



# 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, Shelli Brittain*

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Monday, November 14, 2011

6:00 PM

Council Chambers

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### CALL TO ORDER

Meredith Frailey  
Speaker of the Council

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

### INVOCATION

**Councilor Fishinghawk gave the invocation.**

### ROLL CALL

Shelli Brittain  
Legal & Legislative Coordinator

**Present** 15 - Buel Anglen; David Thornton Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Chuck Hoskin, Jr. ; Curtis Snell; David Walkingstick; Lee Keener Jr.; Dick Lay; Jodie Fishinghawk; Janelle Fullbright; Cara Cowan Watts; Julia Coates and Tina Glory Jordan

### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

**Councilor Jack D. Baker moved to approve the October 10th regular session minutes. Councilor Cowan Watts seconded the motion. The motion carried.**

### STATE OF THE NATION

Bill John Baker  
Principal Chief

*With the upcoming holidays Principal Chief Bill John Baker focused his remarks on the programs that work to give a hand up to our brothers and sisters. Over the last six weeks our Behavioral Health Service team has secured seven grants. Our Education Department recently announced that the number of students receiving college scholarships is up by twenty percent. Our Career Services Group picked up two awards from the State of Oklahoma at the Economic Development Summit the first stemmed from a partnership with the State of Oklahoma as a Work Force program and Northeastern Oklahoma's Regional Association. The second award was presented for the tribes Work Force Development Work Ready Communities program. The Talking Leaves Job Corp Culinary Arts program placed 2nd in the Iron*

*Chef contest in Little Rock. Our Commerce Group has recently received a \$725,000 Community Development Assistance award from the U.S. Department of the Treasury. He commented these departments are truly helping us take the first steps of moving the Cherokee Nation from good to great. He requested remembrance of our service men and women over the holidays. Deputy Chief Joe Crittenden honored veterans Michael Greer and Benny Ross.*

#### ACTION OF UNFINISHED BUSINESS

*None pending.*

#### COMMITTEE REPORTS

##### Monthly Reports:

##### Housing Authority - David Southerland

*Mr. Southerland reported the November board meeting is scheduled for tomorrow at noon. They have a light agenda with the only item being the discussion of the development of housing. They have been monitoring the Indian Housing Block Grant housing bills currently in the Senate and the House.*

##### Cherokee Nation Business, Inc - David Stewart

*Mr. Stewart announced the financial result continue to be strong. They expect to close the year very close to budget with all companies in good health. The budget for 2012 has been completed with the total revenue exceeding \$700ml and more than 5,000 employees by years end. He reported the Community Impact Team consisting of 425 employees for the year of 2011 exceeded more than 5,000 volunteer hours, raised \$25,000 for the American Diabetes Association, \$12,000 for Big Brother and Sisters, more than 617 pints in blood donations. The ground breaking was held for the new hotel tower at Hard Rock and the John Ross Museum was opened. The Cherokee Services Group was named number one by Tulsa's Fast Forty.*

#### OLD BUSINESS

*None pending.*

#### NEW BUSINESS

##### Education and Culture Committee

1. [11-119](#) **AN ACT ESTABLISHING A SCHOLARSHIP PROGRAM TO AID CHEROKEE HIGH SCHOOL STUDENTS THAT ARE CONCURRENTLY ENROLLED**

**Councilor Walkingstick moved to approve by acclamation. Councilor Thornton seconded the motion. The motion carried.**

Enactment No: LA-23-11

Resource Committee

2. [11-118](#) **A RESOLUTION AUTHORIZING DONATION OF PERSONAL PROPERTY TO NSU**

Councilor Snell moved to approve. Councilor Cowan Watts seconded the motion. The motion carried.

Enactment No: R-80-11

Rules Committee

3. [11-117](#) **AN ACT ESTABLISHING PROCEDURES FOR APPLICATIONS FOR PLACING LAND INTO TRUST BY FOREIGN NATIVE AMERICAN TRIBES WITHIN THE JURISDICTION OF THE CHEROKEE NATION**

*Councilor Keener moved to approve. Councilor Cowan Watts seconded the motion. Councilor Coates offered a friendly amendment to adopt the alternate act provided today. This act is substantially the same with some clarifying language. The friendly amendment was accepted. Councilor Glory-Jordan requested Mr. Hembree give an explanation of the changes provided today. After several questions were raised Councilor Glory-Jordan moved to table back to committee. Councilor Hoskin Jr. seconded the motion.*

**The motion to table back to committee failed with the following roll call vote:**

**Yea:** 6 - Chuck Hoskin, Jr. ;Curtis Snell;David Walkingstick;Dick Lay;Jodie Fishinghawk and Tina Glory Jordan

**Nay:** 9 - Buel Anglen;David Thornton Sr. ;Don Garvin;Jack D. Baker;Meredith Frailey;Lee Keener Jr.;Janelle Fullbright;Cara Cowan Watts and Julia Coates

*Councilor Hoskin Jr. offered a friendly amendment in Section 5C to add the word "actual" after the word assuming. Councilor Coates inquired as to the process for notification to the tribe. Attorney General Hammons gave an example of notification just received. Councilor Coates accepted the friendly amendment so long as the Council is included in the notification. Councilor Hoskin Jr. voiced concern for the willful neglect of duty not being outlined and no guidelines being provided. Upon reconsideration Councilor Coates withdrew her acceptance of the friendly amendment. Several Council members voiced concerns. Councilor Hoskin Jr. made a motion to add the word "actual" between assuming and notice in Section 5C. Councilor Fishinghawk seconded the motion.*

**The amendment carried with the following roll call vote:**

**Yea:** 8 - David Thornton Sr. ;Jack D. Baker;Chuck Hoskin, Jr. ;Curtis Snell;David Walkingstick;Dick Lay;Jodie Fishinghawk and Tina Glory Jordan

**Nay:** 7 - Buel Anglen;Don Garvin;Meredith Frailey;Lee Keener Jr.;Janelle Fullbright;Cara Cowan Watts and Julia Coates

*Councilor Glory Jordan upon the recommendation of Mr. Hembree made a motion to change the word shall to may in the final sentence of 5C. Councilor Hoskin Jr. seconded the motion.*

**The motion to amend failed with the following roll call vote:**

**Yea:** 7 - David Thornton Sr. ;Chuck Hoskin, Jr. ;Curtis Snell;David Walkingstick;Dick Lay;Jodie Fishinghawk and Tina Glory Jordan

**Nay:** 8 - Buel Anglen;Don Garvin;Jack D. Baker;Meredith Frailey;Lee Keener Jr.;Janelle Fullbright;Cara Cowan Watts and Julia Coates

**The question was called and the motion to approve as amended carried by acclamation.**

**Yea:** 15 - Buel Anglen;David Thornton Sr. ;Don Garvin;Jack D. Baker;Meredith Frailey;Chuck Hoskin, Jr. ;Curtis Snell;David Walkingstick;Lee Keener Jr.;Dick Lay;Jodie Fishinghawk;Janelle Fullbright;Cara Cowan Watts;Julia Coates and Tina Glory Jordan

Enactment No: LA-24-11

Executive and Finance Committee

4. [11-124](#)

**A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE DEPARTMENT OF JUSTICE UNDER THE COORDINATED TRIBAL ASSISTANCE SOLICITATION**

**Councilor Cowan Watts moved to approve. Councilor Garvin seconded the motion. The motion carried.**

Enactment No: R-81-11

5. [11-109](#)

**AN ACT RELATING TO AMENDMENT OF LA 16-96, THE CHEROKEE NATION GENERAL CORPORATION ACT, AS AMENDED BY LA 02-03, LA 04-04 AND LA 36-05 INCREASING DIVIDENDS, PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY**

*Councilor Fishinghawk moved to approve. Councilor Hoskin Jr. seconded the motion. Councilor Cowan Watts offered a friendly amendment to add "for profit" in front of corporations in 18. The friendly amendment was accepted. Councilor Keener offered a friendly amendment to 18 to add language provided and read into the record. The friendly amendment was not accepted. Councilor Keener made a motion to amend to include the language just read. Councilor Cowan Watts seconded the motion. Councilor Thornton requested to be added as a sponsor.*

**After discussion was held the motion to amend failed with the following roll call vote:**

**Yea:** 7 - Buel Anglen;Don Garvin;Jack D. Baker;Meredith Frailey;Lee Keener Jr.;Cara Cowan Watts and Julia Coates

**Nay:** 8 - David Thornton Sr. ;Chuck Hoskin, Jr. ;Curtis Snell;David Walkingstick;Dick Lay;Jodie Fishinghawk;Janelle Fullbright and Tina Glory Jordan

*Councilor Keener made a motion to amend to include language for a one-time dividend of \$35 million. He read the proposed language into the record. Councilor Cowan Watts seconded the motion. Councilor Hoskin commented this is an interesting discussion but this isn't the proper vehicle. He moved to table the idea to committee for additional discussion. Mr. Hembree stated it isn't appropriate to table an amendment that you would have to table the entire piece of legislation. Councilor Hoskin Jr. stated this amendment isn't Germaine and should be struck to be brought up on a different day in committee. Speaker Frailey agreed it isn't a Germaine discussion to this topic.*

**The motion to approve as amended carried with the following roll call vote:**

**Yea:** 11 - Buel Anglen;David Thornton Sr. ;Don Garvin;Meredith Frailey;Chuck Hoskin, Jr. ;Curtis Snell;David Walkingstick;Dick Lay;Jodie Fishinghawk;Janelle Fullbright and Tina Glory Jordan

**Nay:** 4 - Jack D. Baker;Lee Keener Jr.;Cara Cowan Watts and Julia Coates

Enactment No: LA-25-11

6. [11-122](#)

**AN ACT AMENDING LEGISLATIVE ACT #20-11 AUTHORIZING THE COMPREHENSIVE OPERATING BUDGET FOR FISCAL YEAR 2012 - MOD. 2; AND DECLARING AN EMERGENCY**

**Councilor Jack D. Baker moved to approve by acclamation. Councilor Garvin seconded the motion. The motion carried.**

Enactment No: LA-26-11

ANNOUNCEMENTS

*Speaker Frailey recognized a couple of ladies in attendance from Mayes County. Councilor Thornton recognized Lacey Horn and Gary Caughman from Sequoyah County.*

ADJOURNMENT

**Councilor Cowan Watts moved to adjourn. Councilor Garvin seconded the motion. The motion carried at 7:51 p.m.**

Next Tribal Council meeting will be held on December 12th at 6:00 p.m. in the tribal headquarters, W.W. Keeler Complex.