



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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Monday, December 10, 2012

10:30 AM

Legislative Conference Room

Reconvened from November 29, 2012

CALL TO ORDER

Chair Hoskin Jr. called the meeting to order at 10:50 a.m.

INVOCATION

Councilor Hargis gave the invocation.

ROLL CALL

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

Late Arrival 2 - Tina Glory Jordan and David Walkingstick

OB# 2. [12-110](#)

AN ACT RELATING TO VOTER RESIDENCY OF CITIZENS OF THE CHEROKEE NATION

Councilor Garvin moved to approve the version in the packet. Councilor Fishinghawk seconded the motion. Councilor Baker provided a revised version which reflects the friendly amendment he made and was accepted on September 27th meeting. After discussion was held Chair Hoskin Jr. requested the changes be made and provided prior to voting.

Councilor Byrd made a motion to table until after old business #2. Councilor Hargis seconded the motion. The motion carried.

2. [12-148](#)

A RESOLUTION TO ESTABLISH COUNCIL WARRIOR AWARDS TO RECOGNIZE CURRENT AND PAST COUNCIL MEMBERS FOR THEIR MILITARY SERVICE

Councilor Fishinghawk moved to approve. Councilor Thornton seconded the motion. Councilor Cowan Watts inquired how this would be implemented and if there would be a permanent location to display. She offered a friendly amendment to include all branches of government. The friendly was accepted. The motion to approve carried.

OB#2 [12-110](#) AN ACT RELATING TO VOTER RESIDENCY OF CITIZENS OF THE CHEROKEE NATION
Chair Hoskin Jr. announced the amendments were not ready for review at this time and requested this once again be tabled to follow the next business item.

Councilor Byrd moved to table following new business #3. Councilor Fishinghawk seconded the motion. The motion carried.

3. [12-149](#) AN ACT RELATING TO STATE BURIAL CEREMONY OF CURRENT AND FORMER PRINCIPAL AND DEPUTY CHIEF'S OF THE CHEROKEE NATION AND PROVIDING A STIPEND TO THEIR FAMILY FOR BURIAL ASSISTANCE

Councilor Fishinghawk moved to approve. Councilor Hargis seconded the motion. After discussion was held Councilor Cowan Watts offered a friendly amendment to Section 5A to read "offer to" rather than "be conducted". The friendly was accepted. Councilor Cowan Watts offered a friendly amendment to place a cap on the amount to be spent. The friendly was not accepted. Councilor Cowan Watts offered a friendly amendment to strike Section 5D. The friendly was accepted. Councilor Frailey inquired if this would also include future Chiefs and Deputy Chiefs.

The motion to approve carried with the following roll call vote:

Yea: 14 - Buel Anglen; Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Jodie Fishinghawk; Janelle Fullbright; Dick Lay; Lee Keener Jr.; Julia Coates and Frankie Hargis

Abstain: 1 - Joe Byrd

Not In Room: 2 - Tina Glory Jordan and David Walkingstick

OB#2 [12-110](#) AN ACT RELATING TO VOTER RESIDENCY OF CITIZENS OF THE CHEROKEE NATION
Ms. Barker Harrold read the language proposed. Chair Hoskin Jr. requested copies of the legislation before voting.

Councilor Byrd moved to table to the end of the agenda. Councilor Hargis seconded the motion. The motion carried.

4. [12-145](#) AN ACT AMENDING LA#01-01 AND 07-10, "THE CHEROKEE NATION MOTOR VEHICLE LICENSING AND TAX CODE"; AMENDING ALLOCATION OF REVENUES

Councilor Fishinghawk moved to approve. Councilor Hargis seconded the motion. Dr. Morton provided a binder pertaining to the public schools scores and a proposed solution. He gave an overview of the information.

After debate was held the motion to approve carried with the following roll call vote:

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

Not In Room: 1 - David Walkingstick

5. [12-146](#) AN ACT AMENDING LEGISLATIVE ACT 03-09 AND TITLE 68 CHAPTER 3 OF THE CHEROKEE NATION CODE ANNOTATED - SALES TAX; AMENDING THE ACT TO PROVIDE VETERAN'S ASSISTANCE TO VETERANS WHO ARE CHEROKEE NATION CITIZENS ONLY BUT CONTINUING EXEMPTIONS FOR ONE HUNDRED PERCENT (100%) PERMANENTLY DISABLED VETERANS FOR ALL VETERANS

Councilor Glory-Jordan moved to approve. Councilor Keener seconded the motion. The motion carried by acclamation.

RECESS

Chair Hoskin Jr. announced we would take a fifteen minute recess for lunch. The meeting recessed at noon.

RECONVENE

Chair Hoskin Jr. called the meeting back to order at 12:40 p.m.

6. [TMP-238](#) DISCUSSION AND POSSIBLE ACTION - TRIBAL COUNCIL GUIDELINES FOR DISTRICT COMMUNITY MEETINGS USING CHEROKEE NATION FUNDS

Councilor Glory-Jordan moved to table. Councilor Thornton seconded the motion. The motion carried.

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

Councilor Keener provided a copy of LA-16-09 and referred to the second page under Section 7 E. He inquired if the requirements to publish the Council minutes and the Council travel were being full filled. Discussion was held pertaining to Council travel. Councilor Glory-Jordan stated the first quarter of Council travel will be provided to Mr. Pollard at the Phoenix by the end of January.

Councilor Keener moved to table. Councilor Baker seconded the motion. The motion carried.

9. [12-152](#) A RESOLUTION CONGRATULATING AND COMMENDING CHEROKEE CITIZEN MARKWAYNE MULLIN

Councilor Baker moved to approve. Councilor Fishinghawk seconded the motion. All Councilors except Councilors Keener and Coates requested to be added as sponsors. The motion to approve carried with Councilor Coates abstaining.

10. [12-160](#) A LEGISLATIVE ACT AMENDING THE CHEROKEE NATION LIMITED MIXED BEVERAGES SALES ACT - LEGISLATIVE ACT #41-03 AS AMENDED BY LEGISLATIVE ACT #09-04 AND #13-08

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

- OB# 5. [12-150](#) AN ACT AMENDING LA#06-10, LA#39-05 AND LA#7-97; REVISING TITLE 26 ("ELECTIONS") OF THE CHEROKEE NATION CODE ANNOTATED

Chair Hoskin Jr. provided clarification that the handout of the proposed changes is the exact same as what was provided in the packet with the exception of having page numbers. A list of amendments with a brief explanation for each was also handed

out. Councilor Glory-Jordan moved to approve. Councilor Fishinghawk seconded the motion. Chair Hoskin Jr. provided an overview of each amendment.

Councilor Glory-Jordan offered a friendly amendment to change 30 days to 90 days in Section 93.B. The friendly was accepted.

Councilor Baker offered a friendly amendment to Section 78 to state that "in the event a valid absentee ballot was not returned the valid challenged ballot will be counted". Councilor Glory-Jordan accepted if it included "and is properly executed". The friendly was accepted.

Councilor Thornton offered a friendly amendment to withdraw Section 44 and Section 47. The friendly was accepted.

Councilor Cowan Watts offered a friendly amendment to Section 11 .C.2 to strike "and" following Robert's Rules of Order and add after deliberations, "and rules and regulations of the commission". The friendly was accepted.

Councilor Cowan Watts offered a friendly amendment to Section 11 .G.3 to keep the stricken language. Councilor Glory-Jordan accepted if the word "habitual" was added prior to drunkenness. The friendly was accepted.

Councilor Cowan Watts offered a friendly amendment to Section 21.A.3 to add "The Tribal Registrar shall notify the Cherokee Nation Election Commission on a monthly basis of relinquishments and deaths". The friendly was not accepted. Councilor Cowan Watts requested this as an agenda item on the January Rules agenda.

Councilor Cowan Watts made a motion in Section 33.B to strike the red language. Councilor Baker seconded the motion. After lengthy discussion and debate was held Councilor Walkingstick called for the question. The motion failed with the following roll call vote:

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

Nay: 11 - Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Meredith Frailey; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd

Councilor Cowan Watts offered a friendly amendment in Section 93.B to allow for public comment. The friendly amendment was not accepted. Councilor Cowan Watts made a motion to allow for public comment. Councilor Keener seconded the motion.

After discussion was held the motion 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

Councilor Lay offered a friendly amendment to Section 12.C.8 to strike "if available". The friendly amendment was accepted.

Councilor Lay offered a friendly amendment in Section 34.2 to be changed from four to three. The friendly was accepted.

Councilor Glory-Jordan requested the Election Commission consider lowering the fee

for an electronic list only with no labels.

The motion to approve the act as amended carried with the following roll call vote:

Yea: 14 - Buel Anglen; Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Don Garvin; Meredith Frailey; Cara Cowan Watts; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd

Nay: 3 - Jack D. Baker; Lee Keener Jr. and Julia Coates

OB#2 [12-110](#)

AN ACT RELATING TO VOTER RESIDENCY OF CITIZENS OF THE CHEROKEE NATION

Councilor Garvin moved to approve. Councilor Byrd seconded the motion. The motion carried by acclimation.

Chair Hoskin Jr. requested a blanket motion to send everything that passed today to Full Council tonight. Councilor Baker made the motion. Councilor Garvin seconded the motion. The motion carried.

ANNOUNCEMENTS

ADJOURNMENT

Councilor Fishinghawk moved to adjourn. Councilor Hargis seconded the motion. The motion carried at 2:00 p.m.

STAFF PRESENT:

<i>Dr. Neil Morton</i>	<i>Todd Hembree</i>	<i>Elizabeth O'Dell</i>
<i>Scott Craig</i>	<i>Chelsea Wilson</i>	<i>Dianna Turtle</i>
<i>Sharon Swepston</i>	<i>Dr. Gloria Sly</i>	<i>Jami Custer</i>
<i>Sara Hill</i>	<i>Bryan Pollard</i>	

VISITORS PRESENT:

<i>Carolyn Allen</i>	<i>Lindsay Earls</i>	<i>Harvey Chaffin</i>
<i>Patricia Carpenter</i>	<i>Dana Geib</i>	<i>Raymond Vann</i>
<i>George Valliere</i>	<i>Dianne Barker Harrold</i>	