



Council of the Cherokee Nation

Tribal Council Minutes Tribal Council

Monday, September 14, 2009

6:00 PM

Council Chambers

CALL TO ORDER

Speaker Frailey called the meeting to order at 6:00 p.m.

INVOCATION

Councilor Glory-Jordan gave the invocation.

ROLL CALL

Present 17 - S. Joe Crittenden; David Thornton Sr. ; Don Garvin; Meredith Frailey; 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. ; Julia Coates and Bill John Baker

Councilor Glory-Jordan made a motion to amend the agenda to include a new business item #6 that passed out of committee earlier today as A Resolution Ratifying Intervention in Litigation in the United States District Court for the Northern District of Oklahoma. She further asked to amend the agenda to include new business item #7 passing out of the budget hearings as An Act Authorizing and Approving the Fiscal Year 2010 Budget; and Declaring an Emergency. Councilor Glory-Jordan announced several Councilors have other commitments and therefore requested new business item #7 be addressed immediately following the approval of this motion. Councilor Cowan Watts seconded the motion. Motion carried.

NEW BUSINESS:

7.

AN ACT AUTHORIZING AND APPROVING THE FISCAL YEAR 2010 BUDGET; AND DECLARING AN EMERGENCY

Councilor Jack D. Baker stated this is the Act authorizing the Fiscal year 2010 budget for \$532ml which was passed in budget hearings last Friday.

Councilor Jack D. Baker moved for approval. Councilor Anglen seconded the motion. The motion carried by the following roll call vote:

Yea: 15 - Don Garvin;Meredith Frailey;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. ;Julia Coates and Bill John Baker

Nay: 2 - S. Joe Crittenden and David Thornton Sr.

Enactment No: LA-21-09

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Councilor Bill John Baker moved to approve the August 10th regular session minutes. Councilor Cowan seconded the motion. Motion carried.

STATE OF THE NATION

Chief Smith acknowledged the Cherokee passing over the last month with a moment of silence. Those Cherokee's were Thelma Haddock Reel, Ina Faye Romero, Don Christie, Alana L. Thomas, Mike Fritz, Kathy Bradley, Bennet Kirk, Rodney Webster, Richard Fourkiller, Irene Daniels, Chase Bolin, and James Layton. The Cherokee Veteran's honored this month were James R. Roland and Ernest Shade. The Cherokee Nation Career Services is announcing a new program as the Cherokee Day Work Program designed to provide help to Cherokee people by allowing them the opportunity to work for assistance while trying to obtain full time employment or assistance from another program. The Cherokee Nation stepped up to lend a helping hand to the Adair County community of Greasy after a loss of their school to fire in August. The Oaks community in Delaware County will have improved access to vital water services through funds from the American Recovery and Reinvestment Act in collaboration with the Cherokee Nation and several other entities. The Cherokee Nation held a special event during the 57th Cherokee National Holiday by breaking ground on a new Veterans' Center. Cherokee Elder Care celebrated its first anniversary with an open house on August 21st. The Cherokee Nation recently contributed more than \$305,000 to 124 rural volunteer fire departments in Northeastern Oklahoma. The Cherokee Nation has just completed annual reviews and performance increases for this year. Employees will be rewarded for their hard work in a few short weeks even though financial times are tough. A very special guest, John Lewis, attended the 57th Cherokee National Holiday and pow wow. He also visited and spoke to the students at Sequoyah High School. He also visited the Immersion center and was moved by the young children speaking Cherokee. Chief Smith read Mr. Lewis' speech given at the Holiday State of the Nation address. Mr. Lewis' great claim of leadership is that he is known as a Dean of the Civil Rights in the U. S. Congress. Chief Smith gave recognition to all of the event coordinators for the holiday. The Cherokee National Youth Choir has once again been nominated for two Native American Music Awards. He gave recognition to the Tribal Facilities staff for their long hours of preparation of the complex for the holiday. He commented the new carpet in the Council Chambers will greet everyone with our Cherokee language. The budget passed tonight is a great effort by the Council and the Administration to try to deal with the many competing needs of the Cherokee people. We have had a flat budget and the discretionary funds have not increased. A great stride as it reflects the overall strategy of the Cherokee Nation. Some of the budget highlights in this budget are a \$1ml in the Community Works Project part of an overall Community Service and Housing budget of \$121ml, a veteran's center for \$2.2ml, and expansion of the immersion school. Our education budget which includes partnerships with the rural schools is over \$52ml. The Back to Work Program and the Day Work Program are part of the Health Care \$203ml budget. A number of initiatives are reflected in the budget some of which include employee bonuses and the scholarship increase by \$2ml. He gave appreciation to the Council and the committees stating the most difficult decision each year is the development of a budget. Chief Smith introduced our new Miss Cherokee Ambassador Danielle Culp from Claremore and Junior Miss Cherokee Ambassador Ashley Miller. Chief Smith announced Cherokee Nation

Attorney Chrissi Nimmo will participate in the Oklahoma Bar Association's 2nd Annual Leadership Academy Class selected from applicants throughout the State. She is one of twenty-six chosen for the leadership academy. He further announced Councilor Cowan Watts, Chris Province, Deb Reed and Veronica Hicks have been named to the National Center for American Indian Enterprise Developments forty under forty. He extended an invitation to everyone to the National Job Corp 45th Anniversary event to be held this Friday at 10:00 at the Talking Leaves Job Corp gym. He invited the Council to the Cherokee Heritage Center on September 23rd between 11:00 and 2:00 for the Cherokee Nation volunteers' picnic. Councilor Cowan Watts will be hosting a hog fry on September 27th from 2:00 to 4:00 at the Will Rogers Ranch in Oologah. On October 10th a picnic will be held for the At Large Cherokees at Will Rogers State Park in Los Angeles. Councilors Thornton and Fullbright's community meeting set this week has been cancelled. Councilor Garvin will host a community meeting on September 22nd from 5:00 to 6:30 at the Three Rivers Health Center. An At Large picnic will be held in San Diego on October 11th. NCAI will be the week of October 12th in Palm Springs, California. Chief Smith announced Cherokee citizen Ryan Dirteater was a member of the PBR association team that won a world cup for bull riding in Brazil. During the Cherokee National Holiday a breakfast was held at the Alumni Center at Northeastern State University. State Representative Mike Brown commented music is a bridge to political and racial differences and presented a fiddle to Chief Smith.

ACTION OF UNFINISHED BUSINESS

None pending.

COMMITTEE REPORTS

Monthly Reports:

Housing Authority - David Southerland

Mr. Southerland announced the regular board meeting will be held tomorrow evening at 5:30 in the Alene Hogner Conference room at the Housing Authority Administration Building. The Board agenda is light with one of the items for consideration being the approval of a lease with the City of Hulbert for a storm shelter for Proctor Heights Addition. Another item for discussion will be to determine what is an allowable item of purchase on the MEPA program. The October Board meeting is scheduled at noon on the 27th of October.

Cherokee Nation Entertainment - David Stewart

Mr. Stewart announced they survived the aftermath of the Hard Rock opening and in the process of learning how to operate the new amenities. The event center has approximately eight months of construction remaining. The official ground breaking for the hotel was held at West Siloam and also has approximately eight months of construction remaining. The net income is better than June but well below last year. He stated as they operate more amenities it is more expensive to operate therefore the focus is on being efficient. The retail sales tax to the tribe is significantly up by 25% indicating that we are taking advantage of the restaurants and retail areas of the properties. The road construction presents a significant challenge at the Catoosa facility as I-44 is expanded. They have increased their employee count by 23 for a total employment of 3455 with 59% of those being Cherokee. There is a similar percentage in the management level. The debt remains at the \$30ml level. He

stated they have paid down a significant amount that was used for the expansions. Speaker Frailey complemented Mr. Stewart on the more than 7,000 new customers during the first week of the Hard Rock opening.

Cherokee Nation Business, Inc - David Stewart

Mr. Stewart stated the focus at CNB is finalizing the budget. All of the CEO's met to discuss business strategy to get everyone aligned in the proper business segments in which they feel they can excel. He stated there is a lot of talent through out the companies therefore they are working to provide individual talent where needed to allow them success. The budget will be presented at the September Board meeting. The acquisition of the IT Company is complete with CNB as the owner and effectively managed by CNE. The IT Company is a Colorado based company that will get them into the government sector capitalizing on the expertise and resources at CNE. Councilor Cowan Watts inquired where the job openings would be posted. Mr. Stewart stated they are not hiring right now. The company was bought in tact therefore they are not in the position to add additional staff at this point. When positions are open they will be posed prominently on the web.

Cherokee Nation Industries - Bryan Collins

Mr. Collins announced the August results are not yet complete. The local employment is 470 with a 82% Native American employment. He commented the CNI float took second in the Cherokee National Holiday parade. The Huntsville Contract is finally signed. This is a cost plus IDIQ contract which is a first for CNI. This contract has opened up opportunities for hiring. Their next board meeting is scheduled for September 28th at 2:00 in Tulsa.

OLD BUSINESS

None pending.

NEW BUSINESS

Rules Committee

1. **REQUEST TO CHANGE THE OCTOBER MEETINGS**

Councilor Garvin stated NCAI is scheduled at the same time of our regular meetings.

Councilor Garvin made a motion to move the October Council meeting to the 19th along with Education & Culture and Resource Committees and Health and Community Service Committees on the next day Tuesday, October 20th. Councilor Cowan Watts seconded with a friendly amendment that all meetings are on the 19th of October. Councilor Garvin accepted. Motion carried.

2. **A RESOLUTION AUTHORIZING CHEROKEE NATION TO BECOME A MEMBER OF THE NATIONAL CONGRESS OF AMERICAN INDIANS AND TO APPOINT THE TRIBAL DELEGATE AND ALTERNATES**

Councilor Jack D. Baker moved to approve. Councilor Cowan Watts seconded the motion. Motion carried.

Enactment No: R-100-09

3. **A RESOLUTION CONFIRMING THE NOMINATION OF RICK DOHERTY AS A MEMBER OF THE BOARD OF DIRECTORS OF CHEROKEE NATION WASTE MANAGEMENT, LLC**
- Councilor Fishinghawk moved for approval. Councilor Crittenden seconded the motion. Motion carried.
- Enactment No: R-101-09
4. **A RESOLUTION CONFIRMING THE NOMINATION OF KEN PURDY AS A MEMBER OF THE BOARD OF DIRECTORS OF CHEROKEE NATION WASTE MANAGEMENT, LLC**
- Councilor Bill John Baker made a motion to approve. Councilor Glory-Jordan seconded the motion. Motion carried.
- Enactment No: R-102-09

Executive and Finance Committee

5. **AN ACT AMENDING LEGISLATIVE ACT #19-08 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2009 - MOD 11; AND DECLARING AN EMERGENCY**
- Councilor Jack D. Baker stated this budget mod increases the spending authority by \$1,700. in relation to the Emergency Management Program.*
- Councilor Jack D. Baker made a motion to approve. Councilor Cowan Watts seconded the motion. Motion carried by acclamation.
- Enactment No: LA-22-09
6. **A RESOLUTION RATIFYING INTERVENTION IN LITIGATION IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA**
- Councilor Cowan Watts stated this resolution approves our Attorney General Diane Hammons to enter into the lawsuit between the State of Oklahoma and Tyson Foods.*
- Councilor Cowan Watts moved to approve. Councilor Jack D. Baker seconded the motion. Motion carried.
- Enactment No: R-103-09

ANNOUNCEMENTS

Councilor Garvin extended a invitation to everyone to attend his community meeting on the 22nd in Muskogee at the Three Rivers Health Clinic. He introduced Dwight Epperson from Wagoner and Mr. and Mrs. Haley from Muskogee.

Councilor Jack D. Baker gave a special thanks to Doug Evans for all of his hard work on the Legislative review for the 2010 budget. He expressed appreciation to Council Attorney Todd Hembree for his assistance during the budget hearings. He expressed a special thank you to Callie Catcher and her financial staff for all of their hard work in putting the budget together as well as the Group Leaders.

Councilor Cowan Watts gave appreciation to Chief Smith, Secretary of State Knight and the administrative staff for all of their work on the budget. She gave appreciation to the Council Staff and Speaker Frailey for all of their assistance. She also gave appreciation to Ms. Danielle Culp for taking time to participate in the Leadership Programs and the opportunity to pursue Miss Cherokee. She stated Ms. Culp is the first Rogers County woman to participate since the 1980's. Councilor Cowan Watts extended an invitation to everyone to the Will Rogers Ranch on Sunday, September 27th from 2:00 to 4:00 to participate in the partnership to continue to embrace our leader in Will Rogers, his memory and what he continues to bring to the Cherokee Nation and the State of Oklahoma. Cherokee Cultural Tourism and the Heritage Center have partnered to open the new gallery at the Memorial to recognize Will Rogers and his family along with their Cherokee Heritage.

Councilor Glory-Jordan along with Councilor Bill John Baker extended an invitation to everyone to attend their community meeting and hog fry on October 20th at the Tahlequah Community Building.

Councilor Fullbright gave appreciation to everyone especially the other Council Members on passing the budget and being able to work together. She especially gave thanks to Councilor Bill John Baker for the second year making the motion to raise the scholarships.

Councilor Coates reminded everyone of the two picnics coming up in Southern California. The first will be held Saturday, October 10th from 10:00 to 2:00 at Will Rogers State Park in California for the At Large members in the Los Angeles area. On Sunday, October 11th from 10:00 to 2:00 at Mission Bay Park in San Diego.

Councilor Garvin gave recognition to the three hard workers in the Council House as Gayle Miller, Shelli Brittain and Robbi Mouse as they do a tremendous job.

Councilor Fishinhawk gave appreciation once again to the one Council CPA Doug Evans as he does a great job keeping up with Ms. Catcher's forty accountants.

ADJOURNMENT

Councilor Bill John Baker moved to adjourn. Councilor Cowan Watts seconded the motion. Motion carried at 6:55 p.m.

Next Tribal Council meeting will be held on October 19th, 6:00 p.m. at the tribal headquarters, W.W. Keeler Complex.

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