

An Act

LEGISLATIVE ACT 07-08

AN ACT AMENDING LEGISLATIVE ACT #37-07 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2008 – Mod. 6; AND DECLARING AN EMERGENCY

BE IT ENACTED BY THE CHEROKEE NATION:

SECTION 1. TITLE AND CODIFICATION

This legislative act shall be titled and codified as “An Act Amending Legislative Act #37-07 Authorizing the Comprehensive Budget for Fiscal Year 2008 – Mod. 6”.

SECTION 2. PURPOSE

The purpose of this amendment is to authorize and approve the use of funds, subject to the availability of such funds, in accordance with Section 4, changing the amounts of certain cost centers approved in the “Comprehensive Budget Act for Fiscal Year 2008” or subsequent amendment. The cumulative total of the budget is increased by \$6,579,015 for a total budget authority of \$444,627,314. The following items are identified as estimated General Fund sources in excess of appropriated uses to wit:

	<u>Previous Balance</u>	<u>Estimated Sources</u>	<u>Estimated <Uses></u>	<u>Adjusted Balance</u>
A. General Fund	\$574,152	\$6,710,444	<\$6,245,930>	\$1,038,666
B. Motor Fuels Tax	\$0	\$0	<\$0>	\$0

SECTION 3. LEGISLATIVE HISTORY

The provisions of compliance, policy of accountability, authorities and severability provided in Legislative Act #37-07 are applicable to this amendment.

SECTION 4. FUNDING AUTHORIZATIONS

The changes reflect increases to cost centers set forth in the program budget justifications incorporated herein. This amendment changes the total amount of the comprehensive budget authorization by a net increase of \$6,579,015 to wit:

- A. A net increase in the **General Fund** budget authority of \$6,245,930 primarily related to the Contract Health Program, Constitutional Defense Fund, Self Help Community Assistance as well as consolidating the Natural Resource Force Account budget with the Land Development budget.

- B. A net increase in the **Indirect Cost Pool** budget authority of **\$45,099** related to the transfer of staff from the Housing Authority and an adjustment of the IDC Recovery.
- C. A net decrease in the **Tribal Force Account Fund** budget authority of ~~\$150,318~~ related to the Natural Resource Force Account budget moving into the Land Development budget; partially offset by an inter-program agreement between the EPC and Realty Departments.
- D. An increase in the **USDA Fund** budget authority of **\$300,000** related to a new Community Planning Grant.
- E. A net increase in the **NAHASDA Fund** budget authority of **\$138,304** primarily related to unbudgeted balances in the 2007 Indian Housing Plan on the Career Service Group's Resident Services Program.

SECTION 5. PROVISIONS AS CUMULATIVE

The provisions of this Act shall be cumulative to existing law.

SECTION 6. SEVERABILITY

The provisions of this Act are severable and if any part or provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this Act.


SECTION 7. EFFECTIVE DATE: EMERGENCY DECLARED

It being immediately necessary for the welfare of the Cherokee Nation, the Council hereby declares that an emergency exists, by reason whereof this Act shall take effect immediately upon its approval and signatures.


SECTION 8. SELF-HELP CONTRIBUTIONS

To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.

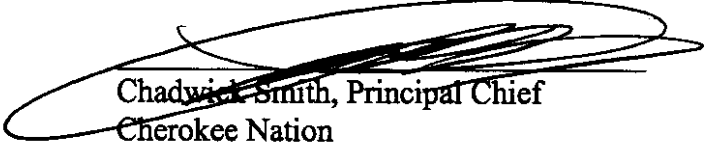
Passed by the Cherokee Council on the 14th day of April, 2008


Meredith Frailey, Speaker
Council of the Cherokee Nation


ATTEST:


Don Garvin, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 17th day of APRIL, 2008


Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:


Melanie Knight, Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Bill John Baker	<u>Yea</u>	Chris Soap	<u>Yea</u>
Tina Glory Jordan	<u>Yea</u>	Meredith A. Frailey	<u>Yea</u>
Joe Crittenden	<u>Yea</u>	Cara Cowan Watts	<u>Yea</u>
Jodie Fishinghawk	<u>Yea</u>	Buel Anglen	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>	Bradley Cobb	<u>Yea</u>
Janelle Lattimore Fullbright	<u>Yea</u>	Chuck Hoskin, Jr.	<u>Yea</u>
Don Garvin	<u>Yea</u>	Julia Coates	<u>Yea</u>
Harley Buzzard	<u>Yea</u>	Jack Baker	<u>Yea</u>
Curtis Snell	<u>Yea</u>		



CHEROKEE NATION TRIBAL COUNCIL

Doug Evans, C.P. A.,
Executive Director, Financial Oversight

Mem o

To: Jack Baker, Chair, Executive & Finance Committee &
Cara Cowan Watts, Co-Chair, Executive & Finance Committee

From: Doug Evans

CC: Executive & Finance Committee

Date: 03/18/2008

Re: Budget Mod. #6 Review

Per your request, I have reviewed the administration's budget modification request for this month's Executive & Finance Committee Meeting. Below is a summary of my review:

A. MARCH - GRANTS RECEIVED (REPORTING ONLY):

<u>Funding Source</u>	<u>Program</u>	<u>\$Amount</u>
D.H.H.S. - General	STD Support Services Program (In-kind adj.)	\$15,572
Federal Other	Juvenile Healing to Wellness Court (In-kind adj.)	\$331,603
TOTAL NET GRANTS RECEIVED		<u>\$347,175</u>

B. MOD - 6 (13 budgets) Net Increase in budget authority - ~~\$886,673~~ ^{# 6,579,015} (see adj's in 3/27/08 E/F Comm.)

^{# 624,593}
GENERAL FUND: (Net Increase - ~~\$545,930~~)

- (1): Charitable Contributions: Requesting to designate \$5,000 of the undesignated balance for "Safe Kids". The budget reflects the original \$20,000 undesignated amount adjusted for <\$10,000>-Murrell Home, <\$4,000>-Oaks Generator, <\$5,000>-Safe Kids; leaving a balance of \$1,000).
- (2): Gen Fund - Operations: Requesting to reduce the transfer associated with the Natural Resources Force Accounts prior year's deficit (see item 7 below) by <\$67,859>.
- (3): Self Help Emergency Assistance: Requesting a funding increase of \$200,070 related to the weatherization program administered by Community Services group.
- (4): Rural Fire Stations: Requesting \$2,609 in spending authority to include Inola Volunteer Fire Department.
- (5): Land Development: Requesting an increase of \$411,110 to combine the Natural Resources Force Account budget with this budget as well as recognize the debt service payments related to long-term debt.

INDIRECT COST POOL: (Increase - \$52,757)

(6): Evaluation & Compliance: Requesting an increase of **\$52,757** to absorb 1 additional FTE associated with the transfer of the Housing Authority employees.

Note: The previous mod package reflected a net decrease of <\$45,099> in the Indirect Cost Pool. This pool is designed to budget a break even through the IDC Recovery budget. The net increase of this request of \$52,757 <less> last months decrease of <\$45,099> results in a net increase of \$7,658. This budget needs an increase in the IDC Recovery budget (2040000) of the <\$7,658> to ensure the pool stays in budgeted balance.

Tribal Force Account Fund: (Net Decrease - <\$150,318>)

(7): Natural Resources Force Account: Requesting a reduction of **<\$170,318>** to remove this budget and transfer it to the Land Development Account (see item #5 above); as well as provide for the prior year's deficit of \$198,619.

(8): EPC Projects: Requesting an increase of **\$20,000** provided by Inter-program services to the Realty Department.

U.S.D.A. Fund: (Increase \$300,000)

(9): USDA Community Planning: Requesting an increase of **\$300,000** for a new planning grant. The grant amount is \$150,000; with the remaining \$150,000 being matched by a transfer from the NAHASDA fund (see item #10 below).

NAHASDA Fund: (Net Increase - \$138,304)

(10): 2006 IHP Community Planning: Requesting to transfer the previously approved budget to the USDA Community Planning budget mentioned above. These funds are being matched by the USDA.

(11): Resident Services – Career Services: Requesting an increase of **\$144,916** related to the unexpended balance from the prior year allocated from the '07 IHP.

(12): Elderly Housing/Protective Services – 2007 IHP: Requesting a decrease of **<\$2,045>** to adjust the unexpended balance from the prior year's '07 IHP allocation.

(13): Resident Services – Human Services: Requesting a decrease of **<\$4,567>** to adjust the unexpended balance from the prior year's '07 IHP allocation.

C. COMMUNITY ASSISTANCE & LAW ENFORCEMENT FUNDS:

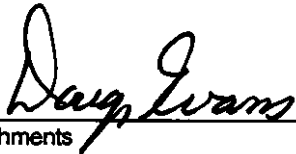
The attached lists of projects have been approved, or are being requested to be approved in this Executive/Finance Committee. These projects have already been appropriated; therefore, there is no need to appropriate the funds again. This list is for informational purposes and is included within this mod package review for inclusion purposes.

Summary:

After reviewing the submission of Mod-6; with the exception the Indirect Cost Pool's notation and recommended action, I find no technical issues surrounding these requests and nor do I have any concerns related to their respective carryover estimates. If I can provide any further information, please do not hesitate to contact me.

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Respectfully,



Attachments

Source ↑ + \$500,000 FY07 C/O GenFund

Uses ↑ \$200,000 > Liheap - propane
 \$500,000 > - Constitution Def. Fund
 \$300,000 > - Contract Health
 7658 - IDC Recovery Adj.

CHEROKEE NATION
 FY 2008 REPORTING
 Sorted by Funding Source

(A)

				Data		
Funding Source	Ref # by FS	Program/Purpose	FY 2008 Prior LA	Amend. Change to Sources	Amend. Expenses Total Change	Net Change
40-DHHS-General	1	3405500 - STD Support Services Program	LA 37-07	15,572	15,572	\$ -
40-DHHS-General Total				\$ 15,572	\$ 15,572	\$ -
75-Federal Other	2	3752710 - Juv. Healing to wellness Court	Dec	331,603	331,603	\$ -
75-Federal Other Total				\$ 331,603	\$ 331,603	\$ -
Grand Total				\$ 347,175	\$ 347,175	\$ -

*March Grants
 (Reporting Only)*

CHEROKEE NATION
PROPOSED FY 2008 AMENDMENT
Sorted by Funding Source

MOO-6
Amended B

Funding Source	Ref # by FS	Program/Purpose	FY 2008 Prior LA	Data		
				Amend. Change to Sources	Amend. Expenses Total Change	Net Change
01-Cherokee Nation	1	1010042 - Charitable Contributions	LA 03-08	-	-	\$ -
	* 1a	1010115 - Constitutional Defense Fund	LA 43-07	-	500,000	\$ (500,000)
	* 1b	1010264 - Contract Health - GF	LA 37-07	2,000,000	5,000,000	\$ (3,000,000)
	* 1c	1010272 - Cancer / Diabetes Treat / Prev	LA 04-08	-	-	\$ -
	2	1010280 - General Fund Operations	LA 03-08	4,500,000	(67,859)	\$ 4,567,859
	3	1010430 - Self Help Emergency Assistance	LA 37-07	-	200,070	\$ (200,070)
	* 3a	1010453 - Stoves - Heating Assistance	LA 37-07	-	200,000	\$ (200,000)
	4	1010465 - Rural Fire Stations	LA 37-07	-	2,609	\$ (2,609)
	5	1012350 - Land Development	LA 41-07	210,444	411,110	\$ (200,666)
01-Cherokee Nation Total				\$ 6,710,444	\$ 6,245,930	\$ 464,514
04-Indirect Cost Pool	* 5a	2040000 - Indirect Cost Pool Recovery	LA 43-07	-	(7,658)	\$ 7,658
	6	2041045 - Evaluation & Compliance	LA 37-07	-	52,757	\$ (52,757)
04-Indirect Cost Pool Total				\$ -	\$ 45,099	\$ (45,099)
06-Tribal Force Account	7	2061000 - Natural Res. Force Acct	LA 37-07	(73,935)	(170,318)	\$ 96,383
	8	2062000 - EPC Projects	LA 37-07	20,000	20,000	\$ -
06-Tribal Force Account Total				\$ (53,935)	\$ (150,318)	\$ 96,383
45-USDA	9	3453900 - USDA Community Planning	New	300,000	300,000	\$ -
45-USDA Total				\$ 300,000	\$ 300,000	\$ -
56-NAHASDA	10	3560683 - 2006 IHP Community Planning	LA 02-08	-	-	\$ -
	11	3560751 - Nahasda Res.Ser. 2007 IHP	LA 37-07	144,916	144,916	\$ -
	12	3560757 - Elderly Hous/Prot. Serv.	LA 37-07	(2,045)	(2,045)	\$ -
	13	3560763 - Resident Services	LA 37-07	(4,567)	(4,567)	\$ -
56-NAHASDA Total				\$ 138,304	\$ 138,304	\$ -
Grand Total				\$ 7,094,813	\$ 6,579,015	\$ 515,798

* - Items added in Exec/Finance Committee on 3/27/08.

CHEROKEE NATION TRIBAL COUNCIL
 FY 2008 DETAIL OF COMMUNITY ASSISTANCE (GLA - 6810.10)

Vendor / Recipient	Date	Assistance Amount	Bill John Baker	John Jordan	Tim Crittenden	S. Joe Crittenden	Jodie Flaiberg	David Thomson	Jenelle Fullbright	Don Garvin	Cardie Small	Harley Buzzard	Meredith Fraley	Chris Soap	Corn Cowan	Bevil Anglen	Brad Cobb	Chuck Hadden, Jr	Jack Baker	Julia Coates	Description of Request
Beginning Balance	10/01/07	\$138,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	Food Pantry
Legal Fee Carryover from FY07	01/09/08	\$181,003	\$8,641	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	Community Building
FY08 Available Balance		\$297,003	\$16,641	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	\$18,000	Community Building
Four Corners Helping Hands	10/09/07	\$600												\$500							Community Building
Muskogee Cherokee County Org.	10/11/07	\$500						\$500													Community Building
Sallisaw Public School	10/11/07	\$400						\$400													Community Building
Rainbow House Marble City	10/11/07	\$1,000						\$1,000													Community Building
Tulbald Community Organization	10/11/07	\$300																			Community Building
Kern Senior 2008 Parent Contrib.	10/11/07	\$600																			Community Building
Native American Fellowship Inc.	10/24/07	\$1,600																\$1,600			Community Building
Local Grove High School	10/24/07	\$750																			Community Building
City of Adair	10/24/07	\$2,000																			Community Building
Kansas Headstart	10/25/07	\$500																			Community Building
Kenwood Headstart	10/25/07	\$450																			Community Building
Jay Headstart?	10/25/07	\$650																			Community Building
Jay High School	11/01/07	\$500																			Community Building
Project A	11/07/07	\$420								\$140											Community Building
Porum Chamber of Commerce	11/09/07	\$300								\$300											Community Building
Polk Market	11/14/07	\$200																			Community Building
Clifton Patti	11/14/07	\$400																			Community Building
Grobbelle Sales	11/21/07	\$1,500						\$400													Community Building
Cherokee Arts & Humanities Co	11/21/07	\$300						\$750													Community Building
Redbird Smith Council Grounds	11/28/07	\$1,000							\$1,000												Community Building
Town of Dewey	11/28/07	\$500																			Community Building
Peavine School	11/28/07	\$1,000																			Community Building
Loft City School	11/28/07	\$1,000																			Community Building
Greasy Community Building	11/28/07	\$300																			Community Building
Town of Kansas	11/27/07	\$1,000																			Community Building
Town of Sawtooth	11/27/07	\$0																			Community Building
New Hope Baptist Church	11/28/07	\$600																			Community Building
Town of Kansas	11/28/07	\$200																			Community Building
Cherry Tree Community Org.	12/07/07	\$200																			Community Building
Muskogee Cherokee County Org.	12/07/07	\$200																			Community Building
Shilwell Senior Housing Assoc.	12/07/07	\$1,000																			Community Building
New Hope United Methodist Church	12/14/07	\$200																			Community Building
Barlesville Indian Women's Club	12/14/07	\$1,000																			Community Building
Prayer Area Arts & Humanities Council	12/14/07	\$750																			Community Building
Near/Bertha Community Center	12/17/07	\$1,000																			Community Building
Simons Inc.	12/19/07	\$466																			Community Building
Stumpff Funeral Home	01/15/08	\$1,000																			Community Building
Fruit Springs Community Org.	01/16/08	\$1,000																			Community Building
Elm Tree Baptist Church	01/24/08	\$1,200																			Community Building
Kim Terrace	02/07/08	\$400																			Community Building
Kansas High School	02/07/08	\$2,500																			Community Building
Grove High School	02/07/08	\$750																			Community Building
Vinita Public Schools	02/07/08	\$1,000																			Community Building
Clarence Public Schools	02/07/08	\$500																			Community Building
Shilwell Senior Housing Assoc.	02/07/08	\$300																			Community Building
Tulsa County Cherokee Org.	02/07/08	\$2,000																			Community Building
Washington County Cherokee Org	02/07/08	\$2,000																			Community Building
Coffeyville Native American Gathering	02/07/08	\$500																			Community Building
Native American Fellowship Inc.	02/07/08	\$100																			Community Building
Cherokee Elders Council	02/12/08	\$500																			Community Building
New Life Worship Center	02/22/08	\$250																			Community Building
Cherokee Elders Council	02/22/08	\$500																			Community Building
Opportunity House Of Tahlequah	02/22/08	\$700																			Community Building
Four Corners Helping Hands	02/21/08	\$500																			Community Building
Peavine School	02/27/08	\$500																			Community Building
Deleware County Livestock	02/27/08	\$1,000																			Community Building
Poror High School	02/27/08	\$500																			Community Building
Evening Shilwell Community	02/28/08	\$1,000																			Community Building
Blue Star Water Society	02/28/08	\$2,000																			Community Building
Zion School	02/28/08	\$350																			Community Building
Shilwell Middle School	02/28/08	\$350																			Community Building
Delaware Co. Inher-Tribal Youth Ctr	02/28/08	\$500																			Community Building
Evening Shilwell Community	03/18/08	\$1,000																			Community Building
Franklin School	03/19/08	\$350																			Community Building
Franklin School	03/19/08	\$350																			Community Building
GN Tribal Youth Council	03/19/08	\$350																			Community Building
Marble City Nutrition Center	03/19/08	\$1,000																			Community Building
Oklahoma Union Public School	03/27/08	\$500																			Community Building
Sheraton ATTY	03/27/08	\$2,000																			Community Building
		\$0																			Community Building



**CHEROKEE NATION TRIBAL COUNCIL
FY 2008 DETAIL OF COMMUNITY ASSISTANCE (GLA - 6810.10)**

Vendor / Recipient	Date	Assistance Amount	Bill John Baker	Tina Jordan	S. Joe Crittenden	Jodie Pleatinghawk	David Thomson	Janelle Fullbright	Don Garvin	Cecile Smith	Harley Buzzard	Meredith Frisley	Chris Soap	Cara Cowan	Buel Anglin	Brad Cobb	Chuck Houston, Jr	Jack Baker	Julia Coates	Description of Request	
		\$0																			
		\$0																			
		\$0																			
		\$0																			
Year-to-Date Assistance		\$53,070	\$2,285	\$3,265	\$2,100	\$2,690	\$5,320	\$5,775	\$465	\$5,550	\$3,050	\$1,575	\$4,575	\$525	\$2,025	\$5,025	\$5,225	\$275			
Ending Balance		\$243,933	\$14,378	\$14,738	\$15,610	\$16,310	\$11,690	\$11,228	\$17,838	\$12,460	\$14,990	\$16,428	\$10,798	\$17,476	\$10,874	\$11,976	\$12,776	\$17,728	\$17,728		

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**COMPREHENSIVE BUDGET
FOR FISCAL YEAR 2008
Including Mod 6 - As Amended**

Funding Source	Revenues	Transfers In	Total	Direct Exp.	Indlr. Exp.	Transfers Out	Total	NET
Tribally Funded Funding Source	88,583,166	6,751,183	95,334,349	78,760,483	5,820,348	10,179,366	94,760,197	574,152
Motor Fuels Tax Funding Srce	9,894,485	8,549,421	18,443,906	9,856,666	266,600	8,320,640	18,443,906	0
Motor Vehicle Tax Funding Srce	14,859,632	0	14,859,632	13,065,206	336,232	1,458,194	14,859,632	0
Permanent Fund Funding Source	18,500	0	18,500	18,500	0	0	18,500	0
Title VI Loan Funding Source	1,752,154	2,085,857	3,838,011	3,820,662	0	0	3,820,662	17,349
DOI General Funding Source	14,395,615	0	14,395,615	13,334,432	1,061,183	0	14,395,615	0
DOI Self Gov Funding Source	12,152,784	79,600	12,232,384	10,931,992	1,220,392	80,000	12,232,384	0
DOI Self Gov Roads Funding Srce	39,283,338	0	39,283,338	37,703,311	380,027	1,200,000	39,283,338	0
DOI PL102-477 Funding Source	17,553,518	0	17,553,518	16,633,620	919,898	0	17,553,518	0
IHS Self Gov Health Funding Sr	85,736,557	0	85,736,557	75,073,636	7,773,491	2,889,430	85,736,557	0
IHS Self Gov TEH Funding Srce	7,029,292	142,676	7,171,968	6,446,954	582,338	142,676	7,171,968	0
IHS Self Gov Offic Funding Srce	474,089	0	474,089	408,815	65,274	0	474,089	0
IHS Discretionary Funding Srce	800,000	0	800,000	0	0	800,000	800,000	0
DHHS General Funding Source	36,571,227	7,000	36,578,227	33,594,907	2,983,320	0	36,578,227	0
USDA Funding Source	13,500,073	572,000	14,072,073	13,450,595	621,478	0	14,072,073	0
Dept of Education Funding Srce	1,200,482	67,187	1,267,669	1,150,804	116,865	0	1,267,669	0
HUD Funding Source	48,978,038	0	48,978,038	46,898,727	1,994,458	84,853	48,978,038	0
EPA Funding Source	3,185,473	0	3,185,473	2,888,969	296,504	0	3,185,473	0
Dept of Labor Funding Source	6,516,732	0	6,516,732	5,844,827	671,905	0	6,516,732	0
Federal Other Funding Source	2,004,159	0	2,004,159	1,967,298	36,861	0	2,004,159	0
State of Oklahoma Funding Srce	558,501	0	558,501	488,105	70,396	0	558,501	0
Private Funding Source	1,009,116	171,951	1,181,067	746,792	111,844	0	858,636	322,431
Indirect Cost Pool Funding Srce	104,749	0	104,749	22,872,226	(22,812,576)	0	59,650	45,099
Tribal Force Acct Funding Srce	48,976	346,478	395,454	276,075	17,143	0	293,218	102,236
Fringe Pool Funding Source	0	6,500,000	6,500,000	0	0	0	0	6,500,000
Internal Lease Pool Funding Sr	1,072,470	0	1,072,470	1,072,470	0	0	1,072,470	0
Enterprise Funding Source	1,476,752	1,246,233	2,722,985	2,428,834	93,914	80,000	2,602,748	120,237
Other Funding Source	2,193,213	12,000	2,205,213	114,696	6,213	2,000,000	2,120,909	84,304
Debt Service Funding Source	0	2,789,430	2,789,430	2,789,430	0	0	2,789,430	0
Capital Projects Funding Sourc	5,540,000	0	5,540,000	5,540,000	0	0	5,540,000	0
Total	\$ 416,493,091	\$ 29,321,016	\$ 445,814,107	\$ 408,179,032	\$ 2,634,108	\$ 27,235,159	\$ 438,048,299	\$ 7,765,808
						March Grants	\$ -	(included above)
						Mod-6 Amended	\$ 6,579,015	
						Total w/Mod-6 As Amended	\$ 444,627,314	