



Council of the Cherokee Nation

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

Meeting Minutes - Final RULES COMMITTEE

Meredith Frailey, Chair

Recording Secretary, Shelli-Brittain
Phone: 1-800-995-9465,
E-mail: council-public@cherokee.org

Thursday, October 27, 2011

1:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Anglen called the meeting to order at 1:12 p.m.

INVOCATION

Councilor Keener gave the invocation.

ROLL CALL

Present 11 - Buel Anglen; Chuck Hoskin, Jr. ; David Thornton Sr. ; Jack D. Baker; Jodie FISHINGHAWK; Tina Glory Jordan; Janelle Fullbright; Dick Lay; Lee Keener Jr.; David Walkingstick and Julia Coates

Absent 1 - Don Garvin

Late Arrival 3 - Curtis Snell; Cara Cowan Watts and Meredith Frailey

APPROVAL OF MINUTES

Councilor Jack D. Baker moved to approve the September 12th special session and the September 29th regular session minutes. Councilor Thornton seconded the motion. The motion carried.

AMEND THE AGENDA

Councilor Hoskin Jr. moved to amend the agenda to include the Tribal Council electronic equipment disposition policy and the approval of the election date for the open District 1 Tribal Council seat. Councilor Glory-Jordan seconded the motion. The motion carried.

REPORTS:

Marshal Service - Sharon Wright

Ms. Wright provided a handout supplemental report. She offered to answer questions from the reports provided.

Office of the Attorney General - Diane Hammons

Ms. Hammons reported they have been very active with the freedman cases and the election. Her written report was handed. She stated they anticipate an appeal in the District of Columbia with the dismissal of the Vann case. Councilor Glory-Jordan stated she had requested through GRA the Erica Hart report and hasn't yet received the actual report. Ms. Hammons stated she just received the report yesterday and it isn't final at this time. Councilor Glory-Jordan requested the report be shared with the entire Council. She also requested an opinion be provided on ethics point complaints.

Election Commission - Susan Plumb

Ms. Plumb provided a handout of the calendar timeline for the District 1 and 2 elections. Councilor Lay inquired if the dates the absentees were to be mailed out for the District 2 election were provided to the candidates. Ms. Plumb stated the District 1 timeline was approved in their meeting this morning. They will be requesting the Carter Commission wait to submit their report until the election cycle is complete. She stated they would also request to submit a report of their suggestions and findings to the Council for possible election law amendments when the cycle is complete.

Tax Commission - Sharon Swepston

Ms. Swepston stated she would provide a copy of her report and offered to answer questions.

Self-Governance - Vickie Hanvey

Ms. Hanvey offered to answer questions from the report provided. She reported they are working with Roads, DOI and IHS for payments through continued resolutions. She stated she would provide a summary of all of the Recovery Act funds and all required reports have been submitted. She commented she would be attending a meeting while at NCAI in regard to 477 funding and invited any Council who attends NCAI to participate.

Gaming Commission - Jamie Hummingbird

Mr. Hummingbird reported the NIGC is revising their rules and regulations with the biggest impact in the internal control structure. The hope to have all revisions complete by March of 2012. Another possible impact on Indian gaming as a whole is online or internet gaming.

Codification - Todd Hembree

Mr. Hembree stated he met with Mr. Morton. Two more titles have been checked and West Law has been contacted to request a bid. They will also check with a couple of other vendors as well. Councilor Lay inquired about a target date of completion. Mr. Hembree stated he would have more time to dedicate over the holiday season and gave a publish date of February 2012. The Codification Group will have a meeting soon to review and would extend the invitation to the Council.

Youth Leadership Council - Todd Enlow

Mr. Enlow requested the Youth Council report next month as there are several out on travel status.

Registrar Citizenship Data Update - Todd Enlow

Mr. Enlow announced their contract will be finalized and signed tomorrow at the latest with SDR. SDR will conduct the geocoding and collection for Nowata County. They have an agreement with EODD to share data and have thus far received data from Sequoyah and McIntosh counties and within forty-five days should receive the data for Adair county.

OLD BUSINESS

1. [TMP-157](#) TRIBAL COUNCIL TRAVEL EXPENSE POLICY - ANNUAL REVIEW (Discussion and Possible Action)
Councilor Cowan Watts stated an amended version has been provided. She gave an explanation of the changes provided. Councilor Cowan Watts moved to accept the amendments as provided. Councilor Jack D. Baker seconded the motion. Councilor Glory-Jordan requested a continuance for one more month to allow time to discuss an issue or recess for approximately ten minutes.

RECESS

Chair Anglen recessed the meeting at 1:56 p.m. for ten minutes.

RECONVENNE

Chair Anglen called the meeting back to order at 2:15 p.m.

- [TMP-157](#) TRIBAL COUNCIL TRAVEL EXPENSE POLICY - ANNUAL REVIEW (Discussion and Possible Action)
Councilor Glory-Jordan moved to table for one month. Councilor Thornton seconded the motion. The motion carried with Councilor Cowan Watts opposed.

NEW BUSINESS

1. [11-123](#) AN AMENDMENT TO LEGISLATIVE ACT #07-01, REQUIRING TRIBAL COUNCIL CONSENT FOR LITIGATION BROUGHT ON BEHALF OF THE CHEROKEE NATION; ADDING REQUIREMENTS FOR CONSENT OF THE TRIBAL COUNCIL TO THE SETTLEMENT OF SUCH LITIGATION
Councilor Cowan Watts moved to approve. Councilor Coates seconded the motion. Councilor Hoskin Jr. inquired as to the Attorney General's view on this Act. Mr. Hembree stated this amendment requires notice and approval from the Council prior to the settlement of litigation. Councilor Hoskin Jr. made a motion to add to Section 5B to the end "except where ratification pursuant to 5A authorizes the Principal Chief to settle the litigation without limitation." Councilor Glory-Jordan seconded the motion. After discussion was held Councilor Glory-Jordan asked the impact of Attorney

General Diane Hammons. Ms. Hammons requested time to research and provide a memo.

Councilor Glory-Jordan moved to table the amendment and the act to allow Ms. Hammons the time requested. Councilor Walkingstick seconded the motion. The motion to table carried with the following roll call vote:

Yea: 8 - Chuck Hoskin, Jr. ; Curtis Snell; David Thornton Sr. ; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay and David Walkingstick

Nay: 6 - Buel Anglen; Jack D. Baker; Cara Cowan Watts; Lee Keener Jr.; Julia Coates and Meredith Frailey

2. [11-120](#)

IMPEACHMENT SUB-COMMITTEE FORMATION

After a brief background as to why a sub-committee was suggested the following eight (8) Council members stated in a roll call vote that they wished to be a member of the sub-committee: Jodie Fishinghawk, Chuck Hoskin Jr., Tina Glory-Jordan, Lee Keener, Dick Lay, Curtis Snell, David Thornton and David Walkingstick. Mr. Hembree suggested the eight members set the first meeting date and time and then at that meeting determine a chair. Councilor Jack D. Baker made a motion that the sub-committee report back to the Rules committee at the January Rules meeting. Councilor Coates seconded the motion. Councilor Cowan Watts offered a friendly amendment that it be a standing progress report at each Rules meeting. The friendly amendment was accepted.

The motion carried for progress reports to be monthly at the Rules meeting beginning in January carried with the following roll call vote:

Yea: 9 - Buel Anglen; Chuck Hoskin, Jr. ; David Thornton Sr. ; Jack D. Baker; Cara Cowan Watts; Janelle Fullbright; Lee Keener Jr.; Julia Coates and Meredith Frailey

Nay: 5 - Curtis Snell; Jodie Fishinghawk; Tina Glory Jordan; Dick Lay and David Walkingstick

The first meeting was scheduled for November 15th at noon.

3. [LP-03-11](#)

TRIBAL COUNCIL
ELECTRONIC EQUIPMENT DISPOSITION POLICY
Effective: 10-27-2011

Ref. No.: LP-03-11

Councilor Hoskin Jr. stated this is a policy on how the Council will dispose of electronic equipment. He suggested changing the policy to include the staff. Mr. Evans gave a background for the need to develop the policy and suggested a separate policy for staff and it be companywide. Councilor Hoskin Jr. moved to accept the policy as presented. Councilor Walkingstick seconded the motion. Councilor Thornton made a motion to include the staff in the policy. The motion was accepted.

The motion carried to adopt the policy as amended.

4. DISTRICT 1 VACANT SEAT ELECTION TIMELINE

Mr. Hembree stated the approved dates of the Election Commission for the District 1 Council seat have been provided. These dates are within the ninety day constitutional requirement for the vacancy in District 1.

Councilor Glory-Jordan made a motion to accept the District 1 timeline and set the date for election of the vacant council seat on January 14th. Councilor Walkingstick seconded the motion. The motion carried.

ANNOUNCEMENTS

ADJOURNMENT

Councilor Jack D. Baker moved to adjourn. Councilor Keener seconded the motion. The motion carried at 3:00 p.m.

STAFF PRESENT:

Sharon Wright
Jamie Hummingbird

Sharon Swepston
Todd Enlow

Diane Hammons
Vickie Hanvey

VISITORS PRESENT:

Todd Hembree
Susan Plumb
Raymond Vann
Ed Crittenden
Gina Olaya

Brenda Walker
Ollie Starr
Phyllis Lay
Marilyn Vann
Cliff Wright

Curtis Rohr
Kalyn Free
Ruth Ann Weaver
Martha Calico