



# Council of the Cherokee Nation

## Meeting Minutes

### COMMUNITY SERVICES COMMITTEE

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Monday, December 14, 2009

1:00 PM

Legislative Conference Room

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#### CALL TO ORDER

Chair Buzzard called the meeting to order at 1:10 p.m.

#### INVOCATION

Councilor Cobb gave the invocation.

#### ROLL CALL

**Present** 13 - Bill John Baker; David Thornton Sr. ; Don Garvin; Meredith Frailey; Cara Cowan Watts; Buel Anglen; Jack D. Baker; Tina Glory Jordan; Janelle Fullbright; Harley Buzzard; Chris Soap; Bradley Cobb and Julia Coates

**Absent** 1 - Curtis Snell

**Late Arrival** 2 - S. Joe Crittenden and Jodie Fishinghawk

#### APPROVAL OF MINUTES

Councilor Fullbright made a motion to approve the November 17, 2009 regular session minutes. Councilor Jack D. Baker seconded the motion. Motion carried.

Councilor Cobb made a motion to amend the agenda to include Anna Knight's Commerce Report. Councilor Coates seconded the motion. Motion carried.

Councilor Jack D. Baker made a motion to amend the agenda to add \$14,000 to the Angel Tree under New Business Item #1. Councilor Bill John Baker seconded the motion. Motion carried.

REPORTS:

1. Human Services Department - Norma Merriman

*Ms. Merriman briefly went over the brochures that were presented. They eliminated some services for people that are just coming out of prisons. The brochure covered the documents that were required. Councilor Fullbright inquired if the felons were allowed to work in the Day Work Program. Ms. Merriman stated yes but there will be a screening done.*

*Chair Buzzard called for a five minute break.*

*The meeting began with Councilor Cobb stating the back of the brochure in regards to the Indian Health Services to any of the clinics, you have to have a blue card to be seen at the clinics. Councilor Fishinghawk inquired about the rental assistance program. Ms. Merriman stated they have a one time assistance program. It is a voucher program. It has limitations on how they can use it. The rental assistance is maxed out at this time.*

2. Community Services - Charlie Soap

*Mr. Lynn offered to answer any questions from the written report. Councilor Fishinghawk inquired about the Adair County MOA. Mr. Lynn stated the MOA was passed. Chair Buzzard stated he sent in a request for the Rural Water District #10 in Jay due to two wells being dry. He requested it be looked into. Also, he requested the emergency help be looked into. There is nothing set up in the Northern or Southern County.*

3. Roads & Transportation - Michael Lynn

*Mr. Lynn offered to answer any questions from his written report. He stated the Greasy Road project started last Monday. The Rice Wheeler Road has been bid and awarded. It is expected to start mid January. Those projects were funded through the stimulus funds. Councilor Glory Jordan inquired how many bidders they received from the Rice Wheeler Road. Mr. Lynn stated four.*

4. Public Comments: Road Issues - Michael Lynn

*Mr. Lynn explained the Public Comments section. He stated it is a funding requirement to give the public an opportunity to comment on anything they do.*

5. Housing Services - David Southerland

*Mr. Southerland stated there were no foreclosures in the last couple of months. The Housing Authority Board recommended raising the deductible on housing insurance. Councilor Fishinghawk inquired about the low rent apartments. Mr. Southerland stated they are full as of now. Councilor Cowan Watts inquired if there is any TERO lumber companies in Rogers and Vinita. Also, she requested a report back if there is a TERO vendor for lumber companies. Chair Buzzard inquired if Ameron income guidelines were set by Federal or the insurance company. Mr. Southerland stated it was set by them.*

6. Commerce Housing Report - Anna Knight

*Ms. Knight offered to answer any questions from her written report.*

OLD BUSINESS

TO ASSIST WITH A DRIVEWAY PROJECT

**Sponsors:** Councilor Bill John Baker

*Councilor Bill John Baker made a motion to approve the driveway project of \$2,000 from the Self Help Program. Councilor Thornton seconded the motion. Councilor Cobb requested a policy on the private drive requests. Mr. Lynn stated they have three sources from the Motor Fuel Tax, Road and Bridge and Vehicle Tax, which both is used on public roads. Ms. Barr stated the policy for the Self Help Program states it is for housing repairs. They have turned down numerous requests. Councilor Bill John Baker stated they were there to help Cherokee people in need. The elderly couple doesn't need anything but the gravel to make their driveway more accessible. Councilor Bill John Baker encouraged the council to vote yes to change the policy.*

**Councilor Cobb made a motion to table. Councilor Cowan Watts seconded the motion. The motion FAILED with the following roll call vote:**

**Yea:** 7 - Don Garvin; Cara Cowan Watts; Buel Anglen; Jack D. Baker; Chris Soap; Bradley Cobb and Julia Coates

**Nay:** 8 - Bill John Baker; S. Joe Crittenden; David Thornton Sr. ; Meredith Frailey; Tina Glory Jordan; Jodie Fishinghawk; Janelle Fullbright and Harley Buzzard

*Councilor Bill John Baker stated the Roads Department will not process the funds if it is not on the state right of way. Councilor Fullbright stated she agreed with Councilor Bill John Baker and Councilor Thornton that the elderly are in need of help. Councilor Glory Jordan urged the council to support the funding. Councilor Cobb provided clarification on his reason to table the item. He stated if he hears good suggestions, they needed to sit down and look at the situation further if the motion to table was accepted. Chair Buzzard stated the \$15,000 each council member had could be used for the Bridge and Access Funding. He stated he felt they should be able to use that funding. Councilor Cowan Watts stated she was not clear who was going to make the decision once it was regional. Chair Buzzard stated the Tribal Council makes the decision. Councilor Bill John Baker called for the question.*

**The motion for approval FAILED with the following roll call vote:**

**Yea:** 7 - Bill John Baker; S. Joe Crittenden; David Thornton Sr. ; Meredith Frailey; Tina Glory Jordan; Jodie Fishinghawk and Janelle Fullbright

**Nay:** 8 - Don Garvin; Cara Cowan Watts; Buel Anglen; Jack D. Baker; Harley Buzzard; Chris Soap; Bradley Cobb and Julia Coates

NEW BUSINESS

*Councilor Bill John Baker made a motion to amend the agenda to add a policy to the Bridge and Access Fund to clarify that it can be used on private drives. Councilor Cowan Watts seconded the motion and with a friendly amendment. She stated she needed clarification. They should have an Attorney General ruling and then bring forward a policy. Councilor Bill John Baker stated it is land owned by Cherokees. It would be all tribal funds and he failed to see the need for the Attorney General. Councilor Cowan Watts withdrew her friendly amendment. Councilor Glory Jordan seconded the motion. Councilor Fullbright stated the County Commissioners are not allowed to go on private driveways. Councilor Frailey stated they could review the legislative history of what the intent was. Councilor Bill John Baker stated it was ordered last month to do that. Mr. Lynn stated it reflected in the minutes in the Resource Committee on April 11, 2006. Councilor Buzzard stated it wasn't a Resolution, it was a policy that was passed. Mr. Evans stated when the budget was created through an appropriation bill. It began its life in a budget modification. Councilor Bill John Baker made a motion to add a policy to use on private drives. Mr. Hembree stated the operation can be extremely difficult through the county commissioners. The Administration will exercise this which will take all the political questions out of it. Councilor Hoskin offered a friendly amendment. Councilor Bill John Baker will accept with an amendment of materials only with a self help component. Councilor Glory Jordan seconded that. Councilor Cobb stated for the record that their job was to make good law and policy by doing this on the fly was not good law and not good policy. He stated he was completely opposed of doing this kind of policy on the fly. Councilor Glory Jordan asked this policy supported due to it had worked in the past. Councilor Bill John Baker made a motion to add a policy stating Road and Access Funds can be used on private drives with materials only with a self help component. Councilor Cowan questioned a point of information that there is a big difference between access roads for regional access on private drives.*

**The motion FAILED with the following roll call vote:**

**Yea:** 6 - Bill John Baker; S. Joe Crittenden; David Thornton Sr. ; Meredith Frailey; Tina Glory Jordan and Jodie Fishinghawk

**Nay:** 9 - Don Garvin; Cara Cowan Watts; Buel Anglen; Jack D. Baker; Janelle Fullbright; Harley Buzzard; Chris Soap; Bradley Cobb and Julia Coates

ANGEL TREE FUNDING REQUEST

**Sponsors:** Councilor Jack D. Baker

*Councilor Jack D. Baker made a motion to approve \$14,000 to the Angel Tree Fund and be moved to Full Council. Councilor Cobb seconded the motion.*

**A motion was made by Councilor Jodie Fishinghawk to add \$200,00 for the funding of the Angel Tree. Councilor Joe Crittenden seconded the motion. The motion FAILED by the following vote:**

**Yea:** 6 - Bill John Baker; S. Joe Crittenden; David Thornton Sr. ; Don Garvin; Tina Glory Jordan and Jodie Fishinghawk

**Nay:** 8 - Meredith Frailey; Cara Cowan Watts; Buel Anglen; Jack D. Baker; Janelle Fullbright; Harley Buzzard; Bradley Cobb and Julia Coates

**Not In Room:** 1 - Chris Soap

**Councilor Jack D. Baker made a motion to add \$14,000 to the Angel Tree Fund. Councilor Cobb seconded the motion. Motion carried.**

ANNOUNCEMENTS

**Councilor Fishinghawk requested the opportunity to make a motion. Chair Buzzard denied the request due to the lengthy discussion already taken place.**

ADJOURNMENT

**Chair Buzzard made a motion to adjourn. Councilor Cowan Watts seconded the motion. Councilor Bill John Baker made a motion to override the decision of the chair. Mr. Hembree gave a direction to the decision of the chair. Councilor Jack D. Baker called a point of order stating the motion to adjourn was made prior to the motion to override the chair. The motion to adjourn take precedence. The roll call was taken to motion to adjourn. The motion FAILED with the following roll call vote:**

**Yea:** 10 - David Thornton Sr. ; Meredith Frailey; Cara Cowan Watts; Buel Anglen; Jack D. Baker; Janelle Fullbright; Harley Buzzard; Chris Soap; Bradley Cobb and Julia Coates

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

**Abstain:** 1 - Don Garvin

STAFF PRESENT:

*David Southerland  
Angela Drewes  
Todd Hembree*

*Beverly Barr  
Michael Lynn  
Doug Evans*

*Jeff Sanders  
Anna Knight*

VISITORS PRESENT:

*None.*

APPROVAL / DISTRIBUTION

**Minutes submitted by: Robbi Mouse, Clerk**

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

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

**Date: \_\_\_\_\_**