



# Council of the Cherokee Nation

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

## Tribal Council Minutes - Final TRIBAL COUNCIL

*Meredith Frailey, Speaker*

*Recording Secretary, Shelli Brittain*

*Phone: 1-800-995-9465*

*E-mail: council-public@cherokee.org*

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Monday, January 16, 2012

6:00 PM

Council Chambers

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### CALL TO ORDER

Meredith Frailey  
Speaker of the Council

**Speaker Frailey called the meeting to order at 6:00 p.m.**

### INVOCATION

**Councilor Fullbright 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; Julia Coates; Tina Glory Jordan and Frankie Hargis

### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

**Councilor Anglen moved to approve the December 12th regular session minutes. Councilor Cowan Watts seconded the motion. The motion carried.**

### STATE OF THE NATION

Bill John Baker  
Principal Chief

*Principal Chief Baker reflected on his first one hundred days in office by announcing the following:*

- *Passed 5% of the casino profits to come to the Cherokee Nation for more health care for our people.*
- *Passed legislation to fund LIHEAP for our elders and those most in need.*
- *Able to get \$39ml released from HUD for housing.*
- *The hangar and the airplane are for sale.*
- *Saved over \$2.1ml last week in construction funds for Sequoyah High School.*

*He announced with much regret that after twelve years of great service to this Nation Diane Hammons has turned in her resignation. He announced the Council attorney*

Todd Hembree would be his new Attorney General. He proudly announced the 2011 election cycle is complete with the District 1 Seat 1 Tribal Council seat going to Joe Byrd. He stated he looks forward to working with a full seventeen member Council. The work for the next one hundred days has begun by:

- Developing housing plans for our new housing program and should have model homes within the next two months.
- They are working on the development of a twice a year elder stipend.
- Job creation – compiled and sent packets out to companies explaining why they should be doing business in the Cherokee Nation. A possibility of 200 jobs will be coming to Tahlequah at \$15.00 per hour.
- Will work diligently to try to develop a plan the Courts and the Council can agree on to provide something acceptable, of quality, and states we are the Cherokee Nation, we believe in our people and we believe in our government.
- Working on a social media policy.

Chief Baker requested everyone keep Chief of Staff Chuck Hoskin in their thoughts and prayers for a speedy recovery as he has recently had back surgery. He requested a moment of silence for a number of citizens whom we have lost over the last month.

Deputy Chief Crittenden recognized veterans Robert Estep, Johnny Sheppard and Taylor Whitmire.

Councilors Cara Cowan Watts, Buel Anglen and Lee Keener of District 5 presented on behalf of the Cherokee Nation to Chief Bill John Baker and Deputy Chief Joe Crittenden a plaque from the Claremore Veteran's Center for helping them bridge the digital divide by assisting in providing computers to the center.

#### ACTION OF UNFINISHED BUSINESS

*None pending.*

#### COMMITTEE REPORTS

##### Monthly Reports:

##### Housing Authority - David Southerland

*Mr. Southerland announced the next board meeting is scheduled for the 21st at noon. During their last meeting the board approved contracting with an attorney to guide them as they re-establish employees at the Housing Authority. They also approved the building of two model homes at 5000 S. Muskogee Avenue. They are making good progress on the details for building new homes. The board will also need to review the procurement policies and the funding for the building of the new homes.*

##### Cherokee Nation Business, Inc - David Stewart

*Mr. Stewart reported the October financial results were slightly below budget at \$6.5ml. The construction projects are on schedule and on budget. Mobility Plus opened a new office and store in Claremore. CNI will be awarded the Premier Supplier Award by Bell Helicopter. He announced a few years ago they partnered with Cherokee Nation Foundation to work with Junior Achievement to provide our Cherokees at Sequoyah some business knowledge. Mr. Jay Calhoun gave an overview of the program and introduced Kimberlee Gilliland the Executive Director of the Cherokee Nation Foundation, Heather Sourjohn, Gerald Livingston the program sponsor and teacher at Sequoyah, Stacy Glass, Dana Cochran and student Lonnie*

*Drapeau. Mr. Drapeau shared what they did this term, their record setting accomplishments and some of the things he learned. Mr. Stewart offered to answer questions from the report provided. Councilor Cowan Watts inquired about a rumor of CNB possibly purchasing the American Woodmark building here in Tahlequah.*

#### OLD BUSINESS

*None pending.*

#### NEW BUSINESS

##### Rules Committee

1. [11-138](#)      **A RESOLUTION CONFIRMING THE RENOMINATION OF IMA JEAN MCCOLLUM AS A BOARD MEMBER OF CHEROKEE NATION COMPREHENSIVE CARE AGENCY**  
  
Councilor Glory-Jordan moved to approve. Councilor Cowan Watts seconded the motion. The motion carried unanimously.  
  
Enactment No: R-01-12
  
2. [11-139](#)      **A RESOLUTION CONFIRMING THE RENOMINATION OF J. ANTHONY YATES AS A COMMISSIONER OF THE HOUSING AUTHORITY OF THE CHEROKEE NATION BOARD OF COMMISSIONERS**  
  
Councilor Fullbright moved to approve. Councilor Thornton seconded the motion. The motion carried unanimously.  
  
Enactment No: R-02-12
  
3. [11-140](#)      **A RESOLUTION CONFIRMING THE RENOMINATION OF JOHN T. CRIPPS AS A DISTRICT JUDGE OF THE CHEROKEE NATION DISTRICT COURT**  
  
Councilor Thornton moved to approve. Councilor Hoskin Jr. seconded the motion. The motion carried unanimously.  
  
Enactment No: R-03-12
  
4. [11-141](#)      **A RESOLUTION CONFIRMING THE NOMINATION OF CLARYCE DOYLE AS AN EDITORIAL BOARD MEMBER OF THE CHEROKEE PHOENIX**  
  
Councilor Keener moved to approve. Councilor Cowan Watts seconded the motion. The motion carried unanimously.  
  
Enactment No: R-04-12
  
5. [11-142](#)      **A RESOLUTION CONFIRMING THE NOMINATION OF HAROLD RAY "SAM" HART AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC**  
  
Councilor Hoskin Jr. moved to approve. Councilor Glory-Jordan seconded the

motion. The motion to approve carried with Councilor Coates abstaining.

Enactment No: R-05-12

6. [11-143](#) **A RESOLUTION CONFIRMING THE NOMINATION OF GARY COOPER AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC**

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

Enactment No: R-06-12

7. [11-144](#) **A RESOLUTION CONFIRMING THE NOMINATION OF JERRY HOLDERBY AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC**

Councilor Snell moved to approve. Councilor Glory-Jordan seconded the motion. The motion to approve carried with Councilors Coates, Keener and Cowan Watts opposed.

Enactment No: R-07-12

8. [11-145](#) **A RESOLUTION CONFIRMING THE NOMINATION OF RICKY DOHERTY AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC**

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

Enactment No: R-08-12

9. [11-146](#) **A RESOLUTION CONFIRMING THE NOMINATION OF DEACON TURNER AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC**

Councilor Cowan Watts moved to approve. Councilor Hargis seconded the motion. Councilors Garvin and Keener requested to be added as sponsors. The motion carried unanimously.

Enactment No: R-09-12

10. [11-147](#) **A RESOLUTION CONFIRMING THE NOMINATION OF LYLE BURRIS AS A BOARD MEMBER OF CHEROKEE NATION ADMINISTRATIVE APPEALS BOARD**

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

Enactment No: R-10-12

11. [11-148](#) **A RESOLUTION CONFIRMING THE NOMINATION OF ANGELA JONES AS A BOARD MEMBER OF CHEROKEE NATION ADMINISTRATIVE APPEALS BOARD**

Councilor Walkingstick moved to approve. Councilor Glory-Jordan seconded the motion. The motion carried with no opposition.

Enactment No: R-11-12

- 12.     [11-149](#)           **A RESOLUTION CONFIRMING THE NOMINATION OF JOHN GARRETT AS A COMMISSIONER OF THE CHEROKEE NATION GAMING COMMISSION**

**Councilor Fishinghawk moved to approve. Councilor Glory-Jordan seconded the motion. The motion to approve carried with the following roll call vote:**

**Yea:** 10 - David Thornton, Sr. ;Don Garvin;Chuck Hoskin Jr. ;Curtis Snell;David Walkingstick;Dick Lay;Jodie Fishinghawk;Janelle Fullbright;Tina Glory Jordan and Frankie Hargis

**Nay:** 6 - Buel Anglen;Jack D. Baker;Meredith Frailey;Lee Keener Jr.;Cara Cowan Watts and Julia Coates

Enactment No: R-12-12
- 13.     [11-150](#)           **A RESOLUTION CONFIRMING THE NOMINATION OF CHARLES L. HEAD AS SECRETARY OF STATE FOR THE CHEROKEE NATION**

**Councilor Hoskin Jr. moved to approve. Councilor Glory-Jordan seconded the motion. The motion carried with no opposition.**

Enactment No: R-13-12
- 14.     [11-155](#)           **A LEGISLATIVE ACT AMENDING LEGISLATIVE ACT 13-07 "CHEROKEE NATION ADMINISTRATIVE PROCEDURES ACT" AND LEGISLATIVE ACT 12-96 "THE EMPLOYEE ADMINISTRATIVE PROCEDURES ACT" ADDING A NEW SECTION**

*Councilor Glory-Jordan moved to approve. Councilor Fishinghawk seconded the motion. Councilor Fishinghawk requested to be added as a sponsor. Mr. Hembree announced an amendment has been provided which includes the employee administrative procedures act. Councilor Hoskin Jr. offered the added language as a friendly amendment. The friendly was accepted. Councilor Cowan Watts inquired about the budget impact of this amendment. Mr. Doug Evans announced a budget of \$56,000 has been submitted by the program which will be included in mod 5.*

**The motion carried by acclimation.**

Enactment No: LA-01-12
- 15.     [11-157](#)           **AN ACT AMENDING TITLE 19 SECTION 21, TITLE 51 SECTION 1 AND TITLE 51 SECTION 11 OF THE CHEROKEE NATION CODE ANNOTATED, AMENDING LEGISLATIVE ACT 40-07, AMENDING LEGISLATIVE ACT 05-11 DEALING WITH COMPENSATION OF ELECTED OFFICIALS AND DECLARING AN EMERGENCY**

**Councilor Glory-Jordan moved to approve stating this provides a definition for compensation. Councilor Walkingstick seconded the motion. After discussion was held and concerns were voiced the motion to approve failed by the following roll call vote:**

**Yea:** 8 - Chuck Hoskin Jr. ;Curtis Snell;David Walkingstick;Dick Lay;Jodie Fishinghawk;Janelle Fullbright;Tina Glory Jordan and Frankie Hargis

**Nay:** 8 - Buel Anglen;David Thornton, Sr. ;Don Garvin;Jack D. Baker;Meredith Frailey;Lee Keener Jr.;Cara Cowan Watts and Julia Coates

Enactment No:

AMEND THE AGENDA

**Councilor Jack D. Baker moved to amend the agenda to include four items passed out of committees earlier today. Councilor Cowan Watts seconded the motion. The motion carried as items 18 through 21.**

Executive and Finance Committee

16. [11-152](#) **AN ACT AMENDING LEGISLATIVE ACT #20-11 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2012 - MOD 4; AND DECLARING AN EMERGENCY**
- Councilor Jack D. Baker moved to approve. Councilor Garvin seconded the motion. After discussion was held Councilor Cowan Watts moved to strike the \$100,000 transfer from the Attorney General's budget to the Chief's budget. Councilor Keener seconded the motion.*

**The amendment failed by the following roll call vote:**

**Yea:** 7 - Buel Anglen; Don Garvin; Jack D. Baker; Meredith Frailey; Lee Keener Jr.; Cara Cowan Watts and Julia Coates

**Nay:** 9 - David Thornton, Sr. ; Chuck Hoskin Jr. ; Curtis Snell; David Walkingstick; Dick Lay; Jodie Fishinghawk; Janelle Fullbright; Tina Glory Jordan and Frankie Hargis

**After additional discussion was held the motion to approve mod 4 as presented passed with the following roll call vote:**

**Yea:** 12 - David Thornton, Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Chuck Hoskin Jr. ; Curtis Snell; David Walkingstick; Dick Lay; Jodie Fishinghawk; Janelle Fullbright; Tina Glory Jordan and Frankie Hargis

**Nay:** 4 - Buel Anglen; Lee Keener Jr.; Cara Cowan Watts and Julia Coates

Enactment No: LA-03-12

17. [11-156](#) **AN ACT AMENDING LEGISLATIVE ACT #21-11 AUTHORIZING THE COMPREHENSIVE CAPITAL BUDGET FOR FISCAL YEAR 2012 - MOD 1; AND DECLARING AN EMERGENCY**

**Councilor Jack D. Baker moved to approve. Councilor Keener seconded the motion. The motion carried by acclamation.**

Enactment No: LA-02-12

18. [12-005](#) **A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO ADMINISTRATIONS FOR CHILDREN AND FAMILIES FOR AN ANA-SEDS GRANT; APPROPRIATING MATCHING FUNDS AND CERTIFYING ADHERENCE TO PUBLIC HEARING REQUIREMENTS**

**Councilor Glory-Jordan moved to approve. Councilor Hargis seconded the motion. The motion carried with no opposition.**

Enactment No: R-14-12

19. [12-006](#) **A RESOLUTION AUTHORIZING CHEROKEE NATION ENVIRONMENTAL PROGRAMS GROUP TO SUBMIT A FORMAL GRANT APPLICATION TO THE U. S. ENVIRONMENTAL PROTECTION AGENCY FOR AN URBAN WATERS SMALL GRANT**

Councilor Thornton moved to approve. Councilor Hargis seconded the motion. The motion carried unanimously.

Enactment No: R-15-12

20. [12-007](#) **A RESOLUTION AUTHORIZING CHEROKEE NATION ENVIRONMENTAL PROGRAMS GROUP TO SUBMIT A FORMAL GRANT APPLICATION TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY FOR A CLEAN WATER 106 PROJECT - WATER POLLUTION CONTROL PROGRAM**

Councilor Cowan Watts moved to approve. Councilor Garvin seconded the motion. The motion carried with no opposition.

Enactment No: R-16-12

21. [12-009](#) **A RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN THE CHEROKEE NATION AND THE TULSA DISTRICT, UNITED STATES ARMY CORPS OF ENGINEERS**

Councilor Thornton moved to approve. Councilor Cowan Watts seconded the motion. The motion carried with Councilor Lay opposed. Councilor Cowan Watts requested Councilor Lay's concerns be addressed at the next Resource committee.

Enactment No: R-17-12

#### ANNOUNCEMENTS

*Councilor Keener gave a plug to the Cherokee Nation Foundation and Kimberlee Gilliland.*

*Councilor Jack D. Baker gave congratulations to the Oklahoma State Cowboys for their Fiesta bowl win.*

*Councilor Cowan Watts announced District 5 will be hosting an Election Law Reform Town Hall on Thursday, February 23rd from 6:00 to 8:00 p.m.*

*Councilor Hoskin Jr. recognized Chief Joe Byrd in attendance.*

*Councilor Fullbright announced she is proud of Wes Welker, a Cherokee from Sequoyah County who plays football for the Patriots.*

#### ADJOURNMENT

**Councilor Cowan Watts moved to adjourn. Councilor Keener seconded the motion. The motion carried at 7:58 p.m.**

Next Tribal Council meeting will be held on Monday, February 13th at 6:00 p.m. in the Council Chambers, W.W. Keeler Complex.

