



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

Tuesday, December 15, 2020

9:00 AM

Tribal Council Offices

CALL TO ORDER

Chair Byrd called the meeting to order at 9:04 a.m.

INVOCATION

Councilor Vazquez gave the invocation.

ROLL CALL

Councilors Deere, Shaw and Coates attended remotely.

Present 16 - Joe Byrd; Janees Taylor; Victoria Vazquez; Harley Buzzard; E. O. "JR." Smith; Mike Shambaugh; Mike Dobbins; Mary Baker Shaw; Canaan Duncan; Rex Jordan; Wes Nofire; Shawn Crittenden; Dora Patzkowski; Joe Deere; Keith Austin and Julia Coates

Absent 1 - Daryl Legg

APPROVAL OF MINUTES

Councilor Jordan moved to approve the November regular session minutes.
Councilor Vazquez seconded the motion. The motion carried.

REPORTS:

Office of the Attorney General - Sara Hill

Ms. Hill reported they continue to work on McGirt related issues. They have added two new attorneys and a paralegal to their staff. They continue to prepare for the post McGirt world which includes speaking to agencies within the state who are involved with law enforcement. They continue to make changes to the criminal code to update in light of the McGirt decision. They had a productive meeting with the office of Juvenile Affairs where they were provided access to the JOLT system. New litigation has been filed in regard to the UKB wanting to obtain a gaming license inside the Cherokee Nation Reservation. The UKB is also taking a case in which they lost in the Cherokee Nation District Court and are appealing to the 10th Circuit. She offered to answer questions. Councilor Shambaugh inquired about a ruling on the Hogner Case. He

inquired as to how many other cases like Hogner have been filed.

Marshal Service - Shannon Buhl

Mr. Buhl announced they had a special operations call in Sequoyah County this month where they assisted in the rescue of some teenagers from a cliff. The jail agreements that will be needed are all in the contracts department now. He announced they would be opening several positions at the Marshal Service. Captain Danny Tanner is retiring December 20th. He offered to answer questions from the report provided. Councilor Patzkowski requested a list of the jail agreements.

FOIA-GRA - Gwen Terrapin

Ms. Terrapin announced year to date there are 10 total requests all of which are FOIA, 3 of those are outstanding. The website has been updated. She offered to answer questions.

Tax Commission - Sharon Swepston

Ms. Swepston offered to answer questions from the report provided.

Gaming Commission - Janice Purcell

Ms. Purcell wasn't available, Ms. Taralee Montgomery offered to take questions on her behalf. Councilor Austin requested a link to the December 18th meeting.

Human Resources - Alana Casteel

Ms. Casteel offered to answer questions from the report provided.

OLD BUSINESS

None pending.

NEW BUSINESS

1. [20-087](#) A RESOLUTION SUPPORTING THE NOMINATION OF DEB HAALAND FOR SECRETARY OF THE INTERIOR
Councilor Vazquez moved to approve. Councilor Taylor seconded the motion. The motion carried.
2. [20-093](#) A RESOLUTION CONFIRMING THE APPOINTMENT OF AMY PAGE AS A DISTRICT JUDGE OF THE CHEROKEE NATION
Councilor Austin made a motion to approve. Councilor Patzkowski seconded the motion. The motion carried. Councilor Shambaugh requested to be added as a sponsor.
3. [20-086](#) A RESOLUTION CONFIRMING THE APPOINTMENT OF REX EARL STARR AS A SUPREME COURT JUSTICE OF THE CHEROKEE NATION
Councilor Crittenden made a motion to approve. Councilor Shambaugh seconded the motion. Councilors Byrd and Shambaugh requested to be added

as sponsors. The motion to approve carried with Councilors Nofire, Coates and Buzzard opposed.

4. [20-088](#) A RESOLUTION CONFIRMING THE NOMINATION OF MATT ANDERSON AS A BOARD MEMBER OF THE CHEROKEE NATIONAL HISTORICAL SOCIETY BOARD OF DIRECTORS
Councilor Vazquez moved to approve the nomination of Matt Anderson. Councilor Duncan seconded the motion. Councilor Dobbins inquired about the other nominees submitted. The motion carried with Councilor Dobbins opposed.
5. [20-089](#) AN ACT AMENDING TITLE 26 SECTION 78(A) OF THE CHEROKEE NATION CODE ANNOTATED TO PROHIBIT THE WITNESSING OR NOTARIZING OF ABSENTEE BALLOTS BY A CANDIDATE
Councilor Duncan moved for discussion only as a friendly amendment. Councilor Dobbins seconded the motion in agreement to the discussion only. Councilor Dobbins gave an overview of the reason for this amendment of a candidate to notarize absentee ballots.
6. [20-090](#) AN ACT RELATING TO PROVIDING A MEMORIAL TO FAMILIES OF EMPLOYEES WHOSE DEATHS HAVE RESULTED FROM COVID-19
Councilor Duncan made a motion to approve. Councilor Vazquez seconded the motion. Councilor Duncan gave an overview of the legislation provided as the Ketcher Deason Act. Councilor Duncan gave a brief background of Ms. Ketcher and Councilor Crittenden gave a brief background of Ms. Deason. Councilor Byrd inquired about the number this could possibly effect. Councilor Nofire inquired about extending to all employees who pass while on the job. All Councilors requested to be sponsors. The motion to approve carried.
7. [20-095](#) AN ACT AMENDING TITLE 47 OF THE CHEROKEE NATION CODE ANNOTATED AND DECLARING AN EMERGENCY
Councilor Dobbins made a motion to approve. Councilor Shambaugh seconded the motion. The motion carried.
8. [20-094](#) AN ACT AMENDING TITLE 21 OF THE CHEROKEE NATION CODE ANNOTATED AND DECLARING AN EMERGENCY
Councilor Deere commented this is the Wilma Mankiller Protection Act.
Councilor Shambaugh made a motion to approve. Councilor Vazquez seconded the motion. The motion carried.
9. [20-091](#) DISCUSSION AND POSSIBLE ACTION - AMENDING THE TRIBAL COUNCIL RULES OF PROCEDURE TO ADD D. TO SECTION III
An amended policy was provided by handout. Chair Byrd gave an overview of the reasoning for this amendment to our policy. Councilor Duncan inquired what is in place now if someone violates. Councilor Attorney, Tim Brown, gave an overview of the changes and if someone were to violate. Following additional discussion Councilor Vazquez suggested a possible work group.
Chair Byrd requested this be tabled with the possibility of forming a work group.

10. [TMP-390](#) DISCUSSION ONLY - MOTOR FUELS TAX POLICY

Councilor Buzzard commented he was going to bring this forward in Resolution form but requested the input from the Council first. He stated currently all districts get the same amount of funding no matter how many law enforcement agencies they have and he is considering amending to disburse funding by agencies rather than by district like the rural volunteer fire department funds. He stated he has eleven agencies in his district where some districts have three. Following discussion and a request of the Chief of Staff to do a population study Councilor Buzzard commented as long as you put the money where the need is you can't go wrong. He gave appreciation for the discussion.

ANNOUNCEMENTS

ADJOURNMENT

Councilor Taylor made a motion to adjourn. Councilor Duncan seconded the motion. The motion carried at 10:18 a.m.

STAFF PRESENT:

Sara Hill Taralee Montgomery Todd Enlow
Bryan Warner Tina Glory Jordan

Remote:
Shannon Buhl Alana Casteel Gwen Terrapin
Sharon Swepston

VISITORS PRESENT:

Teddye Snell Amy Page Rex Earl Starr

Remote:
Tim Brown