



# 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*  
*Phone: 1-800-995-9465,*  
*E-mail: council-public@cherokee.org*

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Thursday, November 29, 2012

1:00 PM

Legislative Conference Room

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### CALL TO ORDER

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

### INVOCATION

Councilor Byrd gave the invocation.

### ROLL CALL

**Present** 16 - 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.; David Walkingstick; Julia Coates; Frankie Hargis and Joe Byrd

**Late Arrival** 1 - David Thornton, Sr.

### APPROVAL OF MINUTES

Councilor Anglen moved to approve the October 25th regular session minutes.  
Councilor Garvin seconded the motion. The motion carried.

### AMEND THE AGENDA

Councilor Hargis moved to amend the agenda to move new business item #8 the Discussion Regarding the Cherokee Nation Courthouse prior to the reports. Councilor Byrd seconded the motion. A friendly amendment was accepted to add for consideration a resolution recognizing Markwayne Mullin and an Act amending the mixed beverage Act. The motion carried.

### 8. TMP-240

#### DISCUSSION REGARDING THE CHEROKEE NATION COURT HOUSE

The Supreme Court Justices, the District Court Judges and the Supreme Court Clerk provided a power point presentation pertaining to the Supreme Court House of the Cherokee Nation and their need for a new building.

## REPORTS:

*Chair Hoskin Jr. requested the reports be brief due to our lengthy agenda.*

Marshal Service - Shannon Buhl

*Mr. Buhl reported for the Council members who are interested a concealed carry class has been scheduled for January 31st. He offered to answer questions from the report provided.*

Office of the Attorney General - Todd Hembree

*Mr. Hembree provided an update on the Freedman suits and the UKB issues. He offered to answer questions from the report provided. Mr. Hembree reported the contracts have been signed for the codification process and the work has been done. He provided an update on the South Carolina case. They are in ongoing negotiations with the motor vehicle tag compact and will begin negotiations on the tobacco compact soon. He offered to answer questions from the report provided. Questions were asked pertaining to the Freedman information on the website, the Natchez Nation, the negotiations on the motor vehicle tag compact, the FOIA and GRA processes and the water rights and quality issues.*

Codification - Todd Hembree

*The codification report was provided during the Attorney General report.*

Election Commission - Bill W. Horton

*Mr. Horton offered to answer questions from the report provided. Councilor Cowan Watts inquired and had several questions about the rules and regulations provided with the report. Councilor Lay extended an invitation to his community meeting in Nowata next Tuesday. Several questions and concerns were voiced.*

## AMEND THE AGENDA

**Councilor Glory-Jordan moved to amend the agenda to moved old business #5 to the end of the agenda. Councilor Cowan Watts seconded the motion. The motion carried.**

Tax Commission - Sharon Swepston

*No questions were asked of Ms. Swepston or the Tax Commission report.*

Self-Governance - Vickie Hanvey

*Ms. Swepston announced per Ms. Hanvey she was unable to make the meeting. Secretary of State Charles Head would be in attendance later in the meeting if there are any questions regarding the self-governance report.*

Gaming Commission - Jamie Hummingbird

*Mr. Hummingbird offered to answer questions from the report provided. He stated the Ft. Gibson casino is scheduled to open next Tuesday.*

Registrar Citizenship Data Update - David Justice

*Councilor Cowan Watts inquired as to what efforts were being made to update citizen's addresses. Councilor Keener requested copies of the maps provided to the Election Commission.*

#### OLD BUSINESS

1. [12-107](#) AN ACT RELATING TO DRUG TESTING FOR ELECTED OFFICIALS  
  
**Councilor Byrd moved to table. Councilor Thornton seconded the motion. The motion carried.**
2. [12-110](#) AN ACT RELATING TO VOTER RESIDENCY OF CITIZENS OF THE CHEROKEE NATION  
  
*Councilor Garvin gave an overview of the reason for this Act. He moved to approve. Councilor Cowan Watts seconded the motion. Councilor Baker questioned his friendly amendment which was accepted a couple of months ago. He offered the friendly amendment again for a one time option for everyone residing there to decide which district to vote in whether it is within two districts or At Large. The friendly was accepted.*  
  
**Councilor Glory-Jordan moved to table to follow item 1 under new business today to allow everyone to see the language to be voted on. Councilor Hargis seconded the motion. The motion carried.**
3. [12-141](#) A LEGISLATIVE ACT RELATING TO AMENDING AND REPEALING SUBSEQUENT AMENDMENTS TO THE CHEROKEE NATION SOVEREIGN IMMUNITY ACT, LA#23-04  
  
**Councilor Lay withdrew this item.**
4. [TMP-230](#) DISCUSSION AND POSSIBLE ACTION - LIQUOR SALES IN SMOKE SHOPS  
  
**Councilor Thornton moved to table. Councilor Walkingstick seconded the motion. The motion carried.**

#### NEW BUSINESS

1. [12-143](#) A RESOLUTION CONFIRMING THE NOMINATION OF ANGELA JONES AS A JUSTICE OF THE CHEROKEE NATION SUPREME COURT  
  
*Councilor Glory-Jordan announced a substitution has been provided to approve the nomination of Angela Jones as a Justice of the Supreme Court of the Cherokee Nation. She moved to approve. Councilor Fishinghawk seconded the motion. Council Attorney Dianne Barker Harrold introduced her daughter Angela Jones.*  
  
**After several comments and questions the motion to approve carried with the following roll call vote:**  
  
**Yea:** 16 - Buel Anglen; Chuck Hoskin Jr. ; Curtis Snell; David Thornton, Sr. ; Don Garvin; Jack D. Baker; Cara Cowan Watts; Jodie Fishinghawk; Tina Glory Jordan; Janelle Fullbright; Dick Lay; Lee Keener Jr.; David Walkingstick; Julia Coates; Frankie Hargis and Joe Byrd

Nay: 1 - Meredith Frailey

## RECESS

Chair Hoskin Jr. announced the time is 3:30 and our agenda is long and suggested a recess of the meeting to another day. Councilor Glory-Jordan moved to recess to complete the remainder of the agenda on Monday, December 10th at 10:30 a.m. Councilor Hargis seconded the motion. The motion carried.

## OLD BUSINESS

2. [12-110](#) AN ACT RELATING TO VOTER RESIDENCY OF CITIZENS OF THE CHEROKEE NATION  
**Referred to the RULES COMMITTEE due back on 12/10/2012**

## NEW BUSINESS

2. [12-148](#) A RESOLUTION TO ESTABLISH COUNCIL WARRIOR AWARDS TO RECOGNIZE CURRENT AND PAST COUNCIL MEMBERS FOR THEIR MILITARY SERVICE  
**Referred to the RULES COMMITTEE due back on 12/10/2012**
3. [12-149](#) AN ACT RELATING TO STATE BURIAL CEREMONY OF CURRENT AND FORMER PRINCIPAL AND DEPUTY CHIEF'S OF THE CHEROKEE NATION AND PROVIDING A STIPEND TO THEIR FAMILY FOR BURIAL ASSISTANCE  
**Referred to the RULES COMMITTEE due back on 12/10/2012**
4. [12-145](#) AN ACT AMENDING LA#01-01 AND 07-10, "THE CHEROKEE NATION MOTOR VEHICLE LICENSING AND TAX CODE"; AMENDING ALLOCATION OF REVENUES  
**Referred to the RULES COMMITTEE due back on 12/10/2012**
5. [12-146](#) AN ACT AMENDING LEGISLATIVE ACT 03-09 AND TITLE 68 CHAPTER 3 OF THE CHEROKEE NATION CODE ANNOTATED - SALES TAX; AMENDING THE ACT TO PROVIDE VETERAN'S ASSISTANCE TO VETERANS WHO ARE CHEROKEE NATION CITIZENS ONLY BUT CONTINUING EXEMPTIONS FOR ONE HUNDRED PERCENT (100%) PERMANENTLY DISABLED VETERANS FOR ALL VETERANS  
**Referred to the RULES COMMITTEE due back on 12/10/2012**
6. [TMP-238](#) DISCUSSION AND POSSIBLE ACTION - TRIBAL COUNCIL GUIDELINES FOR DISTRICT COMMUNITY MEETINGS USING CHEROKEE NATION FUNDS  
**Referred to the RULES COMMITTEE due back on 12/10/2012**
7. [TMP-239](#) DISCUSSION ONLY - CHEROKEE PHOENIX  
**Referred to the RULES COMMITTEE due back on 12/10/2012**

8.      **TMP-240**            DISCUSSION REGARDING THE CHEROKEE NATION COURT HOUSE
- Presented**
9.      [12-152](#)            A RESOLUTION CONGRATULATING AND COMMENDING CHEROKEE CITIZEN MARKWAYNE MULLIN
- Referred to the RULES COMMITTEE due back on 12/10/2012**
10.     [12-160](#)            A LEGISLATIVE ACT AMENDING THE CHEROKEE NATION LIMITED MIXED BEVERAGES SALES ACT - LEGISLATIVE ACT #41-03 AS AMENDED BY LEGISLATIVE ACT #09-04 AND #13-08
- Referred to the RULES COMMITTEE due back on 12/10/2012**
5.      [12-150](#)            AN ACT AMENDING LA#06-10, LA#39-05 AND LA#7-97; REVISING TITLE 26 ("ELECTIONS") OF THE CHEROKEE NATION CODE ANNOTATED
- Referred to the RULES COMMITTEE due back on 12/10/2012**

## ANNOUNCEMENTS

## STAFF PRESENT:

|                           |                        |                         |
|---------------------------|------------------------|-------------------------|
| <i>Troy Wayne Poteete</i> | <i>Darrell Matlock</i> | <i>Darrell Dowty</i>    |
| <i>Jim Wilcoxen</i>       | <i>Bart Fite</i>       | <i>John Cripps</i>      |
| <i>Kendall Bird</i>       | <i>Todd Hembree</i>    | <i>Lacey Horn</i>       |
| <i>David Justice</i>      | <i>Sharon Swepston</i> | <i>Sara Hill</i>        |
| <i>Dianna Turtle</i>      | <i>Nason Morton</i>    | <i>Dr. Neil Morton</i>  |
| <i>Jamie Hummingbird</i>  | <i>Shannon Buhl</i>    | <i>Connie Davis</i>     |
| <i>Elizabeth O'Dell</i>   | <i>Diane Kelley</i>    | <i>Dr. Charles Grim</i> |

## VISITORS PRESENT:

|                           |                              |                      |
|---------------------------|------------------------------|----------------------|
| <i>Patricia Carpenter</i> | <i>Angela Jones</i>          | <i>Raymond Vann</i>  |
| <i>Carolyn Allen</i>      | <i>Bill Horton</i>           | <i>Lisa Long</i>     |
| <i>Harvey Chaffin</i>     | <i>Dianne Barker Harrold</i> | <i>Dana Geib</i>     |
| <i>Ollie Starr</i>        | <i>Larry Horn</i>            | <i>Lindsay Earls</i> |