



# 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,*

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Thursday, April 26, 2018

1:00 PM

Tribal Council Offices

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### CALL TO ORDER

**Chair Byrd called the meeting to order at 1:00 p.m.**

### INVOCATION

**Councilor Buzzard gave the invocation.**

### ROLL CALL

**Present** 14 - Keith Austin; Buel Anglen; Dick Lay; David Walkingstick; Shawn Crittenden; Rex Jordan; Bryan Warner ; Joe Byrd; Frankie Hargis ; Harley Buzzard; E. O. "JR." Smith; Mike Shambaugh; Mike Dobbins and Mary Baker Shaw

**Absent** 1 - Wanda Hatfield

**Late Arrival** 2 - Janees Taylor and Victoria Vazquez

### APPROVAL OF MINUTES

**Councilor Hargis moved to approve the March 29th regular session as submitted. Councilor Shambaugh seconded the motion. The motion carried.**

### REPORTS:

Marshal Service - Shannon Buhl

*Marshal Buhl offered to answer questions from the report provided. Chair Byrd commented on the ALICE training the Council and staff had this morning. He inquired about an emergency intercom system for the complex.*

Office of the Attorney General - Chrissi Nimmo

*Ms. Nimmo offered to answer questions. Councilor Walkingstick requested clarification on the FOIA and GRA processes along with the Independent Information Officer position. He voiced concerns for the FOIA and GRA processes.*

## FOIA-GRA - Gwen Terrapin

*Ms. Terrapin reported she has received two new FOIA requests both of which are outstanding at this time. The website has been updated. Councilor Buzzard suggested a work group to consider changes in the legislation.*

## Election Commission - Marcus Fears

*Mr. Fears reported on highlights from the recent community events they attended. He offered to answer questions from the report provided. Councilor Taylor requested clarification on the process for those turning eighteen prior to the next election. Councilor Buzzard requested clarification on the voter registration forms, the ballots and the tracking of those ballots. Councilor Dobbins inquired about names being taken off of a voter list if they have missed elections. Councilor Lay inquired about document retention, election law changes referred to on their board agenda and requested clarification on attorney client privilege and the Attorney General. Councilor Walkingstick inquired if they were able to print absentee ballots. He also asked about the tracking of absentee ballots and if there are ever extra. Councilor Walkingstick also inquired about cameras in the Election Commission offices. Councilor Crittenden inquired which street would be used as the dividing line for districts 7 and 8 more specifically old highway 59 also known as second street or if it would be the new highway 59 also known as the bypass. Commissioner Carolyn Allen requested an email from the District 7 and 8 Councilors. Councilor Crittenden requested clarification on criminal activity during an election. Councilor Shaw inquired why absentee ballots aren't automatically sent to those who have voted absentee in prior elections. She also requested an update on the notary situation in California. Councilor Hargis requested the election law proposed changes be brought forward to the council with ample time for consideration. Councilor Anglen voiced concern for the deceased citizens on the voters list. Councilor Warner suggested the forms be given to the area funeral homes. Councilor Austin inquired once the Attorney General makes a determination on an investigation if it then goes back to the Election Commission. Councilor Walkingstick inquired if a candidate can obtain a list of early voters.*

## Tax Commission - Sharon Swepston

*Ms. Swepston offered to answer questions from the report provided. Councilor Buzzard requested an update on the handicapped accessibility at the Jay office including signage. Councilor Austin inquired about handicapped signs in Cherokee.*

## Self-Governance - Karen Ketcher

*Ms. Ketcher was not present to report.*

## Gaming Commission - Jamie Hummingbird

*Mr. Hummingbird offered to answer questions from the report. Councilor Walkingstick requested clarification on the Gaming Commission funding. Councilor Buzzard inquired about any changes in staff in regard to the new ball and dice law. Chair Byrd inquired when the Gaming Compact is up for renewal.*

## Human Resources - Nason Morton

*Mr. Morton was not present to report.*

## OLD BUSINESS

1. [18-026](#) AN ACT AMENDING TITLE 21 AND TITLE 22 OF THE CHEROKEE CODE ANNOTATED RELATING TO THE SAFETY FOR NATIVE AMERICAN WOMEN AND CREATING SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION OVER NON-INDIAN DEFENDANTS  
  
**Councilor Hargis made a motion to approve the revised version provided. Councilor Jordan seconded the motion. Councilor Shaw requested review of the definition of harassment includes texting, social media and internet stocking. Attorney Nofire Blakestad stated she would review and look at the limitation of VAWA. All Councilors present requested to be added as sponsors.**
  
2. [18-027](#) AN ACT AMENDING TITLE 12 OF THE CHEROKEE NATION CODE ANNOTATED  
  
**Councilor Hargis made a motion to approve the revision provided. Councilor Taylor seconded the motion. Attorney Nofire Blakestad gave an overview of the amendment to this companion item to Old Business #1. The motion to approve carried with all Councilors present requesting to be included as sponsors.**

## AMEND THE AGENDA

**Councilor Crittenden made a motion to amend the agenda for discussion and possible action for an amendment to allow the United Keetoowah Band to get land in trust. Councilor Walkingstick seconded the motion. The motion failed by voice vote.**

## NEW BUSINESS

1. [18-031](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF STEVEN E. BARRICK AS A COMMISSIONER OF THE CHEROKEE NATION GAMING COMMISSION  
  
**Councilor Smith moved to approve. Councilor Jordan seconded the motion. Mr. Barrick was present and answered a few questions. Councilor Warner requested to be added as a sponsor. The motion carried with Councilor Lay opposed.**
  
2. [18-034](#) A RESOLUTION AUTHORIZING THE EXECUTION OF CERTAIN CONTRACTS THAT PRESERVE SOVEREIGN IMMUNITY  
  
*Councilor Warner moved to approve. Councilor Jordan seconded the motion. Following lengthy discussion Councilor Walkingstick offered a friendly amendment to give the Tribal Council full authority along with the Principal Chief. Councilor Lay seconded the motion. He stated the amendment would read in the Be It Resolved clause "...The Cherokee Nation Tribal Council recognizes the and the Principal Chief of the Cherokee Nation has the authority of the Principal Chief of the Cherokee Nation to enter contracts on behalf..." clarification was requested by the attorneys. Councilor Warner didn't accept the friendly amendment.*  
  
**Councilor Walkingstick made a motion for this amendment as previously stated. Councilor Lay seconded the motion. Following additional discussion the motion failed by roll call vote:**

**Yea:** 3 - Dick Lay; David Walkingstick and Shawn Crittenden

**Nay:** 13 - Keith Austin; Buel Anglen; 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

**The motion to approve as originally submitted carried with Councilors Crittenden, Lay and Walkingstick opposed.**

ANNOUNCEMENTS

ADJOURNMENT

**Councilor Smith made a motion to ajourn. Councilor Warner seconded the motion. The motion carried at 2:58 p.m.**

STAFF PRESENT:

<i>Chrissi Nimmo</i>	<i>Shannon Buhl</i>	<i>Lacey Horn</i>
<i>Todd Hembree</i>	<i>Sharon Swepston</i>	<i>Jamie Hummingbird</i>
<i>Marcus Fears</i>	<i>Charles Grim</i>	<i>Brandon Scott</i>
<i>Elizabeth Odell</i>	<i>Chuck Hoskin Jr.</i>	<i>Canaan Duncan</i>
<i>Bryan Shade</i>		

VISITORS PRESENT:

<i>Steven Barrick</i>	<i>Carolyn Allen</i>	<i>Pam Sellers</i>
<i>Teddy Snell</i>	<i>Jami Murhpy</i>	<i>Tahlina Nofire Blakestad</i>
<i>Jerry Cavins</i>	<i>Cheryl Brown</i>	