



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
Phone: 1-800-995-9465,
E-mail: council-public@cherokee.org

Thursday, February 28, 2013

1:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Hoskin Jr. called the meeting to order at 1:12 p.m.

INVOCATION

Councilor Byrd gave the invocation.

ROLL CALL

Present 15 - Chuck Hoskin Jr. ; Curtis Snell; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; Lee Keener Jr.; David Walkingstick; Julia Coates; Frankie Hargis and Joe Byrd

Late Arrival 2 - Buel Anglen and David Thornton, Sr.

APPROVAL OF MINUTES

Councilor Baker moved to approve the January 29th regular session minutes. Councilor Hargis seconded the motion. The motion carried.

REPORTS:

Marshal Service - Shannon Buhl

Mr. Buhl offered to answer questions from the reports provided. Councilor Cowan Watts had questions pertaining to the additional report provided regarding Claremore Indian Hospital.

Office of the Attorney General - Todd Hembree

Mr. Hembree provided an updated legislative aide report from our State Lobbyist at FKD. He stated the monthly update for Cornerstone our federal lobbyist would be provided by the conclusion of today's meetings. He announced the House passed the Senate's version of the Violence Against Women's Act. He provided an update on all pending litigation. The Oral arguments for the Baby Veronica case will begin on April 16th. He provided an update on the Tobacco Compact. Mr. Hembree

reported the Cherokee Nation Supreme Court handed down a ruling yesterday in the redistricting lawsuit declaring LA-26-12 Constitutional and paves the way for the elections to move forward in a timely fashion. Councilor Cowan Watts requested an update on the fake tribes and water right issues. She also inquired about the process for FOIA and GRA requests. Councilor Anglen requested a breakdown of the promises made promises kept brochures by county. He also inquired as to who paid for the reception for Chief Baker at Cornerstone. Councilor Garvin requested an update on the citizen tags outside of our jurisdiction.

Codification - Todd Hembree

Mr. Hembree announced there isn't anything new to report in regard to codification. They continue to mail back sections and once received his office goes through a double blind process to ensure accuracy before it goes to publication.

Election Commission - Bill W. Horton

Commission Attorney Harvey Chaffin offered to answer questions from the report provided. He stated the Commission is requesting clarification pertaining to the boundary line between districts 9 and 10 as to if it is old highway 20 or new highway 20. Ms. Barker Harrold provided clarification that this issue doesn't affect Legislative Act 26-12 ruled constitutional by our Cherokee Nation Supreme Court.

Councilor Glory-Jordan made a motion to provide clarification for the boundary between districts 9 and 10 be old highway 20 also known as Lindsay Street. Councilor Fishinghawk seconded the motion. After a very lengthy discussion was held the motion to approve carried with the following roll call vote:

Yea: 12 - Joe Byrd, Jodie Fishinghawk, Meredith Frailey, Janelle Fullbright, Don Garvin, Frankie Hargis, Chuck Hoskin Jr., Tina Glory-Jordan, Dick Lay, Curtis Snell, David Thornton, and David Walkingstick

Nay: 5 - Buel Anglen, Jack D. Baker, Julia Coates, Lee Keener, and Cara Cowan Watts

Tax Commission - Sharon Swepston

No questions were asked of Ms. Swepston.

Self-Governance - Vickie Hanvey

Ms. Hanvey provided an update on the request she received on the Arkansas Riverbed Settlement. She announced they met with the Veterans Administration and will be sending out a letter of intent to start an agreement with the VA. She provided a handout pertaining to ongoing contract support cost issues. Councilor Cowan Watts inquired about the land buyback program through the Cobell settlement.

Gaming Commission - Jamie Hummingbird

Ms. Rhonda Trumbler offered to answer questions for Mr. Hummingbird.

Registrar Citizenship Data Update - David Justice

Mr. Justice provided an update on the address changes and deceased notices.

OLD BUSINESS

1. [TMP-239](#) DISCUSSION ONLY - CHEROKEE PHOENIX

Mr. Pollard stated at the last meeting he was requested to perform an audit of their compliance with the Independent Press Act. This requested has been given to the Editorial Board and will be addressed at their next board meeting. He stated he has spoken to Speaker Glory-Jordan regarding the Council travel reports and has a meeting scheduled with the Administration to formalize a process of obtaining their travel reports. He provided a timeline of when he would publish those reports.

Councilor Cowan Watts moved to table. Councilor Anglen seconded the motion. The motion carried.

2. [13-016](#) AN ACT RELATING TO AN AMENDMENT TO THE CHEROKEE NATION MEMBERSHIP ACT

Councilor Cowan Watts made a motion to approve. Councilor Anglen seconded the motion. Councilor Baker offered a friendly amendment to change that the list be provided on the first day of each month to the first business day of each month. The friendly was accepted.

After discussion was held and questions were asked the motion to approved failed with the following roll call vote:

Yea: 7 - Buel Anglen; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Lee Keener Jr. and Julia Coates

Nay: 10 - Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd

NEW BUSINESS

1. [13-007](#) A RESOLUTION CONFIRMING THE NOMINATION OF LYNN BURRIS AS A BOARD MEMBER OF THE CHEROKEE NATION ADMINISTRATIVE APPEALS BOARD

Chair Hoskin Jr. commented Mr. Burris is unavailable. He withdrew the item for consideration until a time when Mr. Burris is available.

2. [13-008](#) A RESOLUTION CONFIRMING THE NOMINATION OF JACK L. SPEARS AS A COMMISSIONER OF CHEROKEE NATION ENVIRONMENTAL PROTECTION COMMISSION

Councilor Glory-Jordan moved to approve. Councilor Fishinghawk seconded the motion. After a few questions were asked Councilors Fullbright, Fishinghawk, Byrd and Hargis requested to be added as sponsors.

The motion to approve carried with no opposition.

3. [13-009](#) A RESOLUTION CONFIRMING THE NOMINATION OF BLAKE FLETCHER AS A COMMISSIONER OF CHEROKEE NATION ENVIRONMENTAL PROTECTION COMMISSION
Councilor Fishinghawk moved to approve. Councilor Hargis seconded the motion. Councilor Hargis requested to be added as a sponsor.
After questions were asked the motion to approve carried with no opposition.
4. [13-010](#) A RESOLUTION CONFIRMING THE NOMINATION OF JOHNNIE EARP AS A BOARD MEMBER OF THE ECONOMIC DEVELOPMENT TRUST AUTHORITY BOARD OF DIRECTORS
Councilor Snell moved to approve. Councilor Thornton seconded the motion. Councilors Snell, Hargis, Fishinghawk, Byrd and Glory-Jordan requested to be added as sponsors.
The motion to approve carried with no opposition.
5. [13-011](#) A RESOLUTION CONFIRMING THE NOMINATION OF BRIAN HARTLEY AS A BOARD MEMBER OF THE ECONOMIC DEVELOPMENT TRUST AUTHORITY BOARD OF DIRECTORS
Councilor Glory-Jordan moved to approve. Councilor Fishinghawk seconded the motion. Councilors Fishinghawk and Hargis requested to be added as sponsors.
The motion carried with no opposition.
6. [13-029](#) A RESOLUTION CONFIRMING THE NOMINATION OF _____ AS AN EDITORIAL BOARD MEMBER OF THE CHEROKEE PHOENIX
Chair Hoskin Jr. withdrew this item.
7. [13-028](#) A RESOLUTION CONFIRMING THE NOMINATION OF LEROY QUALLS AS A BOARD MEMBER OF THE CHEROKEE NATION FOUNDATION
Councilor Byrd moved to approve. Councilor Glory-Jordan seconded the motion. After several comments and questions Councilors Fullbright, Lay and Snell requested to be added as sponsors.
The motion to approve carried with Councilor Coates in opposition and Councilor Cowan Watts abstaining.
8. [13-030](#) A LEGISLATIVE ACT AMENDING LA#01-01 SECTION 204A
Councilor Glory-Jordan made a motion to approve. Councilor Byrd seconded the motion. Ms. Swebston provided an explanation of the proposed changes by stating it changes the fee scale by the year of the vehicle to the Veterans fees for tags and provides a reduction of \$10 to \$20. Councilors Lay, Anglen, Thornton, Garvin, and Frailey requested to be included as sponsors.
The motion to approve carried by acclimation.
9. [13-031](#) EMPLOYEE CONDUCT IN POLITICAL MATTERS ACT OF 2013
Councilor Fishinghawk moved to table. Councilor Glory-Jordan seconded the motion. The motion carried.

- 10. [13-035](#) AN ACT RELATING TO THE SENTENCING OF CRIMINALS WITHIN THE CHEROKEE NATION
Councilor Glory-Jordan moved to approve. Councilor Fishinghawk seconded the motion. Ms. Sara Hill of the Attorney General's office provided an explanation of the proposed legislation. Councilor Hargis offered a friendly amendment to change the short title to the Cherokee Nation Law and Order Act. The friendly was accepted. Councilors Garvin, Lay, Frailey, Fishinghawk, Hargis, Snell, Keener, Cowan Watts, and Thornton requested to be added as sponsors.

The motion carried by acclimation.

- 11. [TMP-248](#) DISCUSSION: (FEDERAL) VIOLENCE AGAINST WOMEN ACT, PROPOSED TRIBAL PROVISIONS
Chair Hoskin Jr. commented some materials have been provided in your packet pertaining to this discussion topic. He gave an update on the status of this issue at the White House. Ms. Hill gave an overview of the Act.

- 12. [13-032](#) AMENDMENT TO THE CHEROKEE NATION ELECTION CODE REGARDING ABSENTEE BALLOTS
Councilor Keener provided a copy of the proposed amendment and made a motion to approve. Councilor Cowan Watts seconded the motion.

After lengthy discussion was held the motion failed with the following roll call vote:

Chair Hoskin Jr. requested the record reflect that Councilor Coates lost her audio connection and therefore prevented a recorded vote under the rules, he requested it be noted for the record Councilor Coates apparent support of the motion through her "thumbs up" signal.

Yea: 6 - Buel Anglen; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts and Lee Keener Jr.

Nay: 10 - Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd

Not In Room: 1 - Julia Coates

ANNOUNCEMENTS

Councilor Snell gave appreciation to everyone for the thoughts, prayers, visits and notes for his sick wife. She is doing much better today.

ADJOURNMENT

Councilor Byrd moved to adjourn. Councilor Walkingstick seconded the motion. The motion carried at 3:13 p.m.

STAFF PRESENT:

<i>Shannon Buhl</i>	<i>Leroy Qualls</i>	<i>Todd Hembree</i>
<i>Sara Hill</i>	<i>Elizabeth Odell</i>	<i>Sharon Swepston</i>
<i>Nason Morton</i>	<i>Terrisa Muskrat</i>	<i>Anna Knight</i>

*Tom Elkins
Vickie Hanvey*

*Bryan Pollard
Diane Kelley*

*David Justice
Rhonda Trumbla*

VISITORS PRESENT:

*Raymond Vann
Lisa Long
Brain Hartley
Ruth Ann Weaver
Jack Spears*

*Dianne Barker Harrold
Carolyn Allen
Harvey Chaffin
Ollie Starr*

*Gina Olaya
Martha Calico
Larry Horn
Blake Fletcher*