

**EXECUTIVE & FINANCE COMMITTEE
LEGISLATIVE CONFERENCE ROOM**

May 29, 2008

3:45 p.m.

STANDING COMMITTEE: Executive & Finance

COMMITTEE PRESIDED BY: Jack D. Baker, Chair

COMMITTEE MEMBERS PRESENT:

| | | |
|--------------------------|----------------------------|---------------------------|
| Jack D. Baker | Don Garvin | Bill John Baker |
| Curtis Snell | Tina Glory-Jordan | Meredith Frailey |
| Chuck Hoskin, Jr. | Brad Cobb | Jodie Fishinghawk* |
| Joe Crittenden | Chris Soap | |
| Cara Cowan Watts | Janelle Fullbright | |
| Buel Anglen | David Thornton, Sr. | |

*** Entered after roll call**

COMMITTEE MEMBERS ABSENT:

Harley Buzzard Julia Coates

STAFF PRESENT:

| | | |
|------------------------|---------------------|-------------------------|
| Callie Catcher | Doug Evans | Chief Chad Smith |
| Darlene Foreman | Anna Knight | Diane Hammons |
| Melanie Knight | Ginger Brown | Jon Overacker |
| Diane Kelley | Donna Tinnin | Shay Smith |

VISITORS:

| | | |
|------------------------|------------------------|-----------------------|
| David Stewart | Guy Wolcott | Brent Thompson |
| Molly Jarvis | Charles Dry | Brad Carson |
| Shawn Slaton | Dennis McLemore | Mike Miller |
| Emily Bushyhead | Robert Drvostep | |

QUORUM ESTABLISHED: Yes

LEGISLATION: Yes

MINUTES: See Attached

**EXECUTIVE & FINANCE COMMITTEE
LEGISLATIVE CONFERENCE ROOM
May 29, 2008
3:45 p.m.**

CALL TO ORDER:

Chair Jack Baker called the meeting to order at 3:45 p.m. Councilor Garvin gave the invocation. Roll was called and a quorum was established.

APPROVAL OF MINUTES:

Councilor Frailey moved for the approval of the minutes of the April 24th regular session. Councilor Cowan Watts seconded the motion. Motion carried.

REPORTS:

Financial Report/Treasurer Report: Callie Catcher provided a written report.

Cherokee Nation Enterprise: Mr. Stewart gave a brief financial report. He told that revenue was 37.5 million for April down from March but the highest April ever. He also reported that 58% Cherokee employment, and that employment turn over down was down from 45% to 35%. Executive development program is to train Cherokee employees to be able take higher management rolls. Primary goal in the executive succession program is to ensure we are successful in filling gaps that they may have in there executive talents. He provided a hand out graphics of the program. Participants of the program include; Molly Jarvis, Mary Glabrith, Steven Bilby, Bob Thomas, Ken Holloway, Tony Armstrong, Scott Knowles, Shawn Walkingstick and Jason Lowery. There are 31 people in the program at this time. He stated he would bring more to a future meeting. He stated there are 2 groups in the executive management program and 1 group in the middle management program. He announced they are in discussions with the Choctaws in regard to purchasing Blue Ribbon Downs. Mr. Stewart stated if the property is purchased the games within the facility would be moved to Will Rogers Downs. He stated they are discussing the best use for the facility with the racing commission. Chair Jack Baker gave appreciation for the meetings last month with the TERO staff and FLINTCO.

Cherokee Nation Industries: Mr. Dennis McLemore announced they had \$12.4ml in accounts receivable for March, \$9.1ml in net inventory, \$10ml in accounts payable and equity of \$20.6ml. Their year to date revenue is at \$19.6ml thru March with an operating loss of \$844,000. For the month of March they had \$7.1ml in sales and a net income of \$160,000. Mr. Doug Evans asked about the rationality of the board approving the budget at an operating loss. Mr. Bob Drvostep, CNI's CFO, stated the budget reflected actual information thru March. The updated budget is forecasted to be \$88.3 million revenue, pre tax income is a profit of \$680,000 for the year.

Cherokee Nation Business: Mr. Brad Carson provided consolidated numbers for April as \$8.6ml in net income, combined year end profits of \$64.2ml and the Thornton's monthly request of cash in the bank for CNB for a total in cash holdings of \$90.6 million.

Cherokee National Historical Society: On agenda in error voted last for them to report ever 3 months. They will report next month.

Career Services/Employment: Diana Kelley provided handouts of information given by the state board of regents. She gave an update on the AERT project in Adair County by stating they are approximately 4 months behind because of delays with permits. They hope to open in February of 2009. She announced they coordinated a prospective employment package for a calazone company looking to possible locate in Adair County. Ms. Kelley announced Wynetta Sanders is retiring and Brenda Fitzgerald and Melanie Dodge will be picking up the responsibility until someone is hired. Summer youth applications are still being accepted. Councilor Glory-Jordan announced she and Councilor Bill John Baker are having a community meeting on June 17 at 6 p.m. and requested Ms. Kelley's group attend. Councilor Hoskin Jr. wanted to express his appreciation for the community meetings and the summer youth program. Will have 10 summer youth interns to begin next week. Kelley received economic development award. Bill John Baker received a heritage award also. Councilor Joe Crittenden expressed his appreciation for the support that was given on the tour.

Commerce: Ann Knight submitted a written report. She introduced Janet Vann who is staffing the Claremore office and Donna Tinnin as the new Community Tourism coordinator.

CEMETERY RESTORATION ASSISTANCE APPLICATIONS:

Chair Baker pointed out the handout showing some councilors over budget and with additional requests other Councilors will be as well. Chair Baker suggested reallocating funds between Councilors, appropriate additional funds, or deny additional requests for these Councilors. Councilor Fishinghawk made a motion to place additional funds in the cemetery fund. Councilor Hoskin Jr. suggested putting funds where there is a need now. Mr. Todd Hembree stated in the creation of this Act it was specific that a finite amount of funds equally divided between the Councilors. He stated he would hesitate to place more funds in the program. He suggested the Councilors visit among them and determine if they will or won't use all of their funds and reallocate between themselves. Councilor Soap offered to donate an unknown portion of his funds. He stated he did receive confirmation that the Gray Cemetery is in Cherokee County and would like for it to be placed in the appropriate place. Councilor Frailey agreed to donate as well. Councilor Bill John Baker stated there are 4 applicants today for Cherokee County plus the correction for Gray Cemetery. Councilor Thornton motioned to reallocate funds between the Council members on a month by month basis until all funds are expended. Councilor Cowan Watts seconded the motion and requested clarification that is an equal amount coming from the Councilors. Mr. Doug Evans stated this will rectify the situation with the 2 Councilors this month. He stated in the past the cemetery applications have not been included in the budget mod or his memo. He recommended this be treated like the other consent items and go through the mod package and provide controls on the program. Chair Jack Baker directed Mr. Evans to treat this program as the other consent items. Councilor Bill John Baker requested clarification if the motion is just to bring those in the negative back to a zero balance and not fund additional requests or if it is to cover all requests today. Councilor Cowan Watts stated she would agree to fund the applications today but is unsure if she could support the effort again next month. Councilor Crittenden stated in the past years if funding wasn't there the applications were placed on hold until additional funding was received. Mr. Evans stated this is not a reoccurring program. He stated District 1 and 2 will have zero balances after the reallocation of funds from other Councilors. Motion carried.

Councilor Bill John Baker moved to approve Hicks, Agent, Pumpkin Center, Manus cemeteries in District 1 and take Gray Cemetery from District 6. Councilor Glory-Jordan seconded the motion. Motion carried. Councilor Fishinghawk moved for the approval of the Neugin cemetery in District 2. Councilor Crittenden seconded the motion. Motion carried. Councilor Snell made a motion to approve Euwasha and Sycamore Springs cemeteries in District 5. Councilor Soap seconded the motion. Councilor Frailey made a motion to approve Beaver cemetery in District 6. Councilor Garvin seconded the motion. Motion carried. Councilor Anglen made a motion for the approval of Victory and Charley Indian cemeteries in District 8. Councilor Garvin seconded the motion. Motion carried. Councilor Hoskin Jr. stated the Family Finders Genealogy Club is actually the Nowata Relocated Cemetery. He made a motion for the approval of this cemetery as well as the Russell Creek cemetery in District 9. Councilor Bill John Baker seconded the motion. Motion carried.

T.E.R.O CERTIFICATIONS:

Chair Baker stated the TERO certification list handed out today included the tribal affiliation of the vendor. Councilor Cowan Watts moved to accept the list as presented. Councilor Garvin seconded the motion. Motion carried.

ROADS

Councilor Cowan Watts moved to approve with the addition. Councilor Anglen seconded the motion. Motion carried.

COMMUNITY ASSISTANCE:

Councilor Glory-Jordan requested the addition of the Oklahoma Boomers which was inadvertently left off in the amount of \$500 split between herself and Councilor Bill John Baker. Councilor Cowan Watts moved for approval with the addition. Councilor Anglen seconded the motion. Motion carried.

LAW ENFORCEMENT:

Councilor Cowan Watts moved to approve this list provided. Councilor Anglen seconded the motion. Councilor Hoskin Jr. requested a change that the Craig County Sheriff's Department should be reserve vehicle repair and not equipment/maintenance for reserves. Motion carried.

OLD BUSINESS:

None.

NEW BUSINESS:

Councilor Frailey made a motion to amend the agenda to include a resolution in regard to financial depositories for the Cherokee Nation. Councilor Cowan Watts seconded the motion. Motion carried.

Councilor Glory-Jordan stated last month she was requested to develop generic guidelines for the community meetings. She stated she and Mr. Hembree have developed these and inquired if it needed to be added to the agenda. Mr. Hembree stated it didn't need to be added to the agenda the guidelines are complete and available here at the Council House. He

read the guidelines for district community meetings using Cherokee Nation funds into the record as follows: 1) all funds must be expended for items directly related to the meetings. 2) an itemized statement must be given to the Council staff showing how any funds were expended. This statement must include accurate receipts or documentation this statement must be available for public inspection. This statement must be provided to the Council staff within 30 days after the event. 3) Community meetings must be held within the district in which the councilor is seated. 4) Community meetings using the funds may not be held after January 1 of any election year until said election cycle is complete. Councilor Glory-Jordan inquired if this should be included as a consent item on the agenda. Mr. Evans stated the recipient is stated in the law and the purpose is defined with these guidelines. He questioned if there is actually a need for an actual vote for consent or is this simply a reporting item. Mr. Hembree stated this should be just a reporting item the funds have already been appropriated. Mr. Evans stated he would include the information in his monthly memo.

1. Former Chief Grave Marker Funding Request. Mr. Evans stated the estimates provided by Dr. Gloria Sly for the Chief's markers and historic markers total \$25,950. He stated the general fund would be appropriate funding source. Councilor Cowan Watts moved for the approval. Councilor Bill John Baker seconded the motion.
2. Cherokee Artist Association Funding Request. Councilor Cowan Watts moved to table. Councilor Anglen seconded the motion. Motion carried with Councilor Bill John Baker opposed.

Councilor Crittenden requested to add a community assistance request for the Stilwell Senior Housing in the amount of \$1,000 total split from himself and Councilor Fishinghawk. Chair stated he would allow the request this time but would prefer for it to be handled during the community assistance section of the agenda. Councilor Cowan Watts seconded the motion. Motion carried.

3. An Act Amending Legislative Act #37-07 Authorizing the Comprehensive Budget for Fiscal Year 2008 – Mod. 8; and Declaring an Emergency. Councilor Cowan Watts moved for the approval. Councilor Crittenden seconded the motion. Motion carried. Mr. Evans stated there is one item he wanted to ensure everyone was aware of on the Gammon Trust.
4. A Resolution Authorizing the Financial Depositories. Councilor Garvin moved for the approval. Councilor Frailey seconded the motion. Motion carried.

ANNOUNCEMENTS:

Chair Baker announced the next meeting is tentatively scheduled for June 16th at 3:00 p.m.

Councilor Frailey announced Gayle has new community assistance forms. She stated the accounting department has requested the proof the applicants are 51%.

ADJOURNMENT:

Councilor Garvin moved for adjournment. Councilor Crittenden seconded the motion. Motion carried at 5:00 p.m.

APPROVAL / DISTRIBUTION:

Minutes submitted by: Shelli Brittain, Legal & Legislative Coordinator

Motion to approve minutes made by: Bill John Baker

Minutes attested and concurred by: Jack O Baker

Date: 6/26/08