



# Council of the Cherokee Nation

## Meeting Minutes Executive and Finance Committee

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Thursday, June 26, 2008

3:00 PM

Legislative Conference Room

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### CALL TO ORDER

**Chair Jack Baker called the meeting to order at 3:28 p.m.**

### INVOCATION

**Councilor Soap gave the invocation.**

### ROLL CALL

**Present** 16 - Bill John Baker; S. Joe Crittenden; David Thornton Sr. ; Don Garvin; Meredith Frailey; Cara Cowan Watts; Buel Anglen; Jack D. Baker; Tina Glory Jordan; Jodie Fishinghawk; Janelle Fullbright; Curtis Snell; Chris Soap; Bradley Cobb; Chuck Hoskin, Jr. and Julia Coates

**Absent** 1 - Harley Buzzard

### APPROVAL OF MINUTES

**Councilor Bill John Baker made a motion to approve the May 29th regular session minutes and the May 29th sub committee minutes. Councilor Cowan Watts seconded the motion. Motion carried.**

**Speaker Frailey made a motion to amend the agenda to include before reports a presentation pertaining the Chilocco Indian School. Councilor Coates seconded the motion. Councilor Bill John Baker requested a friendly amendment to add a new business item pertaining to the Youth Cultural Exchange Program. Motion carried.**

### COUNCIL OF CONFEDERATED CHILOCCO TRIBES PRESENTATION AND POSSIBLE FUNDING REQUEST

*Chair Jack Baker introduced Guy Monroe as Chairman of the Kaw Nation, Dan Jones as Council member and former chair of the Ponca Nation, Don Patterson as President of the Tonkawa Nation, Jim Schreen as Vice President of the Tonkawa Nation, John Shotten as Chairman of the Otoe Missouria, and Ross Chaney who is the Otoe Missouria Development Authority Director.*

*Mr. Dan Jones announced the President of the Pawnee Nation, George Howell, was unable to attend. He stated they have come today on behalf of the Old Chilocco Indian School. He stated the Cherokee's had the second largest number of graduates in the schools 100 year history. He provided a power point history of the school. He stated the old school is in need of help. He stated they have developed a plan and a budget. With \$4.2ml they can stabilize the campus, hire a development company, and begin a capitol campaign for fund raising. The Seminole Nation made an offer for the budget to be broken down into a one or a one and a half year budget they would acquire a loan in the amount of \$1.3ml to get the capitol fund raising campaign off the ground. They agreed to stand behind the loan if paid back through the fund raising efforts if one other tribe will agree to join the effort. He stated that is*

why they are here today. Mr. Don Patterson stated they are here primarily in solidarity with the Ponca Tribe and the rest of the coalition of five tribes in that particular region who have undertaken this endeavor at Chilocco. Mr. John Shotten gave appreciation to the Council for allowing the confederation time to present their plans and ideas. Mr. Guy Monroe also gave his appreciation for the time allowed today. Chair Jack Baker stated he was honored to be at the Chilocco campus the first Saturday of this month. Councilor Cowan Watts stated it was her understanding there was going to be a motion to donate \$50,000 toward the project to assist in stabilizing the buildings. Mr. Jones stated if discussion was held with the Seminole Nation there may not be a need for the funds. He stated Seminole Nation has agreed to obtain a loan for \$1.3ml and stand behind the note. He stated they feel they will be able to raise the \$4.2ml in a capitol fund raising campaign and be able to pay back the \$1.3ml loan to the Seminole Nation. He stated their hopes today is for the Cherokee Nation to also stand behind the note. Mr. Jones stated he is unsure where the \$50,000 figure arrived from. Mr. John Parris stated there are bills to pay and the \$50,000 would be wonderful. The need at the campus is several million dollars. The Seminole have proposed a loan guarantee. He stated they would take out a \$1.3ml loan and have several tribes as guarantor to the loan. Councilor Glory-Jordan inquired as to the collateral with the Seminole request. She further inquired if there would be a request to waive sovereign immunity. Mr. Parris stated it could be structured where the liability could be capped. Chair Jack Baker stated the \$50,000 is a number determined by some of this Council as a contribution toward the \$1.3ml. Councilor Bill John Baker stated he is very supportive of the Chilocco School. Councilor Bill John Baker made a motion to guarantee \$300,000 of the loan. Councilor Cowan Watts seconded the motion. Mr. Jones stated the \$300,00 would be extremely helpful he requested someone from the Cherokee's to sit on the Board of Chilocco Benefit Directors. The committee suggested Chair Jack Baker. Councilor Garvin inquired if the NCAI have been contacted for assistance. Mr. Jones stated they have a resolution from the NCAI that backs the concept of a National Cultural Center at the Chilocco Campus. Councilor Cobb requested clarification that Councilor Baker's motion is to guarantee \$300,000 of the \$1.3ml. Councilor Baker agreed.

**Councilor Bill John Baker made a motion to guarantee \$300,000 of the loan.  
Councilor Cowan Watts seconded the motion. Motion carried.**

#### REPORTS:

Financial Report/Treasurer Report - Callie Catcher

*Ms. Catcher stated her written report had been provided and offered to answer any questions.*

Cherokee Nation Industries - Dennis McLemore

*Mr. McLemore announced the April results show a balance of \$8.3ml, \$13ml in accounts receivable, \$9.2ml in net inventory, \$11.4ml in accounts payable and total equity of \$22ml. For the year to date through April 30th their total sales are at \$48ml with a loss at this time at just over \$1ml.*

Cherokee Nation Enterprises - David Stewart

*Mr. Stewart announced CNE had an all time high month in May. The net income was a record at \$12.1ml. He stated they are very pleased with the numbers as they are a result of the hard work of the employees. He stated they continue to focus on the expenses even with the increases in revenue. December 15th is the opening date for the Catoosa casino and October in West Siloam. He announced West Siloam will be*

*a three phase project with the opening of the new casino, tearing down of the old facility, then the building of the hotel. In Catoosa the casino expansion will open in December, a portion of the hotel expansion in March, the convention center in May and July for the concert hall. Their Cherokee employment remains strong at 58%. He stated they are working hard to maintain this percentage as they hire over the next 6 to 9 months. He stated they are looking to add 300 to 400 jobs at the West Siloam facility. They will present the Cultural Tourism Plan to the CNE board at the July meeting for approval. He stated the packets that were promised during the presentation to the Education and Culture Committee will be sent out within a week. He stated as part of the request to meet the Cherokee employees at CNE Leadership Development Program, Executive Management Program and Senior Manager Development Program. Following are the employees introduced: Chris Province, Samantha Hendrix, Talina Nofire, Talisha Nichols, Tonette Hummingbird, Todd Gourd, Tonya Ruth, Gary Waddell, and Bob Schooly. Mr. Stewart gave an overview of the different leadership projects these employees are a part of as Generation X and Y, Passion for People, Employment of Choice, Green Team, and Improving internal and External Guest Service.*

Cherokee Nation Businesses - Brad Carson

*Mr. Carson have to leave for another commitment.*

Career Services/Employment - Diane Kelley

*Ms. Kelley announced they received a phone call yesterday from the Dallas Regional Office approving their five year contract. She announced they have a total of 426 participants in the Summer Youth Employment Program. Tomorrow is FACET in Stilwell's 30 year anniversary celebration. Gatorade officials were here in the Cherokee Nation Tuesday and met with the Chief. Cultural Enrichment Day for the Summer Youth Program is next Monday at the Job Corp Center with some of the activities to include a traditional hog fry. Wauneta Sanders last day of work was yesterday. Ms. Brenda Fitzgerald will assume the responsibilities of Vocational Education.*

Commerce - Anna Knight

*Ms. Smith announced the Commerce Group report had been provided and offered to answer any questions.*

*Councilor Bill John Baker voiced concern for low income people using Mortgage Assistance to purchase a mobile home and need assistance from the Water and Sanitation Department for water and sewer. He stated the problem arises when the water and sewer will not be installed until the home is in place and they are unable to close the loan to deliver the home until the water and sewer is in place. Councilor Bill John Baker made a motion for a resolution to ask the Administration to determine how to accommodate these low income people to avail themselves to both programs. Councilor Hoskin Jr. seconded the motion. Motion carried.*

#### CONSENT ITEMS:

##### T. E. R. O. CERTIFICATIONS

*Councilor Glory-Jordan inquired if the TERO certification renewals would be broken out by ownership and percentage of Indian ownership. Ms. Kelley yes they are. Councilor Glory-Jordan requested the renewals be held for a month and that in the future that the renewals are updated to determine the company is still owned by the*

same people. Ms. Kelley stated if the renewals are held for a month some of these companies will miss out on bids. Councilor Glory-Jordan stated she has question with a few of them. Councilor Bill John Baker suggested moving them to Full Council to allow time for the information needed to be submitted.

**Councilor Bill John Baker made a motion to forward the TERO certifications to Full Council for approval this month only. Councilor Glory-Jordan seconded the motion. Motion carried.**

Mr. Evans stated a handout has been provided for a Road request that was left off of the list as well as numerous additions to the the community assistance list also provided in an additional handout. He noted Flute Springs Community for \$1,000 also needed to be added. The law enforcement requests have additions as follows: 1) Muskogee County Sheriff's Department \$2,720 for deputy vests from Councilor Garvin, 2) Salina Police Department \$2,500 from Councilor Frailey for uniforms, badges and rain gear, 3) Town of Spavinaw \$2,400 for portable radios from Councilor Frailey, and 4) Nowata Police Department \$3,000 for equipment from Councilor Hoskin Jr. Mr. Evans stated he was just handed 2 additional community assistance requests as follows: 1) Sequoyah County Fair Grounds \$2,000 and 2) Fourteen Flags Heritage Club \$3,000 both from Councilor Fullbright.

**Councilor Glory-Jordan made a motion to amend the agenda to approve the Roads, Community Assistance and Law Enforcement Requests at one time. Councilor Thornton seconded the motion. Motion carried with all additions.**

#### ROADS

*Approved with additions*

#### COMMUNITY ASSISTANCE

*Approved with additions*

#### LAW ENFORCEMENT REQUESTS

*Approved with additions.*

#### CEMETERY RESTORATION ASSISTANCE APPLICATIONS

Chair Jack Baker stated the cemetery assistance have the same problems as last month with a lack of funds in certain districts. Mr. Evans stated this list has been included in the mod as discussed last month. He stated these are already appropriated funds therefore these are earmarking consents. The packet contains requests for Cochran cemetery in Cherokee County, Little Dear cemetery in Adair County, Spade Mountain cemetery in Adair County, Snell cemetery in Delaware County, Wickliffe cemetery in Mayes County, Indian Spiritual Grounds/Lords cemetery in Tulsa County and White cemetery in Sequoyah County. He requested the addition of Riggs cemetery in Rogers County. He stated three of these cemetery requests if allocated by Councilor have exceeded their funding. He stated an option the body may consider is allowing this program to fund cemeteries on an as needed and as identified basis versus an as where. He stated a funding appropriation could then be considered when the funding levels are low. Chair Jack Baker clarified that 3 cemeteries would be denied due to no funding if the funds are left as is. Mr. Evans agreed.

Councilor Cobb inquired if this is a one time request or permanent. Councilor Bill John Baker stated it would make more sense to do it permanently. Councilor Cobb

stated each councilor knows how much money they have for these projects. He inquired if this is a problem every year. Councilor Cowan Watts stated she is not opposed to the idea entirely but as she indicated last month she could not support on a monthly basis. She stated she doesn't want to remove funds from the allocation to Rogers County due to expected incoming applications. Chair Jack Baker stated if all applications are approved today there is still \$92,000 left in the program and have only expended \$34,000 for the year. Councilor Bill John Baker stated there has been carry over in the past and it hasn't received additional funding in two years. He stated Cherokee County has run out of funds due to the large number of Cherokee cemeteries and there are numerous elders still trying to maintain them. He stated the simple fix is to pool the funds and re-allocate if needed. He inquired as to the total funds spent in prior years. Mr. Evans stated this is by far the most that has been expended in one year. Councilor Soap stated he is in support of Councilor Baker's recommendation provided that this becomes an in house program that the administration runs and let our staff do more important things. Councilor Bill John Baker stated in discussions with the administration they wanted the applications to be taken here but they do actually administer the program by preparing the paperwork and cutting the checks. Councilor Hoskin Jr. stated he wants to see the Council continue to take the applications. Councilor Fullbright stated she is in support of the motion that the cemeteries should be funded where ever they are regardless of the district or county. Councilor Frailey questioned if the motion is to expend the funds on a first come first serve basis until the funding is gone. Chair Baker agreed.

**Councilor Bill John Baker made a motion to pool funds to take care of these cemeteries and when funds are close to running out to re-appropriate. Councilor Glory-Jordan seconded the motion. Motion carried with Councilors Cobb, Soap, Anglen, and Cowan Watts opposed.**

## OLD BUSINESS

None.

## NEW BUSINESS

### COUNCIL OF CONFEDERATED CHILOCCO TRIBES PRESENTATION AND POSSIBLE FUNDING REQUEST

*This item was addresses prior to the reports.*

Cherokee Nation Tribal Youth Members Cultural Exchange (funding request)

*Councilor Glory-Jordan voiced concern for the \$30 a day for meals being to low. She suggested upping the meal allowance to \$50 per day. Councilor Garvin agreed.*

*Speaker Frailey stated we haven't heard the presentation yet. They may be able to answer questions.*

*Members of the Youth Council present include:*

*Ms. Kinsey Shade, District 1 representative and President of the Youth Council  
JC Lowe, District 4 representative  
Will Shaver, District 3 representative  
Corey Still, District 1 representative  
Christina Hanvey, District 2 representative and Vice President*

*Ms. Shade stated the dates for the trip are July 7th through the 13th. The purpose of the trip is to share our language, culture and government to the Crow agency in Montana. She announced they will be doing community service while on the trip.*

She stated they have received inkind donations of staff and vehicles. She stated the request today is for assistance with lodging and meals. Ms. Hanvey stated the Youth Council is excited to participate in cultural exchange as well as experncing the opportunity of sovereign immunity where it concerns other tribes.

Councilor Garvin made a motion to change the meal allowance to \$50 per day. Councilor Fullbright seconded the motion. Motion carried.

**Councilor Glory-Jordan moved for the approval of the request with the amendment. Councilor Cowan Watts seconded the motion. Motion carried.**

**Councilor Cobb made a motion to amend the agenda to include a rider to the budget mod pertaining to the Delaware psss through. Councilor Frailey requested to add a presentation from the Oklahoma Junior Teen Queen. Motion carried.**

AN ACT AMENDING LEGISLATIVE ACT #37-07 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2008 - MOD 9; AND DECLARING AN EMERGENCY

**Sponsors:** Councilor Baker And Councilor Cowan Watts

Mr. Evans gave a quick overview of the budget modification request. In regard to the 2006 IHP Community Planning request to shift the \$150,000 in cash match transfer from the block grant over to the general fund he stated this should avail the funds for other housing appropriation needs however no request has been submitted to utilize these funds. He suggested using these funds to offset the request for the Housing Accessibility Program. Ms. Callie Catcher stated NAHASDA funds were not requested for the Housing Accessibility Program due to the restrictions that come along with the use of NAHASDA funds. The Housing Accessibility Program is for small repairs that are supposed to be very responsive in emergency repairs. NAHASDA rules require environmental.

Councilor Bill John Baker stated the tribally funded \$1,000 self help program is not being utilized due to the extremely low income guidelines. He made a motion to raise the income guidelines on the \$1,000 self help program. Councilor Hoskin Jr. seconded the motion. Ms. Catcher stated she would like to have the program director available for discussion. Motion carried.

Mr. Evans requested to point out two items in the mod package as the cash match being shifted over to the discretionary pool and the over expenditure of the Housing Accessibility Program. Councilor Glory-Jordan inquired if this meant there is \$150,000 is un-appropriated funds available. Mr. Evans stated it is NAHASDA funds. Councilor Glory-Jordan requested Mr. Evans to track these funds. Councilor Bill John Baker made a motion to approve the mod as presented. Councilor Cowan Watts seconded the motion.

Chair Baker announced Ms. Bailey the Oklahoma Junior Teen is here for a presentation. Ms. Davis stated in November she will be in California representing the State of Oklahoma in the National Pageant. She announced she is selling business ads to assist in the trip to California. Councilor Bill John Baker requested the Speaker of the House purchase a full page ad on behalf of the Council in the amount of \$600 from the Council budget. Speaker Frailey stated she would be glad to do so.

Councilor Cobb stated this is a budget request for the Delaware Indians in Bartlesville. He gave appreciation to Councilors Hoskin Jr, Anglen, and Cowan Watts for their co sponsorship. He stated this is an aide to tribal government money from the BIA office in Muskogee. Ms. Melanie Knight stated this represents one program

*that the Nation and the Delaware tribe have been working on. She stated these are funds they used to receive in their aide to tribal government program which provides core governmental services for them to pay the chief and perform enrollment types of functions. She stated they have negotiated to pass through this amount to the BIA to the Delaware tribe upon federal recognition. She stated they have been contacted and due to the delays in passing the federal legislation they are in dire need to keep things going and requested the funds earlier. She stated the total amount of pass through to the Delaware tribe is \$277,867. Councilor Anglen moved for the approval. Councilor Bill John Baker seconded the motion. Chair Baker stated this would be added to the budget modification. Motion carried.*

**Councilor Bill John Baker made a motion to approve the mod as presented. Councilor Cowan Watts seconded the motion. Chair Baker inquired if there is further discussion on the budget mod as amended. Motion carried.**

#### ANNOUNCEMENTS

**Councilor Bill John Baker reminded everyone of the Public Forum to be held at 6:00 p.m. tonight regarding the Hastings Negotiations.**

#### ADJOURNMENT

**Councilor Cobb made a motion to adjourn. Councilor Cowan Watts seconded the motion. Motion carried at 5:30 p.m.**

#### STAFF PRESENT:

*Shay Smith  
Vickie Hanvey*

*Doug Evans  
Melanie Knight*

*Callie Catcher  
Diane Kelley*

#### VISITORS PRESENT:

*Jim Ketcher  
Guy Monroe  
Don Patterson  
Ross Chaney  
Corey Still  
J. C. Lowe  
Talisha Nichols  
Bob Schooly  
Talina Nofire  
Tonya Ruth*

*Shawn Slaton  
Dan Jones  
Jim Schreen  
Bryan Collins  
Kinsey Shade  
Reuel Shaver  
Kelly Cobb  
Chris Province  
Tonette Hummingbird  
Gary Wadell*

*David Stewart  
John Parris  
John Shotten  
Bob Drvostep  
Christina Hanvey  
Dennis McLemore  
Emily Bushyhead  
Samantha Hendrix  
Todd Gourd  
Bailey Davis*

APPROVAL / DISTRIBUTION

**Minutes submitted by: Shelli Brittain, Legal & Legislative Coordinator**

**Motion to approve minutes made by:** \_\_\_\_\_

**Minutes attested and concurred by:** \_\_\_\_\_

**Date:** \_\_\_\_\_