



Council of the Cherokee Nation

Tribal Council Minutes

Tribal Council

Monday, May 11, 2009

6:00 PM

Council Chambers

CALL TO ORDER

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

INVOCATION

Councilor Buzzard 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 Cowan Watts made a motion to approve the April 13th 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 items 19 and 20 in new business as a resolution for a grant application to the Department of Energy and a resolution in support of the area Boys and Girls Clubs. Councilor Cowan Watts seconded the motion. Motion carried.

STATE OF THE NATION

Principal Chief Chad Smith requested a few moments to honor our fellow Cherokee citizens whom we have lost since the last Council meeting. Those honored were Betty Hummingbird, Chester Oosawhee, Gayle Perry, Mary Crawford, and Al Crutchfield. Veterans honored this month were T. Roosevelt Manning and Timothy W. Patrick. In program highlights the Strawberry Festival parade was held last Saturday where candy and beads were given out. CNE organized a volunteer painting of the Jay Clinic which was held earlier this month. The Health Services have readied their pandemic plan in case the Swine Flu reaches the area. The Community Service and Cultural Resources departments assisted in the annual picnics in Bakersfield and Sacramento, California. The Commerce Department held

a ribbon cutting ceremony at the Courthouse Square for the official opening of the Cherokee Hills Byway. Community Service worked with the Jay community on a baseball and softball park. The JOM Co-Partner program held their Cultural Competition Awards Banquet recently where they presented awards to more than 400 students throughout our jurisdiction. The Cherokee Nation Leadership Program organized an event that brought Heisman Trophy Winner and OU quarterback, Sam Bradford to Sequoyah Schools to speak about leadership. The tribe honored him that evening for his leadership both on and off of the field. Sequoyah was also visited by Olympic Gold Medalist Billy Neals where he told his inspiring story. The Sequoyah Seniors which will be acknowledged at the end of this week have many achievements. More than 9% of the graduating class will graduate with a Gates Millennium Scholarship. This is an all expense paid scholarship to the college of their choice for the next eight years. The Gates Scholarship recipients this year are Rikki Shook, Shayne Boyd, Corey Still, Kaleha Hooper, and Courtney Reeder. Another 15% of the graduating class will receive the Oklahoma Access Award for Higher Learning in the amount of \$2,000 for tuition to an Oklahoma University. Of this years graduating class 66% will be attending universities or colleges, 18% will attend Vocational schools including one who will attend a metropolitan film school in London England. Two seniors are entering the armed forces. Shayne Boyd has been accepted into the Air Force Academy. Senior Toffee Coachman received the greatest amount of scholarship from the University of Denver in the amount of \$226,000. Other notable scholarships received by our graduates include the Red Clay Scholarship from the Cherokee Nation, The Dell Scholarship, The National Indian Education Association Award, and 3 Patty Iron Cloud National Native American Initiative Scholarships. The Cherokee Nation Scholarship deadline is June 12th and is available for both graduate and under graduates. Applications are being accepted to several youth programs. Miss Cherokee Leadership is accepting applications at this time. The Cherokee National Treasurers Program is accepting nominations through the 31st of July. He announced Megan Williams's daughter of Cherokee Nation employee Tonia Williams is an eleventh grade student at Sequoyah and will be going to MIT this summer on a minority introduction to engineering and science summer program.

ACTION OF UNFINISHED BUSINESS

None pending.

COMMITTEE REPORTS

Monthly Reports:

Housing Authority - David Southerland

Gary Cooper announced Mr. Southerland is attending the National American Indian Housing Council. The Housing Authority Board meeting is scheduled for next Tuesday at 5:30. The agenda includes the FY2010 budgets and discussion of a 20 acre site adjoining the elderly housing in Stilwell. He announced they have stimulus funded projects that have been sent to purchasing.

Cherokee Nation Enterprises - David Stewart

Mr. Stewart announced the March income was just above last year. Operating

expenses are up approximately 15%, the sales tax revenue is approximately the same and the dividend back to the tribe is approximately \$120,000. They opened floors five through fifteen on the hotel tower in Catoosa along with the meeting and convention space. They continue the construction of phase II at West Siloam Springs. CNE's total employment is 3424 with approximately 70% Native American. He recognized employees for their charitable efforts. He introduced Molly Jarvis who gave a brief update on some of their community relations projects. Ms. Jarvis who is on the board for Big Brothers and Sisters announced they participated in a project for this group "Bowl for Kids Sake" where they raised \$15,000 for the organization. She introduced some of the team captains as Lisa Long, Jeremy Ketcher, Nina Perryman, Susie Whitekiller, Tiffany Reavis, and Emily Bushyhead. Councilor Fishinghawk gave appreciation for attending the Strawberry festival, purchasing the berries and donating back to the diabetes program. Councilor Crittenden gave appreciation for the sponsorship at the rodeo.

Cherokee Nation Business, Inc - David Stewart

Mr. Stewart the operating subsidiaries are all profitable and ahead of budget. They will be finalizing the acquisition company within the next 30 days. The landfill is scheduled to open in June.

Cherokee Nation Industries - Bryan Collins

Mr. Collins announced the consolidated financials have not been finalized for April therefore he would report those numbers at the Executive and Finance Committee. The local employment remains steady at 478 with 82% being Native American. CNI had approximately 40 employees participate in the Strawberry Festival. The Oklahoma State Regents for Higher Education selected twenty one business relationships and NSU and CNI was selected and honored for their relationship. The board meeting is scheduled for May 18th at the Tulsa office. Mr. Collins recognized one of the first employees to be hired at CNI in 1969 as Lizzie Duvall. He announced they will be celebrating CNI's 40 year anniversary on June 20th.

OLD BUSINESS

None pending.

NEW BUSINESS

Community Services Committee

- A RESOLUTION AUTHORIZING THE DEPARTMENT OF CHILDREN, YOUTH AND FAMILY SERVICES TO SUBMIT AN APPLICATION FOR YOUTH SHELTER SERVICES TO THE U.S. FAMILY AND YOUTH SERVICES BUREAU, RUNAWAY AND HOMELESS YOUTH PROGRAM**

Councilor Buzzard stated this is the second year of a three year funding cycle to supplement the John A. Ketcher Youth Shelter. There is a \$7,000 cash match.

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

Enactment No: R-58-09

Rules Committee

2. **A LEGISLATIVE ACT REQUIRING THAT THE CHEROKEE NATION AND THE STATE OF OKLAHOMA VOTER REGISTRATION APPLICATIONS BE MADE AVAILABLE AT ALL CHEROKEE NATION TAG OFFICES**

Councilor Cowan Watts announced as an attempt to increase voter registration and participation this legislation compels the tag agencies and the clinics to provide voter register forms.

Councilor Cowan Watts moved for the approval. Councilor Crittenden seconded the motion. Councilor Hoskin Jr. offered a friendly amendment to strike the wording "and offer" in Section 5 paragraph 2. Councilor Cowan Watts and Crittenden accepted. Motion carried by acclamation.

Enactment No: LA-11-09

Executive and Finance Committee

3. **AN ACT AMENDING LEGISLATIVE ACT #19-08 AUTHORIZING THE COMPREHENSIVE BUDGET FOR FISCAL YEAR 2009 - MOD 7; AND DECLARING AN EMERGENCY**

Councilor Jack D. Baker stated this budget mod increases the budget authority by \$4,286,000 and included is the tribal bridge program, the supplement youth employment program, health equipment replacement, and housing management.

Councilor Jack D. Baker moved for approval. Councilor Cowan Watts seconded the motion with a friendly amendment to use third party revenue carryover to retire debt on the 2006 bond obligations to repurchase \$500,000 of the 4.6% bonds at 85% of the original amount for a total of approximately \$425,000. Councilor Jack D. Baker accepted. Motion carried by acclamation.

Enactment No: LA-12-09

Red Clay Joint Council

Speaker Frailey announced items 4 through 18 are Joint Council resolutions. Last month the 25th reunion of the Cherokee Nation and Eastern Band Joint Council was held at Red Clay, Tennessee. Red Clay was the last meeting place in 1837 before being driven from the homeland to Oklahoma in 1838. Over 4,000 people lost their lives over the emphasis trail. In 1984 the Cherokee Nation Council and the Eastern Band Cherokees met at Red Clay commemorating the 1837 Council meeting and honoring those who lost their lives in 1838. The Cherokee Nation and the Eastern Band had been separated for almost 150 years at this time. This year the two tribes met again to resolve the items included in the fifteen resolutions presented here for approval tonight.

Councilor Jack D. Baker stated during the Joint Council meeting a quorum was lost of our Council of members present. Robert's Rules of Order states a point of order should be called if a quorum is lost however no one called point of order. He stated with no point of order being called the resolutions are probably legitimate but to avoid controversy they are being put forward tonight. All of these were passed

unanimously by the eleven members present and the twelve member of the Eastern Band. Rules and procedures are being formulated for joint council meetings to cover items like this in the future.

4. **A JOINT COUNCIL RESOLUTION RECOGNIZING THE HISTORICAL IMPORTANCE OF RED CLAY TO THE CHEROKEE PEOPLE**

Councilor Jack D. Baker made a motion to approve items 4 through 18 in Toto. Councilor Hoskin Jr. seconded the motion. Motion carried unanimously.

Enactment No: JC-01-09
5. **A JOINT COUNCIL RESOLUTION RECOGNIZING SIGNIFICANT CONTRIBUTIONS MADE BY COLONEL CORN TO THE CHEROKEE PEOPLE**

Items 4 through 18 were approved in Toto.

Enactment No: JC-02-09
6. **A JOINT COUNCIL RESOLUTION RECOGNIZING THE 1984 PARTICIPANTS OF THE RED CLAY JOINT COUNCIL**

Items 4 through 18 were approved in Toto.

Enactment No: JC-03-09
7. **A JOINT COUNCIL RESOLUTION REQUESTING THAT FINANCIAL PROCEEDS FROM SALE OF HYMNAL BOOKS BE DONATED TO THE EASTERN BAND OF THE CHEROKEE INDIAN IMMERSION PROGRAM AND THE CHEROKEE NATION IMMERSION PROGRAM**

Items 4 through 18 were approved in Toto.

Enactment No: JC-04-09
8. **A JOINT COUNCIL RESOLUTION REQUESTING FINANCIAL CONTRIBUTION TO RED CLAY STATE PARK**

Items 4 through 18 were approved in Toto.

Enactment No: JC-05-09
9. **A JOINT COUNCIL RESOLUTION REQUESTING ASSISTANCE FOR THE TRANSLATION OF MORAVIAN DOCUMENTS PERTAINING TO THE CHEROKEE PEOPLE**

Items 4 through 18 were approved in Toto.

Enactment No: JC-06-09

- 10. **A JOINT COUNCIL RESOLUTION IN OPPOSITION TO STATE RECOGNITION OF CHEROKEE "TRIBES" AND "INDIANS" IN TENNESSEE**

Items 4 through 18 were approved in Toto.

Enactment No: JC-07-09

- 11. **A JOINT COUNCIL RESOLUTION IN OPPOSITION TO STATE RECOGNITION OF CHEROKEE "TRIBES" AND "INDIANS" IN ARKANSAS**

Items 4 through 18 were approved in Toto.

Enactment No: JC-08-09

- 12. **A JOINT COUNCIL RESOLUTION IN OPPOSITION TO STATE RECOGNITION OF CHEROKEE "TRIBES" AND "INDIANS" IN NEW JERSEY**

Items 4 through 18 were approved in Toto.

Enactment No: JC-09-09

- 13. **A JOINT COUNCIL RESOLUTION WHERE THE EASTERN BAND REQUESTS CHEROKEE NATION SUPPORT REGARDING MACON COUNTY AIRPORT**

Items 4 through 18 were approved in Toto.

Enactment No: JC-10-09

- 14. **A JOINT COUNCIL RESOLUTION REQUESTING THAT THE EASTERN BAND OF CHEROKEE INDIANS AND CHEROKEE NATION GO ON RECORD REGARDING SUPPORT OF THE FEDERAL RECOGNITION PROCESS**

Items 4 through 18 were approved in Toto.

Enactment No: JC-11-09

- 15. **A JOINT COUNCIL RESOLUTION ENCOURAGING THE STATE OF GEORGIA TO SUFFICIENTLY FUND PRESERVATION OF HISTORIC SITES**

Items 4 through 18 were approved in Toto.

Enactment No: JC-12-09

- 16. **A JOINT COUNCIL RESOLUTION ENCOURAGING THE STATE OF TENNESSEE TO SUFFICIENTLY FUND PRESERVATION OF HISTORIC SITES**

Items 4 through 18 were approved in Toto.

Enactment No: JC-13-09

17. **A JOINT COUNCIL RESOLUTION ENCOURAGING THE STATE OF ALABAMA TO SUFFICIENTLY FUND PRESERVATION OF HISTORIC SITES**

Items 4 through 18 were approved in Toto.

Enactment No: JC-14-09

18. **A JOINT COUNCIL RESOLUTION ENCOURAGING THE STATE OF NORTH CAROLINA TO SUFFICIENTLY FUND PRESERVATION OF HISTORIC SITES**

Items 4 through 18 were approved in Toto.

Enactment No: JC-15-09

19. **A RESOLUTION AUTHORIZING CHEROKEE NATION ENVIRONMENTAL PROGRAMS TO SUBMIT A FORMAL GRANT APPLICATION TO THE U.S. DEPARTMENT OF ENERGY**

Councilor Cowan Watts stated this is an outstanding opportunity for the tribe. The grant could accelerate some of the sustainability issues. She stated the resolution is rather generic and therefore requested regular reports to the Resource committee.

Councilor Cowan Watts moved to approve. Councilor Bill John Baker seconded the motion. Motion carried unanimously.

Enactment No: R-59-09

20. **A RESOLUTION AUTHORIZING THE BOYS AND GIRLS CLUB(S) OF TAHLEQUAH, GREEN COUNTRY, SEQUOYAH COUNTY, DELAWARE COUNTY, NOWATA, AND CHELSEA, TO PARTICIPATE AND ACCEPT FUNDING ON BEHALF OF THE COMMUNITY FROM THE DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS TO SUPPORT THE BOYS & GIRLS CLUBS OF AMERICA'S PROGRAMS FOR YOUTH**

Councilor Bill John Baker stated this resolution is for the Boys and Girls Clubs of Tahlequah, Green Country, Sequoyah County, Delaware County, Nowata and Chelsea. In order for the clubs to participate they must maintain 70% Native American served.

Councilor Bill John Baker made a motion for approval. Councilor Glory-Jordan seconded the motion. Motion carried with Councilor Soap abstaining.

Enactment No: R-60-09

ANNOUNCEMENTS

Councilor Cobb inquired about the resolutions from Red Clay if the Council members present would need to be separated on the vote. Speaker Frailey stated the Eastern Band is aware of and has approved the process prior to them being placed on the agenda.

Councilor Bill John Baker recognized the members of the Pocahontas Club in attendance.


Councilor Cowan Watts recognized her Father, Curly Cowan in attendance.

Councilor Anglen recognized his wife Clara in attendance.

ADJOURNMENT

Councilor Jack D. Baker made a motion to adjourn. Councilor Cowan Watts seconded the motion. motion carried.

Next Tribal Council meeting will be held on June 15, 2009, 6:00 p.m. at the tribal headquarters, W.W. Keeler Complex.


Meredith A. Frailey, Speaker
Council of the Cherokee Nation