



Council of the Cherokee Nation

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

Tribal Council Minutes - Final

TRIBAL COUNCIL

Meredith Frailey, Speaker

Recording Secretary, Gayle Miller

Phone: 1-800-995-9465

E-mail: council-public@cherokee.org

Monday, January 11, 2010

6:00 PM

Council Chambers

CALL TO ORDER

Speaker Frailey called the meeting to order at 6:00 P.M.

INVOCATION

Councilor Cara Cowan Watts gave the invocation.

ROLL CALL

Present 17 - 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; Curtis Snell; Chris Soap; Bradley Cobb; Chuck Hoskin, Jr. ; Julia Coates and Bill John Baker

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Councilor Jack Baker made a motion to approve the December 14th regular session minutes. Councilor Chris Soap seconded the motion. Motion carried.

STATE OF THE NATION

Principal Chief Chad Smith requested a moment of silence to recognize friends and loved ones who have passed on in the last month. Veteran's honored this month were John William Adair, John Adair, Jr., Daniel Horsechief, and David Horsechief. Cherokee Nation is participating in the 2010 Census and they will be gathering information to help in identifying citizens. The Census folks are still seeking employees and anyone interested is encouraged to call 866-861-2010. The Veteran's Affairs Office has announced their annual valentines for veteran's campaign to honor elderly, disabled, and hospitalized veteran's. To participate contact Rogan Noble at 453-5695. Cherokee Nation Roads Department started two of its funded projects which are the Woodard Road in Cherokee County and the Greasy Road in Adair County. They have two more advertised for bids and they are located in Mayes, Delaware, and Cherokee counties. Sequoyah High School will be hosting their yearly open house for 8th grade students interested in attending Sequoyah on Wednesday, February 17th from 9:00 a.m. to 1:00 p.m. at the Place Where They Play. Cherokee Nation Health Group is sponsoring a twelve week weight loss challenge at the Male Seminary recreation center. Cherokee Nation

Health Services recognized January 2010 as Cervical Cancer Awareness month. The groundbreaking for a dental clinic at Salina Health Center will be held on Tuesday, February 23rd at 10:00 a.m. The Cherokee National Youth Choir has completed their audition selections and will meet for the first time tomorrow night.

ACTION OF UNFINISHED BUSINESS

None Pending

COMMITTEE REPORTS

Monthly Reports:

Housing Authority - David Southerland

David Southerland announced the January Housing Authority Board Meeting will be held Friday, at noon. The Board approved an increase in premiums on the Community Shield Program to \$500.00. This will be a modest increase of \$35 per year on the policies. There are approximately 2350 families participating in this program. Letters will be sent out in the next week notifying participants of the premium increase and the due date of March 1st each year. HACN staff has been busy with the stimulus funding and they have awarded eighty contracts to date and most have been smaller contracts. They have thirty more to be awarded. He does not have the number of construction contracts awarded to TERO vendors but he will collect that information and report on it at next month's Council meeting.

Cherokee Nation Entertainment - David Stewart

David Stewart reported 2009 New Year's Eve celebrations went well for all casinos. Financial results are challenging but they continue to look at their expenses to try to cut costs. The West Siloam Springs Hotel and the Hard Rock theater are both on schedule. They will be opening an Italian Cafe at the old McGills and it should be open in February. CNE employees continue to be involved in community work with a group from Tahlequah replacing windows for a family in Muldrow and also helped weatherize a home in Mayes county. The unveiling of the Supreme Court House will be March 23rd at 11:00 a.m. They have received a grant of \$150,000 from Save America's Treasures Program for art in the Capital Building. They are in the design phase for the Gift Shop at Tahlequah to make it a welcome center. The Cherokee Nation Gallery is open at the Hard Rock Hotel. He introduced two CNE employees, Jim Breech and Eric Lawless who are participating in the Leadership Program.

Cherokee Nation Business, Inc - David Stewart

David Stewart reported the newly acquired company, ITX transition is going very well and is profitable. The construction company is profitable and they just acquired two major contracts that will keep them going for the next couple of years. APSE, located in Huntsville is profitable and they are waiting to hear what their major contracts are from Boeing. From a company's prospective they are working on a delivery of their shared services down to their subsidiaries to help them be more successful and all the things that go along with business that they may not have access too.

Cherokee Nation Industries - Bryan Collins

Bryan Collins reported fiscal year 2010 started out strong with the revenue from October being \$8.9 million and a profit of \$165,000. CNI has 466 employees in the local area and still maintaining an 82% Native American content. They opened up a warehouse in Huntsville for the Army because they are moving some operations from Texarkana on some humvee renovations. They have new activities going there but right now it is strictly very minor from a stand point of parts but they are working towards producing the products with CNI employees. Fiscal year 2010 is very promising with what is going on in their divisions. The CNI Board Meeting is Monday, January 25th. The time and location will be announced at a later date.

OLD BUSINESS

- 1. 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 Bill John Baker made a motion to approve. Councilor Jodie Fishinghawk seconded the motion. Motion carried.

Enactment No: R-01-10

NEW BUSINESS

Health Committee

- 1. A RESOLUTION REQUESTING THE DONATION OF UP TO SEVEN (7) FETAL MONITORS TO THE INDIAN HEALTH SERVICE CLAREMORE INDIAN HOSPITAL**

Councilor Brad Cobb made a motion to approve. Councilor David Thornton seconded the motion. Motion carried.

Councilor Cara Cowan Watts requested to be added as a sponsor.

Enactment No: R-02-10

Rules Committee

A motion was made by Councilor S. Joe Crittenden and seconded by Councilor Bradley Cobb, that this matter be Approved by Consent Vote. The motion carried

- 2. A RESOLUTION CONFIRMING THE NOMINATION OF CARLILE ROBERTS AS A MEMBER OF THE BOARD OF DIRECTORS OF CHEROKEE NATION WASTE MANAGEMENT, LLC**

Councilor Joe Crittenden made a motion to approve items #2 through #7 in toto. Councilor Brad Cobb seconded the motion. Motion carried.

- 3. A RESOLUTION CONFIRMING THE NOMINATION OF RICK DOHERTY AS A MEMBER OF THE BOARD OF DIRECTORS OF CHEROKEE NATION WASTE MANAGMENT, LLC.**

This item was passed in toto.

Enactment No: R-04-10

4. **A RESOLUTION CONFIRMING THE NOMINATION OF KEN PURDY AS A MEMBER OF THE BOARD OF DIRECTORS OF CHEROKEE NATION WASTE MANAGEMENT, LLC**

This item was passed in toto.

Enactment No: R-05-10

5.

This item was passed in toto.

Enactment No: R-06-10

6. **A RESOLUTION CONFIRMING THE RENOMINATION OF EDDIE HUMPHREY AS A BOARD MEMBER OF CHEROKEE NATION BUSINESSES, LLC**

This item was passed in toto.

Enactment No: R-07-10

7. **A RESOLUTION CONFIRMING THE NOMINATION OF WILLIAM GRASS AS A MEMBER OF THE BOARD OF MANAGERS OF CHEROKEE NATION DISTRIBUTORS, LLC**

This item was passed in toto.

Enactment No: R-08-10

8. **A LEGISLATIVE ACT AMENDING TITLE 68 CHAPTER 2 OF THE CHEROKEE NATION CODE ANNOTATED - CHEROKEE NATION TAX COMMISSION AND ENFORCEMENT PROCEDURES AMENDING § 23 - PENALTY AND INTEREST**

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

Enactment No: LA-01-10

9. **A LEGISLATIVE ACT AMENDING TITLE 68 CHAPTER 9 OF THE CHEROKEE NATION CODE ANNOTATED - CHEROKEE NATION MOTOR VEHICLE LICENSING AND TAX CODE §1259 - REGISTRATION FEES AND TAXES**

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

Councilors David Thornton and Chuck Hoskin, Jr. requested to be added as sponsors.

Enactment No: LA-02-10

10. **AN ACT RELATING TO EMPLOYEES OF THE CHEROKEE NATION OR ITS WHOLLY OWNED CORPORATIONS; TERMINATION APPEALS PROCEDURES**

AND EMPLOYEE BACK PAY ACT OF 2005; PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY

Councilor Bill John Baker made a motion to approve. Councilor Cara Cowan Watts seconded the motion. Motion carried with Councilor Brad Cobb opposing.

Councilors Jodie Fishinghawk and Tina Glory-Jordan requested to be added as sponsors.

Enactment No: LA-03-10

11. **A LEGISLATIVE ACT AMENDING TITLE 63 CHAPTER 3, ARTICLE 2 § 101 OF THE CHEROKEE NATION CODE ANNOTATED, THE ENVIRONMENTAL QUALITY CODE; 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-04-10

Executive and Finance Committee

12. **AN ACT AMENDING LEGISLATIVE ACT #21-09 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2010; MOD 3; AND DECLARING AN EMERGENCY**

Councilor Jack Baker made a motion to approve. Councilor Don Garvin seconded the motion. Councilor Bill John Baker offered two friendly amendments, one is to take \$750,000 out of the contingency reserve and put it in the DayWork Program to be repaid by the carry forward when it comes available. The second is to lift the appropriation reserve off the ballteams and livestock auction funds so they can be funded as the needs come in. Councilor Jack Baker accepted the friendly amendments and Councilor Don Garvin seconded the amendments. Motion carried with amendments.

Yea: 17 - 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; Curtis Snell; Chris Soap; Bradley Cobb; Chuck Hoskin, Jr. ; Julia Coates and Bill John Baker

Enactment No: LA-05-10

Councilor Jack Baker made a motion to amend the agenda to add a resolution authorizing the submission of a special grant application to the National Park Service for establishing an Oral History Program documenting Cherokee cultural traditions as item #13 under new business. Councilor Chris Soap seconded the motion. Motion carried.

13. **A RESOLUTION AUTHORIZING THE SUBMISSION OF A SPECIAL GRANT APPLICATION TO THE NATIONAL PARK SERVICE FOR ESTABLISHING AN ORAL HISTORY PROJECT DOCUMENTING CHEROKEE CULTURAL TRADITIONS**

Councilor Cara Cowan Watts made a motion to approve. Councilor Bill John Baker seconded the motion. Motion carried.

Councilor Julia Coates requested to be added as a sponsor.

Enactment No: R-09-10

ANNOUNCEMENTS

Speaker Frailey announced the February Council meeting will be held on Tuesday, February 16th, 2010 due to Monday, February 15th being a holiday.

ADJOURNMENT

Councilor Cara Cowan Watts moved to adjourn. Councilor Jack Baker seconded the motion. Meeting adjourned at 6:42 P.M.