



Council of the Cherokee Nation

Council House
17763 S. Muskogee Ave.
Tahlequah, OK 74464

Meeting Minutes - Final RULES COMMITTEE

Chuck Hoskin Jr., Chair

Recording Secretary, Shelli-Brittain
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Thursday, May 31, 2012

1:00 PM

Legislative Conference Room

CALL TO ORDER

Chair Hoskin Jr. called the meeting to order at 1:15 p.m.

INVOCATION

Councilor Snell gave the invocation.

ROLL CALL

Present 11 - Buel Anglen; Chuck Hoskin Jr. ; Curtis Snell; Don Garvin; Jack D. Baker; Cara Cowan Watts; Dick Lay; Lee Keener Jr.; Julia Coates; Frankie Hargis and Joe Byrd

Absent 2 - David Thornton, Sr. and David Walkingstick

Late Arrival 4 - Meredith Frailey; Jodie Fishinghawk; Tina Glory Jordan and Janelle Fullbright

APPROVAL OF MINUTES

Councilor Garvin moved to approve the April 26, 2012 regular session minutes. Councilor Keener seconded the motion. The motion carried.

REPORTS:

Marshal Service - Shannon Buhl

Mr. Danny Tanner offered to answer questions from the Marshal Service report provided.

Office of the Attorney General - Todd Hembree

Mr. Nason Morton offered to answer questions from the report provided and gave an update on a few earlier asked questions. He provided a status update on the Freedman case and the Broken Arrow casino issues. Councilor Cowan Watts inquired about the UKB land into trust application.

Codification - Todd Hembree

Mr. Morton introduced Christina Carroll who is also helping on the codification project. Ms. Carroll reported stated they are in the process of obtaining exact replica of the blue books we have now. West has been provided with the Legislation and will be providing a quote. Councilor Cowan Watts inquired about a completion date and requested a written report.

Election Commission -

No one was present from the Election Commission. Councilor Cowan Watts voiced concern for the Election Commission not responding to the report requested pertaining to the Administrative Procedures Act. Chair Hoskin Jr. commented they are in a transition period and are in the process of hiring an attorney. Ms. Barker Harrold announced she attended the last Election Commission meeting held. Councilor Keener requested the budget highlights also be included in their report.

Tax Commission - Sharon Swepston

Ms. Swepston offered to answer questions from the report provided.

Self-Governance - Vickie Hanvey

Ms. Hanvey handed out her report. She announced they provided a presentation on the PACE program, a tribal data exchange program, veteran services, and the onsite review of the OJT program. Councilor Cowan Watts inquired if the BIA came in and performed a review of the Realty department. She requested a report in writing showing who requested, why and what was found. She also requested a copy of the TAMS report. Councilor Keener inquired about the IHS Director not releasing the short fall report.

Gaming Commission - Jamie Hummingbird

Mr. Hummingbird provided a copy of his written report and offered to answer questions. He announced he would provide a copy of the report regarding the Broken Arrow casino.

Registrar Citizenship Data Update - David Justice

Mr. Justice wasn't present to provide a report.

OLD BUSINESS

1. [TMP-181](#) IMPLEMENTATION OF AN INDEPENDENT INFORMATION TECHNOLOGY SERVICE FOR THE CHEROKEE NATION TRIBAL COUNCIL (Discussion Only)
Chair Hoskin Jr. withdrew this item.
2. [12-064](#) A RESOLUTION CONFIRMING THE NOMINATION OF LYNNA CARSON AS A BOARD MEMBER OF THE CHEROKEE NATION ENVIRONMENTAL PROTECTION AGENCY
Councilor Fishinghawk moved to table to next month. Councilor Cowan Watts seconded the motion. The motion carried.

3. [12-056](#) AN ACT AMENDING LEGISLATIVE ACT 11-10 RELATING TO CREATION OF JOBS GROWTH; ADDING LANGUAGE TO ASSIGN SEAT DESIGNATIONS
Councilor Fishinghawk moved to table to next month. Councilor Cowan Watts seconded the motion. The motion carried.
4. [12-055](#) AN ACT AMENDING TITLE 13 SECTION 102 (a) and SECTIONS 304 (A)(b) and (c) OF THE CHEROKEE CODE ANNOTATED AND AMENDING LEGISLATIVE ACT 13-07 OF THE CHEROKEE NATION ADMINISTRATIVE PROCEDURE ACT
Councilor Cowan Watts moved to approve to enter discussion. Councilor Coates seconded the motion. Mr. Morton voiced concerns for the appeal procedures in this legislation conflicting with the appeal procedure in the TERO law. Councilor Keener offered a friendly amendment in Section 102 to add the Housing Authority. The friendly was accepted.
After concerns were voiced Councilor Cowan Watts moved to table. Councilor Byrd seconded the motion. The motion carried.

NEW BUSINESS

1. [12-076](#) A RESOLUTION CONFIRMING THE NOMINATION OF JOHN GARRETT AS A JUSTICE OF THE SUPREME COURT
Councilor Fishinghawk moved to approve. Councilor Hargis seconded the motion. After questions were asked of Mr. Garrett and discussion was held the motion to approve carried with the following roll call vote:
Yea: 9 - Chuck Hoskin Jr. ; Curtis Snell; Don Garvin; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; Frankie Hargis and Joe Byrd
Nay: 6 - Buel Anglen; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Lee Keener Jr. and Julia Coates
2. [12-077](#) A RESOLUTION CONFIRMING THE NOMINATION OF LINDA O'LEARY AS REGISTRAR FOR THE CHEROKEE NATION REGISTRATION COMMITTEE
Councilor Glory-Jordan moved to table for one month. Councilor Fishinghawk seconded the motion. The motion carried.
3. [12-078](#) A LEGISLATIVE ACT AMENDING LA-34-07 - DEFINING NEPOTISM, AND DEFINING ACCEPTABLE PARAMETERS FOR EMPLOYMENT AND CONTRACTING AND AMENDING TITLE 28, "ETHICS", ADDING NEW SECTIONS OF THE CHEROKEE NATION CODE ANNOTATED
Councilor Fishinghawk moved to table one month. Councilor Byrd seconded the motion. The motion carried.
4. [12-079](#) AN ACT AMENDING LEGISLATIVE ACT #06-98 RELATING TO THE GOVERNMENTAL RECORDS OF THE CHEROKEE NATION DECLARING AN EMERGENCY
Councilor Fishinghawk moved to approve. Councilor Cowan Watts seconded the motion. Councilor Fishinghawk gave an overview of the changes proposed. After discussion was held Councilor Jack D. Baker offered a friendly amendment to add the Principal Chief as one of the officials to the list of whom information can be requested of. The friendly was accepted.
The motion to approve as amended carried with the following roll call vote:

Yea: 15 - Buel Anglen; Chuck Hoskin Jr. ; Curtis Snell; Don Garvin; Jack D. Baker; Meredith Frailey; Cara Cowan Watts; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; Lee Keener Jr.; Julia Coates; Frankie Hargis and Joe Byrd

5. [12-073](#)

A LEGISLATIVE ACT REPEALING THE CHEROKEE NATION LIMITED MIXED BEVERAGES SALES ACT - LEGISLATIVE ACT #41-03 AS AMENDED BY LEGISLATIVE ACT #09-04 AND #13-08 AND ENACTING INTOXICATING AND NON-INTOXICATING BEVERAGE CONTROL ACT

Ms. Swepston announced the Administration has requested this be withdrawn at this time.

Councilor Anglen withdrew the item as requested.

ANNOUNCEMENTS

ADJOURNMENT

Councilor Byrd moved to adjourn. Councilor Hargis seconded the motion. The motion carried at 2:30 p.m.

STAFF PRESENT:

*Danny Tanner
Vickie Hanvey
Christina Carroll*

*Nason Morton
Sara Hill*

*Sharon Swepston
Jon Overacker*

VISITORS PRESENT:

*Raymond Vann
Farrell Prater
Judge John Garrett*

*Larry Horn
Ollie Starr
Charles Dry*

*Dianne Barker Harrold
Patricia Carpenter
Gina Olaya*