

# An Act

## LEGISLATIVE ACT 10-09

### AN ACT AMENDING LEGISLATIVE ACT #19-08 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2009 – Mod. 6; 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 #19-08 Authorizing the Comprehensive Budget for Fiscal Year 2009 – Mod. 6”.

#### 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 2009” or subsequent amendment. The cumulative total of the budget is increased by \$2,665,809 for a total budget authority of \$551,024,959. The following items are identified as estimated General Fund sources in excess of appropriated uses to wit:

	Previous Balance	Estimated Sources	Estimated <Uses>	Adjusted Balance
A. General Fund	\$4,659,417	\$0	<\$61,868>	\$4,597,549
B. Motor Fuels Tax	\$0	\$0	<\$0>	\$0

#### SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #19-08 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 amendment changes the total amount of the comprehensive budget authorization by a net increase of \$2,665,809 to wit:

- A. An increase in the General Fund budget authority of \$61,868 related to a donation to the Oklahoma Academy, travel costs for the Youth Choir to the Joint Council Meeting in Red Clay, Tennessee and a funding increase for the Juvenile Healing Wellness Program.

- B. An increase in the **Housing Proceeds Fund** budget authority of **\$300,000** related to the MEPA program.
- C. An increase in the **D.O.I. – Self Governance Fund** budget authority of **\$103,741** related to Real Estate Services.
- D. A net increase in the **NAHASDA** budget authority of **\$2,200,000** related to foreclosed property purchases and reallocations of funding between the Homeownership Building Packages and the Rental Assistance programs from the 2007 and 2008 Indian Housing Plans.

#### **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.

Passed by the Cherokee Council on the 13th day of April, 2009

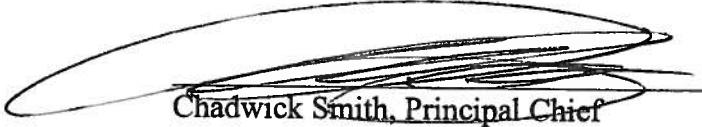
*Meredith Frailey*  
Meredith Frailey, Speaker  
Council of the Cherokee Nation

ATTEST:

*Don Garvin*  
\_\_\_\_\_  
Don Garvin, Secretary

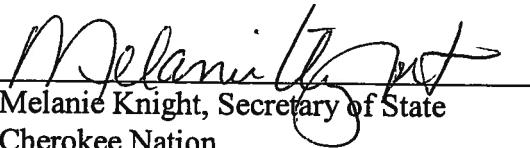
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 14 day of APR, 2009



Chadwick Smith, Principal Chief  
Cherokee Nation

ATTEST:



Melanie Knight, Secretary of State  
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Bill John Baker	<u>Yea</u>	Chris Soap	<u>Yea</u>
Tina Glory Jordan	<u>Yea</u>	Meredith A. Frailey	<u>Yea</u>
Joe Crittenden	<u>Yea</u>	Cara Cowan Watts	<u>Yea</u>
Jodie Fishinghawk	<u>Yea</u>	Buel Anglen	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>	Bradley Cobb	<u>Yea</u>
Janelle Lattimore Fullbright	<u>Yea</u>	Chuck Hoskin, Jr.	<u>Yea</u>
Don Garvin	<u>Yea</u>	Julia Coates	<u>Yea</u>
Harley Buzzard	<u>Yea</u>	Jack Baker	<u>Yea</u>
Curtis Snell	<u>Yea</u>		



## CHEROKEE NATION TRIBAL COUNCIL

Doug Evans, C.P.A.,  
Executive Director, Financial Oversight

# M e m o

**To:** Jack Baker, Chair, Executive & Finance Committee &  
Cara Cowan Watts, Co-Chair, Executive & Finance Committee  
**From:** Doug Evans  
**CC:** Executive & Finance Committee  
**Date:** 03/19/2009  
**Re:** Review of Budget Modification - 6

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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. FEBRUARY - GRANTS RECEIVED (REPORTING ONLY):

Funding Source	Program	Amount
EPA	Carryover reconciliations on several grants & a new award	\$122,581
State of Oklahoma	Revised grant awards (3)	\$7,858
Private Funding	New grant award	\$9,972
<b>TOTAL NET GRANTS RECEIVED</b>		<b><u>\$140,411</u></b>

### B. MOD – 6 (11 budgets) Net Increase in budget authority - \$2,644,809: +\$21,000

#### General Fund: (Increase - \$40,868)

X (1): Charitable Contributions: Requesting \$25,000 for a donation to the "Oklahoma Academy". This item was removed from the previous month's request due to no documentation. The supporting documentation submitted this month notes the organization is a private organization that sponsors and conducts research used to "...increase citizen awareness, encourages civic engagement and thereby sets the stage for thoughtfully improving the State of Oklahoma." It also conducts a conference that has given arise to "... active pending legislation such as 1) creating a cabinet level, Governor-appointed position for Oklahoma's Native Americans, 2) creating/appointing a tribal liaison in each State agency, 3) issuing an executive order adopting a Tribal Consultation Policy." According to the organization's web site, it is located in Oklahoma City and is a private fee-based membership organization. The memberships range from \$25 (student) up to the highest corporate sponsorship amount of \$15,000 (Platinum); which purchases 25 annual memberships, as well as offering Lifetime Memberships for individuals at \$5,000 per person (see attachments).

(2): Comprehensive Cultural Center: Requesting an increase of \$15,868 for travel costs of the Youth Choir to Red Clay for the Joint Council Meeting with the Eastern Band.

X (3): Clothing For Kids: Requesting a decrease of <\$21,000> in this budget to fund an increase in item #4. *Pulled Item*

(4): Juvenile Healing Wellness Program: Requesting an increase in spending authority of **\$21,000** requested to be provided by a decrease of the same amount on the Clothing for Kids budget mentioned above.

**Housing Proceeds: (Increase - \$300,000)**

(5): MEPA: This budget is requesting an increase of **\$300,000** due to what is justified as "a projected \$300,000 shortfall in the current budget on usage since October 1, 2008"; however, the budget is being funded by an increase in "other income" of \$300,000. I'm unclear just how a usage shortfall can create additional income and would recommend the program provide further clarification on how this budget is actually being funded.

**D.O.I. - Self Governance: (Increase – \$103,941)**

(6): Real Estate Services: Requesting an increase of **\$103,941** related to one-time funding for additional resources from the Department of Interior for title, probate and trust work. The funding authorizations were delivered approximately 6-7 months ago (9/23 and 8/18). It's unclear why the delay requesting spending authority.

**NAHASDA Fund: (Net Increase - \$2,200,000)**

[*2007 Indian Housing Plan*]

(7): '07 Homeownership Bldg Pkgs: Requesting a decrease of <\$600,000> to allow an increase in the Rental Assistance below.

(8): '07 Rental Assistance: Requesting an increase of **\$600,000** provided by a decrease in the previous budgets.

[*2008 Indian Housing Plan*]

(9): '08 Homeownership Bldg Pkgs: Requesting an increase of **\$600,000** provided by a decrease in the '08 Rental Assistance budget (item #11 below).

(10): '08 Foreclosure Purchases: Requesting an increase of **\$2,200,000** to purchase homes in foreclosure at a reduced price and pass that savings on to Mortgage Assistance Program clients.

(11): '08 Rental Assistance: Requesting a decrease of <\$600,000> offset by an increase in the Rental Assistance item above (#10).

**C. COMMUNITY ASSISTANCE, LAW ENFORCEMENT & CEMETERIES FUNDS:**

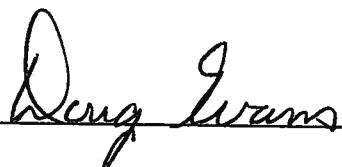
The attached lists of projects have been approved, or are being requested to be approved in this Executive/Finance Committee. These projects have already been appropriated; therefore, there is no need to appropriate the funds again. This list is for informational purposes and is included within this mod package review for inclusion purposes.

**Summary:**

After reviewing the submission of Mod-6 by administration, I find no technical issues surrounding these requests in addition to those previously noted above, nor do I have any concerns related to their respective carryover estimates.

If I can provide any further information, please do not hesitate to contact me.

Respectfully,



Doug Evans

Attachments

CHEROKEE NATION  
FY 2009 REPORTING  
Sorted by Funding Source

Funding Source	Ref # by FS	Program/Purpose	FY 2009 Prior LA	Data		
				Amend. to Sources	Amend. Total Change	Net Change
62-EPA	1	3622000 - Superfund	January Rep	13,712	13,712	\$ -
	2	3622160 - GAP (General Assistance)	LA 19-08	1,967	1,967	\$ -
	3	3622175 - GAP Training	LA 19-08	27,192	27,192	\$ -
	4	3622200 - Clean Water 106	LA 19-08	13,721	13,721	\$ -
	5	3622210 - (ITEC) Solid Waste	LA 19-08	(14,715)	(14,715)	\$ -
	6	3622220 - GAP Open Dump	LA 19-08	23,166	23,166	\$ -
	7	3622230 - GAP Special RTOC Support	LA 19-08	7,889	7,889	\$ -
	8	3622245 - GAP Solid Waste	LA 19-08	50,000	50,000	\$ -
	9	3622255 - Pesticides	October Rep	(351)	(351)	\$ -
<b>62-EPA Total</b>				<b>\$ 122,581</b>	<b>\$ 122,581</b>	<b>\$ -</b>
80-Oklahoma	10	3801010 - Youth Services Shelter Program	LA 19-08	5,068	5,068	\$ -
	11	3801020 - Youth Services Comm Based Pr	LA 19-08	(1,116)	(1,116)	\$ -
	12	3801030 - Youth Srv 1st Time Offender	LA 19-08	3,906	3,906	\$ -
<b>80-Oklahoma Total</b>				<b>\$ 7,858</b>	<b>\$ 7,858</b>	<b>\$ -</b>
85-Private	13	3852700 - Mayo Initiative on Cancer	New	9,972	9,972	\$ -
<b>85-Private Total</b>				<b>\$ 9,972</b>	<b>\$ 9,972</b>	<b>\$ -</b>
<b>Grand Total</b>				<b>\$ 140,411</b>	<b>\$ 140,411</b>	<b>\$ -</b>

*March Grants  
(Reporting Only)*

CHEROKEE NATION  
PROPOSED FY 2009 AMENDMENT  
Sorted by Funding Source

*Mod-Le  
Amended*

Funding Source	Ref # by FS	Program/Purpose	FY 2009 Prior LA	Data		
				Amend. to Sources	Change	Expenses Total Net Change
01-Cherokee Nation	* 1	1010000 - Office of the Principal Chief	LA 19-08	-	25,000	\$ (25,000)
	2	1010210 - Comprehensive Cultural Center	LA 19-08	-	15,868	\$ (15,868)
	** 3	1010458 - Clothing for Kids	LA 19-08	-	-	\$ -
	4	1010801 - Juvenile Healing Wellness Program	LA 19-08	-	21,000	\$ (21,000)
<b>01-Cherokee Nation Total</b>				\$ -	\$ 61,868	\$ (61,868)
08-Housing Proceeds	5	1082300 - MEPA	LA 19-08	300,000	300,000	\$ -
<b>08-Housing Proceeds Total</b>				\$ 300,000	\$ 300,000	\$ -
22-DOI - Self Governance	6	3221000 - Real Estate Services	LA 19-08	103,941	103,941	\$ -
<b>22-DOI - Self Governance Total</b>				\$ 103,941	\$ 103,941	\$ -
56-NAHASDA	7	3560723 - Homeownership Bldg Pkgs	Mod 5	(600,000)	(600,000)	\$ -
	8	3560776 - Rental Assistance	Mod 5	600,000	600,000	\$ -
	9	3560823 - Homeownership Bldg Pkgs	Mod 5	600,000	600,000	\$ -
	10	3560837 - Foreclosure Purchases	New	2,200,000	2,200,000	\$ -
	11	3560876 - Rental Assistance	LA 19-08	(600,000)	(600,000)	\$ -
<b>56-NAHASDA Total</b>				\$ 2,200,000	\$ 2,200,000	\$ -
<b>Grand Total</b>				\$ 2,603,941	\$ 2,665,809	\$ (61,868)

\* - Item 1 moved from the Contribution & Donation budget (1010042) to the Principal Chief's budget (1010000).

\*\* - Item 3 retained the prior year rebates on the Clothing for Kids budget (1010458)







**CHEROKEE NATION TRIBAL COUNCIL**

**FY 2009 DETAIL OF LAW ENFORCEMENT FUNDS (GLA - 650000 / AU1054100)**

Vendor / Recipient	Assistance	Date	Bill John Baker													
				S. Joe Crittenden	Jodie Fishinghawk	David Thornton	Jeanette Fullbright	Don Garvin	Curtis Small	Harley Buzzard	Meredith Fraley	Chris Soap	Carla Cowan	Evel Anglen	Brid Cobb	Chuck Hostkin, Jr.
FY2008 Camper	Amount	10/01/08	\$ 24,039.42	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 19,098.37	\$ 19,098.37		
FY2008 MAT Appointment		01/28/09	\$ 318,745.70	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	
FY2008 Available Balance			\$ 342,705.21	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72
Craig County Sheriff's Office	Amount	02/18/09	\$ 3,000.00													
Nowata County Sheriff's Office	Amount	02/19/09	\$ 3,000.00													
Chouteau Police Department	Amount	02/19/09	\$ 10,557.95													
Mayes County Sheriff's Office	Amount	02/26/09	\$ 10,000.00													
Town of Strang	Amount	02/26/09	\$ 5,000.00													
Town of Locust Grove	Amount	02/26/09	\$ 10,000.00													
Washington Co. Sheriff's Office	Amount	03/04/09	\$ 20,000.00													
Dawson Co. Sheriff's Office	Amount	03/18/09	\$ 10,000.00													
Town of Shalook	Amount	03/18/09	\$ 5,300.00													
Calionville Police Department	Amount	03/18/09	\$ 5,300.00													
City of Jay	Amount	03/18/09	\$ 3,000.00													
Town of Kansas	Amount	03/18/09	\$ 5,000.00													
Salina Police Department	Amount	03/26/09	\$ 7,500.00													
Remaining Balance			\$ 106,117.69	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 21,249.72	\$ 10,600.00	\$ 20,000.00	\$ 6,000.00	
Ver-to-Date Assistance			\$ 236,667.25													
Remaining Balance			\$ 106,117.69													

**CHEROKEE NATION TRIBAL COUNCIL**  
**FY09 CEMETERY PRESERVATION ASSISTANCE**  
(AU:1023065 / Acct:680000)

Recipient	Approved Date	Cherokee Nation District	Assistance Amount
<b>FY08 Ending Balance</b>	09/30/08		\$ 84,685.11
<b>FY09 Current Year Funding</b>	10/01/08		\$ 69,479.00
<b>IDC Allocation and PY Adjustment</b>	10/01/08		\$ (6,529.11)
<b>FY09 Available Balance</b>	10/01/08		\$ 147,635.00
Littledear Cemetery - Gary Littledeer	10/30/08	2 - Trail of Tears	\$ 500.00
Keener Cemetery - Amy Mathis	10/30/08	1 - Cherokee	\$ 500.00
Sycamore Springs - Isaac Beaver	10/30/08	5 - Delaware	\$ 500.00
Native Am. Fellowship - Hickory Creek	10/30/08	9 - Craig	\$ 500.00
Native Am. Fellowship - Timber Hill	10/30/08	9 - Craig	\$ 500.00
Agent Cemetery - Robert Mouse, Jr.	10/30/08	1 - Cherokee	\$ 500.00
Jack Ribbon Indian Cemetery	11/20/08	6 - Mayes	\$ 500.00
Lowrey Cemetery - Gina Griffith	11/20/08	1 - Cherokee	\$ 500.00
Elm Grove Cemetery - Bill Ross	12/16/08	2-Trail of Tears	\$ 500.00
Matoaka Cemetery - Ed Trottingwolf	12/16/08	8 - Keeler	\$ 500.00
Fodder Cemetery-Herbert Downing	12/16/08	2-Trail of Tears	\$ 500.00
Lynch Prairie Cemetery-Ernestine Allen	02/05/09	6- Mayes	\$ 500.00
Tyler Spring Cemetery - Jeff Simpson	02/05/09	2-Trail of Tears	\$ 500.00
William Johnson Cemetery	02/05/09	1 - Cherokee	\$ 500.00
Old Green Cemetery - George Richard	02/05/09	2 - Trail of Tears	\$ 500.00
Piney Cemetery - Piney Baptist Church	02/05/09	5-Delaware	\$ 500.00
McCoy Cemetery Assoc. - Mary Adair	02/05/09	3 - Sequoyah	\$ 500.00
Scott Cemetery - Laverne Walker	02/05/09	9 - Craig	\$ 500.00
O'Field Cemetery - Piney Baptist Church	02/26/09	5-Delaware	\$ 500.00
Thompson Cemetery - Brian Jones	02/26/09	5-Delaware	\$ 500.00
Neugin Cemetery - Maxine Neugin	02/26/09	1 - Cherokee	\$ 500.00
Garvin Cemetery - Herbert Garvin	02/26/09	3 - Sequoyah	\$ 500.00
Bradshaw Cemetery - Helen Jackson	02/26/09	3 - Sequoyah	\$ 500.00
Cherokee McCoy Cemetery-Evening Sh.	02/26/09	3-Sequoyah	\$ 500.00
Raven Cemetery - Needful Provision, Inc.	02/26/09	1-Cherokee	\$ 500.00
Downing Cemetery - Sue Fine	02/26/09	1-Cherokee	\$ 500.00
Barber Cemetery - Barber Community	02/26/09	1-Cherokee	\$ 500.00
Sixkiller Cemetery-Karen Perkins	03/26/09	6-Mayes	\$ 500.00
Ballou Cemetery-John Colvin	03/26/09	6-Mayes	\$ 500.00
Neff Family Cemetery-Barbara Clouse	03/26/09	4-Three Rivers	\$ 500.00
Oaks Cemetery-Jimmy Fogleman	03/26/09	5-Delaware	\$ 500.00
Family Finders Genealogy-Juanita Wesson	03/26/09	9-Craig	\$ 500.00
Spade Mountain Cemetery-Randy Duncan	03/26/09	2-Trail of Tears	\$ 500.00
Watt Christie-Cherokee Arts & Humanities Cou	03/26/09	2-Trail of Tears	\$ 500.00
Reece Cemetery - Stanley Hummingbird	03/26/09	2-Trail of Tears	\$ 500.00
Roland Cemetery - Town of Roland	03/26/09	3-Sequoyah	\$ 500.00
Yellow Tree Cemetery - Sheila Sturges	03/26/09	5-Delaware	\$ 500.00
Riley Cemetery - Patty Reeder	03/26/09	9-Craig	\$ 500.00
Blackwood Cemetery - Jimmy Humming.	03/26/09	2-Trail of Tears	\$ 500.00
Seabolt Cemetery-Greg Walters	03/26/09	3-Sequoyah	\$ 500.00
Long Prairie Cemetery-R. Fields	03/26/09	5-Delaware	\$ 500.00
Elm Grove Cemetery-Belinda Gamble	03/26/09	5-Delaware	\$ 500.00

**CHEROKEE NATION TRIBAL COUNCIL  
FY09 CEMETERY PRESERVATION ASSISTANCE  
(AU:1023065 / Acct:680000)**

Recipient	Approved Date	Cherokee Nation District	Assistance Amount
Blackfeather Cemetery-D Greenfeather	03/26/09	9-Craig	\$ 500.00
Lewis Shawnee Cemetery-Loyal Shawnee	03/26/09	7-Will Rogers	\$ 500.00
Miller Cemetery-Cheryl Cooper	03/26/09	1-Cherokee	\$ 500.00
Ending Balance			\$ 22,500.00
			\$ 125,135.00

ok



(Attachment  
to Memo  
re: Item #1)

Board of Directors | Ex-Officio Council | Honorary Council | Past Chairman Council | Resource Experts  
A Schedule of Membership Levels

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Membership in the Academy is open to anyone, especially those interested in the future of Oklahoma now and for generations to come. The Academy has a variety of membership levels.

**Memberships and Annual Fees:**  
*To join the Oklahoma Academy please contact our office.*

**Individual**

Full-Time Student - \$25  
Spouse - \$75  
Regular - \$150  
Leader - \$250  
Advocate - \$500  
Champion - \$1,000  
Lifetime - \$5,000

**Business/Institutions**

Activist - \$500 = 2 memberships  
Innovator - \$1,000 = 4 memberships  
Ambassador - \$3,000 = 6 memberships

**Corporate Investors**

Silver - \$5,000 = 8 memberships  
Gold - \$10,000 = 10 memberships  
Platinum - \$15,000 = 25 memberships

The Oklahoma Academy 120 E. Sheridan, Suite 200 Oklahoma City, OK 73104-2427  
405.232.5828 (phone) 405.236.5268 (fax)



**-THINK—ACT—DO→**