



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
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Tuesday, November 15, 2011

9:00 AM

Legislative Conference Room

CALL TO ORDER

Chair Frailey called the meeting to order at 9:10 a.m.

INVOCATION

Councilor Lay gave the invocation.

ROLL CALL

Present 11 - Buel Anglen; Chuck Hoskin, Jr. ; David Thornton Sr. ; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Jodie Fishinghawk; Janelle Fullbright; Dick Lay; Lee Keener Jr. and Julia Coates

Late Arrival 4 - Curtis Snell; Don Garvin; Tina Glory Jordan and David Walkingstick

AMEND THE AGENDA

Councilor Thornton moved to amend the agenda to move the nominations prior to the reports. Councilor Cowan Watts seconded the motion. The motion carried.

APPROVAL OF MINUTES

Councilor Jack D. Baker moved to approve the October 10th special session and the October 27th regular session minutes. Councilor Keener seconded the motion. The motion carried.

REPORTS:

Chair Frailey announced with the agenda being rather extensive she requested the oral reports be dispensed and accept the written reports. Councilor Cowan Watts moved to accept. Councilor Anglen seconded the motion. The motion carried.

Marshal Service - Sharon Wright

Office of the Attorney General - Diane Hammons

GEG Investigation Report - Diane Hammons

Election Commission - Susan Plumb

Tax Commission - Sharon Swepston

Self-Governance - Vickie Hanvey

Gaming Commission - Jamie Hummingbird

Codification - Todd Hembree

Youth Leadership Council - Todd Enlow

Registrar Citizenship Data Update - Todd Enlow

NEW BUSINESS

1. [11-126](#) A RESOLUTION CONFIRMING THE NOMINATION OF BRENT TAYLOR AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC

Councilor Thornton moved to approve the nomination of Mr. Taylor. Councilor Hoskin Jr. seconded the motion. After Mr. Taylor gave an overview of his background and qualifications he answered numerous questions. Councilor Jack D. Baker offered a friendly amendment to add the following language “the approval is contingent upon the appointee applying for and receiving all applicable licenses and clearances needed to perform the functions of office. If said appointee fails to receive said licenses and clearances within a reasonable time the approval is rescinded.” The friendly amendment was accepted.

After additional questions and discussion the motion to approve carried with Councilors Cowan Watts and Coates opposed.
2. [11-127](#) A RESOLUTION CONFIRMING THE NOMINATION OF BOB BERRY AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC

Councilor Hoskin Jr. moved to approve. Councilor Glory-Jordan seconded the motion. Mr. Berry gave a brief overview of his background. Councilor Jack D. Baker offered the same friendly amendment. The amendment was accepted.

After several questions were asked the motion to approve carried with Councilor Keener opposed.
3. [11-128](#) A RESOLUTION CONFIRMING THE NOMINATION OF REX EARL STARR AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC

Councilor Fullbright moved to approve. Councilor Fishinghawk seconded the motion. Councilor Jack D. Baker offered the same friendly amendment which was accepted.

Mr. Starr gave a brief overview of qualifications and answered numerous questions. Councilors Fullbright, Fishinghawk and Snell requested to be added as sponsors.

The motion for approval carried by the following vote.

Yea: 11 - Chuck Hoskin, Jr. ; Curtis Snell; David Thornton Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay and David Walkingstick

Nay: 4 - Buel Anglen; Cara Cowan Watts; Lee Keener Jr. and Julia Coates

4. [11-129](#)

A RESOLUTION CONFIRMING THE NOMINATION OF TOMMYE SUE BRADSHAW WRIGHT AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC

Councilor Glory-Jordan moved to approve. Councilor Hoskin Jr. seconded the motion. Councilor Jack D. Baker offered his friendly amendment and was accepted. Ms. Wright gave an overview of her background and answered several questions.

The motion to approve carried with Councilors Frailey and Keener opposed.

5. [11-130](#)

A RESOLUTION CONFIRMING THE NOMINATION OF MICHAEL WATKINS AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC

Councilor Glory-Jordan moved to approve. Councilor Lay seconded the motion. Councilor Jack D. Baker offered his friendly amendment which was accepted. Mr. Watkins gave an overview of his qualifications and answered numerous questions.

The motion carried with Councilor Coates opposed.

RECESS

Councilor Cowan Watts requested a 5 minute break.

RECONVENNE

Chair Frailey called the meeting back to order at 11:25 a.m.

6. [11-131](#)

A RESOLUTION CONFIRMING THE NOMINATION OF LACEY A. HORN AS TREASURER FOR THE CHEROKEE NATION

Councilor Hoskin Jr. moved to approve. Councilor Thornton seconded the motion. Ms. Horn gave an overview of her background and qualifications. After several questions Councilor Walkingstick called for the question. Councilors Fullbright and Thornton requested to be added as sponsors.

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

Yea: 11 - Buel Anglen; Chuck Hoskin, Jr. ; Curtis Snell; David Thornton Sr. ; Don Garvin; Cara Cowan Watts; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay and David Walkingstick

Nay: 4 - Jack D. Baker; Meredith Frailey; Lee Keener Jr. and Julia Coates

7. [11-135](#)

A RESOLUTION CONFIRMING THE NOMINATION OF SHANNON D. BUHL AS MARSHAL FOR THE CHEROKEE NATION

Councilor Hoskin Jr. moved to approve. Councilor Glory-Jordan seconded the motion. Mr. Buhl shared his background qualifications and answered numerous

questions.

The motion to approve carried with no opposition.

OLD BUSINESS

- 1. [TMP-157](#) TRIBAL COUNCIL TRAVEL EXPENSE POLICY - ANNUAL REVIEW (Discussion and Possible Action)
Councilor Cowan Watts moved to approve the policy revision provided in the packet as amended in previous committees. Councilor Anglen seconded the motion. Councilor Glory-Jordan offered a friendly amendment as the copy provided today marked as 2nd specifically paragraphs 4 and 13. The friendly amendment was not accepted. Councilor Glory-Jordan made a motion to approve sections 4 and 13 of the handout marked 2nd copy. Councilor Fishinghawk seconded the motion. After discussions were held Councilor Coates offered a friendly amendment to strike "At Large group" and add "community" in section 13. The friendly amendment was accepted.

The amendment with friendly carried with the following roll call vote:

- Yea:** 8 - Chuck Hoskin, Jr. ; Curtis Snell; David Thornton Sr. ; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay and David Walkingstick
- Nay:** 7 - Buel Anglen; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Lee Keener Jr. and Julia Coates

RECESS

Chair Frailey called for a 30 minute recess at 12:25.

RECONVENNE

Chair Frailey called the meeting back to order at 1:05 p.m.

ROLL CALL

- Present** 13 - Buel Anglen; Chuck Hoskin, Jr. ; Curtis Snell; David Thornton Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Jodie Fishinghawk; Janelle Fullbright; Dick Lay; Lee Keener Jr.; David Walkingstick and Julia Coates
- Late Arrival** 2 - Cara Cowan Watts and Tina Glory Jordan

- [TMP-157](#) TRIBAL COUNCIL TRAVEL EXPENSE POLICY - ANNUAL REVIEW (Discussion and Possible Action)

The motion to approve the travel policy as amended carried with the following roll call vote:

- Yea:** 8 - Chuck Hoskin, Jr. ; Curtis Snell; David Thornton Sr. ; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay and David Walkingstick
- Nay:** 7 - Buel Anglen; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Lee Keener Jr. and Julia Coates

- 2. [11-123](#) AN AMENDMENT TO LEGISLATIVE ACT #07-01, REQUIRING TRIBAL COUNCIL CONSENT FOR LITIGATION BROUGHT ON BEHALF OF THE CHEROKEE NATION; ADDING REQUIREMENTS FOR CONSENT OF THE TRIBAL COUNCIL TO THE SETTLEMENT OF SUCH LITIGATION

Councilor Cowan Watts requested Attorney General Hammons provide clarification on some of her questions in regard to this proposed amendment as well as a recent issue. Ms. Hammons expressed her concerns for the proposed amendment. Councilor Cowan Watts raised several questions and concerns. Based on the opinion provided she inquired if this LA-07-01 needed to be repealed through the codification process as it doesn't comply with the 2003 Constitution and if any portions of this Act need to remain they should be included in the Attorney General Act. Ms. Hammons agreed.

After additional discussion was held Councilor Cowan Watts withdrew this item.

NEW BUSINESS

- 8. [11-132](#) AN ACT AMENDING LEGISLATIVE ACT 16-96, PROVIDING THAT THE CHEROKEE NATION TRIBAL COUNCIL AND PRINCIPAL CHIEF SHALL BE THE ENTITY THAT REPRESENTS THE OWNERSHIP INTEREST OF CORPORATIONS OR ENTITIES OWNED BY THE CHEROKEE NATION

Councilor Thornton moved to approve the revised version handed out today. Councilor Cowan Watts seconded the motion. Mr. Hembree gave an overview as to the intent of the legislation stating that this act would make it that the Principal Chief and the Tribal Council would share the responsibility as representative of the Cherokee people. The Principal Chief has the sole responsibility in the current legislation. After discussion was held Councilors Fishinghawk, Cowan Watts, Lay, Keener, Anglen, Garvin, Fullbright and Frailey requested to be added as sponsors. Councilor Cowan Watts requested an agenda item at a later date to discuss the issue Act creating standing of this body. Councilor Thornton suggested the possibility of a subcommittee. Councilor Glory-Jordan inquired if Mr. Stewart and Ms. Hammons had any issue with this proposal.

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

Yea: 12 - Buel Anglen; David Thornton Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; Lee Keener Jr. and Julia Coates

Nay: 1 - David Walkingstick

Not In Room: 2 - Chuck Hoskin, Jr. and Curtis Snell

- 9. [TMP-181](#) IMPLEMENTATION OF AN INDEPENDENT INFORMATION TECHNOLOGY SERVICE FOR THE CHEROKEE NATION TRIBAL COUNCIL (Discussion Only)

Councilor Fishinghawk moved to table for one month at the request of the sponsor. Councilor Lay seconded the motion. The motion carried.

- 10. [TMP-182](#) DEVELOPMENT OF FIFTEEN (15) SEPARATE COUNCIL DISTRICTS FOR THE CHEROKEE NATION TRIBAL COUNCIL (Discussion Only)

Mr. Hembree commented this is the first step in the revisiting process required in the Act passed. He suggested allowing the staff present to present the data they have in a brief overview as requested by Councilor Cowan Watts and keeping this item on the agenda to move this process forward. Councilor Thornton requested this item

remain on the regular agenda. Mr. Enlow handed out information requested by Councilor Fishinghawk. The data was extracted yesterday morning as requested and set aside. The information on the report will fluctuate but will give an idea of a total citizenship count and the number of bad addresses. Councilor Cowan Watts voiced concern for the data provided. She questioned the status of the geo-coding with the counties. Chair Frailey inquired when accurate data could be provided. Mr. Enlow stated the summary counts by county and zip code in tabular format along with maps could be provided by the end of this week.

As the sponsor of this item Councilor Thornton requested this item remain on the Rules agenda as a regular item.

ANNOUNCEMENTS

ADJOURNMENT

Councilor Anglen moved to adjourn. Councilor Cowan Watts seconded the motion. The motion carried at 2:28 p.m.

STAFF PRESENT:

<i>Vickie Hanvey</i>	<i>Sharon Wright</i>	<i>Doug Evans</i>
<i>Kalyn Free</i>	<i>Shannon Buhl</i>	<i>Jamie Hummingbird</i>
<i>Ginger Brown</i>	<i>Melanie Knight</i>	<i>Todd Enlow</i>
<i>Diane Hammons</i>	<i>Sedelta Oosawhee</i>	<i>Sharon Swepston</i>
<i>Anna Knight</i>	<i>Sean Nordwall</i>	<i>Diane Kelley</i>
<i>Joe Crittenden</i>	<i>Callie Catcher</i>	<i>Jon Overacker</i>
<i>David Justice</i>		

VISITORS PRESENT:

<i>Tommy Hearn</i>	<i>Susan Plumb</i>	<i>Curtis Rohr</i>
<i>Shawn Slaton</i>	<i>Bob Berry</i>	<i>David Stewart</i>
<i>Raymond Vann</i>	<i>Lacey Horn</i>	<i>Todd Hembree</i>
<i>Tommye Right</i>	<i>Mike Watkins</i>	<i>Brent Taylor</i>
<i>Rex Earl Starr</i>	<i>Bob Huffman</i>	<i>Gina Olaya</i>