



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

Thursday, September 24, 2020

1:00 PM

Tribal Council Offices

CALL TO ORDER

Chair Byrd called the meeting to order at 1:00 p.m.

INVOCATION

Councilor Buzzard gave the invocation.

ROLL CALL

Councilor Crittenden attended remotely.

Present 17 - 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; Daryl Legg; Shawn Crittenden; Dora Patzkowski; Joe Deere; Keith Austin and Julia Coates

APPROVAL OF MINUTES

Councilor Taylor made a motion to approve the August regular session minutes as submitted. Councilor Vazquez seconded the motion. The motion carried.

REPORTS:

Marshal Service - Shannon Buhl

Captain Scot Craig offered to answer questions from the Marshal's report.

Office of the Attorney General - Sara Hill

Attorney General Hill gave an update on all pending cases. She reported the Sovereignty Commission continues to meet. Councilor Legg requested confirmation the maximum a murder case can be prosecuted for by a tribe is three years. Councilor Buzzard inquired about the number of cases expected to come in the near future. Chair Byrd requested our employee in the AG's office who is staffed in the U.S. Attorney's office to report to this committee to provide a case load update since the McGirt decision. Councilor Legg inquired about the budget for incarceration.

FOIA-GRA - Gwen Terrapin

Ms. Terrapin reported there are six total FOIA requests with one of those outstanding. There aren't any GRA requests at this time. The website has been updated.

Tax Commission - Sharon Sweptston

Ms. Sweptston offered to answer questions from the report provided. Chair Byrd inquired if the in person visits have slowed down. Councilor Shaw inquired if the ground breaking is still scheduled for next week. Chair Byrd inquired about a new hire in Jay.

Gaming Commission - Janice Purcell

Ms. Purcell reported they are finishing their end of the year audit. They continue to have their commissioners meeting by webex. She offered to answer questions from the report provided.

Human Resources - Alana Casteel

Ms. Casteel offered to answer questions from the report provided. Councilor Deere inquired if the hiring process has been sped up.

OLD BUSINESS

None pending.

NEW BUSINESS

1. [20-050](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF VIVIAN GARNER COTTRELL AS AN ADVISORY MEMBER OF THE CHEROKEE NATIONAL TREASURES ADVISORY COMMITTEE
Councilor Vazquez moved to approve. Councilor Shaw seconded the motion. All Councilors requested to be added as sponsors. The motion to approve carried.
2. [20-051](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF VRYL KEETER AS AN ADVISORY MEMBER OF THE CHEROKEE NATIONAL TREASURES ADVISORY COMMITTEE
Councilor Duncan moved to approve. Councilor Taylor seconded the motion. All Councilors requested to be added as sponsors. The motion to approve carried.
3. [20-052](#) A RESOLUTION CONFIRMING THE APPOINTMENT OF KENDRA MCGEADY AS MEMBER OF THE CHEROKEE NATION GAMING COMMISSION
Councilor Austin moved to approve. Councilor Patzkowski seconded the motion. Councilor Taylor requested to be added as a sponsor. The motion carried.
4. [20-053](#) A RESOLUTION AUTHORIZING A LIMITED WAIVER OF SOVEREIGN IMMUNITY IN CONNECTION WITH THE OKLAHOMA TOBACCO SETTLEMENT ENDOWMENT

TRUST COOPERATIVE AGREEMENT

Councilor Legg made a motion to approve. Councilor Shambaugh seconded the motion. Councilor Taylor requested clarification that this is pertaining to choice of law and venue to be able to receive grants. The motion to approve carried.

- 5. [20-054](#) ACT RELATING TO THE NAMING OF THE SALLIE BYRD SEVENSTAR COMMUNITY CENTER

Councilor Legg moved to approve. Councilor Deere seconded the motion. All Councilors requested to be added as sponsors. The motion to approve carried by acclimation.

- 6. [20-055](#) CHEROKEE HERITAGE CENTER ACT OF 2020

Councilor Vazquez moved to approve. Councilor Duncan seconded the motion. All Councilors requested to be added as sponsors. The motion to approve carried by acclimation.

- 7. [20-058](#) AN ACT REVISING AND RESTATING TITLE 26 ("ELECTIONS") OF THE CHEROKEE NATION CODE ANNOTATED

Councilor Dobbins made a motion to approve the substitute version provided today. Councilor Austin seconded the motion. Councilor Dobbins gave a brief overview of the work group process and gave appreciation to all involved. Attorney General Hill provided a handout of 3 amendments for consideration. She provided an overview of the suggested amendments. Councilor Dobbins requested Council Attorney Brown give an opinion of the proposed amendments submitted by the AG.

Following discussion of the proposed amendments Councilor Duncan offered a friendly amendment to accept the AG's amendment 1 (21 CNCA § 72) and 3 (21 CNCA § 105). The friendly was accepted.

The motion to approve substitute version 4 with the friendly amendment carried with the following roll call vote:

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

Nay: 1 - Rex Jordan

- 8. [20-056](#) AN ACT AMENDING TITLE 26 SECTION 5 OF THE CHEROKEE NATION CODE ANNOTATED TO RECOGNIZE THE TRADITIONAL CHEROKEE NAMES OF THE REPRESENTATIVE DISTRICTS

Councilor Duncan moved to approve version 2 provided. Councilor Shambaugh seconded the motion. Councilor Vazquez requested District 11 be Cooweescoowee North. Councilor Austin suggested tabling due to some of the names not being traditional names as stated in the legislation. Following additional discussion the motion to approve as amended carried with no opposition.

9. [20-057](#)

AN ACT AMENDING TITLE 26 SECTION 78 OF THE CHEROKEE NATION CODE ANNOTATED TO ENHANCE AND EXPAND THE VERIFICATION OF IDENTIFICATION OF CHEROKEE CITIZENS VOTING THROUGH ABSENTEE BALLOTS

Councilor Coates made a motion to approve. Councilor Shaw seconded the motion. Councilor Coates gave an explanation of the reasoning behind the amendment. Councilor Taylor offered a friendly amendment to strike “in the presence of two (2) witnesses” in both places in the new language and to strike “or their Cherokee Nation issued voter identification card” in both places in the new language. Following discussion the friendly amendment was accepted.

The motion to approve with the friendly amendment carried with the following roll call vote:

Yea: 10 - Janees Taylor; Victoria Vazquez; Harley Buzzard; Mary Baker Shaw; Wes Nofire; Daryl Legg; Shawn Crittenden; Dora Patzkowski; Joe Deere and Julia Coates

Nay: 7 - Joe Byrd; E. O. "JR." Smith; Mike Shambaugh; Mike Dobbins; Canaan Duncan ; Rex Jordan and Keith Austin

ANNOUNCEMENTS

ADJOURNMENT

Councilor Taylor made a motion to adjourn. Councilor Vazquez seconded the motion. The motion carried at 2:35 p.m.

STAFF PRESENT:

*Sara Hill Tina Glory Jordan Todd Enlow
Taralee Montgomery Chuck Hoskin Jr.*

*Remote:
Janice Purcell Gwen Terrapin Scot Craig
Sharon Swepston Alan Casteel*

VISITORS PRESENT:

*Pam Sellers Kendra McGeady Brenda Partain
Harvey Chaffin Teddye Snell Tim Brown
Liz Ballew*

*Remote:
Travis Owens*