



Council of the Cherokee Nation

Cherokee Nation Tribal
Council
17763 S. Muskogee Ave.
Tahlequah, OK 74464

Meeting Minutes - Final EXECUTIVE AND FINANCE SUB COMMITTEE - TERO

Chuck Hoskin Jr., Chair

*Recording Secretary, Shelli Brittain
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Thursday, May 31, 2012

11:00 AM

Legislative Conference Room

CALL TO ORDER

Chair Hoskin Jr. called the meeting to order at 11:16 a.m.

INVOCATION

Councilor Byrd gave the invocation.

ROLL CALL

Present 7 - Buel Anglen; Lee Keener Jr.; Don Garvin; Chuck Hoskin Jr. ; Frankie Hargis ; Dick Lay and Joe Byrd

Absent 4 - Jodie Fishinghawk; David Thornton, Sr. ; David Walkingstick and Curtis Snell

Late Arrival 3 - Cara Cowan Watts; Tina Glory Jordan and Janelle Fullbright

12-067

ACT REPEALING AND SUPERSEDING CHEROKEE NATION LAW REGARDING LABOR AND THE EMPLOYMENT RIGHTS ORDINANCE AND REPEALING EXECUTIVE ORDER NO. 12-10-CS - CONTRACT LAW; AND DECLARING AN EMERGENCY

Chair Hoskin Jr. announced the discussion would continue from last session. Councilor Cowan Watts requested clarification that the stars in the Act provided represent the changes passed in prior committee sessions.

Section 4 I.

Mr. Overacker recommended inserting the language or to the Cherokee Nation or its entities. After discussion was held Chair Hoskin Jr. suggested adding language at the end of the current sentence "after all reasonable efforts to solicit work from a TERO vendor have been exhausted. Councilor Cowan Watts moved to accept with the additional language. Councilor Hargis seconded the motion. The motion carried.

Section 8 B.

Councilor Cowan Watts commented due to the debarment list that possibly the TERO commission should be included in the Administrative Procedures Act. She voiced concern for vendors not all being treated the same. Chair Hoskin Jr. suggested a separate Act for contractors. Mr. Overacker provided clarification as to the intent of this section.

Section 8 B 1 a

Councilor Cowan Watts made a motion to add the Cherokee Nation minimum wage law. Councilor Keener seconded the motion. Discussion and clarification was provided.

Mr. Nason Morton suggested inserting language that nothing herein constitutes a waiver of sovereign immunity. Chair Hoskin Jr. suggested also adding the language or an obligation to comply with the law that the entity does not otherwise have an obligation to comply. Councilor Cowan Watts moved to approve. Councilor Keener seconded the motion. The motion carried with Councilor Glory-Jordan opposed. Mr. Morton was requested to research to determine if this amendment would make a private contractor comply with the Cherokee Nation minimum wage act.

Chair Hoskin Jr. suggested tabling this section to allow additional time for research and discussion. Councilor Glory-Jordan moved to table Section B 1 a. Councilor Byrd seconded the motion. The motion carried with Councilor Keener opposed.

Section 8 B 1 b

After discussion was held Councilor Glory-Jordan moved to add the word "formal" following any to read any formal investigation. Councilor Cowan Watts seconded the motion. The motion carried with Councilor Keener opposed.

ANNOUNCEMENTS

ADJOURNMENT

Councilor Hargis moved to adjourn. Councilor Cowan Watts seconded the motion. The motion carried at 12:03 p.m.

STAFF PRESENT:

*Willard Mounce
Anna Knight
Diane Kelley*

*Tammy Beaver
John Garcia
Rebecca Mitchell*

*Jon Overacker
Nason Morton
Ginger Brown*

VISITORS PRESENT:

*Raymond Vann
Jason Carlin*

*Dianne Barker Harrold
Larry Horn*

Farrell Prater