



# 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*

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Thursday, October 29, 2015

1:00 PM

Tribal Council Offices

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### CALL TO ORDER

**Chair Byrd called the meeting to order at 1:02 p.m.**

### INVOCATION

**Councilor Crittenden gave the invocation.**

### ROLL CALL

**Present** 15 - Jack D. Baker; Harley Buzzard; Joe Byrd; Don Garvin; Frankie Hargis ; Curtis Snell; Janees Taylor; David Thornton, Sr. ; Keith Austin; Buel Anglen; Dick Lay; Shawn Crittenden; Wanda Hatfield; Rex Jordan and Bryan Warner

**Absent** 1 - Victoria Vazquez

**Late Arrival** 1 - David Walkingstick

### APPROVAL OF MINUTES

**Councilor Hargis moved to approve the September 24th regular session minutes. Councilor Baker seconded the motion. The motion carried.**

### REPORTS:

Marshal Service - Shannon Buhl

*Marshal Buhl requested a moment to show our respect to Master Sargent Joshua Wheeler a Cherokee citizen from Roland who was killed in Iraq. He offered to answer questions from the report provided. Councilor Buzzard inquired about the security in the hospital and clinics.*

Office of the Attorney General - Todd Hembree

*Mr. Hembree provided updates on the seventy-six acre UKB case, the UKB two acre case, and the Dollar General case. He reported on the Attorney General's opinion on the interpretation of the 2014 gaming amendment. They continue to work on the implementation of the hunting and fishing compact. Councilor Lay requested copies*

of the gaming amendment opinion be resent to the Council. Councilor Buzzard requested clarification on the Department of the Interior Improvement Act. He also gave an overview of the Barrasso bill. Councilor Lay inquired if we have an official stance on the non-federally recognized tribes. Councilor Walkingstick requested clarification on the 501c3 rules. He also inquired about a Chaplin at Sequoyah High School. Councilor Walkingstick inquired if the tag funds could be used outside of our jurisdiction.

FOIA-GRA - Gwen Terrapin

Ms. Terrapin gave an update on the request for FOIA and GRA. She commented this is down from request in the past years. She continues to work on the website. Councilor Buzzard requested a short version of what each of the 39 requests this month pertain to.

Election Commission - Bill W. Horton

Ms. Keeli Duncan reported they are busy cleaning the database, visiting communities and educating voters. She offered to answer questions from the report provided. Councilor Walkingstick inquired if this would include addressing the voters who are registered in a district but vote in another. Councilor Crittenden inquired if a meeting in his district could be set up just for address issues and such. Councilor Garvin inquired about a voter At Large voting within who wants to change their precinct.

Tax Commission - Sharon Swepston

Ms. Swepston offered to answer questions from the report provided. Councilor Walkingstick asked the same question regarding the tag funds. Councilor Taylor requested clarification on the outside of jurisdiction tags issued. Councilor Jordan commented on the smooth process at the tag office with the new kiosk. Councilor Buzzard inquired about the decrease in the tobacco tax. Council CPA Jody Reece read the law regarding the tag funds to clarify Councilor Buzzards question.

Self-Governance - Clint Hastings

Ms. Hanvey gave an overview of the contract support cost. She gave appreciation to our Health department for their assistance in hosting a tribe while they visited.

Gaming Commission - Jamie Hummingbird

Mr. Hummingbird commented about going to the breast cancer survivors' luncheon. He honored Kelly Myers his Licensing Manager was just recently re-elected to her 2nd term as Chairwoman to the Oklahoma Tribal Gaming Regulators Association. He touched on the Barrasso bill discussed earlier by the Attorney General. They are reviewing the recent Attorney General opinion issued regarding the licensing of non-gaming employees and non-gaming vendors. Councilor Walkingstick inquired if the gaming licenses have gone up in cost over the recent years. Numerous questions were asked in regard to the effect of the opinion and the implementation of the 2014 gaming act amendments.

Human Resources - Nason Morton

Mr. Morton gave an overview of the flyer attached to his report regarding employee benefits. They are wrapping up the performance evaluation process for FY2015. Councilor Walkingstick requested clarification on the 3% and the bonuses. He also voiced concern for the process for hiring at Sequoyah High School and the length of

time it takes. Councilor Taylor commended them on the number of hires for the month of September.

## OLD BUSINESS

1. **TMP-329** DISCUSSION AND POSSIBLE ACTION: CLOSING THE LOOPHOLE ALLOWING CANDIDATE FOR PRINCIPAL CHIEF AND OTHER OFFICES TO RAISE AND SPEND MONEY AND ESCAPE ACCOUNTABILITY BY NOT FILING FOR OFFICE
- Councilor Thornton provided a handout of some of this issues and discussion of the work group. Councilor Thornton made a motion to schedule a special Rules meeting for this loophole situation. Councilor Hargis seconded the motion. Councilor Walkingstick requested these proposed amendment to the election code be provided for review and consideration at a regular Rules meeting. Discussion was held regarding the lengthy election code and the Election Commission also requesting amendments. Councilor Hargis commented the special meeting is to allow those not on the work group to voice their opinion prior to the proposed amendments being placed in the legislation. Numerous Councilors requested draft legislation with the proposed amendments in hand at a regular meeting and if needed then a special can be determined. Councilor Thornton stated he wanted his proposed loophole amendments on separate legislation from what the Election Commission's suggestions.*

**Councilors Thornton and Hargis withdrew their motion for a special meeting upon the agreement of having proposed loophole amendments within the election code for consideration at the next Rules meeting.**

2. **TMP-330** DISCUSSION AND POSSIBLE ACTION:
- (A) WHAT CONSTITUTES SUFFICIENT BASIS FOR A COUNCILOR TO CLAIM TRAVEL TO AND FROM COUNCIL MEETINGS, INCLUDING TRAVEL FROM PERMANENT RESIDENCES AND FROM TEMPORARY WORK LOCATIONS OUTSIDE OF CHEROKEE NATION?
- (B) MAY THE COUNCIL REQUIRE REIMBURSEMENT OF TRAVEL FUNDS, FOR TRAVEL TO AND FROM COUNCIL MEETINGS, FROM A COUNCIL MEMBER WHO DID NOT HAVE A SUFFICIENT BASIS TO CLAIM SUCH FUNDS?

**Councilor Thornton moved to table. Councilor Hargis seconded the motion. The motion carried.**

## NEW BUSINESS

1. **TMP-336** DISCUSSION AND POSSIBLE ACTION: TRIBAL COUNCIL GUIDELINES FOR DISTRICT COMMUNITY MEETINGS AND MAIL OUT EXPENSES USING CHEROKEE NATION FUNDS
- Chair Byrd commented after discussion with the staff these proposed amendments have been brought forward. Councilor Baker made a motion to accept the changes. Councilor Hargis seconded the motion with a friendly amendment to change the amount to \$2,000. Councilor Baker accepted the friendly amendment. Councilor Garvin made a motion to remove the red from #6. After clarification was given for the proposed changes and questions were asked Councilor Lay seconded Councilor Garvin's motion to remove the red from #6. The motion carried with no opposition.*

**The motion to accept the changes to the policy as amended carried with no opposition.**

ANNOUNCEMENTS

ADJOURNMENT

**Councilor Walkingstick moved to adjourn. Councilor Thornton seconded the motion. The motion carried at 3:02 p.m.**

STAFF PRESENT:

<i>Shannon Buhl</i>	<i>Todd Hembree</i>	<i>Sharon Swepston</i>
<i>Gwen Terrapin</i>	<i>Rhonda Trumbla</i>	<i>Kelly Myers</i>
<i>Vickie Hanvey</i>	<i>Keeli Duncan</i>	<i>Jamie Hummingbird</i>
<i>Jody Reece</i>	<i>John Paden</i>	<i>Chuck Hoskin Jr.</i>
<i>Claud Stover</i>	<i>Nason Morton</i>	<i>Canaan Duncan</i>
<i>Bill John Baker</i>		

VISITORS PRESENT:

<i>Ruth Ann Weaver</i>	<i>Dianne Barker Harrold</i>	<i>Teddye Snell</i>
<i>Linda Flores</i>	<i>Carolyn Allen</i>	