



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, February 14, 2011

6:00 PM

Council Chambers

CALL TO ORDER

Meredith Frailey
Speaker of the Council

Speaker Frailey called the meeting to order at 6:01 p.m.

INVOCATION

Councilor Soap gave the invocation.

ROLL CALL

Shelli Brittain
Legal & Legislative Coordinator

Present 17 - Buel Anglen; Cara Cowan Watts; David Thornton Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; S. Joe Crittenden; Bradley Cobb; Chris Soap; Chuck Hoskin, Jr. ; Curtis Snell; Harley Buzzard; Janelle Fullbright; Jodie Fishinghawk; Julia Coates; Tina Glory Jordan and Bill John Baker

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Councilor Soap moved to approve the January 17th regular session minutes. Councilor Thornton seconded the motion. Motion carried.

Councilor Coates moved to amend the agenda to include four items passed out of committee meetings this afternoon. Councilor Cowan Watts seconded the motion. Motion carried as items 10 through 13 under new business.

STATE OF THE NATION

Chad Smith
Principal Chief

Chief Smith recognized friends and loved ones who have passed over the last month with a moment of silence. Veterans honored this month were John W. Stevenson

and Chapman Phillips. Chief Smith provided an update from the 2011 snow storms and stated the priority during that time was to keep our people safe and continue services to the Nation and our Cherokee people. In program notes the Cherokee Nation Health Services has expanded its electronic records keeping system. The Cherokee Nation Youth Choir had the opportunity to sing "Go rest high on the mountain" with the original song writer and singer Vince Gill at the Joint in Catoosa. The Cherokee Nation is offering a series using technology in a Cherokee way. These trainings will teach people how to use the Cherokee Syllabary with technology such as the I-phone and I-pad. The first training will take place on February 23rd in the Council Chambers. A series of trainings will also be held to promote starting your own business.

ACTION OF UNFINISHED BUSINESS

None pending.

COMMITTEE REPORTS

Monthly Reports:

Housing Authority - David Southerland

Mr. Gary Cooper reported the next board meeting will be held on Tuesday the 22nd at noon instead of tomorrow as originally scheduled. The new rates received on the Community Shield homeowners' insurance show a slight rate increase. The staff has been working to deal with snow related issues.

Cherokee Nation Business, Inc - David Stewart

Mr. Shawn Slaton reported November to be a good month and continue to see positive results and trending. In addition to the monthly contribution they had an additional \$216,000 in taxes contributed by amenities. A formal dedication will be held on Wednesday at the interchange of I-44 and 193rd East Avenue. The Oklahoma Hotel and Lodging Association awarded Hard Rock with an outstanding community service property of the year award. The current employment at CNB is 3,977 with 42.8% Cherokee and 21.8% other Native Americans to a total Naive American percentage of 64%. He provided a brief update of the roof collapse at Catoosa. Councilor Cowan Watts requested time during the Executive & Finance Committee to discuss a report provided regarding the employment percentage of Cherokee Citizens.

OLD BUSINESS

None pending.

NEW BUSINESS

Resource Committee

1. [11-001](#) **A RESOLUTION AUTHORIZING THE BUREAU OF INDIAN AFFAIRS (BIA) TO REVISE AND UPDATE THE CHEROKEE NATION'S INVENTORY OF INDIAN RESERVATION ROADS**

 Councilor Cowan Watts moved to approve the amended resolution provided. Councilor Buzzard seconded the motion. The motion carried.

 Enactment No: R-04-11

Rules Committee

2. [11-010](#) **A RESOLUTION AMENDING RESOLUTION #09-08, CONFIRMING THE NOMINATION OF DAN AGENT AS AN EDITORIAL BOARD MEMBER OF THE CHEROKEE PHOENIX**

 Councilor Jack D. Baker moved to approve and stated this corrects Mr. Agents remaining tern dates. Councilor Garvin seconded the motion. The motion carried.

 Enactment No: R-05-11

3. [11-002](#) **A RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VI SECTION 13 OF THE CHEROKEE NATION CONSTITUTION, PROVIDING FOR SPECIAL ELECTIONS FOR VACANCIES IN THE TRIBAL COUNCIL IN CASE OF REMOVAL, DEATH, RESIGNATION OR DISABILITY**

 Councilor Fishinghawk moved to table back to the Rules committee this month to address wording issues. Councilor Jack D. Baker seconded the motion. Motion carried.

4. [11-003](#) **A RESOLUTION APPLAUDING THE UNITED STATES GOVERNMENT FOR ENDORSING THE UNITED NATIONS DECLARATION OF THE RIGHTS OF INDIGENOUS PEOPLES**

 Councilor Hoskin Jr. announced this resolution applauds the Obama Administration for the endorsement of a document that sets forth some rights of some very indigenous peoples around the world. Councilor Coates seconded the motion. The motion for approval carried.

 Enactment No: R-06-11

5. [11-004](#) **AN ACT SETTING CERTAIN REQUIREMENTS FOR THE CHEROKEE NATION HIGHER EDUCATION SCHOLARSHIP PROGRAM; AND DECLARING AN EMERGENCY**

 Councilor Hoskin Jr. stated the purpose of this Act is to strengthen the Council's role in the Higher Education Program. It was discovered there isn't

an underlying statutory authority for this program. This legislation requires changes in the program to be brought to the Council with at least ninety days notice. He moved to approve. Councilor Bill John Baker seconded the motion. The motion to approve carried as follows:

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

Nay: 1 - Jack D. Baker

Enactment No: LA-02-11

6. [11-005](#)

A LEGISLATIVE ACT AMENDING TITLE 20 OF THE CHEROKEE NATION CODE ANNOTATED - COURTS AND PROCEDURE; AMENDING SECTION 24; JURISDICTION - GENERAL

Speaker Frailey stated this amendment pertains to the child support enforcement jurisdiction. Councilor Jack D. Baker moved to approve. Councilor Bill John Baker seconded the motion. The motion to approve carried by acclamation as follows:

Yea: 17 - Buel Anglen; Cara Cowan Watts; David Thornton Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; S. Joe Crittenden; Bradley Cobb; Chris Soap; Chuck Hoskin, Jr. ; Curtis Snell; Harley Buzzard; Janelle Fullbright; Jodie Fishinghawk; Julia Coates; Tina Glory Jordan and Bill John Baker

Enactment No: LA-03-11

7. [11-011](#)

A LEGISLATIVE ACT RELATED TO TITLE 26 "ELECTIONS" AS AMENDED BY LEGISLATIVE ACT 06-10 AND LEGISLATIVE ACT 22-10 AND LEGISLATIVE ACT 32-10 ASSIGNING SEAT DESIGNATIONS AND SETTING EFFECTIVE DATE

Councilor Garvin stated this amendment pertains to the assigning seat designations. This moves Washington County to District 4 and places Councilor Cobb in Seat 2 with Councilor Soap. The other change is in District 5 where it adds a Seat 3 as unoccupied. Councilor Cowan Watts seconded the motion. The motion carried by acclamation with the following vote:

Yea: 17 - Buel Anglen; Cara Cowan Watts; David Thornton Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; S. Joe Crittenden; Bradley Cobb; Chris Soap; Chuck Hoskin, Jr. ; Curtis Snell; Harley Buzzard; Janelle Fullbright; Jodie Fishinghawk; Julia Coates; Tina Glory Jordan and Bill John Baker

Enactment No: LA-04-11

8. [11-012](#)

AN ACT AMENDING TITLE 19 SECTION 21, TITLE 51 SECTION 1 AND TITLE 51 SECTION 11 OF THE CHEROKEE NATION CODE ANNOTATED, AND AMENDING LEGISLATIVE ACT 40-07 DEALING WITH COMPENSATION OF ELECTED OFFICIALS AND DECLARING AN EMERGENCY

Councilor Cobb stated the purpose of this Act is to set guidelines by which Cherokee Nation officials will be compensated. This essentially has an independent citizen committee provide recommendations for compensation.

Councilor Cobb moved to approve. Councilor Jack D. Baker seconded the motion with a friendly amendment in Section D4 to change the language to read “the report of the citizen committee shall set the compensation for all elected officials of the Cherokee Nation unless rejected by Legislative Act within sixty (60) days, of the committee’s report.” Councilor Cobb accepted. After discussion was held the motion to approve carried with the following roll call vote:

Yea: 13 - Buel Anglen;Cara Cowan Watts;David Thornton Sr. ;Don Garvin;Jack D. Baker;Meredith Frailey;Bradley Cobb;Chris Soap;Chuck Hoskin, Jr. ;Curtis Snell;Harley Buzzard;Janelle Fullbright and Julia Coates

Nay: 4 - S. Joe Crittenden;Jodie Fishinghawk;Tina Glory Jordan and Bill John Baker

Enactment No: LA-05-11

Executive and Finance Committee

9. [11-009](#) **AN ACT AMENDING LEGISLATIVE ACT #29-10 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2011 - MOD 4; AND DECLARING AN EMERGENCY**

Councilor Jack D. Baker announced this modification provides for a reduction in grants of \$910,000. The budget authority increased by \$9.143ml for a total budget authority of over \$612ml. He moved to approve by acclamation. Councilor Cowan Watts seconded the motion. Councilor Soap offered a friendly amendment to include the tribal bridge funding of \$367,424. The friendly amendment was accepted. The motion to approve as amended carried by acclamation as follows:

Yea: 17 - Buel Anglen;Cara Cowan Watts;David Thornton Sr. ;Don Garvin;Jack D. Baker;Meredith Frailey;S. Joe Crittenden;Bradley Cobb;Chris Soap;Chuck Hoskin, Jr. ;Curtis Snell;Harley Buzzard;Janelle Fullbright;Jodie Fishinghawk;Julia Coates;Tina Glory Jordan and Bill John Baker

Enactment No: LA-06-11

10. [11-016](#) **A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES ADMINISTRATION FOR NATIVE AMERICANS**

Councilor Coates announced this is an ANA grant that would expand the existing Cherokee Nation on line classes. She moved to approve. Councilor Jack D. Baker seconded the motion. The motion carried.

Enactment No: R-07-11

11. [11-017](#) **A RESOLUTION AUTHORIZING THE TREASURER OF THE CHEROKEE NATION TO IMPLEMENT AN INTERNAL BORROWING RESOLUTION OF UP TO \$150,000 TO THE CHEROKEE NATION HOME HEALTH SERVICES**

Speaker Frailey stated this is a request for a cash infusion for the Home Health Service. Councilor Jack D. Baker moved to approve. Councilor Crittenden seconded the motion. The motion carried.

Enactment No: R-08-11

12. [11-029](#) **A RESOLUTION APPROVING AND ADOPTING THE CHEROKEE NATION TRIBAL HAZARD MITIGATION PLAN**
- Councilor Snell moved to approve. Councilor Cowan Watts seconded the motion. The motion carried.

Enactment No: R-09-11

13. [11-013](#) **A RESOLUTION AUTHORIZING AN APPLICATION TO THE FEDERAL HIGHWAY ADMINISTRATION FOR INDIAN RESERVATION ROADS BRIDGE PROGRAM FUNDING FOR ROGERS COUNTY BRIDGE #79**
- Councilor Buzzard moved to approve. Councilor Hoskin Jr. seconded the motion. The motion carried.

Enactment No: R-10-11

ANNOUNCEMENTS

Councilor Cowan Watts recognized Mr. Lee Keener who is a volunteer Cherokee History Course teacher.

Councilor Garvin wished everyone a Happy Valentine's Day and introduced Coach Mark Vance.

Chief Smith wished everyone a Happy Valentine's Day and had sweets passed around to the Council.

Councilor Bill John Baker gave appreciation to the medical staff, records clerks and maintenance at Hastings for the banner job during the snow storms.

ADJOURNMENT

Councilor Jack D. Baker moved to adjourn. Councilor Crittenden seconded the motion. The motion carried at 7:09 p.m.

Next Tribal Council meeting will be held on March 14th at 6:00 p.m. at the tribal headquarters, W.W. Keeler Complex.