



Council of the Cherokee Nation

Meeting Minutes

Executive and Finance Committee

Thursday, October 30, 2008

3:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Jack Baker called the meeting to order at 3:10 p.m.

INVOCATION

Councilor Garvin gave the invocation.

ROLL CALL

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

Late Arrival 1 - Meredith Frailey

APPROVAL OF MINUTES

Councilor Bill John Baker made a motion to approve the September 25th regular session, September 15th sub committee, and the September budget hearings. Councilor Thornton seconded the motion. Motion carried.

REPORTS:

Financial Report/Treasurer Report - Callie Catcher

Ms. Catcher offered to answer questions pertaining to her written report. She requested the agenda be amended to discuss an opportunity regarding the 2006 health care bonds.

Ms. Catcher provided a handout of information pertaining to the buyback opportunity.

Councilor Bill John Baker made a motion to amend the agenda to include discussion pertaining to the buy back program. Councilor Glory-Jordan seconded the motion. Motion carried.

AN ACT AUTHORIZING THE CANCELLATION OF \$3,365,000 OF THE 2006 SERIES HEALTH CARE BONDS

Ms. Catcher announced the insurer of the bonds had a credit reduction and has fallen outside of the investor who purchased the bonds policy therefore the bonds need to be sold. The bonds are being offered at a discount that would give us an immediate savings of \$189,000. She stated we have a long term education reserve from motor fuels tax funds which contains approximately \$20ml and earns approximately 2% and is dropping with our interest rates. These funds are restricted through 2017 and we can not expend the funds but are allowed to invest them to earn interest.

Ms. Catcher stated she and Mr. Evans would need to draft a resolution to be

approved at the Council meeting that authorizes the cancellation of \$.3365ml of the 2006 series health care bonds and replaced by a note payable to the motor fuels tax reserve account with the debt service the same. Mr. Evans pointed out bond value typically goes in the opposite direction of interest rate movements. He stated this is a huge opportunity for a savings to the Nation.

Councilor Bill John Baker moved for the approval. Councilor Cobb seconded the motion. Motion carried.

Cherokee Nation Enterprises - David Stewart

Mr. Stewart announced they ended the year at approximately \$118ml which is 6 to 7% above last year. West Siloam will open November 10th and the casino portion at Catoosa on the 15th of December. He stated they plan to be very conservative over the next six months with hiring and expenses due to the economy.

Mr. Guy Wolcott announced September wrapped up fiscal year 2008 with a 7% increase in net income and a 5.5% increase in revenue over 2007. The month of September ended softer than anticipated. He stated they anticipate drawing upon the credit line by the end of this fiscal year.

Cherokee Nation Industries - Dennis McLemore

Mr. Drvostep offered to answer question from the written report provided. Councilor Glory-Jordan inquired if they expect a turn around in the upcoming year. Mr. Drvostep stated this year they are budgeting a profit of \$.84ml.

Cherokee Nation Businesses - Brad Carson

Mr. Bob Huffman reported CNB was recently granted \$60ml in new market tax credits from the U.S. Treasury. He stated this award is the only one to go a tribe or tribal entity. He stated these funds would be used to provide low cost financing for businesses in Oklahoma.

Career Services/Employment - Diane Kelley

Mr. Jon Overacker offered to answer questions from the report submitted by Ms. Diane Kelley. Mr. Overacker inquired if the new TERO report format was easier to follow. The committee agreed to the new format.

Commerce - Anna Knight

Ms. Shay Smith offered to answer questions of the Commerce Department written report. Councilor Glory-Jordan requested continuing reports pertaining to bad debt write off.

Historical Society - Carey Tilley

Mr. Tilley gave a brief overview of his written report. He encouraged everyone to come out to see the beadwork exhibit. A special reception will be held to honor the guest curator Martha Berry this Saturday from 2 -4:00 p.m.

CONSENT ITEMS:

T.E.R.O. CERTIFICATIONS

Councilor Bill John Baker moved to accept the certifications as presented. Councilor Garvin seconded the motion. Motion carried.

CEMETERY RESTORATION ASSISTANCE APPLICATIONS

Mr. Evans announced there is one addition to the cemetery applications for 7 in total. The additional is in District 1 for Agent Cemetery. Councilor Coates made a motion for approval. Councilor Fishinghawk seconded the motion. Motion carried.

LAW ENFORCEMENT REQUESTS

Mr. Evans stated there are no law enforcement requests this month.

COMMUNITY ASSISTANCE

Councilor Bill John Baker announced he has received a request from the Cherokee Basket Weavers Association who claim to have members in all 14 counties as well as At Large. They are taking an exhibition to Washington D.C. to the Smithsonian to represent Cherokee baskets. The request is in the amount of \$4,000. Councilor Bill John Baker inquired as to how many Councilors would offer \$250 of their community assistance funds. Councilor Cowan Watts asked if they have applied for a community works grant. Councilor Bill John Baker stated he is unsure. Councilor Cowan Watts stated although not all allocated at this time all of her funds are spoken for in her community. All Councilors with the exception of Cowan Watts gave \$250 of their community assistance funds.

Mr. Evans announced an error in the community assistance spreadsheet with Sperry Alumni Association as it shows \$10,000 and should be \$1,000. He stated there are 7 additions since the report was mailed out. These additions include:

*Care Food Pantry - B. Baker \$500 and Glory-Jordan \$500
City of Stilwell - Crittenden \$1,500 and Fishinghawk \$1,500
Tenkiller School - B. Baker \$500 and Glory-Jordan \$500
Marble City Food Pantry - Thornton \$1,250
Greasy Community Organization - Crittenden \$500 and Fishinghawk \$500
Muldrow Cherokee Community Organization - Fullbright \$1,000
Redbird Smith Council Grounds - Fullbright \$1,000*

Additions during committee are as follows:

*Sequoyah High School Art Show - B. Baker \$100 and Glory-Jordan \$100
Cherokee Childrens Mission - Crittenden \$250, Fishinghawk \$250, B. Baker \$250
and Glory-Jordan \$250*

Councilor Thornton made a motion for approval with additions. Councilor Crittenden seconded the motion. Motion carried.

ROADS

Mr. Evans announced an amended roads packet had been provided. Councilor Buzzard made a motion to approve as amended. Councilor Fullbright seconded the motion. Motion carried.

Mr. Evans announced the motor vehicle funds would be coming forward in January when the apportionment is done by Callie's group for the car tag revenues.

OLD BUSINESS

1. DISTRICT COMMUNITY MEETINGS

Sponsors: Councilor Meredith Frailey

Mr. Hembree announced there have been some changes to try to accomodate everyone. Councilor Bill John Baker moved to approve with the striking of item 3. Councilor Buzzard seconded the motion with a friendly amendment to state a reasonalbe distance outside the district lines. Councilor Bill John Baker accpeted the amendment. Councilor Cobb inquired who determines what is reasonable. Mr. Hembree suggested a 2 mile radius. Councilors Bill John Baker and Buzzard accepted the suggestion.

After debate on having community meetings in the At Large community during election years Councilor Garvin made a motion to table. Councilor Thornton seconded the the motion. Motion carried.

NEW BUSINESS

1. NATIVE AMERICAN PERFORMING ART TROUPE \$20,000 FUNDING REQUEST

Sponsors: Councilor Harley Buzzard

Councilor Buzzard announced they are going to pursue other avenues with the funding request.

Councilor Buzzard withdrew this request.

2. FY2009 NATURAL RESOURCE GA-DU-GI PROJECTS \$20,000 FUNDING REQUEST

Sponsors: Councilor Bill John Baker

A motion was made by Councilor Bill John Baker and seconded by Councilor Tina Glory Jordan, that this matter be Approved and Included in Budget Mod. The motion carried by the following vote:

Yea: 13 - Bill John Baker; S. Joe Crittenden; David Thornton Sr. ; Meredith Frailey; Jack D. Baker; Tina Glory Jordan; Jodie Fishinghawk; Janelle Fullbright; Harley Buzzard; Curtis Snell; Chris Soap; Chuck Hoskin, Jr. and Julia Coates

Nay: 4 - Don Garvin; Cara Cowan Watts; Buel Anglen and Bradley Cobb

3. AN ACT AMENDING LEGISLATIVE ACT #19-08 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2009 - MOD 1; AND DECLARING AN EMERGENCY

Sponsors: Councilor Jack D. Baker and Councilor Cara Cowan Watts

Mr. Evans gave an overview of the budget modification. Councilor Fishinghawk requested Mr. Evans determine how many programs are spending their tribal funds before they spend federal dollars. Ms. Catcher offered to bring to the next meeting by group the funding source preliminary 2008 actuals versus 2008 budget. He stated after reviewing the submission of Mod 1 he found no technical issues surrounding the requests nor did he have any concerns related to their respective carryover

estimates. The only concern he voiced were the ones noted in his review which were not technical errors.

Mr. Evans clarified the \$10,000 for Ga Du Gi projects is to be included in the mod package.

A motion was made by Councilor Bill John Baker and seconded by Councilor Bradley Cobb, that this matter be Approved and Forwarded to Council. The motion carried unanimously.

ANNOUNCEMENTS

Mr. Carey Tilley gave out catalogs for the Beadwork Storytellers.

ADJOURNMENT

Councilor Cobb moved to adjourn. Councilor Bill John Baker seconded the motion. Motion carried at 4:33 p.m.

STAFF PRESENT:

Callie Catcher	Doug Evans	Jon Overacker
Shay Smith		

VISITORS PRESENT:

Todd Hembree	Raymond Vann	Jim Ketcher
David Stewart	Guy Wolcott	Robert Drvostep
Carey Tilley	Mike Miller	Robert Huffman

APPROVAL / DISTRIBUTION

Minutes submitted by: Shelli Brittain, Legal & Legislative Coordinator

Motion to approve minutes made by: Bradley Cobb

Minutes attested and concurred by: Jack W Baker

Date: 11/20/08