



Council of the Cherokee Nation

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

Meeting Minutes - Final RULES COMMITTEE

Joe Byrd, Chair

Recording Secretary, Shelli Brittain
Phone: 1-800-995-9465,
E-mail: council-public@cherokee.org

Thursday, January 28, 2016

1:00 PM

Tribal Council Offices

CALL TO ORDER

Chair Byrd called the meeting to order at 1:00 p.m.

INVOCATION

Councilor Snell gave the invocation.

ROLL CALL

Present 14 - Jack D. Baker; Harley Buzzard; Joe Byrd; Don Garvin; Frankie Hargis ;
Curtis Snell; Janees Taylor; Victoria Vazquez; Keith Austin; Buel
Anglen; Dick Lay; Shawn Crittenden; Rex Jordan and Bryan Warner

Late Arrival 3 - David Thornton, Sr. ; David Walkingstick and Wanda Hatfield

APPROVAL OF MINUTES

Councilor Baker moved to approve the December 14th regular session minutes as submitted. Councilor Hargis seconded the motion. The motion carried.

REPORTS:

Marshal Service - Shannon Buhl

Marshal Buhl introduced Jeremie Fisher as their new Tribal Emergency Manager. He announced the Polar Bear Plunge is the 20th of February and will be held at Beta Field on the Northeastern State University campus. He gave an update on the several officers who attended the aquatic death and homicide investigation class. The federal circuit court rendered an opinion on the use of Tasers on people with diminished capacity or mental illnesses. Councilor Buzzard inquired about swift water rescue. Mr. Buhl commented the Oklahoma Scenic Rivers Commission has asked them to take over the response operations on the river which they are now negotiating. They recently purchased a swift water rescue inflatable boat with grant monies. Councilor Buzzard inquired if the officers all had cameras. Councilor Vazquez gave appreciation for the computer donation to a student in her area. Mr. Buhl gave a brief overview of the program for the computer donation.

Office of the Attorney General - Todd Hembree

Mr. Hembree reported on the pending cases including the Dollar General case, the baby doe case and Keepseagle. He commented they have been working to update our Civil Code and it would be provided to the Council prior to the next meeting to allow time to review. He gave an update on the major election law revision the Attorney General office, the Election Commission and the Tribal Council attorney have been working on together. Councilor Buzzard requested clarification on the Keepseagle case. Councilor Lay requested a list of all cases and their statuses. Council Attorney Barker Harrold gave an update on the codification case. Councilor Lay inquired if the election law revision would include issues submitted by the Council.

FOIA-GRA - Gwen Terrapin

Ms. Terrapin gave an update on the number of FOIA and GRA requests. She stated the website has been updated. She recently provided a list to the Council of all requests and offered to provide additional information regarding a specific item upon request.

Election Commission - Brooke Tillison

Election Commissioner Carolyn Allen introduced Brooke Tillison as the Administrator of the Election Commission. Ms. Tillison gave an update from the report provided. Councilor Vazquez requested their attendance at an upcoming meeting in South Coffeyville. Councilor Taylor inquired if they are fully staffed.

Tax Commission - Sharon Swepston

Ms. Swepston offered to answer questions from the report provided. Councilor Austin inquired about the process for sending out the hunting and fishing licenses. She provided a number to contact for any issues or questions regarding the licenses.

Self-Governance - Karen Ketcher

Chair Byrd announced Ms. Ketcher is on travel status however a written report has been provided.

Gaming Commission - Jamie Hummingbird

Mr. Hummingbird reported they continue to watch the Dollar General case closely in regard to the jurisdiction and consent aspects. They continue to follow a tribal online bingo via the internet issue in Southern California and its implications to class II gaming. He gave a brief overview of the implications on the Iowa tribe arbitrators ruling. He reported on the issue of fantasy sports as discussed during Inter Tribal. They received their final report from their external auditor. Councilor Taylor inquired if the audit is complete in regard to the fee payments. Councilor Lay requested additional information regarding the California tribe referred to earlier. Councilor Warner inquired about the policy in regard to hiring felons at casinos in non-gaming positions.

Human Resources - Nason Morton

Mr. Morton announced the changes requested in the report have been included. Councilor Walkingstick voiced concern for the length of time to hire. He also inquired about employee incentives. Councilor Hargis inquired if our drug testing is in house or contracted. He requested research on the cost and accuracy of the urine test versus the cheek swab.

OLD BUSINESS

1. **TMP-329** DISCUSSION AND POSSIBLE ACTION: CLOSING THE LOOPHOLE ALLOWING CANDIDATE FOR PRINCIPAL CHIEF AND OTHER OFFICES TO RAISE AND SPEND MONEY AND ESCAPE ACCOUNTABILITY BY NOT FILING FOR OFFICE
Councilor Thornton commented a new handout has been provided. He requested the additional language stating the contributions are to be filled out monthly and also all contributions must be paid back to the contributor.
Councilor Thornton moved to table for one month. Councilor Hargis seconded the motion. Chair Byrd gave an overview of why this item is on the agenda. The motion carried.

2. [15-100](#) AN ACT AMENDING LA-01-14, "CHEROKEE NATION EMPLOYMENT RIGHTS ACT"
Councilor Taylor moved to approve. Councilor Walkingstick seconded the motion. Council Attorney Barker Harrold gave an overview of the requested amendments and how they came about. Councilor Baker requested a friendly amendment to change the requested language from "51% and more of the beneficiaries" to read %51% or more of the beneficiaries". The friendly was accepted.
After several concerns and questions were raised a motion to table was made with a second. The motion to table carried.

NEW BUSINESS

1. [16-003](#) A RESOLUTION CONFIRMING THE NOMINATION OF JOHN SPARKS AS A COMMISSIONER OF THE CHEROKEE NATION GAMING COMMISSION
Councilor Vazquez moved to approve. Councilor Baker seconded the motion. Senator Sparks was available for questions. After several questions and some concerns were voiced the motion to approve carried with Councilor Lay opposed.

2. [16-004](#) A RESOLUTION CONFIRMING THE NOMINATION OF SHAUN SHEPHERD AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC
Councilor Hargis moved to approve. Councilor Vazquez seconded the motion. Mr. Shepherd was available for questions. After questions and concerns were voiced the motion to approve carried with Councilors Buzzard, Anglen, Lay, Baker and Garvin opposed.

3. [16-005](#) A RESOLUTION CONFIRMING THE NOMINATION OF FANNIE E. ROBINSON AS A COMMISSIONER OF THE CHEROKEE NATION TAX COMMISSION
Councilor Hargis moved to approve. Councilor Walkingstick seconded the motion. Ms. Robinson was present for questions. Councilors Crittenden and Hatfield requested to be added as sponsors. The motion to approve carried with no opposition.

4. [16-006](#) AN ACT RELATING TO AFFIRMATION AND CODIFICATION OF LAWS AND STATUTES OF CHEROKEE NATION
Councilor Hargis moved to approve. Councilor Taylor seconded the motion. Attorney General Hembree gave a brief overview of the Act. All Councilors

requested to be added as sponsors. The motion to approve carried by acclamation.

5. [TMP-273](#)

DISCUSSION AND POSSIBLE ACTION: CEMETERY RESTORATION ASSISTANCE POLICIES AND PROCEDURES

Councilor Hargis moved to approve. Councilor Walkingstick seconded the motion. Councilor Vazquez moved to table to allow changes in the proposed language within the policy. Councilor Garvin seconded the motion. Mr. Rob Daugherty gave an overview of the policy the issues and the recommendations. Following discussion the motion to table carried.

AMEND THE AGENDA

Councilor Walkingstick moved to amend the agenda under new business to add a discussion only item regarding the motor vehicle tax code modification act. Councilor Jordan seconded the motion. Chair Byrd requested a roll call vote. The vote carried as follows to amend the agenda

Yea: 14 - Jack D. Baker; Harley Buzzard; Joe Byrd; Frankie Hargis ; Curtis Snell; Janees Taylor; Victoria Vazquez; Keith Austin; Dick Lay; David Walkingstick; Shawn Crittenden; Wanda Hatfield; Rex Jordan and Bryan Warner

Nay: 3 - Don Garvin; David Thornton, Sr. and Buel Anglen

[TMP-340](#)

DISCUSSION ONLY - AN AMENDMENT TO LEGISLATIVE ACT 03-15; THE CHEROKEE NATION MOTOR VEHICLE LICENSING AND TAX CODE MODIFICATION OF 2016 - ADDING DEPENDENT SCHOOLS

Councilor Walkingstick provided a handout and gave an overview of the proposed amendment to include dependent schools. Lengthy discussion was held and Councilor Walkingstick stated he would bring back the proposed amendment at a later date.

ANNOUNCEMENTS

Chair Byrd announced on February 12th the car tag collections will be handed out to the schools at Hard Rock.

He also announced with February being a short month Rules and Executive & Finance committee will be moved to Wednesday the 17th at their regular times.

ADJOURNMENT

Councilor Snell moved to adjourn. Councilor Walkingstick seconded the motion. The motion carried at 3:17 p.m.

STAFF PRESENT:

<i>Kim Carroll</i>	<i>Bruce Davis</i>	<i>Shannon Buhl</i>
<i>Todd Hembree</i>	<i>Canaan Duncan</i>	<i>Sharon Swepston</i>
<i>Gwen Terrapin</i>	<i>Nason Morton</i>	<i>Jamie Hummingbird</i>
<i>Bill John Baker</i>	<i>Rhonda Trumbla</i>	<i>Rob Dougherty</i>
<i>Donna Chuculate</i>	<i>Tom Elkins</i>	<i>Diane Kelley</i>

*John Paden
Jeramie Fisher*

Gayle Miller

Lacey Horn

VISITORS PRESENT:

*Carolyn Allen
Fan Robinson
Teddy Snell*

*Harvey Chaffin
Shaun Shepherd
John Sparks*

*Brooke Tillison
Dianne Barker Harrold
Ruth Ann Weaver*