



Council of the Cherokee Nation

Meeting Minutes

Executive and Finance Committee

Friday, June 1, 2007

3:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Linda O'Leary called the meeting to order at 3:03 p.m.

INVOCATION

Councilman Crittenden gave the invocation.

ROLL CALL

Present 16 - Bill John Baker; Audra Smoke-Conner; S. Joe Crittenden; Jackie Bob Martin; David Thornton Sr. ; Phyllis Yargee; Don Garvin; Linda Hughes-O'Leary; Melvina Shotpouch; Meredith Frailey; Cara Cowan Watts; William G. "Bill" Johnson; Buel Anglen; Charles "Chuck" Hoskin; Taylor Keen and Jack D. Baker

Absent 1 - John F. Keener

APPROVAL OF MINUTES

Councilor Bill John Baker moved for the approval of the minutes of the April 27th regular session. Councilor Cowan Watts seconded the motion. Motion carried.

Councilor Cowan Watts moved for the approval of the minutes of the May 14th Reconvene Session. Councilor Garvin seconded the motion. Motion carried.

Councilor Bill John Baker moved to amend the agenda to add item #8, which will be a Resolution for Indian Child Welfare to apply for a \$2.5 million dollar grant with a \$500,000 match over a five year period. Councilor Cowan Watts seconded the motion. Motion carried.

REPORTS:

Financial Report/Secretary-Treasurer Report:

Tamyse Leake

Callie Catcher reported cash for General Fund is up about \$25 million which is primarily due to increased revenues and earnings on their cash. Revenues are up about \$58 million and part of that is due to how they record the bond proceeds when they issue debt so \$30 million is related to the bond proceeds. Dividends are up \$5 million and interest is up \$3 million.

Cherokee Nation Enterprise:

David Stewart

David Stewart reported the financials show good results for the month and they expect they are \$10 million dollars ahead of budget. They just purchased 700 games which is a \$16 million dollar purchase. The way they are leasing the games currently is a portion of that goes to the owner of the game and so based on the results of the games they

purchased instead of paying the vendor now they will own the games and keep the profits for themselves so it is a good investment and they will probably buy more games as they prove to be good games. The parking garage is going to open in June, the Roland Casino expansion has been put on hold because they feel the money they were spending for the infrastructure in the existing building was going to be so great and they still would not get what they needed so they are thinking about a new facility directly behind it which is still on trust land. They feel it can be done with the same amount of money that was originally budgeted. They have started the construction at Catoosa on rerouting the road at the south end and once they get that road built they will be able to take that section over for construction and that is in the middle of design.

Cherokee Nation Industries:

Dennis McLemore

Dennis McLemore reported for period ending March 31st the balance sheet shows \$17.5 million for accounts receivable, net inventories of \$8.5 million, accounts payable was \$12 million, revolving line of credit \$9.8 million, net worth at the end of March was \$10.4 million, and profits for the end of March is \$9 million. This year as a part of the change over they will be extending their fiscal year to September 30th so their end of year will coincide with all other entities.

Historical Society:

Carey Tilley

Carey Tilley announced opening night for Under the Cherokee Moon begins tonight. The Trail of Tears Art Show just came down and they were real pleased with the art work and sales. June 30, 2007 is the Heritage Center will be celebrating its 40th anniversary. They will be having a special day for all former villagers and their families to come out for a hog fry and along with that they will be having a summer exhibit of very interesting photographs of the old days.

Cherokee Nation Business:

Callie Catcher

Brad Carson reported they continue to work closely with the various companies that CNB is responsible for under the Resolutions passed by this Council and their own operating agreement. They are working with CNE as they continue their ambitious growth and also CNI who recently closed a loan for \$15 million that had been budgeted and that they anticipate will help CNI immensely in their financial performance. Also, with companies like Cherokee CRC, who in the last six months has had revenues of about \$1.1 million dollars with an operating profit of about 16%. They continue to work with expanding their presence in the 8A market, CNI has a lot of expertise in this rather technical part of the intersection of business and government. Regarding Cherokee Connex, they do anticipate final payment of \$1.55 million from their former partners on that project on July 31st.

GEG Investigation Report

Diane Hammons

Diane Hammons stated as to the investigation, there is very little that she can say publicly other than the criminal investigation is ongoing. In the past month they have had some developments and there is new activity going on in the investigation. Councilor Frailey made a motion to move this report to the Rules Committee. Councilor Cowan Watts seconded the motion. Motion carried.

COMMUNITY ASSISTANCE

<i>Roland Fire Department</i>	\$1380	<i>Councilor Yargee</i>
<i>National Tournament/Softball</i>	\$500	<i>Councilors Yargee/Thornton \$250 ea.</i>

Councilor Hoskin moved for the approval. Councilor Thornton seconded the motion. Motion carried.

LAW ENFORCEMENT REQUESTS

<i>Sequoyah County Sheriff</i>	\$2371 ea.	<i>Councilors Thornton/Yargee</i>	<i>Equipment</i>
<i>City of Stilwell</i>	\$6500	<i>Councilor Crittenden</i>	<i>Computers</i>
<i>Adair County Sheriff's Office</i>	\$8343	<i>Councilor Crittenden</i>	<i>Patrol Car</i>
<i>City of Westville</i>	\$6500	<i>Councilor Crittenden</i>	<i>Bld. Ren.</i>
<i>Craig County Sheriff's Office</i>	\$5000	<i>Councilor Hoskin</i>	<i>Tower</i>
<i>Pryor Police Department</i>	\$10,000	<i>Councilor Frailey</i>	<i>Equipment</i>
<i>Town of Strang</i>	\$1103	<i>Councilor Frailey</i>	<i>Equipment</i>
<i>Town of Spavinaw</i>	\$3679	<i>Councilor Keener</i>	<i>Equipment</i>

Councilor Thornton moved for the approval. Councilor Garvin seconded the motion. Motion carried.

OLD BUSINESS

1. CNI Audit

Councilor Bill John Baker made a motion to remove this item from the agenda. Councilor Conner seconded the motion. Motion carried.

NEW BUSINESS

1. MFT & MVT Road & Bridge Project Requests for FY2007.

Doug Evans gave a summary report by Council member for the Motor Fuels and Motor Vehicle Funds as well as the new Bridge/Access project requests. All current requests included in this month's package fall within each respective Council Member's allocated balance.

Councilor Hoskin moved for the approval. Councilor Crittenden seconded the motion. Motion carried.

2. The Murrell Home Living History Program

Attachments: [Murrell Home program backup](#)

Councilor Bill John Baker stated this request is for funds to fund the Living History Program. The Living History Program contrasts the lifestyles of both a wealth merchant and planter with a typical Cherokee family. They believe that both general visitors and the many school groups that visit will gain a greater understanding of what life was like in the Cherokee Nation prior to the Civil War. The total request for funding is \$6,723.00.

Councilor Bill John Baker moved for the approval of the funding. Councilor Jack D. Baker seconded the motion. Motion carried. This item will be included in mod. 8.

3. Contract Health Funding (\$2.5 million Mod. 8a Amendment)

Councilor Jack D. Baker moved for the approval. Councilor Cowan Watts seconded the motion. Motion carried. This item will be included in mod. 8.

4. ALEGISLATIVE ACT PROVIDING FOR FUNDING OF EYEGASSES OR OTHER CORRECTIVE LENSES FOR ELDERLY CHROKEE CITIZENS AND CHEROKEE YOUTH

Councilor Bill John Baker stated this Act is for funding of eyeglasses and other corrective lenses for the elderly citizens and youth in the Cherokee Nation. To be eligible for benefits under this Act, Cherokee citizens must have income below one hundred eighty-five percent (185%) of poverty income established by the Cherokee Nation Department of Health. Cherokee Nation shall supplement the cost of eyeglasses or other corrective lenses for elderly Cherokee citizens and Cherokee youth up to the amount of two-hundred and fifty dollars (\$250.00). The funding source of this Act shall be the Cherokee Nation General Fund.

Councilor Bill John Baker moved for the approval of this Act. Councilor Cowan Watts seconded the motion. Motion carried by acclamation.

Yea: 16 - Bill John Baker; Audra Smoke-Conner; S. Joe Crittenden; Jackie Bob Martin; David Thornton Sr. ; Phyllis Yargee; Don Garvin; Linda Hughes-O'Leary; Melvina Shotpouch; Meredith Frailey; Cara Cowan Watts; William G. "Bill" Johnson; Buel Anglen; Charles "Chuck" Hoskin; Taylor Keen and Jack D. Baker

5. A LEGISLATIVE ACT PROVIDING SCHOLARSHIPS FOR PELL GRANT QUALIFIED STUDENTS

Councilor Bill John Baker stated the purpose of this Act is to increase the amount of scholarships available to Cherokee students who receive PELL grant assistance to \$1000. This is a federal program that we administer that use to be the old higher money of the BIA. As we have been successful in getting more and more of our students to go to college there was just one pot of money and the more students we got the less each one of them received. Now it is to the point that we are giving them such a small amount that they are not even applying from their tribe. There are currently 847 students in the pool and this last time they received \$350.00.

Councilor Bill John Baker stated this would cover every student we currently have and bring them up to \$1000 dollars. He hopes this would continue on into the budget cycle for the second semester and in the future.

Councilor Bill John Baker made a motion to pass this Act with the funding amount for this year of \$575,000 dollars for the students that start in September and 10% of that will be for administration. Councilor Yargee seconded the motion.

A motion was made by Councilor Don Garvin and seconded by Councilor Jackie Bob Martin, that this matter be Tabled. The motion FAILED by the following vote:

Yea: 7 - Audra Smoke-Conner; Jackie Bob Martin; Don Garvin; Cara Cowan Watts; William G. "Bill" Johnson; Buel Anglen and Jack D. Baker

Nay: 8 - Bill John Baker; S. Joe Crittenden; David Thornton Sr. ; Phyllis Yargee; Linda Hughes-O'Leary; Melvina Shotpouch; Charles "Chuck" Hoskin and Taylor Keen

Not In Room: 1 - Meredith Frailey

The motion for approval of this Act with the funding amount for this year of \$575,000 dollars for the students that start in September with 10% for administration. The motion for approval passed by acclamation. The \$575,000 will be included in mod. 8.

6. A RESOLUTION AUTHORIZING THE SUBMISSION OF A PROPOSAL TO CONTINUE THE FUNDING FOR THE CHEROKEE NATION CANCER REGISTRY
- The purpose of this Resolution is to authorize the submission of a proposal to continue the funding for the Cherokee Nation Cancer Registry to continue the operation of the Cancer Registry. The project has been funded since 1997 and the annual budget of the cancer registry is \$116,898.*

Councilor Cowan Watts moved for the approval. Councilor Crittenden seconded the motion. Motion carried.

7. AN ACT AMENDING LEGISLATIVE ACT #26-06 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2007 - MOD 8a; AND DECLARING AN EMERGENCY
- Doug Evans stated after reviewing the submission of Mod 8 he didn't find any issues surrounding the budget preparation; however, he did make some comments and recommendations and they are summarized as follows:*

- *Table item #3 & # 30 for the Marshal Service pending an explanation to the current budget analysis by program.*
- *Remove item #5, Cash Reserve pending review of LA#5-02 reserve policy.*
- *Remove item #6, PACE Building to allow CNB to maintain 100% of construction financing.*
- *Table item #7, Election Fund pending an explanation to the current budget comparison.*
- *Redirect proceeds of debt from item #22, Internal Lease Building (PACE Building) to items #11 thru #15.*
- *Leave in item #21, CN Landfill but request legal opinion regarding contract arrangement.*

Several times in instances in reviewing these budgets he is reviewing based on limited knowledge and information given to him. He discussed with Callie Catcher the Administration's process and how they come to a decision of what to present to this body for appropriations. He would like for this body and the administration to consider the possibility of including him on the front end work of the strategic budget committee and administration but not as a voting member on that committee but simply to gain an understanding of some of this information that may have more behind the scene information that he can't see in the system or in this information and he may not even know where to go to try and find information that he does not know is there. His goal is eventually to keep continuing to put better packages before this body to where when they make an informed decision they are making an informed decision on all the information available to them. Callie Catcher stated she feels if Doug can sit in on those discussions he will have a better understanding of the process but also the justifications they are going over when they review all of the budgets.

Councilor Bill John Baker moved for the approval according to the recommendations in the back of Mod 8. Councilor Keen seconded the motion. The motion for approval of mod. 8 passed by acclamation.

- 8. A RESOLUTION AUTHORIZING Cherokee Nation BEHAVIORAL HEALTH SERVICES AND Cherokee Nation INDIAN CHILD WELFARE TO SUBMIT AN APPLICATION FOR AN ADMINISTRATION FOR CHILDREN AND FAMILIES (ACF) FUNDED GRANT TO EXPAND DRUG TREATMENT CAPACITY TO IMPROVE PERMANENCY OUTCOMES FOR CHILDREN

Councilor Cowan Watts moved for the approval. Councilor Conner seconded the motion. Motion carried.

ANNOUNCEMENTS

The next meeting date is tentatively scheduled for June 29th at 3:00 p.m.

ADJOURNMENT

Councilor Johnson moved for adjournment. Councilor Martin seconded the motion. Motion carried.

STAFF PRESENT:

<i>Callie Catcher</i>	<i>Doug Evans</i>	<i>Todd Enlow</i>
<i>Melanie Knight</i>	<i>Dr. Neil Morton</i>	<i>Norma Merriman</i>
<i>Jim Redcorn</i>	<i>Tom Elkins</i>	<i>Rick Kelley</i>
<i>Dr. Gloria Grim</i>		

VISITORS PRESENT:

<i>Dennis McLemore</i>	<i>Carey Tilley</i>	<i>Brian Collins</i>
<i>Todd Hembree</i>	<i>Brad Carson</i>	<i>David Walkingstick</i>
<i>David Stewart</i>	<i>Stacy Leeds</i>	<i>Harley Tarrell</i>

APPROVAL / DISTRIBUTION

Minutes submitted by: Gayle Miller, Recording Secretary

Motion to approve minutes made by: _____

Minutes attested and concurred by: _____

Date: _____