



Council of the Cherokee Nation

Cherokee Nation Complex
17675 S. Muskogee Ave.
Tahlequah, OK 74464

Tribal Council Minutes - Final TRIBAL COUNCIL

Monday, December 14, 2009

6:00 PM

Council Chambers

CALL TO ORDER

Speaker Meredith Frailey called the meeting to order at 6:00 p.m.

INVOCATION

Councilor Harley Buzzard gave the invocation.

ROLL CALL

Present 16 - S. Joe Crittenden; David Thornton Sr. ; Don Garvin; Meredith Frailey; Cara Cowan Watts; Buel Anglen; Jack D. Baker; Tina Glory Jordan; Jodie Fishinghawk; Janelle Fullbright; Harley Buzzard; Chris Soap; Bradley Cobb; Chuck Hoskin, Jr. ; Julia Coates and Bill John Baker

Absent 1 - Curtis Snell

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Councilor Buel Anglen made a motion to approve the November 16th regular session minutes. Councilor Cara Cowan Watts seconded the motion. Motion carried.

Councilor Jodie Fishinghawk made a motion to amend the agenda to add a resolution authorizing the environmental programs group to submit an application to the U.S. environmental protection agency for the EPA atmospheric mercury monitoring services contract program as item #12 under new business and to move item # 8 under new business up before State of the Nation. Councilor Chris Soap seconded the motion. Motion carried.

NEW BUSINESS

8. **A RESOLUTION CALLING UPON CHEROKEE NATION BUSINESSES IN CORPORATED/CHEROKEE NATION ENTERTAINMENT TO CONSTRUCT ALL CHEROKEE NATION AND ITS ENTITIES CONSTRUCTION PROJECTS USING ENTIRELY TERO CERTIFIED VENDORS**

Councilor Cara Cowan Watts made a motion to table this item to next months Council agenda. Councilor Chris Soap seconded the motion. Motion carried with the following roll call vote:

Yea: 13 - S. Joe Crittenden; David Thornton Sr. ; Don Garvin; Meredith Frailey; Cara Cowan Watts; Buel Anglen; Jack D. Baker; Janelle Fullbright; Harley Buzzard; Chris Soap; Bradley Cobb; Julia Coates and Bill John Baker

Nay: 3 - Tina Glory Jordan; Jodie Fishinghawk and Chuck Hoskin, Jr.

STATE OF THE NATION

Principal Chief Chad Smith requested a moment of silence to recognize the following friends and loved ones who have passed on the last month. Veteran's honored this month were Jerry Woods, Anna Marie Wallace, and Brad Carson. Indian Child Welfare had more than 1600 angels on the tree this year. CN and CNE employees adopted 1200 angels and to help bridge the gap Cherokee Nation also donated more than \$25,000 dollars to defray costs so the remaining angels can have a joyous Christmas. Nancy John, Environmental employee received the Jan Stephens Award for EPA Excellence. Brenda Fitzgerald and Alisha Banks, employees of the Vocational Rehab Program also received National recognition from the Consortium of Administrators for Native American Rehabilitation due to their work to improve the quality of life for American Indians with disabilities. In National news the Cobell Class Action Suit filed over alleged mismanagement of individual Indian money accounts has reached a settlement that will affect some citizens but that settlement has not yet been approved by the court or Congress. For the latest information a person can contact the Corbell Lawsuit Hotline at 1-800-961-6109. The impact of Cherokee citizens is still a question at this time. Updates received will be posted on the internet. December 11th Cherokee Nation closed on the purchase of Blue Ribbon Downs Racetrack property in Sallisaw. The property includes 100 acres that is situated within tribal boundaries. This was a real estate purchase and not a horse track purchase and to date Cherokee Nation has not made a determination as to the use of the property. Wednesday at 2:00 p.m. the Cherokee Nation Immersion School will perform a Christmas Program for their families at the old Sequoyah High School gymnasium. Cherokee Nation employees will celebrate Christmas Friday afternoon at the "Place Where They Play" and the program starts at 1:00 p.m. Sequoyah Schools is hosting their annual Christmas Luncheon Thursday, December 17th from 11:00 to 1:00 p.m. The Cherokee Nation Youth Choir will be performing in Wagoner. Job Corp is hosting their American Indian Chamber of Commerce Luncheon tomorrow at 12:00 p.m. in the Job Corp cafeteria.

ACTION OF UNFINISHED BUSINESS

None Pending

None

COMMITTEE REPORTS

Monthly Reports:

Housing Authority - David Southerland

David Southerland announced the December Housing Authority Board meeting is scheduled for December 12th at 5:30 p.m. in the Alyene Hogner Conference room. The main topic will be revisions in the Community Shield Programs deductible amount. The current deductible is \$250.00 and the current annual premium is

\$370.00 for a framed home and \$465.00 on a mobile home. There will be a small increase in the annual premium and the recommendations to the board will be to raise the deductible to \$500 and this years premium increase will be \$35.00 per year. The changes are necessary due to high incident of claims on the program and they want to get it manageable and profitable. The homes and apartments owned by the Housing Authority have had a substantial increase in claims over the last three years and the major concern is the number of fire losses. Amerand will be working with Housing Authority staff to decrease those claims with communitiy meetings and things of that nature.

Cherokee Nation Entertainment - David Stewart

David Stewart reported September 2009 results were substantially better than September 2008 results. CNE employees bought almost 500 individual angels this year on their own behalf. CNE contributed \$20,000 to assist in purchasing gifts for those who did not have angels. CNE employees went to Eucha to work with Mr. Soap on the Eucha community building on Saturday morning and this is an initiative that CNE will continue to sponsor from here forward. Save America's Treasures awarded Cultural Tourism \$150,000 grant to restore the Capital Building. The Supreme Court Exhibit Building Design is being installed. With regard to construction, the event center is on schedule to open in September of next year and the hotel is under construction and on schedule. David Stewart recognized CNE employees, Tonya Rue and Roger Barr.

Cherokee Nation Business, Inc - David Stewart

David Stewart reported closed the year with their subsidiaries which include: the newest one, CSG and the other two APSE and CCRC which is in the construction business. CSG has been closed for about a month but the operations of these three companies generated almost \$1 million dollars in profit for the Nation last year. They all have come into the year with good backlog and good management in place. CSG CEO's presented their annual business plans at the last board meeting and he is happy to say they really have some good business sense and good platforms.

Cherokee Nation Industries - Bryan Collins

Bryan Collins reported the November financials are still pending completion but they are running ahead of budget in October based on revenue of October being \$8.9 million with a profit of \$165,000 and continued backlog building for 2010. Local employment is 458 with 82% Native American and from a stand point of what is going on for 2010 they see this number increasing based on the backlog. CNI employees participated in the Stilwell, Tahlequah, and Kelleyville Christmas parades, angel tree program, and the Oaks Mission program. Verizon's contract is in place and they are starting to perform on that contract. The AT&T Contract since October has expanded shipping to 41 states and exporting for AT&T. They feel there will be substantial increases in the telecommunications. In 2010 they will see a full National platform as well as exporting in the legacy T product line. In Aerospace, Bell Helicopter has doubled their backlog for 2010 and they are currently in the process of determining how many employees, training, space, and tables they will be needing. L3 has additions of new orders from the Army for tactical generators for 2010 as well. CEI awarded a multi-year, multi-million contract, which is an extension for another two to three years. Their newest customer out of Huntsville, Security Administrative Management Direct (SAMDM). SAMDM is responsible for all of the foreign military sales to our allies and CNI is now an official customer and they will be working definitizing what their scope of work will be in supporting their parent product around the world. The next CNI Board meeting is scheduled for January 25th, 2010 at 2:00 p.m. with

the location to be determined.

OLD BUSINESS

1. **AN ACT AMENDING LA#7-97 AND LA#39-05; REVISING TITLE 26 ("ELECTIONS") OF THE CHEROKEE NATION CODE ANNOTATED**
Councilor Cara Cowan Watts made a motion to table this item back to the Rules Committee. Councilor David Thornton seconded the motion. Motion carried.

NEW BUSINESS

Community Services Committee

1. **A RESOLUTION AUTHORIZING THE CHEROKEE NATION TO EXTEND THE SECTION 184 LOAN PROGRAM SERVICES TO CHEROKEE CITIZENS LIVING IN THE STATE OF TEXAS**
Councilor Julia Coates made a motion to substitute the new revised version. Councilor David Thornton seconded the motion. Motion carried.

Councilor Julia Coates made a motion to approve. Councilor Cara Cowan Watts seconded the motion. Motion carried.

Enactment No: R-131-09
2. **A RESOLUTION APPROVING AND AUTHORIZING THE SUBMISSION OF THE FISCAL YEAR 2010 INDIAN HOUSING PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**
Councilor Harley Buzzard made a motion to approve. Councilor Cara Cowan watts seconded the motion. Motion carried with Councilor Bill John Baker opposing.

Enactment No: R-132-09

Resource Committee

3. **A RESOLUTION AUTHORIZING THE TRANSFER OF TITLE OF TRIBAL TRUST LAND TO MUTUAL-HELP HOUSING PARTICIPANT**
Councilor Joe Crittenden made a motion to approve. Councilor Tina Glory-Jordan seconded the motion. Motion carried.

Enactment No: R-133-09
4. **A RESOLUTION AUTHORIZING THE LEASING OF MINERALS AT CHILOCCO, KAY COUNTY, OKLAHOMA**
Councilor Buel Anglen made a motion to approve. Councilor Cara Cowan Watts seconded the motion. Motion carried.

Enactment No: R-134-09

5. **A RESOLUTION AUTHORIZING THE EXECUTION OF MANAGEMENT AGREEMENT FOR ARKANSAS RIVERBED CORRIDOR**
- Councilor Don Garvin made a motion to approve. Councilor Joe Crittenden seconded the motion. Motion carried.
- Enactment No: R-135-09

Rules Committee

6. **A RESOLUTION ELECTING THE OFFICE OF SECRETARY OF THE TRIBAL COUNCIL**
- Councilor Buel Anglen made a motion to approve. Councilor Cara Cowan Watts seconded the motion. Motion carried.
- Enactment No: R-136-09
7. **AN ACT AMENDING LEGISLATIVE ACT 40-03 AND TITLE 20, SECTION 37 OF CHEROKEE NATION CODE ANNOTATED; SETTING ANNUAL STIPENDS OF THE SUPREME COURT JUSTICES; CREATING A SPECIAL CLASS OF EMPLOYEES FOR THE SUPREME COURT JUSTICES AND THE DISTRICT COURT JUDGES; PROVIDING FOR SEVERABILITY; AND DECLARING EMERGENCY**
- Councilor Cara Cowan Watts made a motion to approve. Councilor Don Garvin seconded the motion. Motion carried by acclamation.
- Enactment No: LA-24-09

Executive and Finance Committee

8. **A RESOLUTION CALLING UPON CHEROKEE NATION BUSINESSES INCORPORATED/CHEROKEE NATION ENTERTAINMENT TO CONSTRUCT THE NEW CASINO LOCATED AT RAMONA, OKLAHOMA USING ENTIRELY TERO CERTIFIED VENDORS**
- This item was addressed prior to the State of the Nation.
9. **A RESOLUTION CONFIRMING THE NOMINATION OF BRAD CARSON AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC**
- Councilor Cara Cowan Watts made a motion to approve. Councilor Jack Baker seconded the motion. Motion carried.
- Enactment No: R-137-09
10. **ACT RELATING TO DONATIONS AND CONTRIBUTIONS FROM THE CHEROKEE NATION; REPEALING PORTIONS OF LA 43-03, "THE EMERGENCY ASSISTANCE AND COMMUNITY SUPPORT PROJECTS AUTHORIZATION ACT OF 2003" AS AMENDED; DECLARING AN EMERGENCY**
- Councilor Cara Cowan Watts made a motion to approve. Councilor Brad Cobb seconded the motion. Motion carried with the following roll call vote:

Yea: 13 - S. Joe Crittenden; David Thornton Sr. ; Don Garvin; Meredith Frailey; Cara Cowan Watts; Buel Anglen; Jack D. Baker; Janelle Fullbright; Harley Buzzard; Chris Soap; Bradley Cobb; Julia Coates and Bill John Baker

Nay: 2 - Tina Glory Jordan and Chuck Hoskin, Jr.

Not In Room: 1 - Jodie Fishinghawk

Enactment No: LA-25-09

11. **AN ACT AMENDING LEGISLATIVE ACT #21-09 AUTHORIZING COMPREHENSIVE BUDGET FOR FISCAL YEAR 2010 - MOD. 2; AND DECLARING AN EMERGENCY**

Councilor Jack Baker made a motion to approve. Councilor Cara Cowan Watts seconded the motion. Motion carried by acclamation.

Enactment No: LA-26-09

12. **A RESOLUTION AUTHORIZING THE ENVIRONMENTAL PROGRAMS GROUP TO SUBMIT AN APPLICATION TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY FOR THE EPA ATMOSPHERIC MERCURY MONITORING SERVICES CONTRACT PROGRAM.**

Councilor Cara Cowan Watts made a motion to approve. Councilor Chris Soap seconded the motion. Motion carried.

Enactment No: R-138-09

ANNOUNCEMENTS

Councilor Buel Anglen recognized his daughter, Christie. Councilor Harley Buzzard recognized his wife, Cynthia Buzzard. Councilor Chuck Hoskin, Jr. announced his son turns 13 years old today and wished him a Happy Birthday. Councilor David Thornton recognized Lacie Horn, a constituent from District 3. Councilor Joe Crittenden stated on item #3 Councilor Jodie Fishinghawk would like to be reflected as a sponsor on that piece of Legislation. Councilor Cowan Watts gave thanks and appreciation to Angela Drewes and her crew for all their hard work on the Christmas parades. Chief Smith announced the Cherokee Nation Youth Choir has a Christmas concert at the Tahlequah Public Library at 5:30 p.m.

ADJOURNMENT

Councilor Joe Crittenden moved to adjourn. Councilor Cara Cowan Watts seconded the motion. Motion carried at 7:12 p.m.

Next Tribal Council meeting will be held on January 11, 2010 at 6:00 p.m. at the tribal headquarters, W.W. Keeler Complex.

**Meredith A. Frailey, Speaker
Council of the Cherokee Nation**