



Council of the Cherokee Nation

Council House
17763 S. Muskogee Ave.
Tahlequah, OK 74464

Meeting Minutes - Final RULES COMMITTEE

Chuck Hoskin Jr., Chair

Recording Secretary, Shelli-Brittain
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Thursday, February 23, 2012

1:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Hoskin Jr. called the meeting to order at 3:10 p.m.

INVOCATION

Councilor Thornton gave the invocation.

ROLL CALL

Present 16 - Buel Anglen; Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Jodie Fishinhawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; Lee Keener Jr.; David Walkingstick; Frankie Hargis and Joe Byrd

Late Arrival 1 - Julia Coates

APPROVAL OF MINUTES

Councilor Jack D. Baker moved to approve the December 13th regular session minutes. Councilor Anglen seconded the motion. The motion carried with Councilor Cowan Watts opposed.

Councilor Keener moved to approve the January 16th impeachment subcommittee minutes. Councilor Garvin seconded the motion. The motion carried.

Councilor Jack D. Baker moved to approve the January 26th regular session minutes. Councilor Cowan Watts seconded the motion. The motion carried.

AMEND THE AGENDA

Councilor Glory-Jordan moved to amend the agenda to move new business item 12 prior to the old business items. Councilor Hargis seconded the motion. Councilor Cowan Watts offered a friendly amendment to include the resolution honoring Kenneth Prather as an Eagle Scout. Councilor Glory-Jordan accepted and also requested old business 3 and 4 also be moved prior to the old business items. The motion to amend carried.

REPORTS:

Councilor Cowan Watts moved to dispense with oral reports and accept written reports. Councilor Byrd seconded the motion. The motion carried.

Marshal Service - Shannon Buhl

Office of the Attorney General - Todd Hembree

Codification - Todd Hembree

Election Commission -

Tax Commission - Sharon Swepston

Self-Governance - Vickie Hanvey

Gaming Commission - Jamie Hummingbird

Registrar Citizenship Data Update - David Justice

NEW BUSINESS

- 12. [TMP-198](#) DISCUSSION AND POSSIBLE ACTION FOR THE REMOVAL OF THE REQUIREMENT THAT RECENT CNB BOARD APPOINTEES CLEAR CERTAIN BACKGROUND CHECKS PRIOR TO COMMENCING SERVICE ON THE BOARD
Councilor Glory-Jordan announced this item is to amend each of the 10 resolutions that confirm the appointment of the 10 new members of the CNB board. These resolutions were originally passed with a clause that they must pass certain background checks. Mr. David Stewart provided clarification by commenting these members could be seated with just secret clearance not top secret clearance. Councilor Glory-Jordan made a motion to remove the additional requirement on each nomination that was passed prior to this meeting and forward to full Council tonight. Attorney General Hembree read the proposed language in the amendment. Councilor Byrd seconded the motion. Councilor Jack D. Baker offered a friendly amendment to insert the language that they receive interim secret personnel clearance from the issuing agency. Councilor Glory-Jordan accepted the friendly amendment. Additional discussion was held and the question was called.
The motion to approve as amended items 12A through 12J in toto carried with some opposition.

- 12A [12-030](#) A RESOLUTION AMENDING RESOLUTION 83-11 CONFIRMING THE NOMINATION OF BRENT TAYLOR AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC
The motion to approve as amended items 12A through 12J in toto carried with some opposition.

- 12B [12-031](#) A RESOLUTION AMENDING RESOLUTION 84-11 CONFIRMING THE NOMINATION OF BOB BERRY AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC
- The motion to approve as amended items 12A through 12J in toto carried with some opposition.**
- 12C [12-032](#) A RESOLUTION AMENDING RESOLUTION 85-11 CONFIRMING THE NOMINATION OF REX EARL STARR AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC
- The motion to approve as amended items 12A through 12J in toto carried with some opposition.**
- 12D [12-033](#) A RESOLUTION AMENDING RESOLUTION 86-11 CONFIRMING THE NOMINATION OF TOMMYE SUE BRADSHAW WRIGHT AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC
- The motion to approve as amended items 12A through 12J in toto carried with some opposition.**
- 12E [12-034](#) A RESOLUTION AMENDING RESOLUTION 87-11 CONFIRMING THE NOMINATION OF MICHAEL WATKINS AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC
- The motion to approve as amended items 12A through 12J in toto carried with some opposition.**
- 12F [12-035](#) A RESOLUTION AMENDING RESOLUTION 05-12 CONFIRMING THE NOMINATION OF HAROLD RAY "SAM" HART AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC
- The motion to approve as amended items 12A through 12J in toto carried with some opposition.**
- 12G [12-036](#) A RESOLUTION AMENDING RESOLUTION 06-12 CONFIRMING THE NOMINATION OF GARY COOPER AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC
- The motion to approve as amended items 12A through 12J in toto carried with some opposition.**
- 12H [12-037](#) A RESOLUTION AMENDING RESOLUTION 07-12 CONFIRMING THE NOMINATION OF JERRY HOLDERBY AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC
- The motion to approve as amended items 12A through 12J in toto carried with some opposition.**
- 12I [12-038](#) A RESOLUTION AMENDING RESOLUTION 08-12 CONFIRMING THE NOMINATION OF RICKY DOHERTY AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC
- The motion to approve as amended items 12A through 12J in toto carried with some opposition.**
- 12J [12-039](#) A RESOLUTION AMENDING RESOLUTION 09-12 CONFIRMING THE NOMINATION OF DEACON TURNER AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC

The motion to approve as amended items 12A through 12J in toto carried with some opposition.

RECESS

Upon Attorney General Hembree’s recommendation Councilor Glory-Jordan moved to recess this meeting to allow time to gavel in and recess the Executive & Finance committee then go over to the Council Chambers to start that meeting. Councilor Walkingstick seconded the motion. The motion carried to recess at 3:45 p.m.

RECONVENE

Chair Hoskin Jr. called the meeting back to order at 5:05 p.m. in the Council Chambers.

ROLL CALL

- Present** 13 - Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd
- Absent** 4 - Buel Anglen; Cara Cowan Watts; Lee Keener Jr. and Julia Coates

NEW BUSINESS

- 13 12-027 A RESOLUTION HONORING KENDALL ALEXANDER PRATHER FOR RECEIVING THE LEVEL OF EAGLE SCOUT FROM THE BOY SCOUTS OF AMERICA

A motion was made by Councilor Jack D. Baker to approve and forward to Full Council tonight. Councilor Garvin seconded the motion. The motion carried.

OLD BUSINESS

- 3. 12-012 AN ACT AMENDING TITLE 63 OF THE CHEROKEE NATION CODE ANNOTATED, AMENDING LEGISLATIVE ACT 22-08 RELATING TO SEX OFFENDER REGISTRATION AND NOTIFICATION AND DECLARING AN EMERGENCY

Councilor Jack D. Baker moved to approve items 3 and 4 by acclamation and send to Full Council tonight. Councilor Garvin seconded the motion. The motion carried.
- 4. 12-013 AN ACT AMENDING TITLE 21 OF THE CHEROKEE NATION CODE ANNOTATED, AMENDING LEGISLATIVE ACT 20-08 RELATING TO SEX CRIMES AND OTHER CRIMES AGAINST THE PERSON

Councilor Jack D. Baker moved to approve items 3 and 4 by acclamation and send to Full Council tonight. Councilor Garvin seconded the motion. The motion carried.

RECESS

Chair Hoskin Jr. requested a motion to once again recess this Rules Committee meeting. Councilor Frailey moved to recess. Councilor Hargis seconded the motion. The motion carried at 5:07 p.m.

RECONVENE

Chair Hoskin Jr. called the meeting back to order at 5:35 p.m. in the Legislative Conference Room of the Council House.

ROLL CALL

- Present** 13 - Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd
- Absent** 4 - Buel Anglen; Cara Cowan Watts; Lee Keener Jr. and Julia Coates

OLD BUSINESS

1. [TMP-181](#) IMPLEMENTATION OF AN INDEPENDENT INFORMATION TECHNOLOGY SERVICE FOR THE CHEROKEE NATION TRIBAL COUNCIL (Discussion Only)
Councilor Thornton moved to table. Councilor Byrd seconded the motion. The motion carried.
2. [TMP-182](#) DEVELOPING FIFTEEN (15) SEPARATE COUNCIL DISTRICTS, PURSUANT TO LA-36-10 (Discussion and Possible Action)
Councilor Thornton suggested the formation of a subcommittee. Chair Hoskin Jr. requested new business item 10 be combined with this item as it calls for the formation of a subcommittee. Councilor Thornton made a motion to combine these two items. Councilor Hargis seconded the motion. The motion carried.
10. [TMP-194](#) DISCUSSION AND POSSIBLE ACTION ON THE FORMATION OF A SUBCOMMITTEE ON REDISTRICTING
Mr. David Justice provided a handout of information providing an overview summary of the redistricting history. After discussion was held Councilor Glory-Jordan moved to take the current 5 districts, which are within the deviation rule, and split each of them three ways to make the fifteen districts. Councilor Byrd seconded the motion. The motion carried. Mr. Justice was requested to provide a map using this method prior to the next meeting or subcommittee meeting. Councilor Lay requested the constituents be surveyed to determine what they want. Mr. Justice provided an update on the geocoding process. Mr. Justice requested some sort of principles to follow to cut down on the confusion and make the process simpler. The data provided is from November 14, 2011 which corresponds with an audit Information Systems completed with the Registration Department. The data changes daily. He provided an update on bad addresses.
Councilor Thornton moved to form a subcommittee. Councilor Glory-Jordan seconded the motion. The motion carried. Chair Hoskin Jr. requested Councilor Walkingstick as the Rules Co-Chair be the chair of the subcommittee.

NEW BUSINESS

1. [12-022](#) A RESOLUTION CONFIRMING THE NOMINATION OF MARTHA CALICO AS A CHEROKEE NATION ELECTION BOARD COMMISSIONER
Councilor Glory-Jordan announced several resumes have been provided for the consideration of the two Election Commission appointments.
She moved to nominate Martha Calico for the six year term. Councilor Lay seconded the nomination. The motion carried with Councilor Jack D. Baker opposed.

2. [12-023](#) A RESOLUTION CONFIRMING THE NOMINATION OF _____ AS A CHEROKEE NATION ELECTION BOARD COMMISSIONER
Councilor Fullbright moved to nominate Bill Horton for the four year seat. Councilor Thornton seconded the motion. The motion carried.

3. [12-016](#) A LEGISLATIVE ACT AMENDING TITLE 43 OF THE CHEROKEE NATION CODE ANNOTATED - CHILD SUPPORT; AMENDING CHAPTER 5 OFFICE OF CHILD SUPPORT ENFORCEMENT AND CHAPTER 6 CHILD SUPPORT GUIDELINES
Councilor Frailey moved to table at the request of Administration. Councilor Garvin seconded the motion. The motion carried.

4. [12-021](#) AN ACT AMENDING TITLE 19 SECTION 21, TITLE 51 SECTION 1 AND TITLE 51 SECTION 11 OF THE CHEROKEE NATION CODE ANNOTATED, AND AMENDING LEGISLATIVE ACT 40-07, AMENDING LEGISLATIVE ACT 05-11, DEALING WITH SALARIES OF ELECTED OFFICIALS AND DECLARING AN EMERGENCY
Councilor Glory-Jordan gave an introduction and moved to approve. Councilor Walkingstick seconded the motion. The motion carried by the following vote.

Yea: 8 - Chuck Hoskin Jr. ; Curtis Snell; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; David Walkingstick; Frankie Hargis and Joe Byrd

Nay: 5 - David Thornton, Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey and Dick Lay

5. [12-024](#) AN ACT SHIELDING JOURNALISTS FROM DISCLOSING CERTAIN INFORMATION IN GOVERNMENT PROCEEDINGS
Chair Hoskin Jr. gave an introduction of the proposed Act. Councilor Hargis moved to approve. Councilor Garvin seconded the motion. Mr. Bryan Pollard offered to answer questions in regard to the legislation.
Councilor Glory-Jordan moved to table for one month. Councilor Thornton seconded the motion. The motion carried.

6. [12-025](#) AN ACT AMENDING THE EMERGENCY ASSISTANCE AND COMMUNITY SUPPORT PROJECTS ACT AS AMENDED; AND DECLARING AN EMERGENCY
Chair Hoskin Jr. withdrew this item.

7. [TMP-191](#) DISCUSSION AND POSSIBLE ACTION OF A RECOMMENDATION TO THE SPEAKER FOR THE SELECTION OF A COUNCIL ATTORNEY
- Councilor Glory-Jordan announced the position for our Council attorney has been advertised and we have received 7 candidates or firms for consideration. She inquired if an executive session would be appropriate to discuss these candidates. Chair Hoskin Jr. agreed an executive session would be appropriate.*
- Councilor Glory-Jordan moved to enter into executive session once Mr. Hembree arrives. Councilor Fishinghawk seconded the motion. The motion carried.*

RECESS

Chair Hoskin Jr. announced the meeting would recess until Mr. Hembree arrives. The meeting recessed at 6:35 p.m.

RECONVENE

The meeting was reconvened at 6:52 p.m.

EXECUTIVE SESSION

Executive session was entered at 6:53 p.m.

Councilor Byrd moved to exit executive session. Councilor Hargis seconded the motion. The motion carried at 7:25 p.m. Chair Hoskin Jr. noted for the record that no votes were taken and no action was taken during executive session.

- [TMP-191](#) DISCUSSION AND POSSIBLE ACTION OF A RECOMMENDATION TO THE SPEAKER FOR THE SELECTION OF A COUNCIL ATTORNEY
- Councilor Fishinghawk made a motion to direct the Speaker to enter into a contract for legal services for the Tribal Council with Dianne Barker Harrold. The contract should be the same as our previous attorney's contract. Councilor Fullbright seconded the motion. After discussion was held the motion carried with Councilors Garvin, Frailey, and Thornton opposed.**

8. [TMP-192](#) DISCUSSION AND POSSIBLE ACTION ON A RECOMMENDATION TO THE SPEAKER CONCERNING TEMPORARILY MOVING THE COUNCIL OFFICES TO THE CHEROKEE NATION COMPLEX
- After some discussion was held Councilor Glory-Jordan moved to table for a month. Councilor Thornton seconded the motion. The motion carried.**

9. [TMP-193](#) DISCUSSION AND POSSIBLE ACTION CONCERNING INVOLVEMENT OF, AND RECEIPT OF INFORMATION BY, AUTOMATED ELECTION SERVICES IN THE 2011-2012 CHEROKEE NATION ELECTIONS
- Councilor Lay provided handouts of information he gathered in regard to his concerns on this issue. After discussion was held this item was tabled.**

11. [TMP-195](#) DISCUSSION AND POSSIBLE ACTION FOR EACH TRIBAL COUNCIL MEMBER TO HAVE A FUND FOR AN OUTSIDE ATTORNEY AND LEGAL COUNSEL
Councilor Lay withdrew this item.

ANNOUNCEMENTS

ADJOURNMENT

Councilor Hargis moved to adjourn. Councilor Jack D. Baker seconded the motion. The motion carried at 7:40 p.m.

STAFF PRESENT:

<i>Scott Craig</i>	<i>David Justice</i>	<i>Jamie Hummingbird</i>
<i>Anna Knight</i>	<i>Justin Godwin</i>	<i>Todd Hembree</i>
<i>Bill Foster</i>	<i>Diane Kelley</i>	<i>Amy Brill</i>
<i>Chrissi Nimmo</i>	<i>Jon Overacker</i>	<i>Bryan Pollard</i>

VISITORS PRESENT:

<i>David Stewart</i>	<i>Diane Hammons</i>	<i>Farrell Prater</i>
<i>Bob Huffman</i>	<i>Shawn Slaton</i>	<i>Gina Olaya</i>
<i>Lindsay Earls</i>		