



Council of the Cherokee Nation

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

Meeting Minutes - Final RULES COMMITTEE

Meredith Frailey, Chair

Recording Secretary, Shelli-Brittain
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Thursday, July 29, 2010

1:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Frailey called the meeting to order at 1:09 p.m.

INVOCATION

Councilor Garvin gave the invocation.

ROLL CALL

Present 13 - Bill John Baker; Buel Anglen; Cara Cowan Watts; Chris Soap; Curtis Snell; David Thornton Sr. ; Don Garvin; Harley Buzzard; Jack D. Baker; Jodie Fishinghawk; Meredith Frailey; S. Joe Crittenden and Tina Glory Jordan

Absent 2 - Bradley Cobb and Janelle Fullbright

Late Arrival 2 - Chuck Hoskin and Julia Coates

APPROVAL OF MINUTES

Councilor Garvin made a motion to approve the June 24th regular session minutes. Councilor Cowan Watts seconded the motion. Motion carried.

REPORTS:

Marshal Service - Sharon Wright

Mr. Danny Tanner offered to answer questions from the Marshal Service written report. Councilor Thornton inquired if the person living in the residence on the West side of Blue Ribbon Downs in Sallisaw is a member of the Marshal Service. Mr. Tanner commented at the request of CNE they have a Marshal living in the residence to provide security for the race track. Councilor Fishinghawk inquired if the new hire Jerry Stern is Cherokee. Mr. Pat Ragsdale stated he is not Cherokee and was hired as an investigator. Councilor Fishinghawk asked if the position was advertised. Mr. Ragsdale stated the Director of the Marshal Service selected the position and to his knowledge it was not advertised. Councilor Fishinghawk referred to a lady being arrested by a Marshal during the clothing voucher give away and requested a list of

each time a member of the lady's family had been arrested by this particular Marshal. Councilor Bill John Baker inquired if there are any qualified Cherokee investigators. Mr. Ragsdale commented Mr. Stern was selected because he was willing to accept a less than permanent part time job. Councilor Glory-Jordan requested by email the pay range for an investigator and whether Mr. Stern fell within that range. She also requested a written explanation as to why he was chosen for the position and not to advertise the position. Mr. Ragsdale stated it is his belief that the temporary positions are not advertised. Councilor Cowan Watts requested a review of the TERO policy in regard to contract hires to ensure compliance. Councilor Hoskin Jr. requested the Administration revisit the policy of non-advertisement of temporary or part time positions. Councilor Glory-Jordan requested a copy of the contract with Mr. Stern and the Cherokee Nation.

Office of the Attorney General - Diane Hammons

Mr. Nason Morton offered to answer questions from the written report. He introduced two interns working in the Attorney General's office for the summer as James Gill Martin and Kevin Givens. Councilor Hoskin Jr. inquired if there is a letter the Attorney General's office has prepared internally in regard to analyzing the Echo Hawk letter and if so could it be shared with the Council. Councilor Buzzard inquired about the changes with criminal sanctions with the new Tribal Law Act. Mr. Morton stated the changes are good. Mr. Hembree commented he prepared a short memorandum on the Tribal Law and Order Act earlier today. The changes will be beneficial to the tribal governments as it increases the range of punishment from one year to three years, increases the fines from \$5,000 to \$15,000, increases the ability for tribal police departments to access national criminal data resources and also deals with domestic abuse and violence against women.

3. GEG Investigation Report - Diane Hammons

Election Commission - Roger Johnson

Mr. Johnson announced he didn't have any additional information to provide other than what is in the written report. Councilor Hoskin Jr. inquired if it is a final determination for the Afton precinct to no longer exist. He requested justification as to the reasons for terminating the location. Mr. Johnson stated it has less than forty voters at the last election. Councilor Hoskin Jr. also requested the cost savings for closing a precinct. Councilor Cowan Watts inquired if there would be additional precincts in the large five district areas. Mr. Johnson commented they have reviewed the precincts in relation to five districts and thought there would be a sufficient number already. Councilor Cowan Watts disagreed and suggested Oolagah as an option. Mr. Johnson stated they will have a Commission meeting in a couple of weeks and will review again. Councilor Garvin suggested a precinct at the Three Rivers Clinic in Muskogee. Councilor Buzzard commented it would be a disservice to the people in the rural communities to eliminate the smaller precincts. Mr. Johnson stated he is unable to answer a lot of the questions at this time until after the Commission meets again to discuss the precincts and districts. Ms. Patsy Morton invited everyone to attend the next Commission meeting on the 10th of August at 9:00 a.m. If there are questions and you are unable to attend they can be submitted in writing to the Commission.

Tax Commission - Sharon Swepston

Mr. Andy Quetone offered to answer questions from their written report. The grand opening was held at the Jay Tag office last week.

Self-Governance - Vickie Hanvey

Ms. Hanvey reported the Title IV amendments legislation passed through the House Resource Committee last week. They are now working with the Senate side to get the legislation passed this session. The DOI negotiations held this morning on our three year funding agreement went very well. Ms. Hanvey announced there will be a series of consultation meetings scheduled across the Country regarding Question 10 and Roads. The consultation meeting for our area will be held in Oklahoma City on September 21st. We have received our portion of the Law Enforcement increase of funding last Friday. Ms. Hanvey provided a handout regarding the Recovery Act funding we have received. Upon Councilor Buzzard's request Ms. Hanvey gave a brief overview of Question 10. She suggested the Council attend the meetings as they have all heard from her and the Roads staff.

Gaming Commission - Jamie Hummingbird

Mr. Hummingbird provided copies of the Gaming Commission minutes for this year along with a book "Sovereign" regarding the gaming industry. He provided a flyer for the National Tribal Gaming Commissioners Fall Conference in Oneida, Wisconsin in October. He announced he would be running for re-election for his third term as Chairman of the organization.

Codification - Todd Hembree

Mr. Hembree announced Mr. Martin introduced earlier as one of the summer interns is assisting in the Codification efforts. They still await the bid from West and Lexus and Title IV is all but complete. Mr. Martin announced they are close to having the first volume ready to present to the Council. He expressed he is willing to continue assisting in the effort once he returns to school

OLD BUSINESS

1. AN ACT PROHIBITING ELECTED OFFICIALS FROM APPEARING OR PARTICIPATING IN MEDIA ADVERTISEMENTS CONDUCTED OR PAID FOR BY CHEROKEE NATION OR ITS ENTITIES DURING ELECTION PERIODS

Councilor Hoskin Jr. moved to table for one month. Councilor Glory-Jordan seconded the motion. Motion carried.

2. TRIBAL COUNCIL TRAVEL EXPENSE POLICY ANNUAL REVIEW

Councilor Cowan Watts commented the only feedback she has received other than the amendments she submitted are regarding the Attorney General's opinion. She stated she doesn't have any alternative language for those issues. She moved to approve the policy as written with amendments. Councilor Anglen seconded the motion. Councilor Hoskin Jr. referred to the AG's opinion and if it is legal to claim mileage from your residence and collect the stipend. Mr. Morton stated the problem exists in that compensation is already being given within your districts. Councilor Glory-Jordan requested clarification that during the last discussion of this policy her amendment that any portion of travel not used by a Council person would go into a Community Assistance fund for that Council person passed. Mr. Hembree stated it did pass and is part of the policy. Chair Frailey requested clarification as to if the proceeds go back into the total budget or Community Assistance only. Councilor Glory-Jordan stated it would work like the legal funds did in that if funds remained at the end of the year they rolled over into that Council person's Community Assistance

fund. Councilor Hoskin Jr requested clarification that it would go to the Community Assistance line item which still exists at this time with a zero balance and not into the Donations and Contributions item. Councilor Glory-Jordan agreed.

The motion carried with Councilor Crittenden and Chair Frailey opposed.

NEW BUSINESS

1. A LEGISLATIVE ACT AMENDING LA# 01-01, "THE CHEROKEE NATION MOTOR VEHICLE LICENSING AND TAX CODE"; AMENDING DEFINITION NUMBERING SEQUENCE AND ADDING DEFINITIONS; AMENDING SECTION 103
Councilor Anglen moved to approve. Councilor Garvin seconded the motion. Motion carried by acclamation.
2. AN ACT PROVIDING FOR THE ESTABLISHMENT OF A PUBLIC FINANCE WEBSITE AND DESIGNATED AS THE TRANSPARENCY IN GOVERNMENT ACT
Councilors Thornton, Fishinghawk, Glory-Jordan, Crittenden and Hoskin Jr. requested to be added as sponsors. Councilor Bill John Baker moved to table for one month. Councilor Thornton seconded the motion. Motion carried.
3. DISCUSSION ON EDUCATING OUR CHEROKEE CITIZENS ON THE FIVE DISTRICT LEGISLATION
Chair Frailey announced she had requested the Council staff, the Election Commission and the Administration to help compose a communication plan to educate our citizens on the new legislation and five districts. Sammye Rusco has drafted a proposed plan which has been provided. Ms. Rusco provided a brief overview of the plan handed out. Councilor Coates suggested only mailing out the information to the head of households within the fourteen county jurisdictions as it doesn't apply to the At Large citizens. Councilor Bill John Baker inquired which address list would be used. Ms. Rusco stated the registration list. Councilor Bill John Baker stated the problem still exists that the Registration, Election Commission and Tax Commission all have different addresses. He mentioned passing law to correct and combine the address data bases. Ms. Rusco stated she would contact the different department to see if there is a solution to the address issue. Councilor Glory-Jordan inquired if an amount has been budgeted for this project. Ms. Rusco stated during the meeting it was agreed to share costs. She contacted Ginger Brown who has the Get Out the Vote budget and she is going provide part of that budget for this effort. Communications will use their printing budget for their portion. Mr. Evans stated he would look into the Council budget to see where it is being under utilized. He stated he would issue a memo to the Council showing the budget once determined and where the funds will come from. Ms. Rusco reported the committee discussed sending a mail out this year and then in the next fiscal year prior to the election. Councilor Thornton suggested adding the Constitutional questions on the mail out. Mr. Johnson announced the Election Commission has scheduled a work shop next Tuesday at 9:00 a.m. and invited the Council and members of the committee to attend.

ANNOUNCEMENTS

Chair Frailey announced Councilor Fullbright is doing well after her knee surgery. Councilor Fishinghawk's Mother is also recovering well from her knee surgery.

ADJOURNMENT

Councilor Thornton moved to adjourn. Councilor Cowan Watts seconded the motion. Motion carried at 2:55 p.m.

STAFF PRESENT:

*Danny Tanner
Andy Quetone
Doug Evans*

*Jamie Hummingbird
Vickie Hanvey
Mike Miller*

*Nason Morton
Pat Ragsdale
Sammye Rusco*

VISITORS PRESENT:

*Todd Hembree
Curtis Rohr
Ollie Starr*

*Charles Dry
Patsy Morton
Ruth Ann Weaver*

*Roger Johnson
Brenda Walker
Mark Coates*