meeting takes place when discussion and decisions are made concerning the Cherokee Nation. Advisory board members have access to proprietary information, executive session information, are included in discussion and are a conduit of information to the rest of the Council. He stated he would meet with Attorney General Hammons to outline a clear course as to being in the same room attending and watching a meeting doesn't necessarily mean you are a part of a meeting because you are not in a deliberative process in making decisions concerning the Cherokee Nation. Mr. Hoskin Jr. suggested amending FOIA to allow participation in an advisory board capacity without being in violation of the Act. Councilor Cowan Watts suggested looking at the advisory board differently. She suggested everyone having equal access and agreed to amend the FOIA law to more appropriately protect our businesses. She commented this would allow the Council to opt in as they wish and not exclude them. Councilor Thornton voiced concern for just three advisory board members. He suggested the Council also post an agenda on the same day, time and place as the board meeting to allow all Council members to attend. Councilor Cobb commented he hoped to bring this back next month. He requested suggestions be submitted to Shelli for disbursement. Mr. Hembree announced he would be ready next month and would speak to Ms. Hammons regarding FOIA.

ANNOUNCEMENTS

ADJOURNMENT

Councilor Cobb moved to adjourn. Councilor Cowan Watts seconded the motion. Motion carried at 2:00 p.m.

STAFF PRESENT:

<i>Paula Ragsdale</i>	<i>Jamie Hummingbird</i>	<i>Pat Ragsdale</i>
<i>Nason Morton</i>	<i>Sharon Swepston</i>	<i>Gregg Simmons</i>
<i>Frankie Dreadfulwater</i>	<i>Todd Enlow</i>	<i>Mike Miller</i>
<i>Vickie Hanvey</i>	<i>Patrick Hill</i>	

VISITORS PRESENT:

Danielle Culp
Ollie Starr

Gina Olaya
Todd Hembree

Thelda Bowin
Charles Dry