

An Act

LEGISLATIVE ACT 6-02

AN ACT AMENDING LEGISLATIVE ACT #37-01 AUTHORIZING MOTOR FUEL TAX ROAD PROJECTS FOR FISCAL YEAR 2002; 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 #37-01 Authorizing Motor Fuel Tax Road Projects for Fiscal Year 2002."

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 2002" or subsequent amendment. The cumulative total of the budget is increased by \$208,027 for a total budget authority of \$242,935,055.

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act 37-01 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 \$208,027, to wit:

An increase to the **Motor Fuel Tax Fund** budget authority for the following Road Projects:

1) Deerlick Road	(Delaware County)	\$ 83,333
2) North McCrary Road	(Cherokee County)	\$ 70,467
3) South Butler Road	(Cherokee County)	\$ 54,227
Total		<u>\$208,027</u>

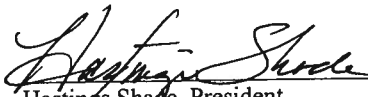
SECTION 5. SEVERABILITY

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.

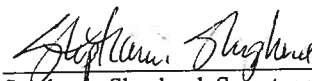
SECTION 6. EFFECTIVE DATE: EMERGENCY DECLARED

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.

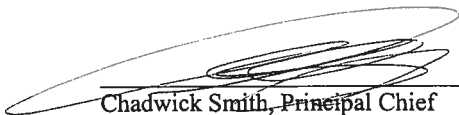
Passed by the Cherokee Council on the 11th day of March, 2002.


Hastings Shade, President
Council of the Cherokee Nation


ATTEST:


Stephanie Shepherd, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 15th day of March, 2002.


Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:


Jay Hannah, Secretary / Treasurer
Cherokee Nation

YEAS AND NAYS AS RECORDED:

John A. Ketcher	<u>YEA</u>	Melvina Shotpouch	<u>YEA</u>
Don Crittenden	<u>YEA</u>	Stephanie Shepherd	<u>YEA</u>
Harold "Jiggs" Phillips	<u>YEA</u>	John F. Keener	<u>YEA</u>
Jackie Bob Martin	<u>YEA</u>	Harold DeMoss	<u>YEA</u>
Mary Flute-Cooksey	<u>YEA</u>	Dorothy Jean McIntosh	<u>YEA</u>
David W. Thornton, Sr.	<u>YEA</u>	Nick Lay	<u>YEA</u>
Don Garvin	<u>YEA</u>	Charles "Chuck" Hoskin	<u>ABSENT</u>
Barbara Starr-Scott	<u>ABSENT</u>		



CHEROKEE NATION TRIBAL COUNCIL

Doug Evans, C.P. A.,

Executive Director, Financial Oversight

M e m o

To: Harold DeMoss, Chairman, Executive & Finance Committee
From: Doug Evans, Executive Director of Financial Oversight
CC: Barbara Starr-Scott, Co-Chairman, Executive & Finance Committee
Jackie-Bob Martin, Chairman, Resource Committee
Gina Blackfox, Legislative Aide
Date: 2/28/2002
Re: Analysis of Proposed MFT Road Projects in February 2002

Chairman DeMoss,

Per your request, I have analyzed the attached budgets submitted on behalf of Council Members Pittenden, Ketcher and Shotpouch. These projects are within their respective allocations of the Motor Fuels Tax funds for district road projects for FY2002. I am also enclosing an analysis of all Council Members available balances for projects up through these requests.

If you have any questions or comments, please do not hesitate to contact me.

Doug Evans

**Motor Fuels Tax
Council Roads Projects
Summary of Available Balance**

Sponsor	Amount
D. Crittenden Total	\$45,814.50
J. Ketcher Total	\$43,981.48
H. Phillips Total	\$9,977.49
J.B. Martin Total	\$9,977.50
D. Thornton Total	\$68,194.99
M. Cooksey Total	\$64,648.00
D. Garvin Total	\$66,987.00
B. Starr-Scott Total	\$51,016.99
M. Shotpouch Total	\$22,994.01
J. Keener Total	\$153,682.01
S. Shephard Total	\$200,000.01
H. DeMoss Total	\$200,000.01
D. McIntosh (vacancy) Total	\$137,807.01
N. Lay Total	\$20,903.99
C. Hoskin Total	\$65,681.01
Grand Total	\$1,161,666.00

Motor Fuels Tax Council Roads Projects Summary of Available Balance

District	Sponsor	Project Name	Amount	L.A.#	FY
D-1 (Cherokee)	D. Crittenden	FY-2000 APPROPRIATION OF FUNDS	\$66,666.67	LA: 22-99a	2000
D-1 (Cherokee)	D. Crittenden	MUD VALLEY ROAD (Cherokee County)	(\$64,457.00)	LA: 27-00	2000
D-1 (Cherokee)	D. Crittenden	FY-2001 APPROPRIATION OF FUNDS	\$66,666.67	LA: 35-00	2001
D-1 (Cherokee)	D. Crittenden	BEAVERSON ROAD (Cherokee County) - 50%	(\$27,381.50)	LA: 17-01	2001
D-1 (Cherokee)	D. Crittenden	FY-2001 APPROPRIATION OF FUNDS (2)	\$66,666.66	LA: 33-01	2001
D-1 (Cherokee)	D. Crittenden	SOUTH BUTLER ROAD (Cherokee County) - 50%	(\$27,113.50)	LA: ??-??	2002
D-1 (Cherokee)	D. Crittenden	NORTH MCCRARY ROAD (Cherokee County) - 50%	(\$35,233.50)	LA: ??-??	2002
	D. Crittenden Total		\$45,814.50		
D-1 (Cherokee)	J. Ketcher	FY-2000 APPROPRIATION OF FUNDS	\$66,666.66	LA: 22-99a	2000
D-1 (Cherokee)	J. Ketcher	MILLER CEMETERY ROAD (Cherokee County)	(\$66,290.00)	LA: 31-00	2000
D-1 (Cherokee)	J. Ketcher	FY-2001 APPROPRIATION OF FUNDS	\$66,666.66	LA: 35-00	2001
D-1 (Cherokee)	J. Ketcher	BEAVERSON ROAD (Cherokee County) - 50%	(\$27,381.50)	LA: 17-01	2001
D-1 (Cherokee)	J. Ketcher	FY-2001 APPROPRIATION OF FUNDS (2)	\$66,666.66	LA: 33-01	2001
D-1 (Cherokee)	D. Crittenden	SOUTH BUTLER ROAD (Cherokee County) - 50%	(\$27,113.50)	LA: ??-??	2002
D-1 (Cherokee)	D. Crittenden	NORTH MCCRARY ROAD (Cherokee County) - 50%	(\$35,233.50)	LA: ??-??	2002
	J. Ketcher Total		\$43,981.48		
D-2 (Adair)	H. Phillips	FY-2000 APPROPRIATION OF FUNDS	\$66,666.66	LA: 22-99a	2000
D-2 (Adair)	H. Phillips	FAIRFIELD ROAD (Adair County) - 50%	(\$66,000.00)	LA: 27-00	2000
D-2 (Adair)	H. Phillips	FY-2001 APPROPRIATION OF FUNDS	\$66,666.66	LA: 35-00	2001
D-2 (Adair)	H. Phillips	RIVER ROAD (Adair County) - 50%	(\$38,506.00)	LA: 10-01	2001
D-2 (Adair)	H. Phillips	ADIELEE ROAD PROJECT (Adair County) - 50%	(\$11,019.50)	LA: 17-01	2001
D-2 (Adair)	H. Phillips	FY-2001 APPROPRIATION OF FUNDS (2)	\$66,666.67	LA: 33-01	2001
D-2 (Adair)	H. Phillips	ROCKY MTN/MANKILLER FLATS (Adair County)-50%	(\$74,497.00)	LA: 2-02	2002
	H. Phillips Total		\$9,977.49		
D-2 (Adair)	J.B. Martin	FY-2000 APPROPRIATION OF FUNDS	\$66,666.67	LA: 22-99a	2000
D-2 (Adair)	J.B. Martin	FAIRFIELD ROAD (Adair County) - 50%	(\$66,000.00)	LA: 27-00	2000
D-2 (Adair)	J.B. Martin	FY-2001 APPROPRIATION OF FUNDS	\$66,666.67	LA: 35-00	2001
D-2 (Adair)	J.B. Martin	RIVER ROAD (Adair County) - 50%	(\$38,506.00)	LA: 10-01	2001
D-2 (Adair)	J.B. Martin	ADIELEE ROAD PROJECT (Adair County) - 50%	(\$11,019.50)	LA: 17-01	2001
D-2 (Adair)	J.B. Martin	FY-2001 APPROPRIATION OF FUNDS (2)	\$66,666.66	LA: 33-01	2001
D-2 (Adair)	J.B. Martin	ROCKY MTN/MANKILLER FLATS (Adair County)-50%	(\$74,497.00)	LA: 2-02	2002
	J.B. Martin Total		\$9,977.50		
D-3 (Sequoyah)	D. Thornton	FY-2000 APPROPRIATION OF FUNDS	\$66,666.66	LA: 22-99a	2000
D-3 (Sequoyah)	D. Thornton	NICUT ROAD (Sequoyah County)	(\$14,530.00)	LA: 27-00	2000
D-3 (Sequoyah)	D. Thornton	FY-2001 APPROPRIATION OF FUNDS	\$66,666.66	LA: 35-00	2001
D-3 (Sequoyah)	D. Thornton	MCCOY COMMUNITY ROAD (Sequoyah County)	(\$23,742.00)	LA: 36-00	2001
D-3 (Sequoyah)	D. Thornton	EVENING SHADE ROAD (Sequoyah County)	(\$28,281.00)	LA: 36-00	2001
D-3 (Sequoyah)	D. Thornton	CANABURY CHURCH ROAD (Sequoyah County)	(\$9,831.00)	LA: 17-01	2001
D-3 (Sequoyah)	D. Thornton	EVENING SHADE ADDITION (Sequoyah County)	(\$7,543.00)	LA: 17-01	2001
D-3 (Sequoyah)	D. Thornton	FARMERS ROAD PROJECT (Sequoyah County)	(\$3,516.00)	LA: 17-01	2001
D-3 (Sequoyah)	D. Thornton	JACK KECH LOOP PROJECT (Sequoyah County)	(\$1,081.00)	LA: 17-01	2001
D-3 (Sequoyah)	D. Thornton	MCCOY FORD PROJECT (Sequoyah County)	(\$3,393.00)	LA: 17-01	2001
D-3 (Sequoyah)	D. Thornton	NEW HOPE ROAD PROJECT (Sequoyah County)	(\$32,532.00)	LA: 17-01	2001
D-3 (Sequoyah)	D. Thornton	SEQUOYAH ESTATES (Sequoyah County)	(\$1,940.00)	LA: 17-01	2001
D-3 (Sequoyah)	D. Thornton	WHITMORE ROAD PROJECT (Sequoyah County)	(\$5,416.00)	LA: 17-01	2001
D-3 (Sequoyah)	D. Thornton	FY-2001 APPROPRIATION OF FUNDS (2)	\$66,666.67	LA: 33-01	2001
	D. Thornton Total		\$68,194.99		
D-3 (Sequoyah)	M. Cooksey	FY-2000 APPROPRIATION OF FUNDS	\$66,666.67	LA: 22-99a	2000
D-3 (Sequoyah)	M. Cooksey	FY-2001 APPROPRIATION OF FUNDS	\$66,666.67	LA: 35-00	2001
D-3 (Sequoyah)	M. Cooksey	BRADLEY FORD BRIDGE (Sequoyah County)	(\$24,124.00)	LA: 36-00	2001
D-3 (Sequoyah)	M. Cooksey	EAGLE MOUNTAIN ROAD (Sequoyah County)	(\$16,500.00)	LA: 6-01	2001
D-3 (Sequoyah)	M. Cooksey	SEVEN STAR ROAD (Sequoyah County)	(\$3,643.00)	LA: 6-01	2001
D-3 (Sequoyah)	M. Cooksey	NORTH DALE ESTATES (Sequoyah County)	(\$13,750.00)	LA: 6-01	2001
D-3 (Sequoyah)	M. Cooksey	OLD BELFONTE ROAD (Sequoyah County)	(\$21,912.00)	LA: 6-01	2001
D-3 (Sequoyah)	M. Cooksey	DUTY HILL ROAD (Sequoyah County)	(\$9,306.00)	LA: 6-01	2001
D-3 (Sequoyah)	M. Cooksey	JOHNSON ROAD (Sequoyah County)	(\$13,750.00)	LA: 6-01	2001
D-3 (Sequoyah)	M. Cooksey	FY-2001 APPROPRIATION OF FUNDS (2)	\$66,666.66	LA: 33-01	2001
D-3 (Sequoyah)	M. Cooksey	GEORGE WALTERS ROAD (Sequoyah County)	(\$17,330.00)	LA: 41-01	2002
D-3 (Sequoyah)	M. Cooksey	HANSON ROAD PROJECT (Sequoyah County)	(\$15,037.00)	LA: 41-01	2002
	M. Cooksey Total		\$64,648.00		
D-4 (McIn/Musk/Wag)	D. Garvin	FY-2000 APPROPRIATION OF FUNDS	\$66,666.67	LA: 22-99a	2000
D-4 (McIn/Musk/Wag)	D. Garvin	POSSUM HOLLOW ROAD (Muskogee County)	(\$66,000.00)	LA: 31-00	2000
D-4 (McIn/Musk/Wag)	D. Garvin	FY-2001 APPROPRIATION OF FUNDS	\$66,666.67	LA: 35-00	2001
D-4 (McIn/Musk/Wag)	D. Garvin	FY-2001 APPROPRIATION OF FUNDS (2)	\$66,666.66	LA: 33-01	2001
D-4 (McIn/Musk/Wag)	D. Garvin	POSSUM HOLLOW PHASE 2 (Muskogee County)	(\$31,111.00)	LA: 2-02	2002
D-4 (McIn/Musk/Wag)	D. Garvin	WEBERS FALLS - SOUTH (Muskogee County)	(\$35,902.00)	LA: 2-02	2002
	D. Garvin Total		\$66,987.00		

Motor Fuels Tax Council Roads Projects Summary of Available Balance

District	Sponsor	Project Name	Amount	L.A.#	FY
D-5 (Delaware/Ottawa)	B. Starr-Scott	FY-2000 APPROPRIATION OF FUNDS	\$66,666.66	LA: 22-99a	2000
D-5 (Delaware/Ottawa)	B. Starr-Scott	FY-2001 APPROPRIATION OF FUNDS	\$66,666.66	LA: 35-00	2001
D-5 (Delaware/Ottawa)	B. Starr-Scott	EUCHA/KENWOOD ROAD (Delaware County)-50%	(\$9,319.00)	LA: 6-01	2001
D-5 (Delaware/Ottawa)	B. Starr-Scott	KENWOOD BRIDGE PROJECT (Delaware County)	(\$74,310.00)	LA: 17-01	2001
D-5 (Delaware/Ottawa)	B. Starr-Scott	FY-2001 APPROPRIATION OF FUNDS (2)	\$66,666.67	LA: 33-01	2001
D-5 (Delaware/Ottawa)	B. Starr-Scott	OAKS SOUTH VILLAGE (Delaware County)-50%	(\$21,354.00)	LA: 2-02	2002
D-5 (Delaware/Ottawa)	B. Starr-Scott	KENWOOD SCHOOL (Delaware County) **PENDING**	(\$26,667.00)	LA: ??-??	2002
D-5 (Delaware/Ottawa)	B. Starr-Scott	OAKS NEW VILLAGE (Delaware County) **PENDING**	(\$17,333.00)	LA: ??-??	2002
	B. Starr-Scott Total		\$51,016.99		
D-5 (Delaware/Ottawa)	M. Shotpouch	FY-2000 APPROPRIATION OF FUNDS	\$66,666.67	LA: 22-99a	2000
D-5 (Delaware/Ottawa)	M. Shotpouch	PINEY ROAD (Delaware County)	(\$55,000.00)	LA: 31-00	2000
D-5 (Delaware/Ottawa)	M. Shotpouch	FY-2001 APPROPRIATION OF FUNDS	\$66,666.67	LA: 35-00	2001
D-5 (Delaware/Ottawa)	M. Shotpouch	EUCHA/KENWOOD ROAD (Delaware County)-50%	(\$9,319.00)	LA: 6-01	2001
D-5 (Delaware/Ottawa)	M. Shotpouch	PINEY ROAD-MOD (Delaware County)	(\$8,000.00)	LA: 32-01	2001
D-5 (Delaware/Ottawa)	M. Shotpouch	FY-2001 APPROPRIATION OF FUNDS (2)	\$66,666.67	LA: 33-01	2001
D-5 (Delaware/Ottawa)	M. Shotpouch	OAKS SOUTH VILLAGE (Delaware County)-50%	(\$21,354.00)	LA: 2-02	2002
D-5 (Delaware/Ottawa)	M. Shotpouch	DEERLICK ROAD (Delaware County)	(\$83,333.00)	LA: ??-??	2002 ★
	M. Shotpouch Total		\$22,994.01		
D-6 (Mayes)	J. Keener	FY-2000 APPROPRIATION OF FUNDS	\$66,666.67	LA: 22-99a	2000
D-6 (Mayes)	J. Keener	FY-2001 APPROPRIATION OF FUNDS	\$66,666.67	LA: 35-00	2001
D-6 (Mayes)	J. Keener	FY-2001 APPROPRIATION OF FUNDS (2)	\$66,666.67	LA: 33-01	2001
D-6 (Mayes)	J. Keener	WYANDOTTE/LOCUST/ROSS ROAD (Mayes County)	(\$36,360.00)	LA: 41-01	2002
D-6 (Mayes)	J. Keener	BALLOU ROAD PROJECT (Mayes County)	(\$4,051.00)	LA: 41-01	2002
D-6 (Mayes)	J. Keener	COLVIN ROAD PROJECT (Mayes County)	(\$5,907.00)	LA: 41-01	2002
	J. Keener Total		\$153,682.01		
D-6 (Mayes)	S. Shephard	FY-2000 APPROPRIATION OF FUNDS	\$66,666.67	LA: 22-99a	2000
D-6 (Mayes)	S. Shephard	FY-2001 APPROPRIATION OF FUNDS	\$66,666.67	LA: 35-00	2001
D-6 (Mayes)	S. Shephard	FY-2001 APPROPRIATION OF FUNDS (2)	\$66,666.67	LA: 33-01	2001
	S. Shephard Total		\$200,000.01		
D-7 (Rogers)	H. DeMoss	FY-2000 APPROPRIATION OF FUNDS	\$66,666.67	LA: 22-99a	2000
D-7 (Rogers)	H. DeMoss	FY-2001 APPROPRIATION OF FUNDS	\$66,666.67	LA: 35-00	2001
D-7 (Rogers)	H. DeMoss	FY-2001 APPROPRIATION OF FUNDS (2)	\$66,666.67	LA: 33-01	2001
	H. DeMoss Total		\$200,000.01		
D-8 (Tulsa/Wash)	D. McIntosh (vacancy)	FY-2000 APPROPRIATION OF FUNDS	\$66,666.67	LA: 22-99a	2000
D-8 (Tulsa/Wash)	D. McIntosh (vacancy)	GAP ROAD (Washington County)	(\$8,404.00)	LA: 27-00	2000
D-8 (Tulsa/Wash)	D. McIntosh (vacancy)	FY-2001 APPROPRIATION OF FUNDS	\$66,666.67	LA: 35-00	2001
D-8 (Tulsa/Wash)	D. McIntosh (vacancy)	BRIDGE #108 PROJECT (Washington County)	(\$53,789.00)	LA: 10-01	2001
D-8 (Tulsa/Wash)	D. McIntosh (vacancy)	FY-2001 APPROPRIATION OF FUNDS (2)	\$66,666.67	LA: 33-01	2001
	D. McIntosh (vacancy) Total		\$137,807.01		
D-8 (Tulsa/Wash)	N. Lay	FY-2000 APPROPRIATION OF FUNDS	\$66,666.66	LA: 22-99a	2000
D-8 (Tulsa/Wash)	N. Lay	FY-2001 APPROPRIATION OF FUNDS	\$66,666.66	LA: 35-00	2001
D-8 (Tulsa/Wash)	N. Lay	COPAN BRIDGE PROJECT (Washington County)	(\$27,778.00)	LA: 17-01	2001
D-8 (Tulsa/Wash)	N. Lay	TYNER CEMETERY PROJECT (Washington County)	(\$21,389.00)	LA: 17-01	2001
D-8 (Tulsa/Wash)	N. Lay	BRIDGE #105 PROJECT (Washington County)	(\$27,778.00)	LA: 17-01	2001
D-8 (Tulsa/Wash)	N. Lay	NOWATA CLINIC PROJECT (Nowata County)	(\$23,333.00)	LA: 17-01	2001
D-8 (Tulsa/Wash)	N. Lay	FY-2001 APPROPRIATION OF FUNDS (2)	\$66,666.67	LA: 33-01	2001
D-8 (Tulsa/Wash)	N. Lay	OCHELETA PROJECT (Washington County)	(\$78,818.00)	LA: 2-02	2002
	N. Lay Total		\$20,903.99		
D-9 (Craig/Nowata)	C. Hoskin	FY-2000 APPROPRIATION OF FUNDS	\$66,666.67	LA: 22-99a	2000
D-9 (Craig/Nowata)	C. Hoskin	FY-2001 APPROPRIATION OF FUNDS	\$66,666.67	LA: 35-00	2001
D-9 (Craig/Nowata)	C. Hoskin	ALLUWE ROAD (Nowata County)	(\$45,430.00)	LA: 6-01	2001
D-9 (Craig/Nowata)	C. Hoskin	ROAD #431/280 PROJECT (Craig County)	(\$55,556.00)	LA: 17-01	2001
D-9 (Craig/Nowata)	C. Hoskin	FY-2001 APPROPRIATION OF FUNDS (2)	\$66,666.67	LA: 33-01	2001
D-9 (Craig/Nowata)	C. Hoskin	TOM BUFFINGTON HEIGHTS ROAD (Craig County)	(\$33,333.00)	LA: 41-01	2002
	C. Hoskin Total		\$65,681.01		
	Grand Total		\$1,161,666.00		

Administrative Clearance

Program/Project Manager

HJB 1-29-02
Signature/Initial Date

Department Director:

Signature/Initial Date

Executive Director:

mj 2-5-02
Signature/Initial Date

Chief Financial Officer: (If Needed)

Calie Cato
Signature/Initial Date 2/25/02

Administration Approval:

Rogers 2/15
Signature/Initial Date

**Cherokee Nation
Act /Resolution Proposal Form**



Act



Resolution

TITLE: SOUTH BUTLER ROAD, NORTH MCCRARY ROAD, AND DEERLICK ROAD

Contract amount: \$208,027 Date Available _____

DEPARTMENT CONTACT: Harley Buzzard

RESOLUTION PRESENTER: Marvin Jones

NARRATIVE:

An Act appropriating \$208,027 from the Motor Fuel Tax Funds to South Butler Road and North McCrary Road, both located in Cherokee County, Oklahoma and Deerlick Road located in Delaware County, Oklahoma.

South Butler Road is approximately .75 miles in length and North McCrary Road is approximately 1.0 miles in length. Deerlick Road is approximately 2.5 miles in length. Cherokee and Delaware Counties will provide the labor for all projects, and purchase materials necessary to correct all drainage problems, including blading, shaping, compacting existing surface, resurfacing, and adding cross pipes and side drains, where necessary.

Legislative Clearance

Legislative Aide:

Jo 3:45 P 2/26/02
Signature/Initial Date
W 8:00 A 2/27/02

Standing Committee:

Next Meeting Date

Chairperson:

Signature/Initial Date

Returned to Presenter: _____

Date