



Council of the Cherokee Nation

Tribal Council Minutes

Tribal Council

Monday, January 12, 2009

6:00 PM

Council Chambers

CALL TO ORDER

Speaker Meredith Frailey called the meeting to order at 6:00 p.m.

INVOCATION

Councilor Snell gave the invocation.

ROLL CALL

Present 17 - S. Joe Crittenden; David Thornton Sr. ; 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. ; Julia Coates and Bill John Baker

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Councilor Anglen made a motion to approve the December 15, 2008 regular session minutes. Councilor Bill John Baker seconded the motion. Motion carried.

STATE OF THE NATION

Secretary of State, Melanie Knight gave the State of the Nation address in the absence of both Principal Chief Chad Smith and Deputy Chief Joe Grayson. Ms. Knight announced Chief Smith had prepared a video covering some issues for our viewing. In Chief Smith's video message he stated he was in San Jose, California to visit Apple Computers. He along with members of the Education, Language and Leadership staff met with top officials of Apple Company in regard to furthering our language initiative. Chief Smith stated years ago it was determined in the Cherokee Nation to have a presence in Washington. If we are not in Washington we are invisible. He stated we must be there to speak for our people. With the new Administration we have a new opportunity to set policy and get things done for Cherokee Nation and Indian Country. However this can not be done if we are not at the table with a presence in Washington. He stated we contributed through CNB to the inauguration not to a political campaign. It is a sponsorship for the inauguration and this sponsorship would of been made regardless of who was elected President. He stated we do many sponsorship and contributions to social, civic and political groups. The Council months ago during the budget process decided as a body to attend the inauguration. Most recently sixteen of seventeen Council members committed to go to Washington and obligated funds for hotels and event attendance. Chief Smith stated he fully supports the Council going to represent us. Chief Smith spoke of the University of Oklahoma's loss to Florida and the leadership of Sam Bradford a Cherokee citizen. To capture the moment and show support of Sam Bradford a T-shirt was printed and published. The front of this congratulatory T-shirt had OU in the Cherokee language with Cherokee Nation written on the bottom. The back of the shirt had our seal, his number, his name in Cherokee, and the phrase

"Lead by Example". This is what we value, his leadership is quiet and unassuming but he leads by example. This is the kind of leadership we have historically had and want to continue to see among our youth. He stated they took 500 shirts to Miami and gave them to Cherokee staff and the shirts left over were given to Cherokee OU fans going to the game so there would be a presence of support. They have received hundreds of calls and emails from across the Country wanting to know how to get a shirt. CNE and CNB are working with the licensing department at the University of Oklahoma to get a license for the shirt to place on the web site to sell and perhaps contribute the proceeds to a leadership fund. He stated this shows evidence of a great hunger for leadership in Indian Country and within the Cherokee Nation. This is a challenge for each of us as elected officials, as community people, as family members to assert that leadership.

Secretary of State Knight acknowledged the Youth Council members present. Ms. Knight took a moment to recognize the fellow loved ones, friends and citizens who we have lost over the last month as Mary McNeil, Francis Ballard, Lucy Jane Hillman Ford, Sean Grayson, James Oosawhee, Marilyn Cochran, Lizzie Duncan, Mae Jean Kitchen, Shawn Moore, Jeffery Hogner, Lillie Grass, Henry Soap, Reverend John Hummingbird, Elizabeth Sullivan, Mr. McConnell and Nancy Sawney. Ms. Knight stated she was privileged to be able to give the Ga Du Gi Award in the absence of Principal Chief Smith. Ga Du Gi in Cherokee is the coming together and working for the benefit of all. It is a Cherokee tradition and remains an integral part of our Cherokee make up that we practice everyday in our communities. She requested District 8 Councilors Dr. Brad Cobb and Buel Anglen to assist in honoring Lahoma Wilson and Michelle Hamilton with the Ga Du Gi Award. Cherokee Warriors honored this month are all members of the Rohr family; Colby G. Rohr, Chad A. Rohr, Curtis L. Rohr, Robert W. Rohr, Arlen W. Rohr and Shannon W. Rohr. Ms. Knight announced the Cherokee Nation received a certificate of excellence from the Oklahoma Turning Point Council who recognize business who provide health and wellness opportunities to employees that improve Oklahoma's health status. Cherokee Nation's W.W. Hastings Hospital is getting a face lift that will include new equipment and furniture. These improvements will give doctors and staff updated equipment and help patients and staff feel more comfortable. The Cherokee Nation's Environmental Program is working with the EPA in a National campaign to educate Americans about the dangers of radon exposure. They will be providing radon test kits to families in the Cherokee Nation as part of the National Radon Action Month. The Cherokee Nation is planning on the construction of a Veterans Center and are currently looking for volunteers. The Cherokee Casino's employees donated \$700 in gift cards to the Cherokee Elder Care Program. Cherokee Casino West Siloam Springs delivered two new Dell computers to Mosely Public School and \$2,500 for computer software. Our award winning Cherokee National Youth Choir will hold auditions for the upcoming year tomorrow here in the Council Chambers. Hastings Hospital will be hosting a Men's Health Fair on Friday, January 16th. Sequoyah Schools will again participate in a Nation wide breast cancer awareness event "Think Pink" at the January 31st basketball game. All proceeds from the game will benefit a local breast cancer charity. If there is someone you wish to honor at the game please contact Tera Shows. Cherokee Nation's Behavioral Health Staff will be hosting several watch parties for the national showing of a 30 minutes documentary "Crystal Darkness". The documentary focuses on how community members can work together to fight back against the use of meth and other drugs. Ms. Knight gave congratulations to Jamie Hummingbird for recently being named one of the Global Gaming Businesses Top 25 People to Watch.

ACTION OF UNFINISHED BUSINESS

None pending.

COMMITTEE REPORTS

Monthly Reports:

Housing Authority - David Southerland

Mr. Southerland announced the board meeting will be on the 20th at 5:30 p.m. with a light agenda. They should be receiving premium information from Ameron on the Community Shield Program any time. There are 2,300 Cherokee families participating in the program at this time. The Southern Plains Indian Housing Association winter meeting is next Tuesday and Wednesday in Oklahoma City. The auditors are back this week. They expect the final audit by months end.

Cherokee Nation Enterprises - David Stewart

Mr. Stewart announced the year to date operating results although similar to last year are significantly behind budget. West Siloam Springs opened in November and has shown good operating results. Phase II of the project is underway and being re-bid in an attempt to reduce construction cost. The Catoosa hotel is projected to open in April. The concert hall will be re-bid as well to try to save construction cost. The employee count is at 3,500 with 60% Cherokee and 70% Native. The credit line is at \$16ml with \$10ml for the landfill, approximately \$2ml to CNI for operating capitol and approximately \$4ml for CNE's construction cost.

Cherokee Nation Business, Inc - David Stewart

Mr. Stewart announced he has met with the management team since taking over the Chief Executive roll to make a smooth transition. He expressed well wishes to Brad Carson as he departs to Iraq. The construction at the landfill is ongoing and is expected to be open in March. They are focusing on governance issues with regard to their investments to ensure the proper controls are in place.

Councilor Fishinghawk gave appreciation to Mr. Stewart for taking care of the Landfill. She stated the employment is 100% Cherokee at the landfill.

Cherokee Nation Industries - Bryan Collins

Mr. Collins announced the current employment at CNI is 431 with 87% Native American employment. The financial for December are not complete at this time. He announced they received two letters of intent today for construction jobs. The first is for the East Central Oklahoma Electric Coop. They are adding a 22,000 square foot headquarters and remodeling a 30,000 square foot existing building for a \$5ml contract. They hope to begin construction in March. The second project is a 300 unit apartment complex in Oklahoma City. This is a HUD contract in the amount of \$16.7ml which is also slated to begin in March. Their board meeting is scheduled for the 26th at 2:00 p.m. in Tulsa.

Speaker Frailey inquired if CNI is the general contractor for these projects. Mr. Collins replied they are the prime general contractor on both projects.

OLD BUSINESS

None pending.

NEW BUSINESS

Health Committee

1. **A RESOLUTION SUPPORTING AND ENDORSING THE CHEROKEE NATION HEALTH CAPITAL IMPROVEMENT PLAN**

Councilor Cobb stated the Cherokee Nation Health Services has completed a 15 year long range plan in 2001 that addressed expansion of the Cherokee Nation Health System. The long range plan was updated in 2005 and 2006. This resolution states the Council strongly supports and endorses the updates to the plan made in 2006.

Councilor Cobb moved for the approval. Councilor Fullbright seconded the motion. Motion carried unanimously.

Enactment No: R-01-09

Rules Committee

2. **A RESOLUTION IN SUPPORT OF DEVELOPMENT OF A CHEROKEE NATION CHILD ABDUCTION RESPONSE TEAM**

Councilor Soap announced this is a resolution in support of the development of a CART program which is a Child Abduction Response Team.

Councilor Soap moved for the approval. Councilor Cowan Watts seconded the motion. Motion carried unanimously.

Enactment No: R-02-09
3. **A RESOLUTION RATIFYING FILING LITIGATION IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO FOR CLAIMS PURSUANT TO THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT**

Speaker Frailey announced the purpose of this resolution is to authorize litigation to be brought on behalf of the Cherokee Nation as a result of a ruling by the U.S. District Court for the District of Colorado. The courts ruling changes the formula for receiving funds under the 1937 Housing Act for housing needs, maintenance and operation of low rent and mutual help units. This change may severely impact the Cherokee Nations allocation of housing block funds therefore to help avoid any negative impact on our future funding we should consider the approval of this resolution.

Councilor Hoskin Jr. moved for the approval. Councilor Cowan Watts seconded the motion. Motion carried unanimously.

Enactment No: R-03-09

A motion was made by Councilor Tina Glory Jordan, seconded by Councilor Bradley Cobb, that Resolutions 4 through 11 be Approved in toto. The motion carried unanimously by consent.

4. **A RESOLUTION CONFIRMING THE NOMINATION OF JENNIFER BARGER JOHNSON AS A COMMISSIONER OF THE CHEROKEE NATION GAMING COMMISSION**
This matter was Approved in toto
Enactment No: R-04-09
5. **A RESOLUTION CONFIRMING THE NOMINATION OF JAY HANNAH BOARD MEMBER OF THE CHEROKEE NATION ENTERPRISES BOARD OF DIRECTORS**
This matter was Approved in toto
Enactment No: R-05-09
6. **A RESOLUTION CONFIRMING THE RENOMINATION OF MICHAEL C. WEBBER AS A BOARD MEMBER OF THE CHEROKEE NATION ENTERPRISES, INC. BOARD OF DIRECTORS**
This matter was Approved in toto
Enactment No: R-06-09
7. **A RESOLUTION CONFIRMING THE RENOMINATION OF DAVID TIPPECONNIC AS A BOARD MEMBER OF THE CHEROKEE NATION ENTERPRISES, INC. BOARD OF DIRECTORS**
This matter was Approved in toto
Enactment No: R-07-09
8. **A RESOLUTION CONFIRMING THE RENOMINATION OF WARREN ROSS AS A BOARD MEMBER OF THE CHEROKEE NATION INDUSTRIES, INC. BOARD OF DIRECTORS**
This matter was Approved in toto
Enactment No: R-08-09
9. **A RESOLUTION CONFIRMING THE RENOMINATION OF CHARLES PLUNKETT AS A BOARD MEMBER OF THE CHEROKEE NATION INDUSTRIES, INC. BOARD OF DIRECTORS**
This matter was Approved in toto
Enactment No: R-09-09

10. **A RESOLUTION CONFIRMING THE RENOMINATION OF DAVID BALLEW AS A BOARD MEMBER OF THE CHEROKEE NATION INDUSTRIES, INC. BOARD OF DIRECTORS**

This matter was Approved in toto

Enactment No: R-10-09

11. **A RESOLUTION CONFIRMING THE RENOMINATION OF JAY HANNAH AS A BOARD MEMBER OF THE CHEROKEE NATION BUSINESSES, LLC. BOARD OF DIRECTORS**

This matter was Approved in toto

Enactment No: R-11-09

Executive and Finance Committee

12. **AN ACT AMENDING LEGISLATIVE ACT #19-08 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2009 - MOD 3; AND DECLARING AN EMERGENCY**

Councilor Jack Baker announced mod 3 of the fiscal year 2009 shows an increase in the motor fuels tax of \$2ml which \$200,000 goes to minor emergency repairs and \$1.8ml goes to higher education scholarships. The mod also provides for a health care discretionary funding increase of \$100,000, a cash match for grants of \$393,000 for grants received for a total budget authority of \$499ml for the Cherokee Nation.

Councilor Jack Baker made a motion to approval. Councilor Cowan Watts seconded the motion. Motion carried by acclimation.

Enactment No: LA-01-09

ANNOUNCEMENTS

Councilor Garvin encouraged everyone to watch the documentary tomorrow night.

Youth Councilor J.C. Lowe announced they would be hosting a 3 on 3 tournament on Saturday, January 24th in the Old SHS gym. For information contact Reba Bruner.

Councilor Hoskin Jr. acknowledged the Youth Council held their monthly meeting in his community this past weekend.

ADJOURNMENT

Councilor Bill John Baker made a motion to adjourn. Councilor Jack Baker seconded the motion. Motion carried at 6:38 p.m.


Meredith A. Frailey, Speaker
Council of the Cherokee Nation