



Council of the Cherokee Nation

Meeting Minutes Resource Committee

Monday, March 10, 2008

4:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Snell called the meeting to order.

INVOCATION

Councilor Crittenden gave the invocation.

ROLL CALL

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

Late Arrival 1 - Meredith Frailey

Councilor Fishinghawk made a motion to amend the agenda under new business to include Ed Fite to discuss the landfill. Councilor Cowan Watts seconded the motion. Councilor Bill John Baker made a friendly amendment to allow Mr. Fite to speak before the reports. Both Councilors Fishinghawk and Cowan Watts accepted the friendly amendment. Motion carried.

APPROVAL OF MINUTES

Councilman Bill John Baker made a motion to approve the minutes of the February 11th regular session. Councilman Jack Baker seconded the motion. Motion carried.

Mr. Ed Fite announced he is one of the 3 members of the Cherokee Nation Environmental Protection Commission. He gave appreciation to the Council for the opportunity to serve. He stated he stated although the CNEPC is the regulatory environmental component of Cherokee Nation they also have an interest in seeing the Cherokee Nation flourish. He stated it seems as though there are two choices. He stated they are seeing some headway being made with some of the issues related to cleaning up the neighborhood and address some of the run off issues. Right now the Landfill has a roof line that is not one that we would have on a landfill if we were going to close it. It has valleys and depressions all over it. He stated there are at least 8 known discharge points where rainfall is hitting the landfill and running off of the landfill surface and causing sedimentation to Jenkins Creek and an adjoining land owner's pond. He stated Cherokee's now have a responsibility whether it is wanted or not. A decision must be made if the landfill remains closed dirt needs to be moved to correct the roof line and getting the final closure structure on top to be uniform to dissipate the flows of rainfall. This will cost approximately \$5 to \$10 per cubic yard. He stated it is his understanding CNB is pondering a possible inclusion of CNB to the existing permit. They want to open the landfill and fill the landfill to create the uniform roof. He stated either the Cherokee's are going to pay with no trash going into the system or they can opt to reopen the landfill and follow a well designed plan. He stated he is unaware of the shelf life of the landfill. He stated the CNEPC has no role

in the current contract issues regarding the landfill. Councilor Glory-Jordan inquired if CNB chooses to reopen the landfill that they wouldn't contract it out. Mr. Fite stated this is his understanding. He stated at the EPC meeting this month they received an application from CNB to be added to the landfill permit. Councilor Glory-Jordan inquired if one of the requirements could be within their application that they must run the landfill and not contract out. Mr. Fite stated he doesn't feel the EPC would have the authority to do this. Councilor Bill John Baker inquired if a new cell or liner is needed. Mr. Fite replied yes. He stated the ultimate goal is a uniform roof. Councilor Hoskin Jr. inquired if the Cherokee people would be better off if the landfill remains closed as is. Mr. Fite stated not in the current shape it would cause leachate problems and run off into scenic rivers. Councilor Fishinghawk inquired as to how long it would take to be in compliance. Mr. Fite stated it would be determined by the amount of effort put in. Councilor Fishinghawk inquired if it could be possible for the Council to bring forward legislation requiring all trash must be from within the Cherokee Nation jurisdictional boundaries. Speaker Frailey stated the legislation can be brought forward and presented then the body can make the decision to pass or fail.

REPORTS:

1. Natural Resources - Angela Drewes

Mr. Todd Enlow announced the Natural Resources staff has been working on cleaning up the Dorothy McIntosh Memorial Garden. They plan to plant corn near this garden as a part of the ethno botany program. They have purchased a trailer to haul leachate from the landfill. Natural Resources and Facilities have loaned their 2 best trucks to the landfill to continue the hauling. Councilor Fishinghawk inquired about the 25 year lease on the Stilwell airport being up on the 18th of May. Mr. Enlow announced he had a meeting in regard to the airport and discovered the lease was terminated with the city. The grant requirements for the airport states if it is going to require funds to make it optimal for use again then it could be formally closed. Councilor Buzzard inquired about the status of the FEMA trailers. Mr. Enlow stated several weeks ago they received a letter that until further notice they will not be distributing the trailers. He received a fax approximately a week ago stating they were doing testing on the trailer at their expense. Once a determination is made from the testing they will either release the trailers or announce other provisions. The 12 applicants to receive the trailers had been selected, Housing Rehab had already begun preparing the sites, Housing Rehab staff went and inspected each trailer, and already paid for the additional HUD label inspection.

2. Real Estate Services - Linda Donelson

Attachments: [Realty Committee Report March 2008](#)
[Realty Monthly Report March 2008](#)

Ms. Linda Donelson handed out their written report. The Park Hill Community Association has leased the Owens School property and has received some funds to begin the remodel process. She announced they have begun the scanning of an approximate 1000 documents. They have been in discussion regarding mineral leasing at Chillocco. They have received notification today that the lease at Tahlonteeskee deed has been signed. The Office of the Special Trustee will conduct a trust review beginning March 17th.

3. Roads & Transportation - Michael Lynn

Mr. Michael Lynn gave the following update of IRR roads:

- Red Barn Road – the curb and gutter are in, some of the under drain is in, they are working on the aggregate base, they have requested to go ahead and pave the first 3 miles of the project.*
- Daytown Dry Creek – Phase 1 will be complete by the end of the week*
- Twin Oaks Bull Hollow – In the final stages of design*
- Rice Woodard – beginning the attempt to relocate utilities*
- Barber – In the final design stages, waiting on easement from the BIA*
- Cedar Crest Road and Bridge – A final offer has been sent to the commissioner for the property around the bridge.*

A road dedication, community meeting and dinner was held on the Fairview Euche II project on February 26th. He announced they are working feverously on the IRR road inventory update which is due Friday of this week. They have selected two contractors as design engineers to aide in the road design and engineering. Mr. Lynn stated the met with Councilors Buzzard and Snell at the Delaware County Commissioners meeting in regard to the Stan Watie road extension. The commissioner stated he hopes to have the project complete by the end of next month. Councilor Buzzard inquired about FY08 funding being released for transit funds. Mr. Lynn stated we did not receive funds. He stated 65 tribes across the United States were awarded funds for planning or enhancement for existing services and start up for a total of \$10ml. 10 of the 65 tribes were in Oklahoma. The United Keetoowah Band received \$327,000 for a start up grant which was the largest portion in Oklahoma. Councilor Buzzard requested an inquiry be submitted to determine why the Cherokee Nation didn't receive funds.

4. Public Comments: Road Issues - Michael Lynn

5. Construction/Facilities - David Roberts

Mr. Todd Enlow reported the have selected a vendor for the Markoma project. GSE Construction began the project on the 19th of February. The septic system re bid for the pow wow grounds has been awarded to Jerry's Excavation. When this project begins in a couple of weeks the Cherokee Nation will also begin the bathroom renovations and lift station installation. The Immersion classroom parking lot bids are due this Wednesday at 10:00 a.m.

6. Environmental Programs - Tom Elkins

Attachments: [Env Prog Mar 08 Resources Monthly Report](#)

Mr. Shawn West reported in the absence of Tom Elkins. He announced at this time they are doing environmental work at the Court Mall, Supreme Court building, Court House and Jail as a part of the Brownsfield program. They are in the process of doing an environmental review on the Oaks Waste Water Treatment facility. He stated he is the contact person for the landfill in regard to the Cherokee Nation Environmental Programs and stated he would answer any questions. He stated the landfill does have some operational issues. He stated they go to the landfill at least once a week to do inspections even while closed.

OLD BUSINESS

A RESOLUITON AUTHORIZING THE BUREAU OF INDIAN AFFAIRS (BIA) TO REVISE AND UPDATE THE CHEROKEE NATION'S INVENTORY OF INDIAN RESERVATION ROADS

Sponsors: Councilor Snell

Councilor Cowan Watts moved for the approval. Councilor Garvin seconded the motion. Motion carried. Councilor Buzzard inquired if this needed to be addressed at Full Council tonight. Mr. Lynn replied it did the deadline is this Friday.

NEW BUSINESS

A RESOLUTION FOR ACCESS & UTILITY EASEMENTS AND SERVICE LINE AGREEMENTS OVER, IN AND UPON U.S.A. IN TRUST LAND FOR THE CHEROKEE NATION IN ROGERS COUNTY OKLAHOMA A.K.A. CHEROKEE CASINO CATOOSA PROPERTY

Sponsors: Councilor Snell

Councilor Cowan Watts made a motion for approval. Councilor Anglen seconded the motion. Motion carried.

A RESOLUTION AUTHORIZING APPROVAL OF LAND ASSIGNMENT TO TIBBS FAMILY TRUST FOR ONE ACRE, KNOWN AS SUNSET GARDENS (TIBBS) CEMETERY, AND QUIT CLAIM DEED TO RECORD OWNERS OF PROPERTY NOT CONTAINING THE CEMETERY

Sponsors: Councilor Snell

Councilor Bill John Baker made a motion for approval. Councilor Crittenden seconded the motion. Motion carried.

ANNOUNCEMENTS

None

ADJOURNMENT

Councilor Garvin made a motion to adjourn. Councilor Anglen seconded the motion. Motion carried at 5:20 p.m.

STAFF PRESENT:

<i>David Justice</i>	<i>Todd Enlow</i>	<i>Angela Drewes</i>
<i>Charlie Soap</i>	<i>Linda Donelson</i>	<i>Michael Lynn</i>
<i>Shawn West</i>		

VISITORS PRESENT:

<i>Todd Hembree</i>	<i>Ed Fite</i>	<i>Mike Miller</i>
<i>Shirley Crowder</i>		

APPROVAL / DISTRIBUTION

Todd Hembree	Ed Fite	Mike Miller
Shirley Crowder		