



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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Thursday, April 26, 2012

1:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Hoskin Jr. called the meeting to order at 1:17 p.m.

INVOCATION

Councilor Snell gave the invocation.

ROLL CALL

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

Late Arrival 1 - Jodie Fishinghawk

APPROVAL OF MINUTES

Councilor Baker moved to approve the March 29th regular session minutes. Councilor Hargis seconded the motion. The motion carried. Councilor Hargis moved to approve the March 29th redistricting subcommittee minutes. Councilor Walkingstick seconded the motion. The motion carried.

AMEND THE AGENDA

Councilor Glory-Jordan moved to amend the agenda to add a resolution confirming the nomination of Carolyn Allen as the fifth member of the Election Board Commission, that this nomination be placed prior to reports, and old business #4 the amendment to the Administrative Procedures Act also be placed prior to the reports. Councilor Walkingstick seconded the motion and requested to be added as a sponsor to Ms. Allen's nomination. The motion carried.

AMEND THE AGENDA

Councilor Thornton moved to amend the agenda to have discussion only on

the fifteen districts. Councilor Cowan Watts seconded the motion. After discussion was held the motion to amend the agenda failed with the following roll call vote:

Yea: 8 - Buel Anglen; David Thornton, Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Lee Keener Jr. and Julia Coates

Nay: 9 - Chuck Hoskin Jr. ; Curtis Snell; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd

NEW BUSINESS

3. [12-069](#) A RESOLUTION CONFIRMING THE NOMINATION OF CAROLYN ALLEN AS THE FIFTH MEMBER OF THE CHEROKEE NATION ELECTION BOARD COMMISSION
- Councilor Glory-Jordan moved to approve. Councilor Walkingstick seconded the motion. After a few questions were asked and Councilor Walkingstick was added as a sponsor the motion to approve carried.**

OLD BUSINESS

4. [12-055](#) AN ACT AMENDING TITLE 13 SECTION 102 (a) and SECTIONS 304 (A)(b) and (c) OF THE CHEROKEE CODE ANNOTATED AND AMENDING LEGISLATIVE ACT 13-07 OF THE CHEROKEE NATION ADMINISTRATIVE PROCEDURE ACT
- Councilor Cowan Watts commented the Election Commission hasn't submitted the report requested regarding their position with the Act. Chair Hoskin Jr. stated he would direct them to submit for the next meeting. Councilor Cowan Watts moved to approve to enter into discussion. Councilor Glory-Jordan seconded the motion with a friendly amendment to delete the Cherokee Nation Tribal Employment Rights Office from these proposed changes. Councilor Cowan Watts declined the friendly amendment. Councilor Anglen seconded the motion to approve.*
- Councilor Glory-Jordan moved to remove the Cherokee Nation Tribal Employment Rights Office (TERO) from this proposed Act. Councilor Hargis seconded the motion. After lengthy discussion was held Ms. Barker Harrold gave an explanation of the three changes requested by Councilor Cowan Watts. Assistant Attorney General, Nason Morton, voiced concern for inconsistency with the appeal process in this Act and the TERO Act appeal process.*
- Councilor Frailey moved to table for one month to allow time for the Attorney General's office time to review and compare. Councilor Thornton seconded the motion. The motion carried.**

REPORTS:

Marshal Service - Shannon Buhl

Mr. Buhl offered to answer questions from the written report provided. He reported they are moving forward with the cross-deputation in the Kenwood area. He announced they no longer have any contract employees at the Marshal Service. Councilor Keener gave appreciation for Mr. Buhl attending their community meeting. Councilor Thornton invited Mr. Buhl to the Sequoyah County community meeting on the 22nd of May. Council Attorney Barker Harrold reminded everyone the Marshal

Service would be participating in the Walk a Mile in Her Shoes event this Saturday.

Office of the Attorney General - Todd Hembree

Assistant Attorney General Nason Morton offered to answer questions from the report provided. Councilor FISHINGHAWK inquired about a change to the FOIA and GRA requiring the Council Secretary to sign off on requests. Ms. Barker Harrold gave clarification of the process. Councilor FISHINGHAWK voiced concern for this requirement and requested it be reviewed. Councilor Keener requested a status update on the History Course curriculum and the copyright issues. Councilor Cowan Watts made a formal GRA request for the minutes and list of attendees for the meetings held in regard to the History Course. Questions were asked as to who the expert was hired to review the copyright issues.

Codification - Todd Hembree

Mr. Morton announced codification is ongoing and they are trying to determine if the entire body of law can be made into one electronic document and what that would cost.

Election Commission -

No one was present to report.

Tax Commission - Sharon Swepston

Ms. Swepston offered to answer questions from the report provided.

Self-Governance - Vickie Hanvey

Ms. Hanvey gave an update on staffing changes with the BIA and IHS. She provided a handout of Recovery Act updates. She commented the Cherokee Nation, Self-Governance and IHS developed a new process for payments as a pilot project. There are now 85% of the self-governance tribes using this pilot. She provided an update on contract support cost. Councilor Cowan Watts inquired if she was working on the additional 5% dividend set aside for contract health. Ms. Hanvey announced they have received an OMB Federal Register advanced notice of a proposed rulemaking on changes on single audits, the cost principles, and administrative requirements.

Gaming Commission - Jamie Hummingbird

No one was present to report.

Registrar Citizenship Data Update - David Justice

Mr. Justice provided a handout of his monthly report. He reported he did receive an opinion that it is okay to place names of citizens with bad addresses in the newspapers. He commented they continue to maintain contact with the counties lacking the 911 addressing to lend a hand.

OLD BUSINESS

1. [TMP-181](#) IMPLEMENTATION OF AN INDEPENDENT INFORMATION TECHNOLOGY SERVICE FOR THE CHEROKEE NATION TRIBAL COUNCIL (Discussion Only)
Chair Hoskin Jr. requested this item be tabled for one month. Councilor Jack D. Baker made a motion to table. Councilor Garvin seconded the motion. The motion carried.

2. [TMP-193](#) DISCUSSION AND POSSIBLE ACTION CONCERNING INVOLVEMENT OF, AND RECEIPT OF INFORMATION BY, AUTOMATED ELECTION SERVICES IN THE 2011-2012 CHEROKEE NATION ELECTIONS
Councilor Lay withdrew this item.

3. [12-056](#) AN ACT AMENDING LEGISLATIVE ACT 11-10 RELATING TO CREATION OF JOBS GROWTH; ADDING LANGUAGE TO ASSIGN SEAT DESIGNATIONS
Councilor Fishinghawk moved to approve. Councilor Thornton seconded the motion. Questions were raised as to why names, seats and terms were not inserted.
Councilor Fishinghawk moved to table. Councilor Garvin seconded the motion. The motion carried.

NEW BUSINESS

1. [12-064](#) A RESOLUTION CONFIRMING THE NOMINATION OF LYNNA CARSON AS A BOARD MEMBER OF THE CHEROKEE NATION ENVIRONMENTAL PROTECTION AGENCY
Councilor Fishinghawk moved to approve. Councilor Glory-Jordan seconded the motion. Councilor Cowan Watts voiced concern for the nominee not being present to answer questions.
Councilor Fishinghawk moved to table. Councilor Cowan Watts seconded the motion. The motion carried.

2. [12-065](#) A RESOLUTION REQUESTING THE U.S. CONGRESS TO DECLARE THE CLAREMORE INDIAN HOSPITAL AND SURROUNDING PARCEL OF LAND AS INDIAN COUNTRY UNDER 18 U.S.C. § 1151(b)
Councilor Cowan Watts gave an explanation for the resolution and moved to approve. Councilor Keener seconded the motion. Chair Hoskin Jr. questioned the necessity and after additional discussion was held the motion to approve 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: 9 - Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick and Joe Byrd

Not In Room: 1 - Frankie Hargis

ANNOUNCEMENTS

Chair Hoskin Jr. announced the next meeting is tentatively scheduled for Thursday, May 31st at 1:00 p.m.

ADJOURNMENT

Councilor Keener moved to adjourn. Councilor Cowan Watts seconded the motion. The motion carried at 2:50 p.m.

STAFF PRESENT:

<i>Tom Elkins</i>	<i>Neal Morton</i>	<i>Shannon Buhl</i>
<i>Sharon Swepston</i>	<i>Vickie Harvey</i>	<i>David Justice</i>
<i>Diane Kelley</i>		

VISITORS PRESENT:

<i>Larry Horn</i>	<i>Dianne Barker Harrold</i>	<i>Charles Dry</i>
<i>Ollie Starr</i>	<i>Carolyn Allen</i>	<i>Raymond Vann</i>