

# An Act

## LEGISLATIVE ACT 07-16

### AN ACT AMENDING LEGISLATIVE ACT #17-15 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2016 – Mod. 5; AND DECLARING AN EMERGENCY

BE IT ENACTED BY THE CHEROKEE NATION:

#### SECTION 1. TITLE AND CODIFICATION

This legislative act shall be titled and codified as “**An Act Amending Legislative Act #17-15 Authorizing the Comprehensive Operating Budget for FY 2016 – Mod. 5**”.

#### SECTION 2. PURPOSE

The purpose of this amendment is to authorize and approve the use of funds, subject to the availability of such funds, in accordance with Section 4, changing the amounts of certain cost centers approved in the “Comprehensive Budget Act for Fiscal Year 2016” or subsequent amendment. The cumulative total of the budget is increased by **\$ 878,981** for a total budget authority of **\$ 657,631,889**. The following items are identified as components of such change:

Grants Received & Authorized per LA-17-15 (detail attached)	\$ 822,781
Modification Request (see Section 4 below)	<u>56,200</u>
<b>Cumulative change in budget authority</b>	<b><u>\$ 878,981</u></b>

#### SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #17-15 are applicable to this amendment.

#### SECTION 4. FUNDING AUTHORIZATIONS

The changes reflect increases to cost centers set forth in the program budget justifications incorporated herein. This modification request changes the total amount of the comprehensive budget authorization by a decrease of **\$ 56,200** to wit:

A. An increase in the **DOI – Self Governance** budget authority of **\$ 56,200**.

**SECTION 5. PROVISIONS AS CUMULATIVE**

The provisions of this Act shall be cumulative to existing law.

**SECTION 6. SEVERABILITY**

The provisions of this Act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this Act.

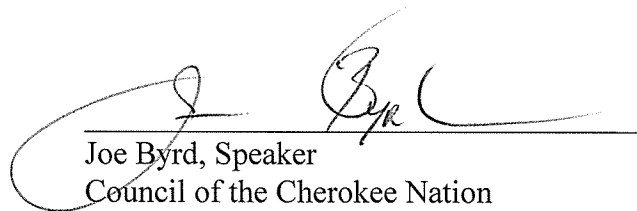
**SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED**

It being immediately necessary for the welfare of the Cherokee Nation, the Council hereby declares that an emergency exists, by reason whereof this Act shall take effect immediately upon its approval and signatures.

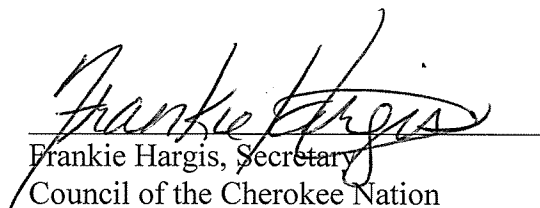
**SECTION 8. SELF-HELP CONTRIBUTIONS**

To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.


Enacted by the Council of the Cherokee Nation on the 14<sup>th</sup> day of March, 2016

  
\_\_\_\_\_  
Joe Byrd, Speaker  
Council of the Cherokee Nation

ATTEST:

  
\_\_\_\_\_  
Frankie Hargis, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 22 day of March, 2016

  
Bill John Baker, Principal Chief  
Cherokee Nation

ATTEST:



Chuck Hoskin, Jr., Secretary of State  
Cherokee Nation

**YEAS AND NAYS AS RECORDED:**

Joe Byrd	<u>Yea</u>	Janees Taylor	<u>Yea</u>
David Walkingstick	<u>Yea</u>	Dick Lay	<u>Yea</u>
Rex Jordan	<u>Absent</u>	Wanda Hatfield	<u>Yea</u>
Bryan Warner	<u>Yea</u>	Harley Buzzard	<u>Absent</u>
Shawn Crittenden	<u>Yea</u>	Frankie Hargis	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>	Victoria Vazquez	<u>Yea</u>
Don Garvin	<u>Yea</u>	Keith Austin	<u>Yea</u>
Buel Anglen	<u>Yea</u>	Jack D. Baker	<u>Yea</u>
Curtis G. Snell	<u>Yea</u>		

CHEROKEE NATION  
 PROPOSED FY 2016 AMENDMENT  
 Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2016 Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
22-DOI - Self Governance	1	3221070 Agriculture Noxious Weed	LA 01-16	56,200	56,200	\$ -
<b>22-DOI - Self Governance Total</b>				<b>\$ 56,200</b>	<b>\$ 56,200</b>	<b>\$ -</b>
<b>Grand Total</b>				<b>\$ 56,200</b>	<b>\$ 56,200</b>	<b>\$ -</b>

## Operating Mod #5 Request

CHEROKEE NATION  
 PROPOSED FY 2016 AMENDMENT  
 Sorted by Funding Source

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2016 Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
22-DOI - Self Governance	1	3222020 SG Small Bus Assistance Center	LA 17-15	-	-	\$ -
<b>22-DOI - Self Governance Total</b>				<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
40-DHHS-General	2	3401110 Title IV E Development	NEW	100,000	100,000	\$ -
<b>40-DHHS-General Total</b>				<b>\$ 100,000</b>	<b>\$ 100,000</b>	<b>\$ -</b>
70-US Department of Labor	3	3701900 Job Driven NEG LTU	LA 17-15	485,186	485,186	\$ -
<b>70-US Department of Labor Total</b>				<b>\$ 485,186</b>	<b>\$ 485,186</b>	<b>\$ -</b>
75-Federal Other	4	3751100 TERO Sum	LA 17-15	11,936	11,936	\$ -
	5	3755800 SBA Prime	NEW	225,659	225,659	\$ -
<b>75-Federal Other Total</b>				<b>\$ 237,595</b>	<b>\$ 237,595</b>	<b>\$ -</b>
<b>Grand Total</b>				<b>\$ 822,781</b>	<b>\$ 822,781</b>	<b>\$ -</b>

## Operating Grants - Reporting Only

**COMPREHENSIVE BUDGET  
FOR FISCAL YEAR 2016**

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indir. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	99,016,411	1,859,378	100,875,789	78,038,091	4,759,761	18,074,163	100,872,015	3,774
Motor Fuels Tax Funding Srce	8,905,998	17,299,025	26,205,023	18,143,971	119,541	7,941,511	26,205,023	0
Motor Vehicle Tax Funding Srce	21,100,089	975,182	22,075,271	19,660,632	529,884	1,884,755	22,075,271	0
Permanent Fund Funding Source	10,300	0	10,300	10,300	0	0	10,300	0
DOI General Funding Source	12,345,225	850,000	13,195,225	12,474,912	720,313	0	13,195,225	0
DOI Self Gov Funding Source	14,450,996	79,600	14,530,596	13,225,184	1,263,823	41,589	14,530,596	0
DOI Self Gov Roads Funding Srce	10,259,512	0	10,259,512	10,107,519	131,792	20,201	10,259,512	0
Dept of Transportation Fnd Srce	65,259,966	0	65,259,966	64,952,094	208,029	99,843	65,259,966	0
DOI PL102-477 Funding Source	19,313,281	0	19,313,281	18,493,424	819,857	0	19,313,281	0
IHS Self Gov Health Funding Sr	299,027,159	0	299,027,159	274,583,742	21,793,417	2,650,000	299,027,159	0
IHS Self Gov TEH Funding Srce	4,515,860	0	4,515,860	4,217,433	298,427	0	4,515,860	0
IHS Self Gov Offic Funding Srce	322,788	0	322,788	285,490	37,298	0	322,788	0
IHS Discretionary Funding Srce	40,000	0	40,000	35,000	0	5,000	40,000	0
DHHS General Funding Source	37,043,826	510,739	37,554,565	34,417,561	3,137,004	0	37,554,565	0
USDA Funding Source	18,892,682	781,824	19,674,506	18,897,076	777,430	0	19,674,506	0
Dept of Education Funding Srce	1,046,036	63,957	1,109,993	1,018,785	91,208	0	1,109,993	0
HUD Funding Source	42,173,370	962,757	43,136,127	40,810,580	1,149,393	1,176,154	43,136,127	0
Housing Proceeds Funding Srce	0	0	0	0	0	0	0	0
EPA Funding Source	2,044,823	0	2,044,823	1,812,856	231,967	0	2,044,823	0
Dept of Labor Funding Source	12,522,959	0	12,522,959	11,593,294	929,665	0	12,522,959	0
Federal Other Funding Source	5,128,764	38,089	5,166,853	3,387,999	145,542	1,633,312	5,166,853	0
State of Oklahoma Funding Srce	1,309,932	0	1,309,932	1,201,088	108,844	0	1,309,932	0
Private Funding Source	589,845	206,111	795,956	734,981	60,975	0	795,956	0
Indirect Cost Pool Funding Srce	46,061,784	338,400	46,400,184	46,400,184	0	0	46,400,184	0
Fringe Pool Funding Source	0	0	0	0	0	0	0	0
Internal Lease Pool Funding Sr	4,552,390	0	4,552,390	4,552,390	0	0	4,552,390	0
Enterprise Funding Source	1,280,086	2,044,466	3,324,552	3,288,716	35,836	0	3,324,552	0
Other Funding Source	276,592	17,000	293,592	274,101	19,491	0	293,592	0
Debt Service Funding Source	0	2,650,000	2,650,000	2,650,000	0	0	2,650,000	0
Capital Projects Funding Sourc	10,751,536	8,742,062	19,493,598	15,601,536	0	3,892,062	19,493,598	0
<b>Total</b>	<b>\$ 738,242,210</b>	<b>\$ 37,418,590</b>	<b>\$ 775,660,800</b>	<b>\$ 700,868,939</b>	<b>\$ 37,369,497</b>	<b>\$ 37,418,590</b>	<b>\$ 775,657,026</b>	<b>\$ 3,774</b>

**Non Grant Requests**

Oper Mod #4 Req	1,365,582.00	02/16 Council
Cap Mod #1 Req	2,245,423.00	02/16 Council
<b>Oper Mod #5 Req</b>	<b>56,200</b>	<b>02/17 E&amp;F</b>

**Total after pending Mod's**      **\$ 779,324,231**

**CAPITAL RECONCILIATION**

LA-16-15	\$ 119,446,919
Capital Mod #1	2,245,423.00
	02/16 Council

**Total Capital**      **\$ 121,692,342**

Operating (LA17-15)	\$ 657,631,889	Cumulative Oper
Capital (LA-16-15)	121,692,342	Cumulative Cap
<b>Grand Total</b>	<b>\$ 779,324,231</b>	





# CHEROKEE NATION TRIBAL COUNCIL

Jody S. Reece, CPA, CIA, CMA

Executive Director of Financial Oversight

## Mem o

**To:** Janees Taylor, Chairman, Executive & Finance Committee  
**From:** Jody S. Reece  
**CC:** Executive & Finance Committee  
**Date:** 02/04/2016  
**Re:** Review of Operating Budget Modification #5 – **Total \$ 878,981**

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Per your request, I have reviewed the administration's budget modification request for this month's Executive & Finance Committee Meeting. Below is a summary of my review:

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### A. Grant Reporting:

<u>Funding Source</u>	<u># of Budgets - Reason</u>	<u>Amount</u>
22-DOI SG	1 – reallocate for cash match requirement	\$ 0
40-DHHS General	1 – New award	100,000
70-US Dept of Labor	1 – Carryover reconciliation	485,186
75 – Federal Other	2 – New award & carryover reconciliation	237,595
<b>TOTAL GRANTS</b>		<b>\$ 822,781</b>

General Fund Cash Match for Grants (1010315) – The original budget of \$2,686,072 included \$1,760,388 in Cash Out: Grant Required and \$925,684 in Appropriated for Cash Match (future grants).

Original Appropriated for Cash Match (future grants)	\$ 925,684
Used: None to date	0
Balance Available	<u>\$ 925,684</u>

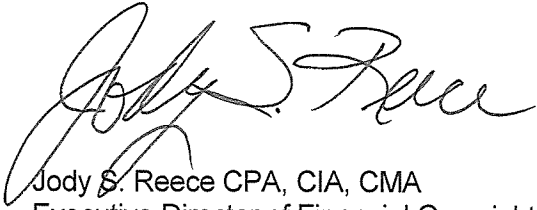
### B. MOD #5 Request - (1 budget) Increase in budget authority - \$ 56,200

1. Agriculture Noxious Weed – 3221070 – DOI Self Governance: Modification requesting an increase in expenditure authorization of \$56,200 from carryover reconciliation. The new budget expenditure total is \$89,534.

#### Summary:

After reviewing the submission of Mod #5 by administration, I find no technical issues surrounding these requests, nor do I have any unmentioned concerns related to their respective carryover estimates. If I can provide any further information, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "Jody S. Reece". The signature is fluid and cursive, with a large initial "J" and "R".

Jody S. Reece CPA, CIA, CMA  
Executive Director of Financial Oversight  
Office: 918-453-5573  
Cell: 918-525-2017  
Email: [jody-reece@cherokee.org](mailto:jody-reece@cherokee.org)



CHEROKEE NATION - FY2016 BUDGET REQUEST FORM

**PART-1**

Budget Period:	10/01/2015 - 09/30/2016	Budget Preparer	Name:	Kathy Nelson	Phone:	5671
Contract Period:		Accounting Unit Director/Manager	Name:	Gunter Gulager	Phone:	7069
Contract Number:		Executive Director	Name:	Bruce Davis	Phone:	5340
Accounting Fund:	3-Special Revenue	1st Person Responsible	Employee #	102220		
Funding Source:	22-DOI-Self Governance					
Accounting Unit:	3221070					
	Noxious Weed					
	Place IDC Rate in Part 4 Below					
Date/Time Printed:	27-Jan-16					11:14 AM

Notes: Correction to carryover from FY15.

**PART-2**  
Staffing Summary:

	FY 2016 REVISION 2	FY 2016 REVISION 1	Incr \ (Decr)
# of Regular Full-Time Employee Equivalents:			-
# of Regular Part-Time Employee Equivalents:			-
# of Temp. Full-Time Employee Equivalents:			-
# of Temp. Part-Time Employee Equivalents:			-
# of Other Employee Equivalents:			-
<b>TOTAL NUMBER OF EMPLOYEE-EQUIVALENTS</b>			-

**PART-3**  
Revenues: (Show as positive #)

Account #				Incr \ (Decr)
Grants / contracts revenue	400000	\$30,000	\$30,000	\$ -
Carryover: "appropriated" PY	490000	\$59,534	\$3,334	\$ 56,200
Please enter a valid account number - >>>				\$ -
DO NOT COPY TO, COPY BELOW, OR REMOVE THIS LINE!				\$ -
<b>Total Revenues</b>		<b>\$ 89,534</b>	<b>\$ 33,334</b>	<b>\$ 56,200</b>

**PART-4**  
Expenditures:

Account #	Subject to IDC ?		Subject to IDC ?		Incr \ (Decr)
	YES	NO	YES	NO	
DO NOT COPY TO, COPY ABOVE, OR REMOVE THIS LINE!					
Salaries & wages	600000	\$0			\$ -
Fringe benefits	610000	\$0			\$ -
Supplies	680000	\$78,635	\$29,276		\$ 49,359
Please enter a valid account number - >>>					\$ -
Please enter a valid account number - >>>					\$ -
Please enter a valid account number - >>>					\$ -
Please enter a valid account number - >>>					\$ -
DO NOT COPY TO, COPY BELOW, OR REMOVE THIS LINE!					\$ -
Expenditures NOT Subject to IDC		\$ -	\$ -		\$ -
Expenditures SUBJECT to IDC		\$ 78,635	\$ 29,276		\$ 49,359
Indirect Cost Rate (If blank or zero, must explain in Notes above)		13.86%	13.86%		
Indirect Cost Allocation	970000	\$ 10,899	\$ 4,058		\$ 6,841
<b>Total Expenditures</b>		<b>\$ 89,534</b>	<b>\$ 33,334</b>		<b>\$ 56,200</b>

Revenues OVER \ (UNDER) Expenditures

	\$ -	\$ -	\$ -
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**Transfers In\Out - (Show ALL as Positive Numbers)**

**Operating Transfers IN**

Other financing sources	900000				\$ -
Cash in: tribally required	900010				\$ -
Cash in: grant required	900020				\$ -
Cash in: motor fuel tax	900040				\$ -
Cash in: vehicle tax	900050				\$ -
Cash in: interprogram contract	900060				\$ -
Cash in: debt service	900070				\$ -

**Operating Transfers OUT**

Other financing uses	900001				\$ -
Cash out: tribally required	900011				\$ -
Cash out: grant required	900021				\$ -
Cash out: motor fuel tax	900041				\$ -
Cash out: vehicle tax	900051				\$ -
Cash out: interprogram contract	900061				\$ -
Cash out: debt service	900071				\$ -

**Transfers In\Out - Net**

	\$ -	\$ -	\$ -
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Take to Narrative ==>

	\$ 89,534	\$ 33,334	\$ -
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**Excess\ (Deficit) of Revenues, Expenditures and Net Transfers**

	\$ -	\$ -	\$ -
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OBI-ID	TRAN-AMOUNT	POSTING-DATE	DESCRIPTION	ACCT-UNIT	ACCOUNT	ACTIVITY	SYSTEM	SOURCE-CODE	FISCAL-YEAR	ACCT-PERIOD	CONTROL-GROUP	ACCT-CATEGORY	STATUS	JE-TYPE	ACCOUNT-ACCT-DESC	ACTIVITY-DESCRIPTION
53321688	62,450.50	6/1/2015	582CHOUITEAU UIME CO INC	3221070	680000	221021050808	AP	AD	2015	9	1	68000	9	N	Supplies	DOI SG EM Nox Weeds
55388920	49,359.00	9/24/2015	582CHOUITEAU UIME CO INC	3221070	680000	221021050808	AP	AD	2015	12	292	68000	9	N	Supplies	DOI SG EM Nox Weeds
56118655	(5,864.00)	9/30/2015	582,177797,2409/1,10/14/15,INR	3221070	680000	221021050808	GL	JE	2015	12	665	68000	9	N	Supplies	DOI SG EM Nox Weeds
56118656	135,091.00	9/30/2015	582,177797,2409/1,10/14/15,INR	3221070	680000	221021050808	GL	JE	2015	12	665	68000	9	N	Supplies	DOI SG EM Nox Weeds
56118657	(10,404.00)	9/30/2015	582,177797,2409/1,10/14/15,INR	3221070	680000	221021050808	GL	JE	2015	12	665	68000	9	N	Supplies	DOI SG EM Nox Weeds
53327562	9,448.76	6/1/2015	Activity Burden Calculation	3221070	970000	221021050808	AC	BD	2015	9	2	97000	9	N	Indirect cost(IDC): allocation	DOI SG EM Nox Weeds
54850467	(793.12)	8/31/2015	Activity Burden Calculation	3221070	970000	221021050808	AC	XA	2015	11	197	97000	9	N	Indirect cost(IDC): allocation	DOI SG EM Nox Weeds
55463687	6,841.16	9/24/2015	Activity Burden Calculation	3221070	970000	221021050808	AC	BD	2015	12	206	97000	9	N	Indirect cost(IDC): allocation	DOI SG EM Nox Weeds
56120107	(6,841.15)	9/30/2015	Summarized transaction	3221070	970000	221021050808	AC	BD	2015	12	252	97000	9	N	Indirect cost(IDC): allocation	DOI SG EM Nox Weeds
56123270	(0.01)	9/30/2015	FY15 - SEPT II IDC Adjustment	3221070	970000	221021050808	GL	JE	2015	12	668	97000	9	N	Indirect cost(IDC): allocation	DOI SG EM Nox Weeds

71,106.14

BUDGET BAL 9/30/2014	45,376.00
ATO'S FY 15	55,264.00
TOTAL AVAILABLE FY15	100,640.00
EXPENDITURES FY15	71,106.14
TOTAL AVAILABLE FY16	29,533.86
SG YRLY ALLOTMENT 2015	30,000.00
BUDGET BAL 9/30/15	59,533.86
SG YRLY ALLOTMENT 2016	30,000.00
	89,533.86
	39,334.00
	56,199.86

# GL Commitment Analysis Report

GL298 Date 01/27/16 Time 09:00 Company 1 Cherokee Nation USD  
 GL Commitment Analysis Report - Commitment Analysis  
 Periods 1 - 12 Year 2015 Page 1

Acct Unit	3221070	Agriculture Noxious Weed	Budget	1 FY 2015 Approved Budget	Total	Budget	Budget Balance
Account	Expenditures	Encumbrances	Commitments	Total	Budget	Budget Balance	
680000 0000	62,450.50	0.00	0.00	62,450.50	113,472.00	51,021.50	
Supplies							
970000 0000	8,655.64	0.00	0.00	8,655.64	17,168.00	8,512.36	
Indirect cost (IDC): allocation							
Acct Unit Total	71,106.14	0.00	0.00	71,106.14	130,640.00	59,533.86	
Company Total	71,106.14	0.00	0.00	71,106.14	130,640.00	59,533.86	
Report Total	71,106.14	0.00	0.00	71,106.14	130,640.00	59,533.86	

Jody

# Cherokee Nation Act/Resolution Proposal Form

Act       Resolution

**ADMINISTRATIVE CLEARANCE**

Dept/Program:

AN ACT AMENDING LEGISLATIVE ACT #17-15 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2016  
**TITLE:** OPERATING – MOD 05 ; AND DECLARING AN EMERGENCY

Signature/Initial      Date

**Executive Director:**

DEPARTMENT CONTACT: Gaylon Thompson

RESOLUTION PRESENTER: \_\_\_\_\_

Signature/Initial      Date

**Treasurer:** (Required: Grants/Contracts/Budgets)

*Gaylon Thompson 1-29-16*

COUNCIL SPONSOR: \_\_\_\_\_

**NARRATIVE:**

Signature/Initial      Date

**Government Resources:**

Signature/Initial      Date

**Administration Approval:**

*Bill Johnson 1-29-16*

02-03-16P05:00 RCVD

**LEGISLATIVE CLEARANCE:**

**Legal & Legislative Coordinator:**

*[Signature] 2/3/16*

Signature/Initial      Date

**Standing Committee & Date:**

*Executive Finance 2/17/16*

**Chairperson:**

*Taylor*

Signature/Initial      Date

**Returned to Presenter:** \_\_\_\_\_

Date