



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

Monday, July 20, 2020

2:00 PM

Tribal Council Offices

CALL TO ORDER

Chair Byrd called the meeting to order at 2:00 p.m.

INVOCATION

Councilor Vazquez gave the invocation.

ROLL CALL

Councilor Coates attended remotely.

Present 16 - 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; Keith Austin and Julia Coates

Late Arrival 1 - Joe Deere

APPROVAL OF MINUTES

Councilor Shambaugh moved to approve the June 25th minutes as submitted.
Councilor Shaw seconded the motion. The motion carried.

REPORTS:

Marshal Service - Shannon Buhl

Marshal Buhl gave an update from the report provided and offered to answer questions.

Office of the Attorney General - Sara Hill

Chief Hoskin requested a moment prior to the AG's report to make some preparatory remarks regarding his protection of the Sovereignty of this Nation pertaining to the McGirt decision. He read into the record a message from Governor Anoatubby from the Chickasaw Nation. Following his remarks and questions from the Council he requested a moment to allow Stacy Leeds to comment. Following questions to Ms. Leeds Chair Byrd requested she be included in the discussions and decisions in

regard to upcoming changes to our nation in regard to the McGirt decision.

Attorney General Hill gave an update on the McGirt case and provided a handout "Criminal Jurisdiction on the Reservation Creating Seamless Jurisdiction" and the Murphy/McGirt Agreement in Principle. She went over an in depth explanation of the agreement in principle. Chair Byrd inquired about the effects to VAWA. Councilor Nofire requested to hear input from our Council Attorney Brown. AG Hill announced Governor Still created a task force for the jurisdictional issues. Councilor Taylor inquired about the effect of the McGirt decision to previous convictions and where to send those people with questions. Councilor Duncan inquired why this information has not been reported sooner. He inquired about taxation implications with the McGirt decision and if the decision would affect the hunting and fishing. Councilor Austin requested clarification that the McGirt/Murphy decision doesn't affect the Cherokee Nation at this time and this agreement and any discussion is in preparation. Councilor Buzzard inquired about a timeline as to when we will be affected. Councilor Nofire inquired where the Chief got the power and ability to enter into an agreement without approval from the Council. Councilor Shambaugh inquired if this would turn us into a Public Law 280 State. Councilor Shaw commented she has received numerous questions from citizens and attorneys At Large. She read some of their questions to the AG for a response.

REPORTS:

Chair Byrd waived the remaining reports.

FOIA-GRA - Gwen Terrapin

Election Commission - Marcus Fears

Tax Commission - Sharon Swepston

Gaming Commission - Janice Purcell

Human Resources - Alana Casteel

OLD BUSINESS

1. [20-028](#) DISCUSSION ONLY - AN ACT TO ADOPT AN EMERGENCY MANAGEMENT CODE AND AUTHORIZE THE ESTABLISHMENT OF AN OFFICE OF EMERGENCY MANAGEMENT
Withdrawn by Councilor Byrd.

NEW BUSINESS

4. [20-036](#) AN ACT ESTABLISHING THE CHEROKEE NATION EMERGENCY MANAGEMENT ACT
Councilor Duncan moved to approve. Councilor Vazquez seconded the motion.

The motion carried. Councilor Deere requested to be added as a sponsor.

NEW BUSINESS

1. [20-033](#) A RESOLUTION EXPRESSLY AGREEING TO CHOICE OF LAW AND BINDING ARBITRATION AND AUTHORIZING A LIMITED WAIVER OF SOVEREIGN IMMUNITY OF THE CHEROKEE NATION IN CONNECTION WITH THE USE OF RANK ONE SPORTS WEBSITE
Councilor Patzkowski moved to approve. Councilor Shambaugh seconded the motion. Councilor Deere requested to be a sponsor. The motion to approve carried.

2. [20-034](#) A RESOLUTION IN SUPPORTING THE RENAMING OF THE WASHINGTON REDSKINS
Councilor Smith moved to approve. Councilor Patzkowski seconded the motion. The motion carried. Councilor Deere requested to be added as a sponsor.

3. [20-035](#) A LEGISLATIVE ACT AMENDING TITLE 18, ARTICLE 3, SECTION 18 OF THE CHEROKEE NATION GENERAL CORPORATION ACT, EXPANDING THE ACCESS FOR CHEROKEE NATION CITIZENS TO THE CHEROKEE NATION HEALTH SERVICES EYEGLASS PROGRAM, PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY
Councilor Shaw made a motion to approve. Councilor Taylor seconded the motion. Councilors Duncan and Deere requested to be added as sponsors. The motion to approve carried.

5. [TMP-388](#) DISCUSSION ONLY: RESTRICTIONS TO CHANGING MEETING DAYS AND TIMES OF THE CHEROKEE COUNCIL
Councilor Dobbins requested to table this discussion item to the August meeting.

AMEND THE AGENDA

Councilor Nofire made a motion to amend the agenda to include A Resolution Regarding Legislation Proposed By The Five Tribes and State of Oklahoma. Councilor Legg seconded the motion. The motion failed by not reaching the two-thirds required as follows:

Yea: 10 - Joe Byrd; Harley Buzzard; Mike Dobbins; Mary Baker Shaw; Canaan Duncan ; Rex Jordan; Wes Nofire; Daryl Legg; Shawn Crittenden and Julia Coates

Nay: 7 - Janees Taylor; Victoria Vazquez; E. O. "JR." Smith; Mike Shambaugh; Dora Patzkowski; Joe Deere and Keith Austin

ANNOUNCEMENTS

ADJOURNMENT

Councilor Duncan moved to adjourn. Councilor Shambaugh seconded the motion. The motion carried at 3:41 p.m.

STAFF PRESENT:

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|----------------------|---------------------------|------------------------|
| <i>Sara Hill</i> | <i>Chuck Hoskin Jr.</i> | <i>Todd Enlow</i> |
| <i>Bryan Warner</i> | <i>Taralee Montgomery</i> | <i>Mike Roach</i> |
| <i>Joe Rainwater</i> | <i>Tina Glory Jordan</i> | |
| <i>Remote:</i> | | |
| <i>Shannon Buhl</i> | <i>Gwen Terrapin</i> | <i>Sharon Swebston</i> |

VISITORS PRESENT:

| | | |
|----------------------|------------------|---------------------|
| <i>Stacy Leeds</i> | <i>Tim Brown</i> | <i>Teddye Snell</i> |
| <i>Remote:</i> | | |
| <i>Chuck Garrett</i> | | |