



# Council of the Cherokee Nation

## Tribal Council Minutes

### Tribal Council

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Tuesday, November 13, 2007

6:00 PM

Council Chambers

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#### CALL TO ORDER

**Speaker Frailey called the meeting to order at 6:05 p.m. in the Tribal Council Chambers, W.W. Keeler Complex.**

#### INVOCATION

**Councilor Fullbright gave the invocation.**

#### ROLL CALL

*Speaker Frailey introduced Shelli Brittain as the new legal and legislative coordinator stating her responsibilities include helping draft legislation and the codification of all laws.*

**Present** 17 - S. Joe Crittenden; David Thornton Sr. ; Don Garvin; Meredith Frailey; Cara Cowan Watts; Buel Anglen; Jack D. Baker; Tina Glory Jordan; Jodie Fishinghawk; Janelle Fullbright; Harley Buzzard; Curtis Snell; Chris Soap; Bradley Cobb; Chuck Hoskin, Jr. ; Julia Coates and Bill John Baker

#### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

**Councilor Anglen moved to approve the minutes of the October 15th Regular Session. Councilor Thornton seconded the motion. Motion carried.**

#### STATE OF THE NATION

*Secretary of State, Melanie Knight gave the State of the Nation in the absence of Chief Smith. She announced both Chief Smith and Deputy Joe Grayson are in attendance at the National Congress of American Indians. She stated while they are attending the conference in Denver they are representing the Nation in working with other tribal governments. She announced a few hours ago Chief Smith held a press conference to urge other tribal leaders to make their voices heard in Congress to oppose House Resolution 2824. This bill calls for severed relationships between the U. S. Government and the Cherokee Nation. Joe Garcia, the President of NCAI, stood with Chief Smith today to ask for tribal unity for this issue of sovereignty. Congressional interference and decisions of citizenship is a threat to the sovereignty of all tribes. She recognized those friends and loved ones lost over the last month as John Sunday, Irene Goodnight, Dr. David Paul Marshall, Helen Fishinghawk, and Maurice Sunny Muskrat. She requested a moment of silence to pay respect to members and friends who have passed this last month. Secretary of State Knight requested the assistance of the Veterans seated on the Council in honoring two Veterans this month as John Albert Candy and Foreman Ross. A ceremony was held in honor of all Veterans at the Cherokee Warriors Memorial. She gave appreciation to Rogan Noble for the success and his organization of the event. The Human Services Indian Child Welfare staff received high marks from both federal and state auditors during recent reviews. The State of Oklahoma audit reflected ICW was found in full conformance of all 18 areas assessed. The findings reflect that in 6 of 7 areas they scored 100%. Some of the positive comments from the*

*audit team include; it appears great effort is made to place children with their family whenever possible, it is apparent that great effort is made to keep the children connected with the Cherokee culture, workers are engaging parents in the case planning process, and visitation is occurring on a very regular basis between parents and children. It should be noted these reviews are very rigorous and very difficult to pass, these reviews reflect the dedication of our ICW staff to the protection of our Cherokee children and the reunification of families when at all possible. She recognized Christina Carroll, a paralegal in the Attorney General's office, who intimately involved and responsible for some of this success along with the ICW staff in attendance. Alice Smith a 20 year devoted employee retired this month. A dedication for the Broadway Bridge will be held at 3:00 p.m. tomorrow in Collinsville. This bridge was condemned 20 years ago and would not have been replaced without the help of Cherokee Nation tribal funds. The Sequoyah girl's basketball team will play in the Nike tournament this December in Phoenix. The game will be broadcast in Cherokee on local station KEOK as well as the audio being streamed on the Cherokee Nation web. The game dates are December 19th through the 22nd.*

#### ACTION OF UNFINISHED BUSINESS

*None pending.*

#### COMMITTEE REPORTS

##### Monthly Reports:

##### Housing Authority - David Southerland

*Mr. Cooper announced Mr. David Southerland is attending the Southern Plains Indian Housing Association meeting. The November HACN board meeting is scheduled for the 20th. Two weeks ago they received notice from HUD that they are no longer eligible for the Section 8 voucher program. They are in the process of setting up a meeting to gather further guidance. The approximate 220 families assisted through the Section 8 voucher program will not lose service. The only change to the families is their checks will come from OHFA instead of the HACN. These changes do not affect the 1700 participants on the NAHASDA rental assistance program.*

##### Cherokee Nation Enterprises - David Stewart

*Gina Olaya introduced the members of CNE's Community Impact Team in attendance. This is a group of extraordinary CNE employees. This team contains 85 volunteers from across the fourteen counties who head up a team that is committed to being actively involved in their respective communities. They have raised money for different charities, participated in highway clean up, and volunteering their time to make a difference. Examples are CNE doesn't observe a "casual Friday"; however this group received approval for all employees to wear jeans and T-shirts to work once a month for \$5.00. In fiscal year 2007 this group collected \$28,000.00. The funds were given to local fire department, domestic violence intervention programs, the Red Cross, pet shelters, and breast cancer awareness groups. The Catoosa employees raised almost \$19,000.00 for the American Heart Association. The Roland employees raised \$600.00 to send a needy child to camp. The West Siloam employees raised just over \$1200.00 for Relay for Life. She announced all locations partner with the American Red Cross through out the year to organize blood drives. Both the Catoosa and West Siloam teams have joined the Oklahoma Adopt a Highway program. These employees go out on their own time once a quarter to pick up trash around the facilities. Ms. Olaya introduced Shelly Rogers from the Tahlequah Casino. Ms. Rogers announced she has 5 employees who have donated 10 inches of their hair to Locks for Love.*

## Cherokee Nation Industries - Bryan Collins

*Bryan Collins reported fiscal year to date as of October 31st the preliminary numbers are as follows; Sales in comparison to FY 2006, sales and profitability are close, in sales \$8.4ml with a estimated conservative profit of \$250,000.00 for October. Local employment is 268 with 82% being Cherokee. The next board meeting is scheduled for November 26th in Stilwell in the Davis Center room at 2:00 p.m. They will be holding their employee Thanksgiving dinner tomorrow, November 14th at 11:30 in Stilwell and also in Tahlequah. He announced they have experienced success with the Bell helicopter program. He stated this program is a huge undertaking with 360 plus cables. They are working closely with AT&T.*

## Cherokee Nation Business, Inc - Callie Catcher

*Brad Carson stated some of the visible things CNB does as a holding company pursuant to the Jobs Growth Act is capitol allocation and the consolidated budgeting and financials. On a consolidated basis FY2006 the various Cherokee businesses in combination had \$565ml in sales bringing operating profits of \$125ml. Across the board an average of 60% of the employees are Cherokee. They pay out approximately \$130ml in compensation and benefits. Over the last 5 months CNB has looked at 54 different business activities and potential acquisitions.*

## OLD BUSINESS

*None pending.*

## NEW BUSINESS

- 1. AN ACT AMENDING TITLE 19 SECTION 21, TITLE 51 SECTION 1 AND TITLE 51 SECTION 11 OF THE CHEROKEE NATION CODE ANNOTATED, AND AMENDING LEGISLATIVE ACT 42-03 DEALING WITH COMPENSATION OF ELECTED OFFICIALS AND DECLARING AN EMERGENCY**

*Councilor Garvin stated the purpose of this Act is to set permanent guidelines by which Cherokee Nation elected officials can be compensated. There are eight council members currently serving 4 year terms and nine serving 6 year terms. The current legislation reads only those serving 4 year terms would be compensated. This amendment will change it and bring everyone together. This Act also changes the date from the end of the term to the first 6 months of the term.*

**Councilor Garvin moved for its approval. Councilor Cowan Watts seconded the motion. Motion passed by the following voice vote:**

**Yea:** 16 - S. Joe Crittenden; David Thornton Sr. ; Don Garvin; Meredith Frailey; Cara Cowan Watts; Buel Anglen; Jack D. Baker; Tina Glory Jordan; Jodie Fishinghawk; Janelle Fullbright; Harley Buzzard; Curtis Snell; Chris Soap; Bradley Cobb; Chuck Hoskin, Jr. and Julia Coates

**Nay:** 1 - Bill John Baker

Enactment No: LA-40-07

- 2. A LEGISLATIVE ACT RELATING TO NATIVE AMERICAN ARTS AND CRAFTS**

*Councilor Cowan Watts stated this Act as presented by the Council has been re-titled to be more appropriate as Truth in Advertising. She briefly introduced the Act as an item*

*labeled Indian art work then it is from an Indian, a tribal citizen from a federally recognized tribe, not someone who is adopted. Furthermore the Cherokee Nation shall not fund any group either internally or externally that proclaim Indian art that are not Indian under the federal definition. TERO would maintain a volunteer registry of Native American artists under that definition. A standard label would be created to label all Indian art consistently. The Act also allows for civil action.*

**Councilor Cowan Watts stated their has been a lot of word smiting to this legislation since its passage from Rules committee therefore she requested to table this item back to the Rules committee on November 29th to allow citizens an opportunity to speak. Councilor Bill John Baker seconded the motion. Motion carried.**

**3. A RESOLUTION AUTHORIZING CHEROKEE NATION TO DONATE COMPUTER EQUIPMENT TO W.W. HASTINGS HOSPITAL**

*Councilor Cobb stated this will adequately support a merged RPMS data base, vista imaging system, and the electronic health records.*

**Councilor Cobb moved for the approval. Councilor Cowan Watts seconded the motion. Motion passed.**

Enactment No: R-101-07

**4. AN ACT AMENDING LEGISLATIVE ACT #37-07 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2008 - Mod. 1; AND DECLARING AN EMERGENCY**

*Councilor Jack Baker announced this modification increases the budget by \$2,459,286.00 which are carryover funds from last years various programs plus a donation of \$20,000.00 to Indian Child Welfare kids Christmas. This would increase the overall budget to just over \$414ml.*

**Councilor Jack Baker moved for the approval. Councilor Cowan Watts seconded the motion with a friendly amendment that the stipulations on the angel tree money be removed. She stated the stipulations are very specific to exact amounts per child which would limit the number of children receiving gifts. She requested the \$20,000.00 go to ICW with no stipulations to use as they see fit. Councilor Jack Baker accepted the amendment. Motion for approval with the amendment passed by acclamation.**

Enactment No: LA-41-07

#### ANNOUNCEMENTS

*Councilor Bill John Baker announced a benefit will be held Saturday, November 24th at the Greasy Community Building for Reverend Johnson Vann who has cancer. This is Legislative Special Assistant, Gayle Miller's father.*

*Councilor Hoskin announced on November 3rd the Vinita Indian Territory Coalition held its first annual event with great success.*

#### ADJOURNMENT

**With no further business presented, Councilor Jack Baker moved for adjournment.**

Next Tribal Council meeting will be held on December 10th, 6:00 p.m. at the tribal headquarters, W.W. Keeler Complex.