



# 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,  
E-mail: council-public@cherokee.org*

---

Thursday, February 27, 2014

1:00 PM

Tribal Council Offices

---

### CALL TO ORDER

Chair Byrd called the meeting to order at 1:05 p.m.

### INVOCATION

Councilor Vazquez gave the invocation.

### ROLL CALL

**Present** 15 - Cara Cowan Watts; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; Lee Keener Jr.; David Walkingstick; Jack D. Baker; Joe Byrd; Don Garvin; Frankie Hargis ; Curtis Snell; Janees Taylor; David Thornton, Sr. and Victoria Vazquez

**Absent** 1 - Harley Buzzard

**Late Arrival** 1 - Julia Coates

### APPROVAL OF MINUTES

Councilor Baker moved to approve the January 30, 2014 regular session minutes. Councilor Keener seconded the motion. The motion carried.

### AMEND THE AGENDA

Councilor Glory Jordan made a motion to amend the agenda to move the nominations prior to the reports. Councilor Thornton seconded the motion. The motion carried.

### NEW BUSINESS

- 14-017** A RESOLUTION CONFIRMING THE NOMINATION OF DAN CARTER, AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC  
Councilor Thornton moved to approve. Councilor Fishinghawk seconded the motion. Councilors Fishinghawk, Glory Jordan, Vazquez, Walkingstick, Garvin, Fullbright, Snell and Hargis requested to be added as sponsors. Following

discussion the motion to approve carried with Councilor Coates abstaining.

2. [14-018](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF TONYA ROZELL AS A BOARD MEMBER OF CHEROKEE NATION FOUNDATION
- Councilor Glory Jordan moved to approve. Councilor Thornton seconded the motion. Councilors Glory Jordan, Vazquez, Hargis, Fullbright, Thornton, Walkingstick and Fishinghawk requested to be added as sponsors. Following questions the motion to approve carried.**
3. [14-019](#) A RESOLUTION CONFIRMING THE NOMINATION OF JACQUIE ARCHAMBEAU AS A BOARD MEMBER OF CHEROKEE NATION COMMUNITY ASSOCIATION CORPORATION
- Councilor Glory Jordan moved to approve. Councilor Baker seconded the motion. Ms. Archambeau joined the meeting via audio and video conference call. Councilor Baker offered a friendly amendment to the Be It Resolved paragraph by changing Cherokee Nation Foundation to the Cherokee Nation Community Association Corporation. The friendly was accepted. All Councilors requested to be added as sponsors. The motion to approve carried.**

#### REPORTS:

Marshal Service - Shannon Buhl

*Mr. Buhl reported they have been asked to be on a task force for human trafficking in the State of Oklahoma. He offered to answer questions from the report provided. Chair Byrd announced Marshal Buhl is requesting a reception in May prior to the Rules Committee at the Marshal Service. Mr. Buhl announced they have two new hires both of whom are Cherokee and fully certified and a third is in the back ground check process. Councilor Cowan Watts inquired about maintenance cost on the free off-road vehicle.*

Office of the Attorney General - Todd Hembree

*Attorney General Hembree gave an update on the Freedman case and the UKB litigation. Yesterday he met with the General Counsel for the Governor along with the Choctaws and Chickasaws in regard to the ABLE Commission proposed rule requiring a limited waiver of sovereign immunity to any tribal casino that would apply for a liquor license. The other issue discussed was the dispute with the city of Shawnee and the Citizen Pottawatomie tribe where the city wants to begin collecting sales taxes on any business owned by the tribe. Councilor Walkingstick inquired about the lawsuit he received. Councilor Glory Jordan requested this discussion be held off line. Mr. Hembree commented he also spoke to the Governor's office regarding a hunting and fishing agreement between the State of Oklahoma and the Cherokee Nation. Councilor Cowan Watts inquired about a FOIA request regarding the Kaly Free actuals. She also asked about the recent editorial regarding the UKB and Freedman rumors. Mr. Hembree commented he would be requesting carry over funds to address ongoing litigation costs.*

Codification - Todd Hembree

*In regard to codification Mr. Hembree commented they are reviewing the titles and answering questions of West. The color orange has been selected for the five volume set of books. He has requested each branch prepare a foreward statement*

*in the code stating the importance of the codification. The hope is to have them printed by early April. Councilor Cowan Watts requested confirmation on the completion date.*

Election Commission - Bill W. Horton

*No one was present from the Election Commission and no written report was provided. It was requested of Secretary of State Hoskin Jr. to inquire about their report.*

Tax Commission - Sharon Swepston

*Ms. Swepston offered to answer questions from the report. She commented the Oak Hill Property recently purchased by the tribe here in Tahlequah will be the home of the Tahlequah tag office once renovations are complete. Copies of the written report were provided. Councilors Cowan Watts and Garvin inquired about the Oak Hill Property purchase. Ms. Swepston reported in January there were 743 tags and registrations issued in the extended jurisdictional area.*

Self-Governance - Vickie Hanvey

*Mr. Clint Hastings reported in the absence of Ms. Hanvey. He reported the Department of Interior multiyear agreement was executed and the Nation has received its initial payment. The contracts disputes act litigation for underpayment of contract support cost is in a holding pattern. He commented there are some significant changes to the 2014 contract support cost funding appropriations. The Self Governance office is looking into the 2013 Department of Interior Labor Force report regarding funding formulas. He offered to take any questions back to Ms. Hanvey for a response.*

Gaming Commission - Jamie Hummingbird

*Mr. Hummingbird reported they continue to watch the Bay Mills case along with the Big Lagoon case. Over the past few days there has been an announcement that the States of Nevada and Delaware have entered into an intra-state agreement for internet gaming. New Jersey may be joining the intra-state agreement. The National Tribal Gaming Commissioners and Regulators Conference will be held at Hard Rock in the next couple of weeks. On March 28th the quarterly all staff meeting will be held at the Gaming Commission, he extended an invitation to the Council. He introduced the staff present as Dewanna Fry, Doug Hatfield, Tracy Asher and Kelly Myers. He commended Ms. Myers for her recent election to serve as Chair of the Oklahoma Tribal Gaming and Regulators Association and Mr. Hatfield for his selection as Director of Compliance for the National Indian Gaming Commission in Washington D. C.*

## AMEND THE AGENDA

*Councilor Fishinghawk commented the Human Resources Department is present and would like them to be able to provide a report.*

**Councilor Glory Jordan moved to amend the agenda to allow the Human Resource Department to provide a report. Councilor Fishinghawk seconded the motion. The motion carried.**

Human Resources - Nason Morton

*Mr. Nason Morton, the Interim Executive Director, introduced Brenda Lance the Manager of Compensation and Employment and Alana Casteel the Director of Human Resources. Mr. Morton gave the total number of employees and the percentage of Native American employment. They are working on updating the policy to implement the change in the TERO law. Councilor Fishinghawk inquired as to why it takes so long to hire someone. Councilor Fishinghawk requested a breakdown of how long it takes to hire someone step by step from the advertisement, to the panel, to choosing and them being hired. Councilor Cowan Watts inquired about the impact of the minimum wage executive order. Councilor Glory Jordan requested the Human Resources Department report on a monthly basis to this committee. She requested next month feedback be provided on the length of time to fill positions over the last year from the time the notice was given to HR to hire date by job, break down of the step by step process, what laws have been passed by the Council that are believed to hinder or slow down the process and what policies does HR operate under. Chair Byrd commented the process for hiring substitute teachers needs to be expedited.*

*Councilor Cowan Watts inquired about the Registration Department report. Chair Byrd commented it is a quarterly report.*

OLD BUSINESS

1.     [13-107](#)           AN ACT RELATING TO AN AMENDMENT TO THE CHEROKEE NATION MINIMUM WAGE ACT OF 2006  
  
*Councilor Baker commented the Executive Order passed by the Chief regarding the minimum wage doesn't go into effect until October and he would like it to start sooner and have yearly increases as reflected in his proposed amendments. He made a motion to approve with an amendment to change the effective date to July 1. Councilor Cowan Watts seconded the motion.*  
  
**Councilor Glory Jordan voiced concerns for implementing in mid-year and moved to table indefinitely. Councilor Fishinghawk seconded the motion. The motion carried with the following roll call vote:**  
  
**Yea:** 11 - Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Joe Byrd; Frankie Hargis ; Curtis Snell; Janees Taylor; David Thornton, Sr. and Victoria Vazquez  
  
**Nay:** 5 - Cara Cowan Watts; Lee Keener Jr.; Julia Coates; Jack D. Baker and Don Garvin
  
2.     [13-137](#)           A LEGISLATIVE ACT AMENDING LA #10-11 RELATING TO GAMING WITHIN THE JURISDICTION OF THE CHEROKEE NATION  
  
**Councilor Fishinghawk moved to table for 30 days. Councilor Glory Jordan seconded the motion. The motion carried.**

NEW BUSINESS

4.     [14-020](#)           A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR THE 2014 CTAS - COORDINATED TRIBAL ASSISTANCE SOLICITATION

Councilor Glory Jordan moved to approve. Councilor Fishinghawk seconded the motion. The motion carried.

- 5. [14-023](#) A RESOLUTION AUTHORIZING THE CHEROKEE NATION TO ENCOURAGE THE UNITED NATIONS TO IMPLEMENT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES (UNDRIP)

Councilor Vazquez moved to approve and amend by changing the Be It Resolved clause to strike "Cherokee Nation resolves that" to "Cherokee Nation to encourage". Councilor Baker offered a friendly amendment to correct the spelling of United in the title. The friendly was accepted. Councilor Walkingstick seconded the motion. All councilors requested to be added as sponsors. The motion carried.

- 6. [14-024](#) A RESOLUTION CREATING THE CHEROKEE NATION ART PURCHASING COMMITTEE

Councilor Vazquez offered some comments and then withdrew this item at this time.

- 7. [14-030](#) A RESOLUTION AUTHORIZING THE SUBMISSION OF A SPECIAL GRANT APPLICATION TO THE NATIONAL PARK SERVICE TRIBAL HERITAGE GRANT FOR HISTORIC PRESERVATION FUNDING

Councilor Vazquez moved to approve. Councilor Hargis seconded the motion. All Councilors requested to be added as sponsors. The motion to approve carried.

ANNOUNCEMENTS

ADJOURNMENT

Councilor Thornton moved to adjourn. Councilor Hargis seconded the motion. The motion carried at 2:52 p.m.

STAFF PRESENT:

<i>Shannon Buhl</i>	<i>Sharon Swepston</i>	<i>Clint Hastings</i>
<i>Jamie Hummingbird</i>	<i>Tracy Asher</i>	<i>Nason Morton</i>
<i>Dr. Gloria Sly</i>	<i>Chuck Hoskin, Jr.</i>	<i>Bill Andoe</i>
<i>Todd Hembree</i>	<i>Elizabeth Odell</i>	<i>Courtney Roark Thompson</i>
<i>Alana Casteel</i>	<i>Brenda Lance</i>	<i>Doug Hatfield</i>
<i>Kelly Myers</i>	<i>DeWanna Fry</i>	

VISITORS PRESENT:

<i>Janice Randall</i>	<i>Lisa Long</i>	<i>Dan Carter</i>
<i>Ollie Starr</i>	<i>Ruth Ann Weaver</i>	<i>Gina Olaya</i>
<i>Dianne Barker Harrold</i>	<i>Tonya Rozell</i>	