



Council of the Cherokee Nation

Council House
17763 S. Muskogee Ave.
Tahlequah, OK 74464

Meeting Minutes - Final RULES COMMITTEE

Chuck Hoskin Jr., Chair

Recording Secretary, Shelli-Brittain
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Thursday, June 28, 2012

1:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Hoskin Jr. called the meeting to order at 1:20 p.m.

INVOCATION

Councilor Snell gave the invocation.

ROLL CALL

Present 17 - Buel Anglen; Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; Lee Keener Jr.; David Walkingstick; Julia Coates; Frankie Hargis and Joe Byrd

APPROVAL OF MINUTES

Councilor Keener moved to approve the May 31st regular session minutes. Councilor Baker seconded the motion. The motion carried. Councilor Hargis moved to approve the May 31st Redistricting Subcommittee minutes. Councilor Walkingstick seconded the motion. The motion carried.

REPORTS:

Marshal Service - Shannon Buhl

Mr. Buhl announced beginning next month they would include the in-house security on the monthly report. He offered to answer questions from the report provided.

Office of the Attorney General - Todd Hembree

Mr. Hembree gave an update on the recent Supreme Court decision pertaining to contract support costs. He also reported on the United Keetoowah Band's agreement with the State in regard to back fees and their application to place the land into trust where their casino now stands. He stated we have filed an objection to the application for placement of that land into trust. In regard to the Freedman case they

are filing their brief on the appeal for the District of Columbia case. An extension has been requested for the status conference in the Northern District case.

Codification - Todd Hembree

Mr. Hembree provided a handout of an estimate received from West. He gave a status update on the codification efforts. He stated he would be coming forward next month with a budget request at the Executive & Finance committee. Councilor Glory-Jordan inquired about an estimate for the pocket parts.

Councilor Garvin inquired about the Cherokee Fire Dancers in Colorado Springs.

Election Commission -

Chairman Bill Horton reported the Administrative Procedures Act is under the advisement of their attorney at this time.

Tax Commission - Sharon Swepston

Ms. Swepston offered to answer questions from the report provided.

Self-Governance - Vickie Hanvey

Secretary of State, Charles Head reported in the absence of Ms. Hanvey. He stated he attended the Roads conference last week in Oklahoma City in regard to "Question 10". The change would result in significantly less funding for large land based tribes. Questions were asked about our State governments, other tribes and county commissioners. Councilor Cowan Watts requested clarification on an article in the Tulsa World regarding a joint venture with the City of Tulsa. Mr. Head reported in regard to the contract support decision referred to by the Attorney General, they are working to prepare draft claims and are working with the Health Department. He gave an update on the TAMS Title Project in Realty.

Gaming Commission - Jamie Hummingbird

Mr. Hummingbird offered to answer questions from the report provided. He provided updates on the Ramona, Ft. Gibson and Catoosa projects.

Tribal Youth Council - Danielle Culp

Ms. Danielle Culp introduced fellow Youth Councilor Brian Barlow. Mr. Barlow reported two representatives will be attending Unity and they will not be sending a representative to Tri-Council. They have been working toward implementing an online voting system for their Youth Council elections. Ms. Culp stated they are very interested in the redistricting process as they have currently set their guidelines for the five districts.

Registrar Citizenship Data Update - David Justice

Mr. Justice reported last month there were 451 address changes and 60 deceased notices submitted to Registration.

OLD BUSINESS

1. [12-064](#) A RESOLUTION CONFIRMING THE NOMINATION OF LYNNA CARSON AS A BOARD MEMBER OF THE CHEROKEE NATION ENVIRONMENTAL PROTECTION AGENCY
Councilor Fishinghawk moved to approve the nomination of Ms. Carson. Councilor Hargis seconded the motion. Mr. Hembree introduced his sister Ms. Lynna Hembree Carson for this position. Ms. Carson gave a brief overview of her background.
After several questions were posed the nomination was approved with the following roll call vote:
Yea: 13 - Buel Anglen; Chuck Hoskin Jr. ; Curtis Snell; Don Garvin; Jack D. Baker; Meredith Frailey; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd
Nay: 3 - Cara Cowan Watts; Lee Keener Jr. and Julia Coates
Not In Room: 1 - David Thornton, Sr.
2. [12-077](#) A RESOLUTION CONFIRMING THE NOMINATION OF LINDA O'LEARY AS REGISTRAR FOR THE CHEROKEE NATION REGISTRATION COMMITTEE
Councilor Glory-Jordan moved to approve. Councilor Fishinghawk seconded the motion. Ms. O'Leary gave a brief overview of her background.
After numerous questions were asked the motion to approve carried with the following roll call vote:
Yea: 11 - Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Meredith Frailey; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd
Nay: 6 - Buel Anglen; Don Garvin; Jack D. Baker; Cara Cowan Watts; Lee Keener Jr. and Julia Coates
3. [12-055](#) AN ACT AMENDING TITLE 13 SECTION 102 (a) and SECTIONS 304 (A)(b) and (c) OF THE CHEROKEE CODE ANNOTATED AND AMENDING LEGISLATIVE ACT 13-07 OF THE CHEROKEE NATION ADMINISTRATIVE PROCEDURE ACT
Councilor Cowan Watts commented there is a motion on the floor that was tabled which Councilor Keener made to include the Housing Authority. She provided a handout of outstanding issues. The Report was not provided from the Election Commission nor did the Attorney General's office provide the report showing the conflicts of the appeal processes. She voiced frustration for not receiving the items and for the non-compliance of the required agencies and requested direction of the Chairman. Chair Hoskin Jr. suggested the compliance issue be a separate agenda item for discussion from this proposed amendment to the Act.
Councilor Cowan Watts moved to table for one month. Councilor Keener seconded the motion. The motion carried.
4. [12-056](#) AN ACT AMENDING LEGISLATIVE ACT 11-10 RELATING TO CREATION OF JOBS GROWTH; ADDING LANGUAGE TO ASSIGN SEAT DESIGNATIONS
Councilor Fishinghawk moved to approve the version handed out. Councilor Hargis seconded the motion. The motion with the following roll call vote:

Yea: 17 - Buel Anglen; Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; Lee Keener Jr.; David Walkingstick; Julia Coates; Frankie Hargis and Joe Byrd

5. [12-078](#)

A LEGISLATIVE ACT AMENDING LA-34-07 - DEFINING NEPOTISM, AND DEFINING ACCEPTABLE PARAMETERS FOR EMPLOYMENT AND CONTRACTING AND AMENDING TITLE 28, "ETHICS", ADDING NEW SECTIONS OF THE CHEROKEE NATION CODE ANNOTATED

Councilor Fishinghawk moved to approve. Councilor Walkingstick seconded the motion. Councilor Cowan Watts moved to strike the last sentence of A reading "individual employment contracts are exempt from this provision". Councilor Anglen seconded the motion.

After discussion was held Councilor Cowan Watts motion failed with the following roll call vote:

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

Nay: 8 - Chuck Hoskin Jr. ; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd

Abstain: 2 - Curtis Snell and David Thornton, Sr.

Councilor Glory-Jordan called for the question. The motion to approve carried with the following roll call vote:

Yea: 10 - Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd

Nay: 6 - Buel Anglen; Don Garvin; Jack D. Baker; Meredith Frailey; Lee Keener Jr. and Julia Coates

Abstain: 1 - Cara Cowan Watts

NEW BUSINESS

1. [12-085](#)

A RESOLUTION AUTHORIZING CHEROKEE NATION MARSHAL SERVICE TO DONATE ONE (1) 1993 CHEVROLET AMBULANCE TO CRAIG COUNTY EMERGENCY MANAGEMENT

Councilor Hargis moved to approve. Councilor Walkingstick seconded the motion. The motion to approve carried.

2. [12-086](#)

A LEGISLATIVE ACT AMENDING TITLE 68 OF THE CHEROKEE NATION CODE ANNOTATED - ADDING PROVISIONS FOR SALES TAX EXEMPTIONS FOR TRIBAL CITIZENS WHO ARE MILITARY VETERANS

Councilor Fishinghawk moved to table. Councilor Cowan Watts seconded the motion. The motion carried.

3. [12-087](#)

AN ACT RELATING TO AND AMENDING TITLE 10 OF THE CHEROKEE NATION CODE ANNOTATED, THE CHILDREN'S CODE - SECTIONS 1.2, 25, 27, 28, 29.1, 40.2, 40.3, 40.4, 40.11 AND 60.2; AND DECLARING AN EMERGENCY

Councilor Cowan Watts moved to approve. Councilor Keener seconded the motion. The motion carried by acclamation.

- 4. [12-090](#) AN ACT REPEALING LEGISLATIVE ACT 36-10 AND AMENDING LEGISLATIVE ACT 06-10; REVISING TITLE 26 ("ELECTIONS") OF THE CHEROKEE NATION CODE ANNOTATED; AMENDING § 5, ADDING PROVISIONS FOR APPORTIONMENT; AND DECLARING AN EMERGENCY

Councilor Fishinghawk moved to approve the act and map in the book. Councilor Lay seconded the motion. Chair Hoskin Jr. stated the debate would be limited to 3 minutes per Councilor and 1 minute per motion. Councilor Fishinghawk stated this is the map passed out of subcommittee last month with accompanying legislation and the power point showing how the numbers and map were created. Councilor Cowan Watts provided a revised map of the fifteen districts. She moved to strike the last sentence of E and strike all of F in the legislation provided and substituted map. Councilor Anglen seconded the motion.

After discussion was held Councilor Cowan Watts motion failed with the following roll call vote:

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

Nay: 10 - Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd

After additional discussion was held Councilor Fishinghawk’s motion to approve the map and legislation provided in the packet carried with the following roll call vote:

Yea: 10 - Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; David Walkingstick; Frankie Hargis and Joe Byrd

Nay: 7 - Buel Anglen; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Lee Keener Jr. and Julia Coates
- 5. [TMP-208](#) TRIBAL COUNCIL TRAVEL POLICY - LOCAL TRAVEL TOLL CHARGES (DISCUSSION AND POSSIBLE ACTION)

Councilor Cowan Watts withdrew this item.
- 6. [TMP-209](#) DISCUSSION: UPDATE ON INVESTIGATION BY ADMINISTRATION INTO ALLEGED 'GHOST EMPLOYEES' UNDER PREVIOUS ADMINISTRATION

Chair Hoskin Jr. withdrew this item.
- 7. [TMP-212](#) DISCUSSION AND POSSIBLE ACTION CONCERNING CHEROKEE NATION HOME HEALTH SERVICE

Councilor Lay moved to table. Councilor Cowan Watts seconded the motion. The motion carried.

ANNOUNCEMENTS

ADJOURNMENT

Councilor Thornton moved to adjourn. Councilor Baker seconded the motion. The motion carried at 3:10 p.m.

STAFF PRESENT:

<i>Todd Hembree</i>	<i>Shannon Buhl</i>	<i>Sara Hill</i>
<i>Charles Head</i>	<i>Dianna Turtle</i>	<i>Sharon Swebston</i>
<i>Jamie Hummingbird</i>	<i>Patrick Hill</i>	<i>Christina Carroll</i>
<i>David Justice</i>	<i>Jody Reece</i>	

VISITORS PRESENT:

<i>Lynna Carson</i>	<i>Farrell Prater</i>	<i>Lindsay Earls</i>
<i>Shawna Calico</i>	<i>Martha Calico</i>	<i>Carolyn Allen</i>
<i>Bill Horton</i>	<i>Patricia Carpenter</i>	<i>Ruth Ann Weaver</i>
<i>Brian Barlow</i>	<i>Danielle Culp</i>	<i>Natalie Ostrander</i>
<i>Larry Horn</i>	<i>Linda O'Leary</i>	<i>Ollie Starr</i>
<i>Dianne Barker Harrold</i>		