



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 Coke
Phone: 1-800-995-9465,
E-mail: council-public@cherokee.org*

Thursday, March 25, 2021

1:00 PM

Tribal Council Offices

CALL TO ORDER

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

INVOCATION

Councilor Crittenden gave the invocation.

ROLL CALL

Councilor Shaw attended remotely.

Present 17 - Joe Byrd; Janees Taylor; Victoria Vazquez; Harley Buzzard; E. O. "JR." Smith; Mike Shambaugh; Mike Dobbins; Mary Baker Shaw; Canaan Duncan ; Rex Jordan; Wes Nofire; Daryl Legg; Shawn Crittenden; Dora Patzkowski; Joe Deere; Keith Austin and Julia Coates

APPROVAL OF MINUTES

Councilor Austin made a motion to approve the February minutes as submitted. Councilor Vazquez seconded the motion. The motion carried.

REPORTS:

Councilor Buzzard gave appreciation to all of the prayers during his wife Cynthia's hospital stay.

Chair Byrd gave appreciation to all of those involved in preparing the cultural meal for lunch today.

Marshal Service - Shannon Buhl

Marshal Buhl provided clarification that the Marshal Service will be transparent in looking into any accusation of illegal acts of those running for elected positions but those accusations must be substantiated. He offered to answer questions from the report provided. Councilor Buzzard requested clarification on the recent issue in Delaware County surrounding the three suspects. Councilor Shambaugh inquired about the number of increased cases. Marshal Buhl reported they have cross

deputized with the Oklahoma Highway Patrol. They have sent nine Marshal applicants to Human Resources for hiring. This is the largest mass hiring of Marshals since 2000.

Office of the Attorney General - Sara Hill

Attorney General Hill gave an update on the Hogner decision along with the background of that case. She reported on the gravity of the decision. They have filed 375 criminal cases so far. There are fifty McGirt dockets set in the month of March alone. They are prioritizing the cases with those in custody at the top of the list. She gave appreciation to the prosecutorial staff in her office. Councilor Legg inquired about where criminals will be jailed and how those fees would be paid. Councilor Nofire inquired about freedman under the Major Crimes Act and them not having a blood quantum. Councilor Smith inquired about possible changes with bondsmen. Councilor Buzzard inquired about expanding the courthouse of obtaining alternate locations. He requested clarification on which cases the Cherokee Nation would prosecute and which the feds would prosecute. Councilor Crittenden inquired how to go about changing the three-year sentencing issue. A.G. Hill commented on the issue of non-Indians committing crimes against Indians. She reported on the ability to stack cases to extend the three-year maximum. Councilor Shambaugh requested clarification on cross deputizations remaining in force. He inquired about cities being able to arrest a non-Indian who has committed a crime against an Indian. Councilor Nofire inquired about someone who relinquishes their tribal citizenship. Chair Byrd inquired if any of the Oklahoma Delegates supported Secretary of the Interior Deb Haaland.

FOIA-GRA - Gwen Terrapin

Ms. Terrapin reported there are eight FOIA requests with one of those outstanding. There are no GRA requests at this time and the website has been updated.

Tax Commission - Sharon Swepston

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

Gaming Commission - Janice Purcell

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

Human Resources - Alana Casteel

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

OLD BUSINESS

None pending.

AMEND THE AGENDA

Councilor Taylor made a motion to amend the agenda to move item #3 to Executive & Finance Committee following this meeting. Councilor Vazquez seconded the motion. Councilor Nofire requested clarification regarding the placement on the E&F agenda or if the agenda would have to be amended.

The motion to amend carried.

NEW BUSINESS

1. [21-022](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF RON AMOS AS COMMISSIONER OF THE HOUSING AUTHORITY OF THE CHEROKEE NATION BOARD OF COMMISSIONERS
Councilor Austin moved to approve. Councilor Taylor seconded the motion. The motion carried. All Councilors requested to be added as sponsors.
2. [21-023](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF ANTHONY YATES AS COMMISSIONER OF THE HOUSING AUTHORITY OF THE CHEROKEE NATION BOARD OF COMMISSIONERS
Councilor Smith made a motion to approve. Councilor Jordan seconded the motion. The motion carried. All Councilors requested to be added as sponsors.
3. [21-024](#) A RESOLUTION REQUESTING AN AUDIT AND THE INVESTIGATION OF COVID-19 EMERGENCY RELIEF FUNDS AND CALLING FOR A FORMAL HEARING BY THE TRIBAL COUNCIL
Referred to Executive & Finance Committee March 25th at 3:00 p.m. by a motion to amend from Councilor Taylor prior to the start of the New Business items.
4. [21-026](#) A RESOLUTION TO THE OKLAHOMA SECONDARY SCHOOL ACTIVITIES ASSOCIATION REQUESTING A HARDSHIP WAIVER/EXCEPTION FOR ALL STUDENTS OF SEQUOYAH HIGH SCHOOL
Chair Byrd withdrew this resolution and commented a letter would be sent to the OSSAA.
5. [21-025](#) WILMA P. MANKILLER AND CHARLIE SOAP WATER ACT
Councilor Duncan made a motion to approve the amended version provided including Charlie Soap to read "The Wilma P. Mankiller and Charlie Soap Water Act". Councilor Shambaugh seconded the motion. Councilor Taylor voiced concern for the requirement for a new home to be at a certain point before they can apply for water and sanitation. Following additional discussion and appreciation for this Legislation the motion to approve carried unanimously.

ANNOUNCEMENTS

Councilor Dobbins inquired about the possibility of holding the Council meeting in the Chambers in April. He also inquired about in person committee reporting. Councilor Vazquez inquired if meeting in the chambers would include visitors.

ADJOURNMENT

Councilor Deere made a motion to adjourn. Councilor Taylor seconded the motion. The motion carried at 2:13 p.m.

STAFF PRESENT:

<i>Taralee Montgomery</i>	<i>Todd Enlow</i>	<i>Tralynna Scott</i>
<i>Chuck Hoskin Jr.</i>	<i>Sara Hill</i>	<i>Michael Lynn</i>
<i>Shannon Buhl</i>	<i>Bryan Warner</i>	<i>Eddie Robles</i>
<i>Tina Glory Jordan</i>		

Remote:

<i>Janice Purcell</i>	<i>Gwen Terrapin</i>	<i>Alana Casteel</i>
<i>Sharon Swepston</i>		

VISITORS PRESENT:

<i>Teddy Snell</i>	<i>Tim Brown</i>
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Remote:
Anthony Yates