



# Council of the Cherokee Nation

## Meeting Minutes

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Tuesday, April 17, 2007

10:00 AM

Legislative Conference Room

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### Call To Order

**Chair Conner called the meeting to order.**

### Invocation

**Councilman Bill John Baker gave the invocation.**

### Roll Call

**Present** 9 - Bill John Baker; Audra Smoke-Conner; Don Garvin; John F. Keener; Meredith Frailey; Cara Cowan Watts; Buel Anglen; Taylor Keen and Jack D. Baker

**Late Arrival** 3 - S. Joe Crittenden; Jackie Bob Martin and Phyllis Yargee

### Approval of Minutes

**Councilman Jack Baker made a motion to approve the March 13th regular session minutes. Council member Frailey seconded the motion. Motion carried.**

### Approval of T.E.R.O. Certifications

**Councilman Bill John Baker made a motion to approve the TERO certifications as submitted. Councilman Anglen seconded the motion. Motion carried.**

### Reports

1. Career Services/Employment  
Diane Kelley

*Ms. Kelley provided clarification in regard to a company who submitted a bid at CNE. She stated when an announcement goes out for a mandatory pre bid then everyone who attends are looked at for the bid. One company attended stating they were TERO certified when they actually were not. She wrote a letter stating the application was not complete. This application is now complete and is included in the certifications for approval today. She has received requests for an approval letter to allow companies to go ahead and bid without approval of this committee. She stated she has refused to do this. Mr. Ed Bighorse is out on FMLA he is undergoing daily chemo treatments. Any comments or concerns regarding TERO should be directed to either Diane Kelley or Larry Ketcher. Several of the TERO staff is out attending the bid openings. She stated when everyone is out of the TERO office there are notices posted on the door directing them to the Career Services office. She further announced TERO office phone is forwarded to Mike Weaver's cell phone when no one is in the office. Waunita Sanders continues to be out of the office on FMLA she hopes to return at the end of May.*

## 2. Commerce

Anna Knight

*Ms. Diane Kelley reported in the absence of Ms. Anna Knight. She asked Travis Owens to introduce himself. Mr. Owens announced he is the new tourism coordinator for the Commerce Department. He stated he has been employed with the Commerce department since June of last year and has worked in various aspects of the department. Ms. Kelley announced Ms. Alice Smith is now over the bid center. She provided a copy of the TERO report. She stated Career Services is working with the bid center to set up a vendor fair in Catoosa this fall.*

## 3. CNE T.E.R.O.

Shawn Slaton

*Mr. Kevin Ogle reported in the absence of Mr. Shawn Slaton. He provided a handout of the current projects. The Catoosa parking garage is a bit behind schedule due to soil issues. The schedule for completion is the end of June however they hope to open by mid June if not earlier. They are working feverishly to open the Roland travel plaza by Memorial Day. The opening date for the theatre will be the 30th of June. The remaining projects associated with this project will be awarded to Flintco. A contractor will begin work on the large hole in front of the Tahlequah project on Monday. This contractor is not a TERO vendor at this time their application is at the TERO office at this time. Councilman Martin inquired about the hole. Mr. Ogle stated the hole is where the modular building set which held the temporary casino. The West Siloam Springs expansion project has been delayed due to weather. The completion of the site work has been moved to July. The structural steel bid packages are due Thursday. He stated at this time all contractors on site are TERO vendors. The expansion is scheduled for completion on Labor Day of 2008. Upon the completion of the expansion the existing building will be torn down and build back in its place with a completion date of July of 2009. In Sallisaw they are looking to do interior renovation work to the stage and seating areas. They are looking to resolve the drainage issue in front of Will Rogers Downs as well as renovating the Expo building. They are considering renovations on casino area 2 in Catoosa.*

## 4. CNI T.E.R.O.

Bryan Collins

*Mr. Bryan Collins provided a copy of the CNI TERO report. He gave appreciation to the TERO office for all of their help. From the report he pointed out the difference in the total cost of the Sequoyah gym. They are in the close out stage of the audit. He stated the cost should come down even more. Through the audit process they are discovering duplicate records. He stated he has visited the Nowata, Sallisaw, and Muskogee clinics recently. The Sallisaw clinic is targeted to be complete in 30 days. The Nowata is scheduled for completion in 45 days. The Muskogee clinic is still scheduled for September. Councilman Keen inquired about the 2% usage of TERO vendors on the Muskogee clinic. Mr. Collins stated due to the size of the project, bonding requirements, and fast tracking they are having a difficult time using TERO vendors. What they are doing to try to get more TERO is to follow policy and procedure, use the one stop shop to advertise, involve the TERO office in the bids, advertise in local newspapers for 4 weeks, call TERO bidders on the list in the categories needed, and contact native American contractors who they have past experience with. He stated they are a contract management business and they do what the owner says. A letter is provided to the owner showing successful bidders as well as their recommendation based on budget, experience and scope. The owner signs as to which bidder to use. CNI is not responsible for the Nation's budget. CNI is performing a function to the builders. Councilman Keen inquired how the owners were. Mr. Collins stated Melissa Gower and Shawn Terry are signing off on the clinics as owners for the Nation. Councilman Keen inquired if the*

*projects have general contractors. Mr. Collins replied stating no, the projects are broken down as much as possible. CNI is more or less the general contractor. They are in the process of trying to build and develop the right business model to be able to do more than just the Nation's work.*

#### Old Business

1. AN ACT REPEALING AND SUPERSEDING CHEROKEE NATION LAW REGARDING LABOR AND THE EMPLOYMENT RIGHTS ORDINANCE AND DECLARING AN EMERGENCY (Discussion)

**Councilman Jack Baker made a motion to table to next month. Councilman Crittenden seconded the motion. Motion carried.**

#### New Business

1. a resolution Authorizing the DEVELOPMENT AND submission of a grant application TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR A RESIDENT OPPORTUNITY AND SELF-SUFFICIENCY (ROSS) FAMILY AND HOMEOWNERSHIP PROGRAM

*Ms. Diane Kelley stated Melanie Dodge is the coordinator for this program. This match is met through the 2 job developers. The emphasis on this next year will be on OJT.*

**Council member Yargee made a motion to approve. Councilman Keen seconded the motion. Motion carried.**

#### Announcements

*Chair Conner announced the next scheduled meeting is tentatively set for Tuesday, May 15th at 10:00 a.m.*

#### Adjournment

**Council member Yargee made a motion to adjourn. Councilman Keener seconded the motion. Motion carried at 10:55 a.m.**

#### STAFF PRESENT:

*Diane Kelley  
Mike Weaver*

*Ben Phillips  
Rick Richards*

*Travis Owens*

#### VISITORS PRESENT:

*Bryan Collins  
Kevin Ogle*

*Steve Deerinwater*

*Jim Ketcher*

#### APPROVAL / DISTRIBUTION:

**Minutes submitted by: Shelli Brittain, Recording Secretary**

**Motion to approve minutes made by: \_\_\_\_\_**

**Minutes attested and concurred by: \_\_\_\_\_**