



Council of the Cherokee Nation

Meeting Minutes Community Services Committee

Monday, October 19, 2009

1:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Buzzard called the meeting to order at 1:07 p.m.

INVOCATION

Councilor Soap gave the invocation.

ROLL CALL

Councilor Hoskin Jr. was present but doesn't serve on this committee.

Present 10 - Bill John Baker; David Thornton Sr. ; Meredith Frailey; Buel Anglen; Jack D. Baker; Tina Glory Jordan; Harley Buzzard; Curtis Snell; Chris Soap and Julia Coates

Absent 1 - Jodie Fishinghawk

Late Arrival 5 - S. Joe Crittenden; Don Garvin; Cara Cowan Watts; Janelle Fullbright and Bradley Cobb

APPROVAL OF MINUTES

Councilor Thornton made a motion to approve the September 15th regular session minutes. Councilor Bill John Baker seconded the motion. Motion carried.

Councilor Bill John Baker made a motion to amend the agenda to include a resolution ratifying the agreement with the United States of America, Department of Transportation, Indian Reservation and Roads Program. Councilor Thornton seconded the motion. Motion carried. Chair Buzzard announced this would be item 2 under new business.

REPORTS:

1. Human Services Department - Norman Merriman

Ms. Merriman offered to answer questions from her written report. Councilor Glory-Jordan inquired if the child support offices are going regional. Ms. Merriman stated they will have satellite offices in Sallisaw and Claremore. Councilor Bill John Baker requested attendance from the Human Services Department at the District 1

community meeting tomorrow night. Ms. Merriman announced they will send out letters on October 23rd to last year's LIHEAP participants over 60 years of age and those under 60 years of age with disabilities. The week of November 9th they will begin taking applications for wood and propane from those people. She stated she would provide more details as they become available. Councilor Glory-Jordan requested a copy of the letter regarding LIHEAP information be emailed to her to allow her the ability to announce to everyone at the community meeting.

2. Community Services - Charlie Soap

Mr. Soap offered to answer questions from his report. Chair Buzzard stated a water board meeting will be held in Jay tonight for the rural water district. He requested someone to attend that could provide an update on the Ross Acres water line and Bradley water line. Mr. Soap stated someone would be in attendance. Councilor Glory-Jordan requested someone from COTTA attend the community meeting tomorrow night for questions.

3. Roads & Transportation - Michael Lynn

Mr. Lynn offered to answer questions from his report. Councilor Snell inquired about the Blackfox properties water issues. Mr. Lynn stated they are in the process of fencing an area on that project. He stated they anticipate doing something to correct the water issues. Chair Buzzard requested Mr. Lynn provide an update on the re-surfacing. Mr. Lynn stated they have looked at alternatives to the overlay. One of the alternatives is a mill and fill which is milling out a certain portion and filling it back with asphalt. They are looking at recycling on some projects and a micro surface on a project. The micro surface is a ¾ of an inch thick layer of asphalt which is considerably more cost effective than the 2 inch lift of conventional asphalt. They hope to save funds to utilize on the Nicutt South project which didn't have adequate funding to fund 100% through stimulus. They were anticipating having to use their regular program dollars. They currently have two stimulus projects out to bid. A pre bid meeting was held on the 14th and have 12 plan holders. The pre bid meetings were mandatory to notify them of the Stimulus requirements. Nine companies attended the mandatory meeting and will be the only ones eligible to bid on the projects. Councilor Glory-Jordan inquired as to which two roads this applies. Mr. Lynn stated Rice-Woodard and Greasy. Mr. Doug Evans commented he noticed some of the economic stimulus funding for roads is being shifted from the funding source of the Department of the Interior to Federal other. He inquired if there is anything the Council needed to be briefed on and further inquired if we should expect to see the current compact dollars shift as well. Mr. Lynn stated that is correct and is in relation to the resolution Councilor Baker amended the agenda to consider.

4. Public Comments: Road Issues - Michael Lynn

5. Housing Services - David Southerland

Ms. Sharon Lay offered to answer questions from Mr. Southerland's report. Councilor Glory-Jordan requested attendance at the community meeting with rehab applications. Ms. Lay provided a handout regarding rehab and stimulus projects.

6. Commerce Housing Report - Anna Knight

Ms. Knight offered to answer questions from her report. She commented on last month's request of what percentage of the MAP applicants also took advantage of the 184 loan program. She stated it was 13% which is approximately 44 of their 332

applicants. Councilor Glory-Jordan inquired if they were all fee simple. Ms. Knight commented they were.

OLD BUSINESS

None pending.

NEW BUSINESS

1. DISCUSSION REGARDING HOUSING AND JOBS FOR FELONS

Secretary of State Melanie Knight commented there are various aspects of the issue therefore she has people present briefly the aspect of employment, consistent policy among the services and eligibility and transitional programs to try to re-integrate those with a criminal histories back into society. The Gaming Commission is also present for questions if needed.

Mr. Michael Botello of Human Resources presented regarding employment. He provided a handout with information regarding Human Resources and employment as it relates to applicants with criminal backgrounds and specifically felonies. He gave an overview of his handout. The employment application does have a "felony" question. Chair Buzzard inquired if the Council could pass legislation to change the 81% of jobs fitting within the youth sensitive, child care and law enforcement positions which require an extensive background check. He requested Ms. Alana Casteel, a trained adjudicator, assist in answering. Ms. Casteel stated legislation can be passed and be stricter than federal law PL101-630 but can not be less. Councilor Hoskin Jr. inquired who determined the criteria and if there is room to work with in regard to categorizing. Ms. Casteel stated they are looking at it as precisely as they can because it is any position that has regular contact or control over children. She stated one felony crime against a person or two misdemeanors crimes against a person no matter the timeframe they wouldn't meet the suitability criteria. Ms. Casteel stated in the adjudication process they follow a ranking system. The process begins with a background check and a character background when applying for youth sensitive positions.

Ms. Anna Knight presented on behalf of program participant policies. She provided a handout of the policies and provided an explanation. They have implemented a policy that during the initial screening if a documented criminal background shows the Service Team looks at the documentation and if they can't determine if the person is no longer a risk then it is sent to a Multi Disciplinary Team. The Multi Disciplinary Team looks for trends in criminal activity, if the person has been rehabilitated and where they are to be located in regard to housing. The policy has been tested this year with the MAP and self-help housing programs and seems to be working very well. Chair Buzzard inquired if a felony conviction would eliminate a person from receiving assistance. Ms. Knight stated it would depend on when the conviction occurred, if there was a trend and what type of rehabilitation they received. Councilor Hoskin Jr. requested confirmation that this is a tribal law requirement not a federal law requirement. Ms. Knight stated that is her understanding. Councilor Cobb stated the background checks in the gaming industry being much more expedient than other background checks. He inquired if there are any private firms that could do the process faster. Mr. Jamie Hummingbird stated the Gaming Commission and the tribe use the same background service since last year. The difference is the Gaming Commission receives FBI checks as well. Ms. Knight stated the background process is two to three weeks at most.

Ms. Norma Merriman of Human Services provided information on the team approach to dealing with people in the re-entry status. Several months ago she put together a re-entry work group to determine what needed to be done to serve these people better. They identified the groups who see the re-entry people the most as Human Services and Career Services. They have determined the best way to help is to get information to them before they are back out into the general public. They have been working on a brochure which they will send to the Department of Corrections to disburse to our tribal people. The brochure includes a list of contact numbers. They have made contact to the tribes that offer these services and have attended some of the tribal DOC conferences to gather information on how to best help these people. She stated once the brochure is approved they will send out and provide copies to the Council. Chair Buzzard requested a status update next month.

2.

A RESOLUTION RATIFYING AN AGREEMENT WITH THE UNITED STATES OF AMERICA, DEPARTMENT OF TRANSPORTATION, INDIAN RESERVATION AND ROADS PROGRAM

Mr. Lynn announced they entered into the agreement in September with the Federal Highway Association and already see positive results. Chair Buzzard commented on troubling problems with the IRR Roads program. The movement is that the large land based tribes are trying to pass a resolution to strip the Indian Reservation Roads from the small land tribes. The Cherokee Nation is included in the small land based tribes. If they succeed it will affect our roads funding. Mr. Lynn gave appreciation to those who attended NCAI and provided support in defeating this resolution.

Councilor Bill John Baker made a motion to approve. Councilor Thornton seconded the motion. Motion carried.

ANNOUNCEMENTS

Chair Buzzard announced he and Councilor Snell would be hosting a committee meeting in Afton on November 12th at 6:30 p.m.

Councilor Glory-Jordan announced her and Councilor Bill John Baker will be hosting their annual hog fry at the Community Building tomorrow night.

ADJOURNMENT

Councilor Cowan Watts moved to adjourn. Councilor Anglen seconded the motion. Motion carried at 1:58 p.m.

STAFF PRESENT:

<i>Charlie Soap</i>	<i>Michael Lynn</i>	<i>Sharon Lay</i>
<i>Melanie Knight</i>	<i>Norma Merriman</i>	<i>Kim Carroll</i>
<i>Alana Casteel</i>	<i>Michael Botello</i>	<i>Gregg Simmons</i>
<i>Jamie Hummingbird</i>	<i>Anna Knight</i>	<i>Doug Evans</i>
<i>Chief Chad Smith</i>		

VISITORS PRESENT:

Jim Ketcher

APPROVAL / DISTRIBUTION

Minutes submitted by: Shelli Brittain, Legal & Legislative Coordinator

Motion to approve minutes made by: Don Harwin

Minutes attested and concurred by: Harley F. Bryan

Date: 11-17-09