



Council of the Cherokee Nation

Meeting Minutes Resource Committee

Monday, August 10, 2009

4:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Snell called the meeting to order at 4:09 p.m.

INVOCATION

Councilor Hoskin Jr. gave the invocation.

ROLL CALL

Ex - Officio member John Masters was in attendance.

Present 15 - Bill John Baker; Don Garvin; Meredith Frailey; 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 2 - S. Joe Crittenden and David Thornton Sr.

APPROVAL OF MINUTES

Councilor Cobb made a motion to approve the June 15th and July 13th regular session minutes. Councilor Garvin seconded the motion. Motion carried.

REPORTS:

1. Management Resources - Angela Drewes

Ms. Drewes offered to answer questions from the report provided. She announced a supplemental card had been sent out regarding the hunting and fishing. They have received numerous calls inquiring if they understood the information correctly. They are re-enforcing the idea that we believe tribal members can hunt and fish on tribal lands within our jurisdiction but there is a chance of being ticketed. They are still looking for a test case to take to court. Councilor Coates inquired what would happen to the person ticketed if the test case didn't go in our favor. She further inquired if the rules also apply to residents of other States who are tribal citizens hunting within Cherokee Nation jurisdiction. Ms. Drewes stated as long as the non residents are hunting in Oklahoma and have their blue card they would receive the same privileges as an Oklahoma resident tribal member. She suggested consulting further with Attorney General Hammons to confirm. If the test case went poorly they have been discussing paying the court costs. She once again suggested consulting with the Attorney General to confirm. Councilor Glory-Jordan voiced concern that

their may be numerous test cases once deer season opens. She suggested actually creating a test case and moving forward. Ms. Drewes said she would voice the concerns with the Administration. Councilor Thornton stated he has also received phone calls and made sure they understood to be on tribal lands before fishing or hunting and follow the State regulations. He offered to be the test case in regard to fishing on the Illinois River. Councilor Crittenden voiced concern for the warning on the cards mailed out be in small writing on the bottom of the card. Ms. Drewes suggested the possibility of another public service announcement and offered to speak with the Administration and the Attorney General.

2. Real Estate Services - Linda Donelson

Ms. Donelson offered to answer questions from her report. She announced she would be requesting Councilor Glory-Jordan withdraw the Lindmark lease resolution until the situation is resolved. Councilor Anglen inquired as to the status of the Ramona property. Ms. Donelson stated the lease went to the BIA in August of 2008 for approval. Once they reviewed it and approved the environmental portion it was forwarded to the Central Office in Washington D.C. for the casino lease approval process. A couple of months ago they requested verification again that the land owners are restricted Indians. They haven't received any additional information since the land owner information was provided. Councilor Glory-Jordan inquired if on the trespass cases we had contracted the trust responsibility from the BIA on the restricted land. Ms. Donelson stated we did. Councilor Glory-Jordan inquired what the consequence would be if the case went fifteen years or more. Ms. Donelson stated they could become adverse possession. Councilor Glory-Jordan inquired if we could be setting our self up for a law suit if we fail to do this contracted function. Ms. Donelson stated when the issue arises they notify the Bureau and the Solicitors Office. Councilor Glory-Jordan requested within the next couple of months the amount of funding that would be needed for emergency surveys. Councilor Buzzard inquired if the Realty Department has an accounting of all restricted land. Ms. Donelson stated this is a difficult situation. She stated it constantly changes when it goes through probate the restricted status is lost. Councilor Buzzard voiced concern for the loss of restricted land. He stated we don't seem to be proactive in this area. He suggested sending letters to the restricted land owners notifying them the Cherokee Nation would be interested in purchasing the property if ever available. Ms. Donelson stated when the tribe buys restricted land it would loose restricted status but could become trust land. Councilor Fishinghawk requested a status update on the logging case. Ms. Donelson stated the Solicitor requested it go to the BIA first for their recommendation. It is still with the BIA for a decision. Councilor Glory-Jordan suggested the Cherokee Nation bid on the restricted land once they receive notification of the probate. Ms. Donelson offered to provide the information to the Council upon them receiving notification. Councilor Hoskin Jr. inquired if the Five Civilized Tribe Land Reform Act in regard to blood quantum adjustments was pending in Congress. Ms. Donelson stated at this time it is sitting idle. She stated there is talk that this may be a good time to bring it forward with the new Administration in place.

3. Environmental Programs - Tom Elkins

Mr. Elkins suggested everyone go by and see the Saline Courthouse. The painting should start this week. He announced they received notification two of the five proposed projects submitted for Department of Energy funds for EECBG totaling \$3.2ml came back non approved. These two projects were to buy equipment for the compressed natural gas facilities. They are now looking at doing another natural gas site in Roland along with some building retrofits. He offered to mail a new updated list of the projects. The natural gas facilities aren't necessarily for a profit but for

emissions. Councilor Buzzard inquired when the funds would be available to redo the Kenwood water system. Mr. Elkins stated the funds should be available prior to the first of October.

OLD BUSINESS

Councilor Cowan Watts made a motion to amend the agenda to include an environmental resolution pertaining to Section 103 funding and forward to Council tonight upon approval. Councilor Anglen seconded the motion. Motion carried.

- 1. A RESOLUTION AUTHORIZING CHEROKEE NATION TO LEASE TRUST LAND TO LINDMARK OUTDOOR ADVERTISING

Sponsors: Councilor Bill John Baker and Councilor Cara Cowan Watts

Councilor Bill John Baker withdrew this resolution.

NEW BUSINESS

- 1. A RESOLUTION AUTHORIZING THE ENVIRONMENTAL PROGRAMS GROUP TO SUBMIT AN APPLICATION TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY FOR CLEAN AIR ACT SECTION 103 INDOOR ENVIRONMENTAL FUNDING

Sponsors: Councilor Cara Cowan Watts

Mr. Elkins announced this is a grant to the EPA for an indoor air program that complements the current programs. The grant is for \$500,000 for four years.

Councilor Garvin made a motion to approve and forward to the Council meeting tonight. Councilor Thornton seconded the motion. Motion carried.

ANNOUNCEMENTS

ADJOURNMENT

Councilor Bill John Baker made a motion to adjourn. Councilor Cowan Watts seconded the motion. Motion carried at 4:50 p.m.

STAFF PRESENT:

Angela Drewes Linda Donelson Tom Elkins

VISITORS PRESENT:

Shirley Crowder

APPROVAL / DISTRIBUTION

Minutes submitted by: Shelli Brittain, Legal & Legislative Coordinator

Motion to approve minutes made by: Jack D. Baker

Minutes attested and concurred by: Curtis S. Anell

Date: 9-14-09