



Council of the Cherokee Nation

Meeting Minutes Resource Committee

Monday, April 13, 2009

4:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Snell called the meeting to order at 4:12 p.m.

INVOCATION

Councilor Crittenden gave the invocation.

ROLL CALL

Ex-officio Member John Masters was in attendance.

Present 14 - Bill John Baker; S. Joe Crittenden; Don Garvin; Meredith Frailey; Buel Anglen; Jack D. Baker; Tina Glory Jordan; Jodie Fishinghawk; Janelle Fullbright; Harley Buzzard; Curtis Snell; Bradley Cobb; Chuck Hoskin, Jr. and Julia Coates

Absent 1 - Chris Soap

Late Arrival 2 - David Thornton Sr. and Cara Cowan Watts

APPROVAL OF MINUTES

Councilor Bill John Baker made a motion to approve the March 16th regular session minutes. Councilor Crittenden seconded the motion. Motion carried.

REPORTS:

1. Management Resources - Jack Farmer/Angela Drewes

Mr. Farmer offered to answers from the written report submitted. Councilor Fishinghawk asked about the remodel in the Human Resource building to allow privacy. Mr. Farmer stated they have relocated an office person and have made a private area for consultations. Councilor Buzzard asked for the location of the two pieces of land purchased. Mr. Farmer replied at Red Bird Smith and the Guthrie property. Councilor Buzzard requested research into the possibility of purchasing DSL for the slow computer system at the Jay Clinic. Councilor Glory-Jordan inquired as to the location of the Guthrie property. Mr. Farmer responded 195 acres in Adair County for NAHASDA single family homes. Councilor Glory-Jordan inquired as to the purchase price. Mr. Farmer stated \$150,000. Councilor Fishinghawk inquired as to how many houses they plan for the property. Mr. Farmer stated they plan on twenty six homes on five acres sites. Councilor Glory-Jordan inquired as to the

intention of the remaining acreage. Mr. Farmer replied some will be walking trails. They have Community Service engineering the development of the property. Councilor Buzzard inquired as to the status of the Acme Brick 44 acres in Tulsa County. Mr. Farmer stated they have made an offer using riverbed funds.

2. Real Estate Services - Linda Donelson

Ms. Donelson offered to answer questions from her written report. She provided a power point presentation regarding trespassing issues. She stated they are working with the Attorney General's office to develop a policy regarding trespassing and easements. Councilor Buzzard requested consideration be given to tribal members who need an easement that the Cherokee Nation is given first option if the land is ever sold. Councilor Thornton requested the purchase price on the Red Bird Smith property. Ms. Donelson replied \$250,000. Councilor Frailey inquired if the lease was renewed on the Kenwood property by Salina and Spavinaw for the telephone line. Ms. Donelson stated it will be brought back as a resolution.

3. Roads & Transportation - Michael Lynn

In addition to Mr. Lynn's written report he announced they held a public meeting for the Honey Hill project to give an update on the status of the project. Due to the right of way issues the project has been delayed. They are ready to move utilities on one of the two phases of the project. They held a community meeting in Delaware County for the Kansas Drycreek project. This project is in the early stages of design. On March 31st bids were opened in Cherokee County on the Rice Woodard project. He announced one project moving forward to the Executive and Finance Committee this month in Tulsa County for Motor Fuel Tax funds in the amount of \$254,534 sponsored by Councilors Anglen and Cobb. Councilor Buzzard inquired if stimulus funds were used with the Rice Woodard project. Mr. Lynn replied it would be funded with stimulus funds. A contractor hasn't been selected but they will be required to report employment statistics. Chair Snell inquired as to the policy on fencing the road projects. Mr. Lynn stated the policy in the past has been if they get into the fence during construction they replace with like or better fencing. Chair Snell inquired about fencing Cherokee Nation property along the roads as they go that weren't fenced. Mr. Lynn stated the Drycreek project wasn't planned to include fencing and it should have been. He stated they are looking at the fencing of Cherokee Nation property when road projects are done. Councilor Glory-Jordan inquired when a contractor would be determined on the Rice Woodard project. Mr. Lynn stated when they obtain additional information on what the stimulus package will entail in regard to reporting requirements.

4. Public Comments: Road Issues - Michael Lynn

5. Environmental Programs - Tom Elkins

Mr. Elkins announced an EPC meeting was held at the first of the month where issues at the landfill were discussed. The issues were regarding the water use construction. They are requesting a better understanding of the water will be used. They are requesting a couple of different sources on the leachate and the spring. A special meeting will be held at 9:30 a.m. on the 20th. In regard to Cherokee Nation recycling they are in the process of reviewing the pricing provided by a contractor. Councilor Buzzard inquired as to when the new cell at the landfill will be complete. Mr. Elkins replied around May first.

OLD BUSINESS

1. A LEGISLATIVE ACT RELATED TO CHEROKEE NATION SUSTAINABLE ENERGY AND RESOURCES - For Discussion Only
Sponsors: Councilor Cara Cowan Watts
Councilor Cowan Watts moved to table this item for a month. Councilor Crittenden seconded the motion. Motion carried.

NEW BUSINESS

1. A RESOLUTION AUTHORIZING CHEROKEE NATION TO LEASE TRUST LAND TO FACET, INC
Sponsors: Councilor Jodie Fishinghawk
Councilor Fishinghawk requested Councilor Crittenden be added as a sponsor. She stated this is a resolution to lease eleven acres at the Cherokee Nation Industrial Park in Adair County to Facet for 25 years with an option of renewal.
Councilor Fishinghawk made a motion to approve. Councilor Crittenden seconded the motion. Motion carried.
2. A RESOLUTION AUTHORIZING THE ENVIRONMENTAL PROGRAMS GROUP TO SUBMIT AN APPLICATION TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY FOR CLEAN AIR SECTION 103 FUNDING
Sponsors: Councilor Cara Cowan Watts
Councilor Cowan Watts stated this resolution supports an on going effort for ambient air monitoring of five existing stations as well as the purchase of a community mobile particulate air monitoring station. The grant is in the amount of \$850,000 with no match.
Councilor Cowan Watts moved for the approval. Councilor Anglen seconded the motion. Motion carried.
Mr. Elkins requested New Business items #2 through #6 be moved to Full Council tonight to meet application deadlines. Councilor Cowan Watts accepted the request as a friendly amendment to her motion. Councilor Bill John Baker requested clarification if her friendly included items #3 through #6. Councilor Cowan Watts requested addressing each separately.
3. A RESOLUTION AUTHORIZING CHEROKEE NATION ENVIRONMENTAL PROGRAMS TO SUBMIT A FORMAL GRANT APPLICATION TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY FOR AN INDIAN GENERAL ASSISTANCE PROGRAM (GAP) GRANT PACKAGE
Sponsors: Councilor Curtis Snell
Chair Snell moved for approval. Councilor Cowan Watts seconded the motion. Motion carried.

4. A RESOLUTION AUTHORIZING CHEROKEE NATION ENVIRONMENTAL PROGRAMS TO SUBMIT A FORMAL GRANT APPLICATION TO THE USEPA THROUGH THE TRIBAL SOLID WASTE MANAGEMENT ASSISTANCE PROJECT

Sponsors: Councilor Cara Cowan Watts

Councilor Cowan Watts stated this is a grant for \$75,000 with no match required to clean and close three dump sites within the Cherokee Nation.

Councilor Cowan Watts made a motion for approval. Councilor Cobb seconded the motion. Motion carried. Councilor Cowan Watts made a motion to move this to full Council tonight. Councilor Cobb seconded the motion. Motion carried.

5. A RESOLUTION AUTHORIZING CHEROKEE NATION ENVIRONMENTAL PROGRAMS TO SUBMIT A FORMAL GRANT APPLICATION TO THE USEPA HAZARDOUS WASTE MANAGEMENT PROGRAM

Sponsors: Councilor Cara Cowan Watts

Councilor Cowan Watts stated this is to provide three communities within the Cherokee Nation with Household Hazardous Waste Collection events. It is in the amount of \$75,000 with no match required.

Councilor Cowan Watts moved for the approval and requested it move to full Council tonight. Councilor Cobb seconded the motion. Motion carried.

6. A RESOLUTION AUTHORIZING THE SUBMISSION OF A PROPOSAL TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY FOR A CHEROKEE LEAD CERTIFICATION/ACCREDITATION PROGRAM

Sponsors: Councilor Curtis Snell

Councilor Jack D. Baker made a motion for approval and requested it move to full Council tonight. Councilor Bill John Baker seconded the motion. Motion carried.

Councilor Coates made a motion to move item #3 to full Council tonight. Councilor Bill John Baker seconded the motion. Motion carried.

7. AN ACT REQUIRING ESTABLISHMENT OF A "REDUCE, REUSE AND RECYCLE" PROGRAM FOR THE CHEROKEE NATION

Sponsors: Councilor Cara Cowan Watts, Councilor Bradley Cobb, Councilor Harley Buzzard, Councilor Buel Anglen and Councilor Julia Coates

Mr. Gregg Simmons provided the following Green Team updates for Cherokee Nation and CNE: policies have been drafted for vehicle replacement, water and septic fixtures, TV, computer, paper, cardboard, plastic, and aluminum can recycling, . He stated the policies have not been completed at this time. They have purchased a bulb crusher for fluorescent lights. They are looking into the reuse and re-purpose of cell phones and eyeglass frames. He stated the Cherokee Nation use to receive funds for paper and cardboard recycling however with the economy change we may have to pay for the service. They are going to develop a marketing plan which will include employee incentives to use the recycle bins. The recommendations should be finalized next week with hopes of a budget modification in May. He announced the CNE Green Team newsletter stated since implementation of the Catoosa facility they have recycled 29.24 tons of waste. They will begin recycling efforts at all facilities soon. He stated they continue to work with the entities in regard to the legislation. They are asking this resolution be tabled for a month to allow more input

from the entities. Councilor Cowan Watts gave appreciation to the Administration for their efforts. She stated following disuccsion she would be requesting this item be tabled. Councilor Cobb commented the Lions Club accepts eyeglasses and finds others in need with a like prescription. He requested research before next month. He inquired if there are State and Federal entities that recognize corporate, tribal and/or city entities for their efforts in being green. Councilor Hoskin Jr. questioned Section 4D in terms of cost effectiveness. He questioned how the benchmarks were reached. Councilor Buzzard inquired as to what materials the plant is Watts would be accepting to recycle and if individuals could bring items to sell. Mr. Simmons stated he would obtain the information and forward once it is received.

Councilor Cowan Watts inquired if additional Councilor would like to sponsor and if so to notify her or Shelli. Councilors Frailey, Garvin and Fullbright requested to be included as sponsors.

Councilor Cowan Watts moved to table to next month for action. Councilor Garvin seconded the motion. Motion carried.

ANNOUNCEMENTS

Councilor Garvin announced all of the new business items that were passed were moved to Council tonight except #1. He made a motion to also move new business #1 to full Council tonight. Councilor Anglen seconded the motion. Motion carried.

ADJOURNMENT

Councilor Cowan Watts moved to adjourn. Councilor Anglen seconded the motion. Motion carried at 5:05 p.m.

STAFF PRESENT:

Jack Farmer
Dana Espinal
Joel Bean

Linda Donelson
Michael Lynn
Gregg Simmons

Angela Drewes
Jamie Hothouse
Tom Elkins

VISITORS PRESENT:

Jim Ketcher

Todd Hembree

Shirley Crowder

APPROVAL / DISTRIBUTION

Minutes submitted by: Shelli Brittain, Legal & Legislative Coordinator

Motion to approve minutes made by: Bill John Baker

Minutes attested and concurred by: Shelli Brittain

Date: 5/11/09