



Council of the Cherokee Nation

Cherokee Nation Complex
17675 S. Muskogee Ave.
Tahlequah, OK 74464

Tribal Council Minutes - Final TRIBAL COUNCIL

Tina Glory-Jordan, Speaker

Recording Secretary, Shelli Brittain

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Monday, February 10, 2014

6:00 PM

Council Chambers

CALL TO ORDER

Tina Glory-Jordan
Speaker of the Council

Speaker Glory Jordan called the meeting to order at 6:01 p.m.

INVOCATION

Councilor Hargis gave the invocation.

ROLL CALL

Shelli Brittain
Legal & Legislative Coordinator

Present 16 - David Walkingstick; Lee Keener Jr.; Dick Lay; Jodie Fishinghawk;
Janelle Fullbright; Cara Cowan Watts; Julia Coates; Tina Glory Jordan;
Joe Byrd; David Thornton, Sr.; Frankie Hargis; Don Garvin; Curtis
Snell; Janees Taylor; Jack D. Baker and Victoria Vazquez

Absent 1 - Harley Buzzard

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Councilor Byrd moved to approve the January 13, 2014 regular session minutes. Councilor Baker seconded the motion. The motion carried.

AMEND THE AGENDA

Councilor Walkingstick moved to amend the agenda to add items 16, 17 and 18 to the agenda and to have items 7 through 18 follow item 5. Councilor Cowan Watts seconded the motion with a friendly amendment for 18 to follow 3. The friendly was accepted. The motion carried.

STATE OF THE NATION

Bill John Baker
Principal Chief

Principal Chief Bill John Baker announced the health expansions continue with the ground breaking in Jay. The ground breaking for Mankiller Clinic is scheduled for February 28th. The opening was held for the CDC in Stilwell. The food distribution center was opened in Collinsville. Marshal Shannon Buhl and other Marshals were able to assist in getting elders to their appointments during the snow storms. Marshal Buhl found a fifteen ton six-wheel drive vehicle on the federal government surplus list to be used during times of need for zero dollars. Chief Baker commented on the Nation and the clinics remaining open during the snow storms. The free tax preparation for citizens has begun. Dr. Neil Morton was named a Sequoyah Fellow by Northeastern State University. Both Shawn Slaton and Cheryl Cohenhour were named outstanding CEO's in the State of Oklahoma by the Journal Record. Mr. Doug Evans also received recognition for financial stewardship in the State of Oklahoma. He announced Candessa Teehee as assumed the Executive Directors position at the Cherokee Heritage Center. He requested a moment of silence for those Cherokee's who we have lost over the last month.

CHEROKEE WARRIOR VETERAN AWARDS

S. Joe Crittenden
Deputy Principal Chief

Veterans honored this month by Deputy Chief Crittenden were brothers David Noel, Eddie Noel and James Noel. Also honored were Jeremy Scott Semen and Jerry Hogner.

Prinicpal Chief Baker announced Rusty Henson an Iraq veteran has offered to volunteer time to train our Marshal's with the surplus vehicle.

ACTION OF UNFINISHED BUSINESS

None pending.

COMMITTEE REPORTS

Monthly Reports:

Housing Authority - Gary Cooper

Mr. Cooper announced the board meeting is scheduled for next Tuesday at 5:30 p.m. Over the past month they have been accepting college housing applications. They continue to assist approximately 2,400 families with community shield insurance.

Cherokee Nation Business, LLC - Shawn Slaton

Mr. Slaton reported on the November financials by commenting it was a strong month. They have had a cold start to the New Year but have seemed to have held their ground. In addition to the monthly dividend \$254,000 was remitted to the Cherokee Nation Tax Commission. He provided an update on the current projects. He announced their employees volunteered over 5,000 hours within the communities last year. He recognized the volunteers of the year. The Cherokee Cultural Tourism is hosting an Antique Firearms Presentation Class at the National Prison. The current employment at CNB is 5,838 with a Cherokee percentage of 73.4% and a total Native American percentage of 81.1%. Councilor Cowan Watts inquired if the

MOU with Macy's is complete.

OLD BUSINESS

None pending.

NEW BUSINESS

Rules Committee

1. [13-123](#) **A RESOLUTION CONFIRMING THE REAPPOINTMENT OF COLEMAN BARTOW FITE AS A DISTRICT JUDGE OF THE CHEROKEE NATION DISTRICT COURT**

Councilor Fishinghawk moved to approve. Councilor Walkingstick seconded the motion. All Councilors requested to be added as sponsors. The motion to approve carried.

Enactment No: R-005-14

2. [14-001](#) **A RESOLUTION CONFIRMING THE REAPPOINTMENT OF PATSIANN NIX SMITH AS A BOARD MEMBER OF THE CHEROKEE NATION FOUNDATION**

Councilor Byrd moved to approve. Councilor Vazquez seconded the motion. The motion carried.

Enactment No: R-006-14

3. [14-002](#) **A RESOLUTION CONFIRMING THE REAPPOINTMENT OF SHANNON FISHER AS COMMISSIONER OF THE CHEROKEE NATION GAMING COMMISSION**

Councilor Fullbright moved to approve. Councilor Garvin seconded the motion. The motion carried.

Enactment No: R-007-14

18. [14-016](#) **A RESOLUTION RECOGNIZING CHEROKEE NATION CITIZEN BARBARA J. WILLIAMS**

Councilor Cowan Watts moved to approve. Councilor Keener seconded the motion. The motion to approve carried.

Enactment No: R-008-14

4. [14-003](#) **A RESOLUTION ELECTING THE OFFICE OF SECRETARY OF THE TRIBAL COUNCIL**

Councilor Fullbright moved to approve. Councilor Byrd seconded the motion. Councilors Lay, Fullbright, Byrd, Vazquez, Garvin, Snell, Baker, Taylor and Walkingstick requested to be added as sponsors. The motion to approve carried with Councilors Coates, Hargis and Fishinghawk abstaining.

Enactment No: R-009-14

5. [14-007](#) **A RESOLUTION RATIFYING IMPLEMENTATION AGREEMENT # 2 (IMPLEMENTING 2008 MEMORANDUM OF AGREEMENT AS TO NAHASDA FUNDING FOR DELAWARE FORMULA CURRENT ASSISTED STOCK) BETWEEN THE CHEROKEE NATION AND THE DELAWARE TRIBE OF INDIANS**

Councilor Lay moved to approve the revision provided. Councilor Vazquez seconded the motion. The motion carried.

Enactment No: R-010-14

Executive and Finance Committee

7. [14-008](#) **A RESOLUTION AUTHORIZING CHEROKEE NATION WAREHOUSE TO DONATE SURPLUS OFFICE EQUIPMENT TO THE MARBLE CITY FOOD PANTRY IN SEQUOYAH COUNTY**

Councilor Thornton moved to approve. Councilor Keener seconded the motion. Councilors Fullbright and Byrd requested to be added as sponsors. The motion carried.

Enactment No: R-011-14

8. [14-009](#) **A RESOLUTION AUTHORIZING CHEROKEE NATION WAREHOUSE TO DONATE SURPLUS OFFICE EQUIPMENT TO THE VIAN PEACE CENTER IN SEQUOYAH COUNTY**

Councilor Thornton moved to approve. Councilor Keener seconded the motion. Councilors Fullbright and Byrd requested to be added as sponsors. The motion carried.

Enactment No: R-012-14

9. [14-010](#) **A RESOLUTION AUTHORIZING CHEROKEE NATION WAREHOUSE TO DONATE SURPLUS OFFICE EQUIPMENT TO CHELSEA BOYS & GIRLS CLUB IN ROGERS COUNTY**

Councilor Cowan Watts moved to approve. Councilor Hargis seconded the motion. The motion carried.

Enactment No: R-013-14

10. [14-011](#) **A RESOLUTION AUTHORIZING CHEROKEE NATION WAREHOUSE TO DONATE SURPLUS OFFICE EQUIPMENT TO THE JAY MUSEUM IN DELAWARE COUNTY**

Councilor Fishinghawk moved to approve. Councilor Baker seconded the motion. The motion carried.

Enactment No: R-014-14

11. [14-012](#) **A RESOLUTION AUTHORIZING CHEROKEE NATION WAREHOUSE TO DONATE SURPLUS OFFICE EQUIPMENT TO ORCHARD ROAD COMMUNITY OUTREACH IN ADAIR COUNTY**

Councilor Hargis moved to approve. Councilor Fishinghawk seconded the motion. The motion carried.

Enactment No: R-015-14

12. [14-013](#) **A RESOLUTION AUTHORIZING CHEROKEE NATION WAREHOUSE TO DONATE SURPLUS OFFICE EQUIPMENT TO THE NATIVE AMERICAN FELLOWSHIP INC. IN NOWATA COUNTY**
- Councilor Vazquez moved to approve. Councilor Garvin seconded the motion. The motion carried.
- Enactment No: R-016-14
13. [13-138](#) **AN ACT AMENDING LA-30-12, "CHEROKEE NATION EMPLOYMENT RIGHTS ACT"**
- Councilor Fishinghawk moved to approve. Councilor Lay seconded the motion. Councilors Garvin and Byrd requested to be added as sponsors. Councilor Cowan Watts requested clarification on the definition of "project". The motion to approve carried by acclamation.
- Enactment No: LA-01-14
14. [14-006](#) **AN ACT AMENDING LEGISLATIVE ACT #22-13 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2014 - MOD. 2; AND DECLARING AN EMERGENCY**
- Councilor Fishinghawk moved to approve. Councilor Taylor seconded the motion. The motion carried by acclamation.
- Enactment No: LA-02-14
15. [14-005](#) **AN ACT AMENDING LEGISLATIVE ACT #21-13 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2014 - MOD. 5; AND DECLARING AN EMERGENCY**
- Councilor Fishinghawk moved to approve. Councilor Garvin seconded the motion. The motion carried by acclamation.
- Enactment No: LA-03-14
16. [14-014](#) **A RESOLUTION AUTHORIZING AN APPLICATION TO THE FEDERAL HIGHWAY ADMINISTRATION FOR TRIBAL TRANSPORTATION PROGRAM BRIDGE FUNDING FOR SALINE CREEK BRIDGE #67 IN DELAWARE COUNTY, OK**
- Councilor Snell moved to approve. Councilor Hargis seconded the motion. Councilors Hargis, Keener, Glory Jordan, Thornton, Cowan Watts, and Fullbright requested to be added as sponsors. The motion to approve carried.
- Enactment No: R-017-14
17. [14-015](#) **A RESOLUTION AUTHORIZING THE BUREAU OF INDIAN AFFAIRS (BIA) TO REVISE AND UPDATE THE CHEROKEE NATION'S INVENTORY OF TRIBAL TRANSPORTATION FACILITIES**

Councilor Walkingstick moved to approve. Councilor Garvin seconded the motion. The motion carried.

Enactment No: R-018-14

6. [14-004](#)

AN ACT AMENDING LA-46-12 REVISING TITLE 26 ("ELECTIONS") OF THE CHEROKEE NATION CODE ANNOTATED

Councilor Fishinghawk moved to approve the substitute version provided. Councilor Fullbright seconded the motion. Councilor Cowan Watts voiced concern for differences between what has been provided and what was passed out of committee.

Enactment No: LA-04-14

RECESS

Speaker Glory Jordan stated a 15 minute recess will be taken to allow time to copy the original passed out of committee. Attorney General Hembree gave clarification on the motion to substitute.

Speaker Glory Jordan recessed the meeting at 7:10 p.m.

RECONVENNE

Speaker Glory Jordan called the meeting back to order at 7:31 p.m.

6. [14-004](#)

AN ACT AMENDING LA-46-12 REVISING TITLE 26 ("ELECTIONS") OF THE CHEROKEE NATION CODE ANNOTATED

Councilor Fishinghawk stated the Act as amended which came out of committee has been passed out. She made a motion to approve the redline version and list of friendly amendments. Councilor Fullbright seconded the motion.

Councilor Coates commented there are still differences and moved to table back to committee. Councilor Keener seconded the motion. The motion failed with the following roll call vote:

Yea: 6 - Lee Keener Jr.; Dick Lay; Cara Cowan Watts; Julia Coates; Don Garvin and Jack D. Baker

Nay: 10 - David Walkingstick; Jodie Fishinghawk; Janelle Fullbright; Tina Glory Jordan; Joe Byrd; David Thornton, Sr. ; Frankie Hargis ; Curtis Snell; Janees Taylor and Victoria Vazquez

Councilor Cowan Watts voiced a number of questions and concerns. Councilor Garvin offered a friendly amendment in Section 78 to strike the words "or a person designated by the voter". The friendly was not accepted.

Councilor Garvin made a motion to strike "or a person designated by the voter" from Section 78. Councilor Cowan Watts seconded the motion. After some discussion was held the motion failed with the following roll call vote:

Yea: 5 - Lee Keener Jr.; Cara Cowan Watts; Julia Coates; Don Garvin and Jack D. Baker

Nay: 11 - David Walkingstick; Dick Lay; Jodie Fishinghawk; Janelle Fullbright; Tina Glory Jordan; Joe Byrd; David Thornton, Sr. ; Frankie Hargis ; Curtis Snell; Janees Taylor and Victoria Vazquez

Following additional discussion Councilor Lay offered a friendly amendment to remove everything following autonomous status on page 4. The friendly was not accepted. Councilor Lay made a motion to strike the remainder of the paragraph on page 4 following autonomous status on page 4. The motion died with the lack of a second.

Upon the completion of debate the motion to approve the redline version with the friendly amendments included carried with the following roll call vote:

Yea: 10 - David Walkingstick; Jodie Fishinghawk; Janelle Fullbright; Tina Glory Jordan; Joe Byrd; David Thornton, Sr. ; Frankie Hargis ; Curtis Snell; Janees Taylor and Victoria Vazquez

Nay: 5 - Lee Keener Jr.; Cara Cowan Watts; Julia Coates; Don Garvin and Jack D. Baker

Abstain: 1 - Dick Lay

Enactment No: LA-04-14

ANNOUNCEMENTS

Councilor Hargis announced she would have a community meeting at the school cafeteria on Thursday the 13th.

Councilor Byrd announced the Cherokee County Community meeting will be held at the Sellers Auction Barn on the 22nd at 5:30.

Councilor Cowan Watts recognized an At Large Citizen in attendance.

ADJOURNMENT

Councilor Baker moved to adjourn. Councilor Vazquez seconded the motion. The motion carried at 8:19 p.m.

Next Tribal Council meeting will be held on March 10th at 6:00 p.m. at the tribal headquarters, W.W. Keeler Complex.