

Committee: Tribal Council

Date: 07-06-11

Committee Date: 07-11-11

Author: Charlie Soap/Michael Lynn

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

RESOLUTION NO. 59-11

COUNCIL OF THE CHEROKEE NATION

A RESOLUTION AUTHORIZING THE FEDERAL HIGHWAY ADMINISTRATION (FHWA) TO UPDATE THE NATION'S TRANSPORTATION IMPROVEMENT PROGRAM TO INCLUDE THE ADDITION OF EIGHT (8) PROJECTS TO THE LIST OF CONSTRUCTION PRIORITIES FOR INDIAN RESERVATION ROADS FUNDING.

WHEREAS, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government on behalf of the Cherokee people;

WHEREAS, the Cherokee Nation is a federally recognized Indian Nation with a historic and continual government to government relationship with the United States of America;

WHEREAS, Title 23 United States Code provides for tribal determination of its own needs and priorities for the allocation of Federal Highway Indian Reservation Road (IRR) funding to include roadway and transit projects;

WHEREAS, the implementing regulations promulgated in 25 CFR Part 170 requires a Transportation Improvement Program (TIP) of projects for the expenditure of IRR funding;

WHEREAS, the following IRR routes have been determined to be of the highest priority according to the Nation's approved transportation planning procedures and project rating system:

1. Job Corps Access Road
2. NS-4340 Road
3. Bunch Road
4. Ross Street
5. Oak Ridge East Extension
6. Chimney Rock Hollow I & II Roads
7. Shady Grove Loop Road
8. Chance Road

BE IT RESOLVED BY THE CHEROKEE NATION, that the aforementioned eight (8) routes are hereby approved as construction priorities and therefore the FHWA is authorized to update the Nation's IRR-TIP to include such projects for IRR funding.

BE IT FURTHER RESOLVED BY THE CHEROKEE NATION, that the Pumpkin Hollow Road project be stricken from the list of construction priorities because the project cannot be built to federal standards due to insufficient rights-of-way.

CERTIFICATION

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 11th day of July, 2011, having 17 members present, constituting a quorum, by the vote of 17 yea; 0 nay; 0 abstaining.

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

ATTEST:

Don Garvin
Don Garvin, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 11th day of July, 2011.

Chadwick Smith
Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:

Melanie Knight
Melanie Knight, Secretary of State
Cherokee Nation

**ADMINISTRATIVE
CLEARANCE**

Dept/Program:

[Signature] 6/18/11
Signature/Initial Date

GL/Executive:

[Signature] 6/18/11
Signature/Initial Date
[Signature]

Finance (if needed):

Signature/Initial Date

Government Resources:

[Signature] 6/9/11
Signature/Initial Date

Administration Approval:

[Signature] 6/9/11
Signature/Initial Date

LEGISLATIVE CLEARANCE:

Legal & Legislative Coordinator:

[Signature] 6/7/11
Signature/Initial Date

Standing Committee & Date:

Community Service

Chairperson:

[Signature] 6/20/11
Signature/Initial Date

Returned to Presenter:

Date

**Cherokee Nation
Act/Resolution Proposal Form**

Act Resolution

TITLE: Authorizing the addition of nine roads to the list of construction priorities for the Indian Reservation Roads Funding

DEPARTMENT CONTACT: Charlie Soap

RESOLUTION PRESENTER: Charlie Soap/Michael Lynn

COUNCIL SPONSOR: Curtis Snell

NARRATIVE:

To authorize the FHWA to update the Nation's transportation improvement program to include nine (9) projects to the list of construction priorities for Indian Reservation Roads funding.