

**MINUTES OF
TRIBAL COUNCIL MEETING – REGULAR SESSION
MONDAY, SEPTEMBER 10, 2007**

CALL TO ORDER:

Speaker Frailey called the meeting to order at 6:00 p.m. in the Tribal Council Chambers, W.W. Keeler Complex.

INVOCATION:

Councilor Crittenden gave the invocation.

ROLL CALL:

Gayle Miller, Legislative Special Assistant gave roll call. The following members were present:

Buel Anglen	Bill John Baker	Jack D. Baker
Harley Buzzard	Julia Coates	Brad Cobb
Joe Crittenden	Jodie Fishinghawk	Meredith Frailey
Janelle Fullbright	Don Garvin	Chuck Hoskin, Jr.
Tina Glory-Jordan	Curtis Snell	Chris Soap
David Thornton	Cara Cowan Watts	

A quorum was present to conduct business.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Councilor Anglen moved to approve the minutes of the August 13th Regular Session. Councilor Bill John Baker seconded the motion. Motion carried.

Councilor Bill John Baker moved to amend the agenda to add as item #19, the FY 2008 budget to allow the Council to approve the budget at a reconvened council meeting. Councilor Cowan Watts seconded the motion. Motion passed.

Councilor Bill John Baker moved to withdraw item #4 which was tabled in committee. Councilor Garvin seconded the motion. Motion passed.

STATE OF THE NATION ADDRESS:

Chief Smith expressed his personal appreciation to all employees and other volunteers who the Cherokee Holiday a wonderful experience for all visitors and the Cherokee people. He requested a moment of silence to pay respect to members and friends who have passed this last month. Veterans honored this month were Charles Bud Carey and Sammy James Carey. Applications are currently being taken for the Cherokee Nation Tribal Youth Council for member districts 5-7. Interested persons may contact Reba Bruner for the application and the deadline is September 21st, 2007. Congressman Watson from North Carolina introduced an amendment to the NAHASDA authorization bill that would remove Cherokee Nation housing funds because he disagrees with the constitutional amendment that the Cherokees passed on May 3rd stating that we should remain as an Indian Tribe made up of Indians. This issue is currently before three

separate courts. Congressman Dan Boren introduced another amendment which assures continued housing funding for the Cherokee people while the case is pending in tribal court. If you would like any information on these issues of sovereignty and citizenship of the Freedmen feel free to call the Washington office or look up their address on our website under Cherokee voice.com. He introduced the nominees for cabinet and Supreme Court appointments. Kathy Sierra received her master's level in the Cherokee Language.

ACTION OF UNFINISHED BUSINESS: (None Pending)

MONTHLY REPORTS:

Housing Authority: David Southerland

David Southerland announced the HACN Board meeting has been rescheduled to September 12, 2007 at 5:30 p.m. in the Alyene Hogner conference room. The Community Shield Program is a home ownership coverage program that provides up to \$80,000 replacement cost coverage on the dwelling and \$10,000 personal property coverage and they have just under 2200 families on the program. They currently have 2000 families on the Home Ownership Program and these are homes that were developed through mutual help. They have 923 rental units and 90% are occupied. They have 170 employees of which are 97% Native American.

Cherokee Nation Enterprises: Shaun Slaten

Shaun Slaten reported the month of July 2007 had a 20% increase compared to July of last year. He gave brief updates on the Cherokee Holiday activities and the expansion projects. They currently have 3200 employees with 71% being Native American and 51% are Cherokee.

Cherokee Nation Industries: Dennis McLemore

Dennis McLemore reported they are transitioning their year end of June 30th to September 30, 2007 to match Cherokee Nation and the other tribal entities. He reported \$9.3 million in sales. They are currently remodeling the old Wal-Mart and will be moving some of the manufacturing over to the building. They have 230 employees with 90% Native American. The next board meeting is scheduled for September 24th at 3:00 p.m. with the location to be announced at a later date.

Cherokee Nation Businesses, Inc: Brad Carson

Brad Carson reported they are now the sole share holders of CNE and CNI and soon to be the sole share holder of debit companies affiliated with Cherokee Nation Industries such as Cherokee Nation Distributors and Cherokee Nation Medical Services. They provide seven shared services and do so effectively and efficiently. They will provide about \$4 million dollars of shared services to CNE and half a million dollars to CNI. In addition to providing the shared services they are responsible for diversification and capital allocation. The bulk of their employees are Native American. They have 47 authorized positions with 46 of those currently filled and approximately two-thirds of those are Cherokee.

OLD BUSINESS: (None Pending)

NEW BUSINESS:

Councilor Snell moved for approval from the Council to approve items 1, 2, and 3 in Toto as they are grant applications to the EPA. Councilor Bill John Baker seconded the motion. There were no objections. Motion passed.

Resolution Authorizing Cherokee Nation Environmental Programs Group to Submit a Formal Grant Application to the U.S. Environmental Protection Agency Hazardous Waste Management Program for Tribes/R#72-07

A Resolution Authorizing the Environmental Programs to Submit a Formal Grant Application to the U.S. Environmental Protection Agency for a Tribal Pesticides Grant/R#73-07

A Resolution Authorizing the Cherokee Nation Office of Environmental Programs to Submit a Formal Grant Application to the U.S. Environmental Protection Agency for a Brownfield's Cleanup Grant/R#74-07

Councilor Snell moved for approval of Resolutions 1, 2, and 3 in Toto. Councilor Jack Baker seconded the motion. Motion passed.

A Resolution to Institute Tribal Preference Requirements on Land Leases/R#

Speaker Frailey stated this item was withdrawn.

A Resolution Authorizing Cherokee Nation Child Care and Development to Submit an Application for Participation in the Statewide Early Childhood Pilot Project/R#75-07

Councilor Buzzard moved for the approval of the Resolution. Councilor Bill John Baker seconded the motion. Motion passed.

A Resolution Confirming the Appointment of Callie Marie Catcher as Treasurer of the Cherokee Nation/R#76-07

Councilor Buel Anglen moved for approval of the appointment. Councilor Cowan Watts seconded the motion. Motion passed.

A Resolution Confirming the Appointment of Melanie Knight as Secretary of State of the Cherokee Nation/R#77-07

Councilor Bill John Baker moved for approval of the appointment. Councilor Crittenden seconded the motion. Motion passed.

A Resolution Confirming the Nomination of Troy Wayne Poteet as a Justice of the Cherokee Nation Supreme Court/R#78-07

Councilor Garvin moved for approval of the nomination. Councilor Fullbright seconded the motion. Roll call is as follows:

Buel Anglen	<u>Yea</u>	Bill John Baker	<u>Nay</u>
Jack D. Baker	<u>Yea</u>	Harley Buzzard	<u>Yea</u>

Julia Coates	<u>Yea</u>	Brad Cobb	<u>Yea</u>
Joe Crittenden	<u>Nay</u>	Jodie Fishinghawk	<u>Nay</u>
Meredith Frailey	<u>Yea</u>	Janelle Fullbright	<u>Yea</u>
Don Garvin	<u>Yea</u>	Chuck Hoskin, Jr.	<u>Nay</u>
Tina Glory-Jordan	<u>Nay</u>	Curtis Snell	<u>Yea</u>
Chris Soap	<u>Yea</u>	David Thornton	<u>Yea</u>
Cara Cowan Watts	<u>Yea</u>		

The motion for approval of Troy Poteet as a Justice of the Cherokee Nation Supreme Court passed by a vote of twelve (12) yeas; five (5) nays.

A Resolution Confirming the Renomination of Robert Jenkins as a Commissioner of the Cherokee Nation Tax Commission/R#79-07

Councilor Cowan Watts moved for approval of the renomination. Councilor Anglen seconded the motion. Motion passed with opposition from Councilor Glory-Jordan and Fishinghawk.

A Resolution Confirming the Renomination of Mark Fredrick as a Member of the Cherokee Nation Environmental Protection Commission/R#80-07

Councilor Garvin moved for approval of the appointment. Councilor Cowan Watts seconded the motion. Motion passed.

A Legislative Act Defining Nepotism, and Defining Acceptable Parameters for Employment and Contracting and Amending Title 28, "Ethics", Adding New Sections, and Repealing Certain Sections of the Cherokee Nation Code Annotated/LA#34-07

Councilor Cobb stated the purpose of this Act is to codify the issues relating to conflicts of interest pertaining to employees and appointed and elected officials of the Cherokee Nation; use businesses owned wholly or partially by Cherokee Nation employees and appointed and elected officials; employment of relatives of elected officials, including the prohibition of nepotism; and the parameters under which Cherokee Nation employees and officials must operate with respect to conflicts of interest. Councilor Cobb moved for approval of the Legislative Act. Councilor Cowan Watts seconded the motion. Councilor Jack Baker offered a friendly amendment in Title 28, section 3; paragraph F, to strike Cherokee National Historical Society, Inc. because it is not an owned entity of the Cherokee Nation. Also in paragraph J, strike Cherokee Heritage Center because it is ran by the Cherokee National Historical Society. Councilor Cobb accepted the friendly amendments. Roll call is as follows:

Joe Crittenden	<u>Nay</u>	Jodie Fishinghawk	<u>Abstain</u>
Meredith Frailey	<u>Yea</u>	Janelle Fullbright	<u>Yea</u>
Don Garvin	<u>Yea</u>	Chuck Hoskin, Jr.	<u>Nay</u>
Tina Glory-Jordan	<u>Abstain</u>	Curtis Snell	<u>Yea</u>
Chris Soap	<u>Nay</u>	David Thornton	<u>Nay</u>
Cara Cowan Watts	<u>Yea</u>	Buel Anglen	<u>Yea</u>
Bill John Baker	<u>Abstain</u>	Jack D. Baker	<u>Yea</u>
Harley Buzzard	<u>Yea</u>	Julia Coates	<u>Yea</u>
Brad Cobb	<u>Yea</u>		

The motion for approval of the Legislative Act passed by a vote of ten (10) yeas; four (4) nays, three (3) abstentions.

A Resolution Authorizing the Development and Submission of a Three-Year Plan P.L. 102-477 Program Activities/R#81-07

Councilor Jack Baker moved for approval of the Resolution. Councilor Cowan Watts seconded the motion. Motion passed.

An Act Amending Legislative Act #26-06 Authorizing the Comprehensive Budget for Fiscal Year 2007 – Mod. 11; Declaring an Emergency/LA#35-07

Councilor Jack Baker stated mod 11 increases the budget by \$2,079, 294. He offered an amendment to add an additional \$50,000 for the Vocational Education students and this would increase the budget by an additional \$50,000. Councilor Jack Baker moved for approval of Mod. 11 with the amendment. Councilor Cowan Watts seconded the motion. Roll call is as follows:

Curtis Snell	<u>Yea</u>	Tina Glory-Jordan	Yea
Chuck Hoskin, Jr.	<u>Yea</u>	Don Garvin	<u>Yea</u>
Janelle Fullbright	<u>Yea</u>	Meredith Frailey	<u>Yea</u>
Jodie Fishinghawk	<u>Yea</u>	Joe Crittenden	<u>Yea</u>
Brad Cobb	<u>Yea</u>	Julia Coates	<u>Yea</u>
Harley Buzzard	<u>Yea</u>	Jack D. Baker	<u>Yea</u>
Bill John Baker	<u>Yea</u>	Buel Anglen	<u>Yea</u>
Cara Cowan Watts	<u>Yea</u>	David Thornton	<u>Yea</u>
Chris Soap	<u>Yea</u>		

The motion for approval of Mod 11 with the amendment passed unanimously.

A Legislative Act Amending Title 19 “Council” §11 of the Cherokee Nation Code Annotated, as Amended by Legislative Act #4-95; Relating to Establishing of Standing Committees; and Declaring an Emergency/LA#36-07

Councilor Jack Baker moved for approval of the Legislative Act. Councilor Cowan Watts seconded the motion. Motion passed.

A Resolution for Administrative Supervision of Legislative Staff and Communication with Other Branches of Government/R#82-07

Councilor Anglen moved for approval of the Resolution. Councilor Garvin seconded the motion. Motion passed.

A Resolution Electing the Office of Secretary of the Tribal Council/R#83-07

Councilor Bill John Baker moved for approval of Councilor Garvin for the Office of Secretary of the Tribal Council. Motion passed.

A Resolution Electing the Office of Speaker for the Cherokee Nation Tribal Council/R#84-07

Councilor Jack Baker moved for approval of Councilor Frailey for the Office of Speaker for the Cherokee Nation Tribal Council. Motion passed.

A Resolution Electing the Office of Deputy Speaker for the Cherokee Nation Tribal Council/R#85-07

Councilor Anglen moved for approval of Councilor Cowan Watts for the Office of Deputy Speaker for the Cherokee Nation Tribal Council. Councilor Garvin seconded the motion. Roll call is as follows:

Harley Buzzard	<u>Yea</u>	Julia Coates	<u>Yea</u>
Brad Cobb	<u>Yea</u>	Joe Crittenden	<u>Nay</u>
Jodie Fishinghawk	<u>Nay</u>	Meredith Frailey	<u>Yea</u>
Janelle Fullbright	<u>Yea</u>	Don Garvin	<u>Yea</u>
Chuck Hoskin, Jr.	<u>Nay</u>	Tina Glory-Jordan	<u>Nay</u>
Curtis Snell	<u>Yea</u>	Chris Soap	<u>Yea</u>
David Thornton	<u>Yea</u>	Cara Cowan Watts	<u>Yea</u>
Buel Anglen	<u>Yea</u>	Bill John Baker	<u>Yea</u>
Jack D. Baker	<u>Yea</u>		

The motion for approval of Councilor Cowan Watts for the Office of Deputy Speaker for the Cherokee Nation Tribal Council passed by a vote of thirteen (13) yeas; four (4) nays.

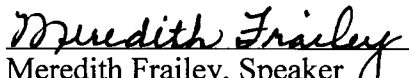
FY 2008 Comprehensive Budget/LA#

Councilor Bill John Baker stated because Council has not gone completely through the FY 2008 budget he moved to recess this council meeting until 5:00 p.m. on September 12, 2007. Councilor Jack Baker seconded the motion. Motion carried.

ANNOUNCEMENTS:

ADJOURNMENT:

With no further business presented, Councilor Johnson moved for adjournment. The next regular Council meeting will be held on October 15th, 6:00 p.m. at the W.W. Keeler Complex.


Meredith Frailey, Speaker
Council of the Cherokee Nation