



Council of the Cherokee Nation

Cherokee Nation Complex
17675 S. Muskogee Ave.
Tahlequah, OK 74464

Meeting Minutes - Final RULES COMMITTEE

Joe Byrd, Chair

Recording Secretary, Shelli Brittain
Phone: 1-800-995-9465,
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Monday, December 12, 2016

11:00 AM

Tribal Council Offices

CALL TO ORDER

Chair Byrd called the meeting to order at 11:00 a.m.

INVOCATION

Councilor Vazquez gave the invocation.

ROLL CALL

Present 13 - Jack D. Baker; Harley Buzzard; Joe Byrd; Frankie Hargis ; Curtis Snell; Janees Taylor; Victoria Vazquez; Keith Austin; Buel Anglen; Shawn Crittenden; Wanda Hatfield; Rex Jordan and Bryan Warner

Absent 1 - David Thornton, Sr.

Late Arrival 3 - Don Garvin; Dick Lay and David Walkingstick

APPROVAL OF MINUTES

Councilor Hargis moved to approve the November 14th regular session minutes as submitted. Councilor Baker seconded the motion. The motion carried.

REPORTS:

Marshal Service - Shannon Buhl

Mr. Buhl gave highlights from the two week training he just completed. He announced they are in the process of moving their offices to the EMS building. He offered to answer questions from the report provided. Councilor Buzzard requested an update on the cross-deputization. Councilor Vazquez inquired if more trips were planned to Standing Rock. Councilor Austin inquired about cell phone forensics.

Office of the Attorney General - Todd Hembree

Mr. Hembree reported they have filed the breach of trust lawsuit with the United States. They are working with the USDA on a waiver to bring in an additional food distribution sites. They issued two attorney general opinions this week on pertaining

to the definition of terms of an elected official and the other involving the constitutionality of the same sex law. Councilor Anglen voiced concern for the media knowing of the opinion prior to the Council being notified. Councilor Buzzard requested clarification on the background of this legislation passed that is now considered unconstitutional. He also requested clarification if this opinion overturns the Act passed by the Council. Councilor Lay requested background as to the issues that required the request for this opinion and what it now does to the different programs. Councilor Lay requested clarification as to why on the opinion regard the definition of terms the actual names of people were included. Councilor Hatfield inquired as to the process of releasing opinions in regard to the Administration, the Council and the media. More questions were raised including the Constitution being checked when the same sex law was written and passed and why an issue now. Clarification was asked as to who can ask for an opinion from the Attorney General. Councilor Crittenden inquired as to how we went all of these years without a definition of term and now it is needed. He also requested clarification on the overturning of legislation through an opinion of the attorney general.

REPORTS:

Chair Byrd requested a motion to dispense with the remaining reports due to time. Councilor Anglen moved to suspend. Councilor Walkingstick seconded the motion. The motion carried.

FOIA-GRA - Gwen Terrapin

Tax Commission - Sharon Swepton

Self-Governance - Karen Ketcher

Gaming Commission - Jamie Hummingbird

Human Resources - Nason Morton

OLD BUSINESS

1. [16-116](#) A RESOLUTION MODIFYING THE REQUIREMENTS TO SERVE ON THE BOARD OF EDUCATION OF CHEROKEE NATION'S SEQUOYAH HIGH SCHOOL
Councilor Walkingstick moved to table indefinitely. Councilor Baker seconded the motion. The motion carried.

AMEND THE AGENDA

Councilor Walkingstick moved to amend the agenda to move the new business item prior to the discussion of old business #2. Councilor Jordan seconded the motion. The motion carried.

NEW BUSINESS

- 1. [16-124](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF PAMELA SELLERS AS CHEROKEE NATION ELECTION BOARD COMMISSIONER

Councilor Jordan moved to approve. Councilor Vazquez seconded the motion. Councilors Crittenden and Warner requested to be added as sponsors. With a request from Councilor Jordan to move this to full Council this evening the motion to approve carried.

OLD BUSINESS

- 2. [16-121](#) A RESOLUTION FOR THE COUNCIL OF THE CHEROKEE NATION TO AUTHORIZE AND APPROVE ALL CHARITABLE DONATIONS AND SURPLUS EQUIPMENT OF ALL SUBSIDIARIES IN THE CHEROKEE NATION

Councilor Walkingstick moved to approve. Councilor Crittenden seconded the motion. Councilor Baker offered a friendly amendment to increase the amount from \$25,000 to \$250,000. Councilor Walkingstick accepted the friendly. Councilor Crittenden didn't accept the friendly and provided his reasoning. Councilor Baker's friendly amendment failed. Councilor Walkingstick gave the background for his request of this resolution. He requested input of the Council. Chair Byrd requested the change from "consult" instead of "concur".

Following discussion and the agreement additional discussion was needed Councilor Walkingstick tabled. Councilor Vazquez seconded the motion. The motion carried with Councilor Crittenden opposed.

Councilor Crittenden requested the formation of a work group for this issue. Chair Byrd agreed and requested Finance Chair Taylor, Co Speaker Vazquez, Councilor Baker, and the Sponsors of the resolution Councilors Walkingstick and Crittenden be on the work group.

ANNOUNCEMENTS

ADJOURNMENT

Councilor Walkingstick moved to adjourn. Councilor Vazquez seconded the motion. The motion carried at 12:22 p.m.

STAFF PRESENT:

<i>Canaan Duncan</i>	<i>Bill John Baker</i>	<i>Shannon Buhl</i>
<i>Todd Hembree</i>	<i>Sharon Swepston</i>	<i>Gwen Terrapin</i>
<i>Karen Ketcher</i>	<i>Jamie Hummingbird</i>	<i>Brooke Tillison</i>
<i>Connie Parnell</i>	<i>Chrissi Nimmo</i>	<i>Nason Morton</i>
<i>John Paden</i>		

VISITORS PRESENT: