



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, December 13, 2011

9:00 AM

Legislative Conference Room

CALL TO ORDER

Chair Frailey called the meeting to order at 9:40 a.m.

INVOCATION

Councilor Walkingstick gave the invocation.

ROLL CALL

Present 15 - Buel Anglen; Chuck Hoskin Jr. ; Curtis Snell; 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.; David Walkingstick and Julia Coates

APPROVAL OF MINUTES

Councilor Keener moved to approve the November 15th Impeachment sub-committee and the regular session minutes as submitted in Toto. Councilor Cowan Watts seconded the motion. The motion carried.

AMEND THE AGENDA

Councilor Keener moved to amend the agenda to move the nominations to the front of the agenda and have item 9 first. Councilor Cowan Watts seconded the motion. The motion carried.

REPORTS:

Councilor Coates moved to accept the written reports as submitted and to suspend with the oral reports unless someone has a specific question from one of the reports submitted. Councilor Cowan Watts seconded the motion. The motion carried.

Marshal Service - Shannon Buhl

Office of the Attorney General - Todd Hembree

Election Commission -

Tax Commission - Sharon Swepston

Self-Governance - Vickie Hanvey

Gaming Commission - Jamie Hummingbird

Codification - Todd Hembree

Youth Leadership Council - Mark Skinner

Registrar Citizenship Data Update - David Justice

NEW BUSINESS

- 9. [11-146](#) A RESOLUTION CONFIRMING THE NOMINATION OF DEACON TURNER AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC
Councilor Hoskin moved to approve. Councilor Coates seconded the motion. After several questions the motion carried with no opposition.
- 1. [11-138](#) A RESOLUTION CONFIRMING THE RENOMINATION OF IMA JEAN MCCOLLUM AS A BOARD MEMBER OF CHEROKEE NATION COMPREHENSIVE CARE AGENCY
Councilor Glory-Jordan moved to approve. Councilor Hoskin Jr. seconded the motion. The motion carried with no opposition.
- 2. [11-139](#) A RESOLUTION CONFIRMING THE RENOMINATION OF J. ANTHONY YATES AS A COMMISSIONER OF THE HOUSING AUTHORITY OF THE CHEROKEE NATION BOARD OF COMMISSIONERS
Councilor Fullbright moved to approve. Councilor Thornton seconded the motion. Councilor Fishinghawk and Glory-Jordan requested to be added as sponsors. The motion carried with no opposition.
- 3. [11-140](#) A RESOLUTION CONFIRMING THE RENOMINATION OF JOHN T. CRIPPS AS A DISTRICT JUDGE OF THE CHEROKEE NATION DISTRICT COURT
Ms. Ginger Brown announced Mr. Cripps was unable to attend today but is available by phone if there are questions. Councilor Thornton moved to approve. Councilor Glory-Jordan seconded the motion. The motion carried with Councilor Coates opposed.

4. [11-141](#) A RESOLUTION CONFIRMING THE NOMINATION OF CLARYCE DOYLE AS AN EDITORIAL BOARD MEMBER OF THE CHEROKEE PHOENIX
Councilor Hoskin moved to approve. Councilor Glory-Jordan seconded the motion. After several questions the motion to approve carried with no opposition.
5. [11-142](#) A RESOLUTION CONFIRMING THE NOMINATION OF HAROLD RAY "SAM" HART AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC
Councilor Thornton moved to approve. Councilor Glory-Jordan seconded the motion. Councilor Jack D. Baker offered a friendly amendment that the approval is subject to the final top secret facility clearance level being granted to Cherokee Nation Businesses and Cherokee Nation Technology Services. The friendly amendment was accepted. It was requested the friendly amendment be for all CNB nominations.
After several questions the nomination as amended carried with the following roll call vote:
Yea: 14 - Buel Anglen; Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; Lee Keener Jr.; David Walkingstick and Frankie Hargis
Nay: 2 - Cara Cowan Watts and Julia Coates
6. [11-143](#) A RESOLUTION CONFIRMING THE NOMINATION OF GARY COOPER AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC
Councilor Fullbright moved to approve as amended. Councilor Thornton seconded the motion. Councilor Hargis requested to be added as a sponsor. After discussion was held the motion to approve carried with no opposition.
7. [11-144](#) A RESOLUTION CONFIRMING THE NOMINATION OF JERRY HOLDERBY AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC
Councilor Hoskin Jr. moved to approve with the friendly amendment. Councilor Thornton seconded the motion. After several questions and comments the motion to approve carried with the following roll call vote:
Yea: 14 - Buel Anglen; Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; Lee Keener Jr.; David Walkingstick and Frankie Hargis
Nay: 2 - Cara Cowan Watts and Julia Coates
8. [11-145](#) A RESOLUTION CONFIRMING THE NOMINATION OF RICKY DOHERTY AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC
Councilor Fishinghawk moved to approve. Councilor Thornton seconded the motion. Councilor Hargis requested to be added as a sponsor. After several questions and comments the motion to approve carried with no opposition.
10. [11-147](#) A RESOLUTION CONFIRMING THE NOMINATION OF LYLE BURRIS AS A BOARD MEMBER OF CHEROKEE NATION ADMINISTRATIVE APPEALS BOARD
Councilor Garvin moved to approve. Councilor Cowan Watts seconded the motion. Councilor Glory-Jordan requested to be added as a sponsor. After several questions and comments the motion to approve carried with no

opposition.

- 11. [11-148](#) A RESOLUTION CONFIRMING THE NOMINATION OF ANGELA JONES AS A BOARD MEMBER OF CHEROKEE NATION ADMINISTRATIVE APPEALS BOARD
Councilor Walkingstick moved to approve. Councilor Hoskin Jr. seconded the motion. The motion to approve carried with no opposition.

- 12. [11-149](#) A RESOLUTION CONFIRMING THE NOMINATION OF JOHN GARRETT AS A COMMISSIONER OF THE CHEROKEE NATION GAMING COMMISSION
Councilor Glory-Jordan moved to approve. Councilor Hargis seconded the motion. Councilor Hargis requested to be added as a sponsor. After discussion was held the motion to approve Mr. Garrett to the gaming commission carried with the following roll call vote:

 - Yea:** 10 - Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Don Garvin; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick and Frankie Hargis
 - Nay:** 6 - Buel Anglen; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Lee Keener Jr. and Julia Coates

- 13. [11-150](#) A RESOLUTION CONFIRMING THE NOMINATION OF CHARLES L. HEAD AS SECRETARY OF STATE FOR THE CHEROKEE NATION
Councilor Lay moved to approve. Councilor Hoskin Jr. seconded the motion. After numerous questions and discussion the motion to approve carried with no opposition.

OLD BUSINESS

- 1. [TMP-181](#) IMPLEMENTATION OF AN INDEPENDENT INFORMATION TECHNOLOGY SERVICE FOR THE CHEROKEE NATION TRIBAL COUNCIL (Discussion Only)
Councilor Hoskin Jr. moved to table for one month. Councilor Cowan Watts seconded the motion. The motion carried.

- 2. [TMP-182](#) DEVELOPMENT OF FIFTEEN (15) SEPARATE COUNCIL DISTRICTS FOR THE CHEROKEE NATION TRIBAL COUNCIL (Discussion Only)
Councilor Thornton moved to table. Councilor Hoskin Jr. seconded the motion. Mr. Todd Enlow provided a handout snapshot of data which is a basic analysis of county and zip code information only. He also provided information about the 911 progress in Nowata County. He stated they are working on the 911 specific data for each citizen. The motion to table carried.

NEW BUSINESS

- 14. [11-153](#) PROPOSED AMENDMENT TO THE RULES OF PROCEDURE GOVERNING THE CHEROKEE NATION TRIBAL COUNCIL
Councilor Lay withdrew this agenda item.

- 15. [11-154](#) A LEGISLATIVE ACT AMENDING TITLE 51, "OFFICERS", OF THE CHEROKEE NATION CODE ANNOTATED; RELATING TO DUTIES OF THE ATTORNEY GENERAL

Councilor Cowan Watts moved to approve. Councilor Keener seconded the motion. Mr. Hembree stated following discussion with the Attorney General's office they feel there should be an amendment to exclude Indian Child Welfare Cases, adoption proceedings or deprived child proceedings. The amendment would read in Section 5 (16) just before the last sentence, insert the language "Provided that this requirement shall not apply to Indian Child Welfare matters, deprived child proceedings, private guardianships or adoptions." The amendment was accepted. Councilor Glory-Jordan stated she was in opposition as it is redundant. Ms. Hammons commented with the inclusion of the suggested language she doesn't have any opposition to the amendment.

After additional discussion was held Councilor Cowan Watts called for the question. The motion to approve as amended failed with the following roll call vote:

Yea: 8 - Buel Anglen; David Thornton, Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Lee Keener Jr. and Julia Coates

Nay: 8 - Chuck Hoskin Jr. ; Curtis Snell; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick and Frankie Hargis

16. [11-155](#)

A LEGISLATIVE ACT AMENDING LEGISLATIVE ACT 13-07 "CHEROKEE NATION ADMINISTRATIVE PROCEDURES ACT" AND LEGISLATIVE ACT 12-96 "THE EMPLOYEE ADMINISTRATIVE PROCEDURES ACT" ADDING A NEW SECTION

Councilor Glory-Jordan moved to approve with an amendment to remove "if so requested" at the end of Section 402 (i). Councilor Hoskin Jr. seconded the motion. A request was made of the Council CPA, Mr. Evans to provide prior to the next Council meeting an analysis of the number of hearings held and provide an estimate of what this would have cost over the past year. After additional discussion was held Councilor Walkingstick called for the question.

All Councilors requested to be added as sponsors. The motion to approve as amended carried with the following roll call vote:

Yea: 16 - Buel Anglen; Chuck Hoskin Jr. ; Curtis Snell; 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.; David Walkingstick; Julia Coates and Frankie Hargis

17. [11-157](#)

AN ACT AMENDING TITLE 19 SECTION 21, TITLE 51 SECTION 1 AND TITLE 51 SECTION 11 OF THE CHEROKEE NATION CODE ANNOTATED, AMENDING LEGISLATIVE ACT 40-07, AMENDING LEGISLATIVE ACT 05-11 DEALING WITH COMPENSATION OF ELECTED OFFICIALS AND DECLARING AN EMERGENCY

Councilor Glory-Jordan referred to the opinions provided by our Council Attorney Mr. Hembree and Assistant Attorney General Ms. Nimmo in regard to the travel reimbursement policy recently passed and it conflicting with the compensation act. The amendment to the compensation act before you is an effort to remove the conflict. The amendment provides a definition of compensation. She moved to approve. Councilor Hoskin Jr. seconded the motion.

After additional discussion and concerns were heard the motion carried with the following roll call vote:

Yea: 10 - Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Don Garvin; Meredith Frailey; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; David Walkingstick and Frankie Hargis

Nay: 6 - Buel Anglen; Jack D. Baker; Cara Cowan Watts; Dick Lay; Lee Keener Jr. and Julia Coates

ANNOUNCEMENTS

ADJOURNMENT

Councilor Jack D. Baker moved to adjourn. Councilor Cowan Watts seconded the motion. The motion carried at 11:23 a.m.

STAFF PRESENT:

<i>Todd Enlow</i>	<i>Ginger Brown</i>	<i>Anna Knight</i>
<i>Diane Kelley</i>	<i>Jamie Hummingbird</i>	<i>Doug Evans</i>
<i>Sharon Swepston</i>	<i>Diane Hammons</i>	<i>Lacey Horn</i>
<i>David Southerland</i>	<i>David Justice</i>	

VISITORS PRESENT:

<i>Deacon Turner</i>	<i>Todd Hembree</i>	<i>Shawn Slaton</i>
<i>David Stewart</i>	<i>Kayln Free</i>	<i>Ima Jean McCullum</i>
<i>Anthony Yates</i>	<i>Claryce Doyle</i>	<i>Angela Jones</i>
<i>Gary Cooper</i>	<i>Rick Doherty</i>	<i>Sam Hart</i>
<i>Jerry Holderby</i>	<i>Lyle Burris</i>	<i>John Garrett</i>
<i>Charles Head</i>		