



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

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Thursday, September 27, 2018

1:00 PM

Tribal Council Offices

CALL TO ORDER

Chair Byrd called the meeting to order at 1:01 p.m.

INVOCATION

Chairman Byrd gave the invocation.

ROLL CALL

Present 17 - Keith Austin; Buel Anglen; Dick Lay; David Walkingstick; Shawn Crittenden; Wanda Hatfield; Rex Jordan; Bryan Warner ; Joe Byrd; Janees Taylor; Victoria Vazquez; Frankie Hargis ; Harley Buzzard; E. O. "JR." Smith; Mike Shambaugh; Mike Dobbins and Mary Baker Shaw

APPROVAL OF MINUTES

Councilor Hargis moved to approve the August 30th regular session minutes as submitted. Councilor Vazquez seconded the motion. The motion carried.

REPORTS:

Marshal Service - Shannon Buhl

Marshal Buhl reported on their activities over the Cherokee National Holiday. Some of his staff were requested to assist with the North Carolina Hurricane. Chair Byrd inquired about the process for an impounded vehicle. Councilor Shaw inquired about the impact of Hurricane Florence on Cherokee, NC. Councilor Smith commented on the Marshal's who assisted with the Veteran's trip recently. Councilor Walkingstick inquired about the status of the Marshal pay raises.

Office of the Attorney General - Chrissi Nimmo

Ms. Nimmo reported the new attorney position for the Attorney General's office closes tomorrow. She provided a copy of the Amicus Brief they filed in the Murphy case. She gave a brief update on that case. She addressed questions regarding the health survey the Attorney General's office is conducting. Councilor Shaw requested a hard

copy of the survey. Councilor Lay requested clarification as to how the data is collected and what is given back to the Attorney General's office. Councilor Walkingstick requested further clarification on the survey and raised question on the disclaimer on the citizenship applications. Councilor Shambaugh requested an update on the Claremore Hospital Enclave situation. Councilor Shaw inquired if we have violated the privacy statement on the CDIB card application with the survey.

FOIA-GRA - Gwen Terrapin

Ms. Terrapin stated there are 16 total requests with 13 of those being FOIA and 3 GRA. Four of the FOIA requests are outstanding and 1 of the GRA requests is outstanding at this time. The website has been updated.

Tax Commission - Sharon Swebston

Ms. Swebston offered to answer questions from the report provided. Councilor Anglen stated he is still getting complaints from the Tulsa office.

Gaming Commission - Jamie Hummingbird

Mr. Hummingbird offered to answer questions from the report submitted.

Human Resources - Nason Morton

Mr. Morton announced they are busy with the merit increases. Councilor Buzzard inquired about a possible solution to assist Ms. Swebston in retaining her employees. Chair Byrd inquired about the highest amount a bilingual employee is paid.

Councilor Buzzard inquired about questions for Self Governance. Chair Byrd stated Ms. Ketcher physically reports quarterly.

OLD BUSINESS

Councilor Crittenden made a motion to amend the agenda to consider the nomination of Martha Calico to the Election Commission. Councilor Anglen seconded the motion. Attorney General Hembree stated this isn't a Germaine motion at this time. He gave the proper procedure.

AMEND THE AGENDA

Councilor Walkingstick made a motion to amend the agenda to add a new #7 for consideration of an act relating to the amendment of title 18 of the corporations code requiring council approval of campaign contributions given by Cherokee owned corporations. Councilor Crittenden seconded the motion. The motion failed with the following roll call vote:

Yea: 6 - Buel Anglen; Dick Lay; David Walkingstick; Shawn Crittenden; Harley Buzzard and Mary Baker Shaw

Nay: 10 - Keith Austin; Rex Jordan; Bryan Warner ; Joe Byrd; Janees Taylor; Victoria Vazquez; Frankie Hargis ; E. O. "JR." Smith; Mike Shambaugh and Mike Dobbins

Not In Room: 1 - Wanda Hatfield

NEW BUSINESS

1. [18-068](#) A RESOLUTION AUTHORIZING CHEROKEE NATION TO BECOME A MEMBER OF THE NATIONAL CONGRESS OF AMERICAN INDIANS AND TO APPOINT THE TRIBAL DELEGATE AND ALTERNATES
Councilor Hargis moved to approve. Councilor Vazquez seconded the motion. The motion carried.

2. [18-070](#) A RESOLUTION CONFIRMING THE NOMINATION OF RICK DOHERTY AS CHEROKEE NATION ELECTION BOARD COMMISSIONER
Councilor Vazquez moved to confirm the nomination of Rick Doherty to the Cherokee Nation Election Commission. Councilor Jordan seconded the motion. Following discussion regarding the process of this appointment the motion carried with Councilor Crittenden abstaining.

3. [18-066](#) TO BE WITHDRAWN - A RESOLUTION CONFIRMING THE NOMINATION OF SHAWNA S. BAKER AS A JUSTICE OF THE CHEROKEE NATION SUPREME COURT
Councilor Smith moved to withdraw the Resolution per the request of Administration. Councilor Vazquez seconded the motion. The motion to withdraw carried.

4. [18-069](#) A RESOLUTION CONFIRMING THE NOMINATION OF LEE W. PADEN AS JUSTICE OF THE CHEROKEE NATION SUPREME COURT
Councilor Austin moved to approve. Councilor Vazquez seconded the motion. Following lengthy questions from a majority of the Council the motion to approve carried with the following roll call vote:
Yea: 16 - Keith Austin; Buel Anglen; David Walkingstick; Shawn Crittenden; Wanda Hatfield; Rex Jordan; Bryan Warner ; Joe Byrd; Janees Taylor; Victoria Vazquez; Frankie Hargis ; Harley Buzzard; E. O. "JR." Smith; Mike Shambaugh; Mike Dobbins and Mary Baker Shaw
Nay: 1 - Dick Lay

5. [18-071](#) A RESOLUTION RECOMMENDING REQUIREMENTS FOR SUPREME COURT JUSTICE APPOINTMENTS AND REQUEST FOR COMMENT FROM THE CHEROKEE NATION JUDICIAL BRANCH
Chair Byrd substituted the Legislative Act in the packet for the Resolution handed out. He made a few brief comments then requested the item be tabled. Councilor Shambaugh moved to table. Councilor Hargis seconded the motion. The motion carried.

6. [TMP-372](#) DISCUSSION ONLY- THE NEW CNB/CNE HIRING PREFERENCE GUIDELINES THAT HAS DELETED THE PROMOTIONS AND UPGRADE TRAINING PORTION OF THE POLICY GUIDELINE
Councilor Lay gave a background for his request of this agenda item. He stated as of Monday of this week there has been a new policy guideline provided. This new guideline does address some of the issues. These policies are marked confidential. He raised question to the Attorney General's office if CNB can make a change to a

preference policy without the Chief. Ms. Nimmo stated they reviewed and it does not violate the TERO law. She stated they would review further if requested with more specific questions. CNB Attorney Tim K. Baker provided copies of the current policy and gave a brief explanation.

Following discussion Councilor Lay made a motion to table. Councilor Buzzard seconded the motion. The motion carried.

ANNOUNCEMENTS

ADJOURNMENT

Councilor Shaw moved to adjourn. Councilor Jordan seconded the motion. The motion carried at 2:59 p.m.

STAFF PRESENT:

<i>Shannon Buhl</i>	<i>Chuck Hoskin Jr.</i>	<i>Canaan Duncan</i>
<i>Gwen Terrapin</i>	<i>Todd Hembree</i>	<i>Chrissi Nimmo</i>
<i>Marcus Fears</i>	<i>Jamie Hummingbird</i>	<i>Sharon Swepston</i>
<i>Nason Morton</i>	<i>Diane Kelley</i>	<i>Kim Teehee</i>
<i>Lacey Horn</i>		

VISITORS PRESENT:

<i>Rick Doherty</i>	<i>Pam Sellers</i>	<i>Kyle Shambaugh</i>
<i>Lee Paden</i>	<i>Carol Paden</i>	<i>Tahlina Nofire Blakestad</i>
<i>Jami Murphy</i>	<i>Shawn Slaton</i>	