



Council of the Cherokee Nation

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

Tribal Council Minutes TRIBAL COUNCIL

Tina Glory-Jordan, Speaker

Recording Secretary, Shelli Brittain

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Tuesday, November 13, 2012

6:00 PM

Council Chambers

CALL TO ORDER

Tina Glory-Jordan
Speaker of the Council

Speaker Glory-Jordan called the meeting to order at 6:00 p.m.

INVOCATION

Councilor Lay gave the invocation.

ROLL CALL

Shelli Brittain
Legal & Legislative Coordinator

Present 16 - Buel Anglen; David Thornton, Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Chuck Hoskin Jr. ; Curtis Snell; David Walkingstick; Lee Keener Jr.; Dick Lay; Jodie Fishinghawk; Janelle Fullbright; Cara Cowan Watts; Tina Glory Jordan; Frankie Hargis and Joe Byrd

Absent 1 - Julia Coates

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Councilor Thornton moved to approve the October 15th regular session minutes. Councilor Walkingstick seconded the motion. The motion carried.

STATE OF THE NATION

Bill John Baker
Principal Chief

Principal Chief Bill John Baker gave appreciation and congratulated Treasurer Lacey Horn for receiving a clean audit for the eleventh year in a row and met the highest honors and standards of government for stellar financial reporting and accountability. A meeting was held on November 1st at the Hard Rock Resort to honor our TERO vendors. The official grand opening of the Vinita Health Care Center was held on the 5th of November. The ground breaking for the Collinsville Food Distribution Center was held on November 7th. Last Friday a ceremony was held honoring our veterans at our Veteran's memorial. Last weekend he attended At Large meetings in New

Mexico and Arizona. During the month of November all of the Cherokee Nation museums are offering free admission in recognition of Native American Heritage Month. He extended an invitation to everyone to attend the Annual Lighting of the Cherokee Square on December 4th. A team of Cherokee's went to Las Vegas to compete in the National Indian Rodeo; Michelle West – Champion Ladies Barrel Racer, Trae West – Junior Bull Rider, Steven Brickey – Champion Calf Roper, and Ross Scroggins – Senior Break Away Roping. Tragically J. D. Jones participated in the Saddle Bronc Riding and lost his life. A moment of silence was requested to remember J. D. and others lost over the last month.

CHEROKEE WARRIOR VETERAN AWARDS

S. Joe Crittenden
Deputy Principal Chief

Deputy Chief Joe Crittenden several veterans from the Hembree family; Ivan Hembree, Dan Sequoyah Hembree, Alfred Hembree, and Monroe Hembree.

ACTION OF UNFINISHED BUSINESS

None pending.

COMMITTEE REPORTS

Monthly Reports:

Housing Authority - Gary Cooper

Mr. Cooper announced the November board meeting will be held next Tuesday at 5:30 p.m. They are planning a Housing Authority wide staff development and training day in December. They have started fourteen new homes this month and are on track to start at least twenty a month from here on out. He provided an update on the Community Shield Insurance Program.

Cherokee Nation Business, LLC - Shawn Slaton

Mr. Slaton reported on the August financials at \$9.6ml. He commended the employees for the best year yet in 2012. They contributed \$280,000 in tax collections to the Cherokee Nation. On October 30th they closed on the Woodmark building here in Tahlequah. They are in the process of demolishing the Cherokee Inn in Catoosa and will replace with much needed parking. As part of the demolition they invited Cherokee Nation and the communities to remove any of the equipment they may need. He gave recognition to Ms. Gina Olaya and her group for the artwork and procurement at all of the locations. Health Care Services at CNB was awarded their first major contract of \$60ml contract over five years. The current employment at CNB is 4,199 with a Cherokee percentage of 70.4%, other Native American at 7.8% for a total Native American employment of 78.2%. Councilor Cowan Watts inquired about the listing agent for the Woodmark property and the process for the surplus items at the Cherokee Inn. Councilor Garvin inquired about the convenience store that the Ft. Gibson property. Councilor Keener inquired about the policy regarding the Tribal Council.

OLD BUSINESS

None pending.

NEW BUSINESS

AMEND THE AGENDA

Councilor Hoskin Jr. moved to amend the agenda to add the resolution for an equitable policy for all higher education passed out of Education & Culture committee earlier today. Councilor Cowan Watts seconded the motion. The motion carried as new business item #11.

Education and Culture Committee

- 1. [12-131](#) **AN AMENDMENT TO THE CHEROKEE NATION ARTS AND CRAFTS ACT****

Sponsors: Meredith Frailey, Cara Cowan Watts, Buel Anglen, Don Garvin, Jack D. Baker and Lee Keener

Attachments: [LA-42-12](#)

Councilor Frailey moved to approve. Councilor Cowan Watts seconded the motion. The motion carried by acclamation.

Enactment No: LA-42-12

Resource Committee

- 2. [12-127](#) **A RESOLUTION AUTHORIZING CHEROKEE NATION TO LEASE TRIBAL TRUST LAND TO CC CAMP COMMUNITY ORGANIZATION****

Sponsors: Jodie Fishinghawk, Frankie Hargis, Curtis Snell and Joe Byrd

Attachments: [R-96-12](#)

Councilor Fishinghawk moved to approve. Councilor Hargis seconded the motion. Councilors Byrd, Snell and Hargis requested to be added as sponsors. The motion to approve carried.

Enactment No: R-96-12
- 3. [12-128](#) **A RESOLUTION AUTHORIZING THE APPROVAL OF HOUSING LEASES - USA IN TRUST TRIBAL LAND - DELAWARE COUNTY****

Sponsors: Frankie Hargis

Attachments: [R-97-12](#)

Councilor Hargis moved to approve. Councilor Snell seconded the motion.

Councilors Fishinghawk and Snell requested to be added as sponsors. The motion to approve carried.

Enactment No: R-97-12

4. [12-129](#)

A RESOLUTION AUTHORIZING CHEROKEE NATION REAL ESTATE SERVICES TO ADVERTISE FOR BID TO LEASE CHILOCCO TRIBAL UNITS ON FEE AND TRUST LAND

Sponsors: David Walkingstick and Don Garvin

Attachments: [R-98-12](#)

Councilor Walkingstick moved to approve. Councilor Byrd seconded the motion. Councilor Keener offered a friendly amendment to strike “and to waive the bond” from the title. The friendly was accepted. Councilor Garvin requested to be added as a sponsor. Councilor Baker offered a friendly amendment to strike the last whereas clause. The friendly was accepted.

After discussion was held the motion to approve carried with Councilors Keener and Cowan Watts opposed.

Enactment No: R-98-12

5. [12-130](#)

A RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN CHEROKEE NATION AND THE UNITED STATES DEPARTMENT OF AGRICULTURE

Sponsors: Curtis Snell, Tina Glory Jordan, Frankie Hargis, Cara Cowan Watts, Buel Anglen, Jack D. Baker, Joe Byrd, Jodie Fishinghawk, Meredith Frailey, Janelle Fullbright, Don Garvin, Chuck Hoskin Jr. , Lee Keener, Dick Lay, David Thornton and David Walkingstick

Attachments: [R-99-12](#)

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

Enactment No: R-99-12

Rules Committee

6. [12-139](#)

A RESOLUTION RATIFYING LITIGATION IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Sponsors: David Thornton, Meredith Frailey, Julia Coates, Cara Cowan Watts, Jack D. Baker, Lee Keener, Don Garvin, Frankie Hargis and Buel Anglen

Attachments: [R-100-12](#)

Councilor Thornton moved to approve. Councilor Keener seconded the motion. Attorney General Hembree provided background and reasoning for this resolution. Councilors Cowan Watts , Keener, Baker, Garvin, Anglen, and Hargis requested to be added as sponsors. The motion to approve carried.

Enactment No: R-100-12

7. [12-140](#)

A RESOLUTION ALLOWING CHEROKEE NATION TO WORK WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATIONAL AGRICULTURE STATISTICAL SERVICE (NASS)

Sponsors: Tina Glory Jordan, Joe Byrd, Frankie Hargis, Janelle Fullbright, Don Garvin, Chuck Hoskin Jr. , Buel Anglen, Julia Coates, Jack D. Baker, Cara Cowan Watts, Jodie Fishinghawk, Meredith Frailey, Dick Lay, Lee Keener, Curtis Snell, David Thornton and David Walkingstick

Attachments: [R-101-12](#)

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

Enactment No: R-101-12

8. [12-086](#)

AN ACT AMENDING LEGISLATIVE ACT 03-09 AND TITLE 68 CHAPTER 3 OF THE CHEROKEE NATION CODE ANNOTATED - SALES TAX; ADDING EXEMPTIONS FOR ONE HUNDRED PERCENT (100%) PERMANENTLY DISABLED VETERANS AND ALL VETERANS AND DEFINING WHAT NON-PROFITS ARE ELIGIBLE FOR THIS EXEMPTION

Sponsors: Curtis Snell, Jodie Fishinghawk, Tina Glory Jordan, Frankie Hargis, Chuck Hoskin Jr. , Don Garvin, Janelle Fullbright, Lee Keener, Meredith Frailey and Dick Lay

Attachments: [LA-43-12](#)

Councilor Fishinghawk moved to approve. Councilor Hoskin Jr. seconded the motion. Councilors Cowan Watts, Walkingstick, Byrd and Anglen requested to be added as sponsors. The motion to approve carried by acclamation.

9. [12-133](#)

ACT RELATING TO SUBSIDIES FOR SMOKESHOP OWNERS WHO ARE OPERATORS

Sponsors: David Thornton, Joe Byrd, Buel Anglen and Jodie Fishinghawk

Attachments: [LA-44-12](#)

Councilor Thornton moved to approve. Councilor Anglen seconded the motion. Councilor Anglen requested to be added as a sponsor. After some discussion was held regarding the tobacco compact Councilor Walkingstick moved to table. Councilor Frailey seconded the motion.

The motion to table failed by the following vote:

Yea: 2 - Chuck Hoskin Jr. and David Walkingstick

Nay: 14 - Buel Anglen;David Thornton, Sr. ;Don Garvin;Jack D. Baker;Meredith Frailey;Curtis Snell;Lee Keener Jr.;Dick Lay;Jodie Fishinghawk;Janelle Fullbright;Cara Cowan Watts;Tina Glory Jordan;Frankie Hargis and Joe Byrd

Councilor Cowan Watts called for the question. The motion to approve carried

by the following roll call vote:

Yea: 15 - Buel Anglen; David Thornton, Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Chuck Hoskin Jr. ; Curtis Snell; Lee Keener Jr.; Dick Lay; Jodie Fishinghawk; Janelle Fullbright; Cara Cowan Watts; Tina Glory Jordan; Frankie Hargis and Joe Byrd

Nay: 1 - David Walkingstick

Enactment No: LA-44-12

Executive and Finance Committee

10. [12-132](#) **AN ACT AMENDING LEGISLATIVE ACT #37-12 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2013 - MOD. 2; AND DECLARING AN EMERGENCY**

Sponsors: Jodie Fishinghawk and Chuck Hoskin Jr.

Attachments: [LA-45-12](#)

Councilor Fishinghawk moved to approve. Councilor Hoskin Jr. seconded the motion. Councilor Hoskin Jr. inquired about the handout provided. Attorney General Hembree requested on the behalf of the Administration the mod be amended to include. After discussion was held Councilor Cowan Watts called for the question on the operating budget mod 2 by acclimation.

The motion to approve by acclimation carried.

Enactment No: LA-45-12

AMEND THE AGENDA

Councilor Fishinghawk requested clarification that this request is to release funds from reserve by appropriation to health through the capital budget. Councilor Fishinghawk moved to amend the agenda for consideration of this budget item. Councilor Hoskin Jr. seconded the motion. Mr. Jody Reece provided clarification on the request by administration.

RECESS

After discussion was held and additional questions were raised Councilor Lay requested a five minute recess. Speaker Glory-Jordan granted the recess at 7:27 p.m.

RECONVENNE

Speaker Glory-Jordan called the meeting back to order at 7:32 p.m.

AMEND THE AGENDA

Councilor Fishinghawk withdrew her motion to amend the agenda for consideration of this budget request.

11. [12-142](#)**A RESOLUTION TO ESTABLISH AN EQUITABLE POLICY FOR ALL HIGHER EDUCATION SCHOLARSHIPS****Sponsors:** Dick Lay**Attachments:** [R-102-12](#)

Councilor Hoskin Jr. moved to approve with a friendly amendment to specify in the 5th whereas the military academies as West Point, The U. S. Naval Academy, The U.S. Coast Guard Academy, The U.S. Air Force Academy and the U.S. Merchant Marine Academy and in the resolve paragraph change “high education” to “higher education”. Councilor Cowan Watts seconded the motion. The motion to approve carried.

Enactment No: R-102-12

ANNOUNCEMENTS

Councilor Baker recognized Markwayne Mullin's mom in attendance this evening.

Councilor Fullbright invited everyone to the District 3 community meeting on November 27th at Blue Ribbon Downs in Sallisaw.

Councilor Hoskin Jr. recognized CNB Board members Brent Taylor and Jerry Holderby in attendance.

Councilor Lay invited everyone to a District 4 community meeting in Dewey on November 27th.

Councilor Hoskin Jr. invited everyone to a community meeting on December 8th in Vinita.

ADJOURNMENT

Councilor Baker moved to adjourn. Councilor Walkingstick seconded the motion. The motion carried at 7:37 p.m.

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