



Council of the Cherokee Nation

Meeting Minutes

Executive and Finance Committee

Thursday, August 28, 2008

3:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Jack Baker called the meeting to order at 3:25 p.m.

INVOCATION

Councilor Snell gave the invocation.

ROLL CALL

- Present** 12 - Bill John Baker; Don Garvin; Meredith Frailey; Cara Cowan Watts; Buel Anglen; Jack D. Baker; Jodie Fishinghawk; Harley Buzzard; Curtis Snell; Chris Soap; Bradley Cobb and Julia Coates
- Late Arrival** 5 - S. Joe Crittenden; David Thornton Sr. ; Tina Glory Jordan; Janelle Fullbright and Chuck Hoskin, Jr.

APPROVAL OF MINUTES

Councilor Cowan Watts made a motion to approve the July 31st regular session, July 31st PAC sub committee, August 11th PAC sub committee and the August 11th TERO sub committee minutes. Councilor Anglen seconded the motion. Motion carried.

REPORTS:

Chair Baker introduced Edgar Garayua from the U.S. Border Patrol Recruitment Officer from Arthur, Texas. He stated he had been visiting with the Talking Leaves Job Corp and Sequoyah High School in regard to careers as a U.S. Border Patrol Agent. He will have a booth set up in the main complex over the holiday. He stated they are trying to hire 6000 new agents. They are trying to diversify by bringing in a lot of minorities. He gave appreciation to the warm welcome given by Mr. Darrell Legg of the Talking Leaves Job Corp and the Cherokee Nation.

Financial Report/Treasurer Report - Callie Catcher

Ms. Catcher announced her report had been provided. She stated she had been requested to give a report on the mileage reports. She stated the Cherokee Nation reimburses employees for use of personal vehicles if used for tribal business. The policy states you must turn in a local travel statement with both beginning and ending odometer. She stated Councilor Hoskin pointed out the obvious that tools such as map quest and google exist. She stated standard trips the map quest mileage can be provided instead of the odometer readings. The reason for the policy is two fold: most of our funding does have some federal ties, and if there isn't an accountable plan it becomes taxable income to the employees. She stated as long as the employee states the tribal business it is not considered taxable income. Councilor Fishinghawk inquired if the landfill is included in the 2009 budget. Ms. Catcher stated it is her intent for it to not be in the budget. She stated agreements have been

executed with CNB. Councilor Fishinghawk requested a statement of cost for the landfill over the last budget cycle.

Cherokee Nation Enterprises - David Stewart

Mr. Shawn Slaton reported last month was yet another great month for the company. He stated they continue to see no down turn and in fact stronger earnings and customer visits than ever. The Cherokee employment is holding at the 60% mark. On Wednesday Brent Thompson has invited the Council to attend the HR recruitment plan presentation in Catoosa. He announced they are beginning the outside touches on the Siloam Springs project. The plan is to have the building turned over to CNE on October 15th with anticipation of opening on the 10th of November.

Cherokee Nation Industries - Dennis McLemore

Mr. McLemore reported at the end of July they had \$7.2ml in cash, \$13ml in accounts receivable, \$10ml in accounts payable and equity of \$21.5ml. For the ten months ending they had \$31ml in sales and a \$1.9ml operating loss. Councilor Bill John Baker inquired when they foresee the trend turning around. He stated we just forgave \$14ml in debts. Mr. McLemore stated the budget for next year shows a turn around.

Cherokee Nation Businesses - Brad Carson

Mr. Ed Bryce reported there are two acquisitions in process currently. He announced Mr. Carson is attending the Democratic National Convention. Councilor Bill John Baker requested Mr. Carson review CNI's financial.

Career Services/Employment - Diane Kelley

Ms. Kelley announced they will be attending some area football games where they will be throwing out footballs with their contact information as well as setting up tents to provide information. She announced a presentation will be held at Northeastern on September 3rd to help recruit for CNI. Councilor Glory-Jordan inquired if it had been considered to extend the SYEP. Ms. Kelley stated she would look to see if there are remaining funds in the budget and provide an update at the Education & Culture meeting.

Commerce - Anna Knight

Ms. Shay Smith handed out a brief summary report on the loan loss reserve. Councilor Glory-Jordan asked if any had been written off or if this is for the future. Ms. Smith stated this is for future use. Councilor Glory-Jordan inquired if they concur with the Attorney General's office with the collections. Ms. Smith stated they have full time collections officer in their office. The Attorney General's offices does assist with foreclosure.

CONSENT ITEMS:

T.E.R.O. CERTIFICATIONS

Councilor Bill John Baker moved to accept as submitted. Councilor Thornton seconded the motion. Motion carried.

ROADS

Mr. Doug Evans announced the roads list has been slightly amended and provided an updated report.

Councilor Cowan Watts made a motion for approval as amended. Councilor Buzzard seconded the motion. Motion carried.

COMMUNITY ASSISTANCE

Mr. Evans provided an updated list. Chair Baker gave time for the committee to review the requests.

Councilor Thornton made a motion to approve as submitted. Councilor Bill John Baker seconded the motion.

LAW ENFORCEMENT REQUESTS

Mr. Evans announced the following additions to the report:

Town of Marble City - Thornton/Fullbright - \$2380 each

City of Owasso - Anglen - \$3970

City of Skiatook - Anglen - \$3970

Adair Police Department - Soap - \$3930

South Coffeerville - Hoskin - \$3450

Councilor Thornton made a motion to approve. Councilor Soap seconded the motion. Motion carried.

COMMUNITY ASSISTANCE

Councilor Frailey made a motion to revise the Community Assistance requests. Councilor Soap seconded the motion. Motion carried.

Councilor Fishinghawk requested Proctor Cemetery be changed from \$704 to \$1,000 each from her and Councilor Crittenden. She stated the Bell Community Organization and the Cherokee Progressive Organization are two different people from the same community so the Progressive stays at \$500 each but the Bell Community Organization needs to change to \$250 each instead of \$750 each. Councilor Glory-Jordan requested the description change on the Tahlequah Public Schools. Councilor Anglen requested his remaining balance go to the Victory Cherokee Organization of Collinsville. Mr. Evans announced there is one more opportunity at the September meeting. These funds have already been appropriated. Councilor Fullbright stated she has a request but is unsure how to make the correction. She stated she has just become aware she has given an organization more than she had intended to. She stated she is unsure if it was a miscommunication but earlier she had given the Belfonte Community building a \$1000 and just recently gave an additional \$1000 for the roof. She stated Councilor Thornton gave \$2500 but on the print out it shows Councilor Thornton giving \$1,000, Crittenden \$250, Fishinghawk \$425, and \$825 from her. She stated she has a zero balance at this time. Mr. Evans stated the last check had been cut in June. Councilor Fullbright stated she doesn't know what to do other than communicate more closely with the secretary.

Councilor Crittenden made a motion to approve the revised list of community assistance. Councilor Thornton seconded the motion. Motion carried.

CEMETERY RESTORATION ASSISTANCE APPLICATIONS

Mr. Evans announced there is one additon to the cemetery requests for Old Green Cemetery in Adair County.

Councilor Fishinghawk made a motion to add Old Greene Cemetery to the list for approval. Councilor Soap seconded the motion. Motion carried.

Councilor Bill John Baker made a motion to approve the cemetery applications. Councilor Buzzard seconded the motion. Motion carried.

OLD BUSINESS

DISTRICT COMMUNITY MEETINGS

Mr. Hembree stated based on last months meeting he has incorporated some of the comments into the revised guidelines provided. He stated these guidelines would be better used if as broad as possible. The changes are to accommodate staggered terms. He gave an overview of the changes made. Councilor Hoskin Jr. requested an exception made for District 1 Cherokee County where it is the only district cut through the middle of a town. Mr. Hembree stated there need to be lines drawn somewhere. He stated it is the will of the Council. He is trying to de politics and reduce the potential for abuse. Councilor Thornton voiced concern for the employees attending the At Large hog fry and getting paid but they are able to do the same in district. Councilor Cowan Watts moved to approve as recommended by Mr. Hembree with the exception to allow employees to be paid for in district meetings as well. Councilor Anglen seconded the motion. Councilor Coates clarified the miss conception that the employees were paid to produce the hog fry. She stated they were not, it was done all on a voluntary basis. The lodging was paid for them but they were not paid for their services. She stated she objects to the idea that the At Large Districts being treated the same as the in jurisdiction districts. Councilor Glory-Jordan suggested a friendly amendment to #3 that would state "except when no appropriate facility exist then the meeting could be held within 2 miles of the district line. Councilor Cowan Watts inquired who determines "appropriate". Mr. Hembree once again tried to make it as clear as possible that he doesn't want this used negatively in the future. He stated it is asking for criticism when employees are asked to participate in community meetings on Cherokee Nation funds. He stated funds are being provided for these events and if an employee is asked to work at the community meeting then they should be paid out of those funds but not be on Cherokee Nation time when done. He suggested changing the friendly amendment to include the receiving councilor is in agreement. Councilor Cowan Watts and Anglen accepted the friendly agreement if approved by the majority of the council through the executive and finance committee. Councilor Thornton stated he has been told if employees help cook at a community meeting in district they must take annual or sick leave. He stated the employees who assisted outside of the jurisdiction didn't have to take annual or sick leave. They were paid out of a budget set aside. Ms. Catcher offered to run reports and provide clarification. Mr. Hembree reminded everyone when the departments set up booths at the community meetings that they are performing their job and should get paid. Councilor Cowan Watts amended the motion to remove the geographical boundaries at this time to be able to move forward. Councilor Anglen agreed. Mr. Hembree stated this will not change the election laws.

Councilor Thornton made a motion to table. Councilor Hoskin Jr. seconded the motion. Motion carried.

NEW BUSINESS

AN ACT AMENDING LEGISLATIVE ACT #37-07 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2008 - MOD 11; AND DECLARING AN EMERGENCY

Councilor Cowan Watts made a motion to approve with the five additions. Councilor Garvin seconded the motion. Motion carried with additions.

ANNOUNCEMENTS

ADJOURNMENT

Councilor Cowan Watts made a motion to adjourn. Councilor Crittenden seconded the motion. Motion carried at 4:45 p.m.

STAFF PRESENT:

*Callie Catcher
Darrell Legg
Laura Adair*

*Doug Evans
Shay Smith*

*Diane Kelley
Rick Richards*

VISITORS PRESENT:

*Shawn Slaton
Bryan Collins*

*Ed Bryce
Todd Hembree*

*Edgar Garayua
Dennis McLemore*

APPROVAL / DISTRIBUTION

Minutes submitted by: Shelli Brittain, Legal & Legislative Coordinator

Motion to approve minutes made by:

Minutes attested and concurred by:

Date:

9/25/08

Bradley Cobb
Cowan Watts