



# Council of the Cherokee Nation

Cherokee Nation Complex  
17675 S. Muskogee Ave.  
Tahlequah, OK 74464

## Meeting Minutes - Final RULES COMMITTEE

*Joe Byrd, Chair*

*Recording Secretary, Shelli Brittain*  
*Phone: 1-800-995-9465,*  
*E-mail: council-public@cherokee.org*

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Wednesday, February 17, 2016

1:00 PM

Tribal Council Offices

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### CALL TO ORDER

**Chair Byrd called the meeting to order at 1:03 p.m.**

### INVOCATION

**Councilor Vazquez gave the invocation.**

### ROLL CALL

**Present** 14 - Jack D. Baker; Joe Byrd; Don Garvin; Frankie Hargis ; Curtis Snell;  
Janees Taylor; Victoria Vazquez; Keith Austin; Buel Anglen; Dick Lay;  
Shawn Crittenden; Wanda Hatfield; Rex Jordan and Bryan Warner

**Late Arrival** 3 - Harley Buzzard; David Thornton, Sr. and David Walkingstick

### APPROVAL OF MINUTES

**Councilor Hargis moved to approve the January 28th regular session minutes.  
Councilor Vazquez seconded the motion. The motion carried.**

### REPORTS:

Marshal Service - Shannon Buhl

*Mr. Buhl announced Marshal Josh Smith was awarded Marshal of the Year at the Elks Lodge of Tahlequah last night. He provided an update on Marshal Tanner. He offered to answer questions from the report provided.*

Office of the Attorney General - Todd Hembree

*Mr. Hembree gave an overview of the effects of the passing of a Supreme Court Justice Scalia. He reported they have drafted a new civil code that will be provided for consideration at the March Rules meeting. He offered to answer questions. He gave an update in the Bay Mills trust issue case.*

FOIA-GRA - Gwen Terrapin

*Ms. Terrapin gave an update on the FOIA and GRA requests along with the website.*

Tax Commission - Sharon Swepston

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

Self-Governance - Karen Ketcher

*Ms. Ketcher offered to answer questions from the report provided. Councilor Buzzard inquired if there has been any movement on the road issues at Sequoyah High School.*

Gaming Commission - Jamie Hummingbird

*Mr. Hummingbird provided an updated report. He stated the State of Oklahoma considers this the most successful year of the compact. He gave an update on the National Indian Gaming Commission board. He reported on the Grove gaming facility as the next project for CNB. He gave a brief overview of the four bills they are currently watching in Washington D. C.; Senate 1326, House 2278 and Senate 1396. Councilor Buzzard requested an update on Fair Meadows Downs.*

Human Resources - Nason Morton

*Mr. Morton gave an update on the information he has been requested to provide. He offered to answer questions from the report provided.*

OLD BUSINESS

1. **TMP-329** DISCUSSION AND POSSIBLE ACTION: CLOSING THE LOOPHOLE ALLOWING CANDIDATE FOR PRINCIPAL CHIEF AND OTHER OFFICES TO RAISE AND SPEND MONEY AND ESCAPE ACCOUNTABILITY BY NOT FILING FOR OFFICE  
*Councilor Thornton provided a handout of suggested language as a consolidated effort from the Attorney General, the Election Commission Attorney and our Loophole work group. He suggested tabling this to allow time for everyone to review the handout. The committee suggested a special meeting to consider this. AG Hembree suggested a special meeting for this item and the election law revision. He also suggested any changes be sent to Sonja in his office prior to the meeting. Council Attorney Barker Harrold requested to be included in the emails. Chair Byrd commented he has already requested our Legislative Coordinator, Shelli, to look for dates available to schedule.*  
**Councilor Walkingstick made a motion to table. Councilor Thornton seconded the motion. The motion carried.**
  
2. **TMP-330** DISCUSSION AND POSSIBLE ACTION:  
(A) WHAT CONSTITUTES SUFFICIENT BASIS FOR A COUNCILOR TO CLAIM TRAVEL TO AND FROM COUNCIL MEETINGS, INCLUDING TRAVEL FROM PERMANENT RESIDENCES AND FROM TEMPORARY WORK LOCATIONS OUTSIDE OF CHEROKEE NATION?  
(B) MAY THE COUNCIL REQUIRE REIMBURSEMENT OF TRAVEL FUNDS, FOR TRAVEL TO AND FROM COUNCIL MEETINGS, FROM A COUNCIL MEMBER WHO DID NOT HAVE A SUFFICIENT BASIS TO CLAIM SUCH FUNDS?

*Councilor Thornton inquired if someone else would like to move forward with this issue he requested suggestions on how to proceed if that is the will of the body. An investigation into this issue was discussed.*

**Councilor Thornton moved to table. Councilor Hargis seconded the motion. The motion carried.**

3. [TMP-273](#) DISCUSSION AND POSSIBLE ACTION: CEMETERY RESTORATION ASSISTANCE POLICIES AND PROCEDURES  
**Councilor Vazquez provided possible amendments and requested to table for one month. Councilor Thornton seconded the motion. The motion carried.**
4. [15-100](#) AN ACT AMENDING LA-01-14, "CHEROKEE NATION EMPLOYMENT RIGHTS ACT"  
**Councilor Taylor moved to approve with the revised language provided today. Councilor Vazquez seconded the motion. AG Hembree gave a brief overview of the changes submitted. After discussion was held the motion to approve carried by acclimation.**

#### NEW BUSINESS

1. [16-002](#) A RESOLUTION CONFIRMING THE RENOMINATION OF CHARLES T. HOSKIN JR., AS SECRETARY OF STATE OF THE CHEROKEE NATION  
**Councilor Warner moved to approve. Councilor Vazquez seconded the motion. All Councilors present requested to be added as sponsors. The motion carried.**
2. [16-019](#) A RESOLUTION CONFIRMING THE REAPPOINTMENT OF JACK L. SPEARS AS A COMMISSIONER OF THE CHEROKEE NATION ENVIRONMENTAL PROTECTION COMMISSION  
**Councilor Jordan moved to approve. Councilor Walkingstick seconded the motion. The motion carried.**
3. [16-020](#) A RESOLUTION CONFIRMING THE RENOMINATION OF JOHNNIE EARP AS A BOARD MEMBER OF THE ECONOMIC DEVELOPMENT TRUST AUTHORITY BOARD OF DIRECTORS  
**Councilor Snell moved to approve. Councilor Hargis seconded the motion. Councilors Buzzard, Byrd, Vazquez and Hargis requested to be added as sponsors. The motion carried.**
4. [16-021](#) A RESOLUTION AUTHORIZING THE REVISION OF ONE COUNCIL STANDING COMMITTEE AND THE CREATION OF A NEW STANDING COMMITTEE  
**Councilor Vazquez moved to approve. Councilor Thornton seconded the motion. Councilor Vazquez commented she would like to chair the meeting and suggested meeting every other month at 11:00 a.m. on the last Thursday of the month. The motion carried. All Councilors present requested to be added as sponsors. The motion carried.**
5. [16-022](#) A RESOLUTION RATIFYING IMPLEMENTATION AGREEMENT #3 IMPLEMENTING 2008 MEMORANDUM OF AGREEMENT AS TO CHILD SUPPORT ENFORCEMENT PROGRAM FUNDING BETWEEN CHEROKEE NATION AND DELAWARE TRIBE OF INDIANS

Councilor Vazquez withdrew this at the request of the Administration.

- 6. [16-023](#) A LEGISLATIVE ACT AMENDING TITLE 68 ("REVENUE & TAXATION") THE CHEROKEE NATION MOTOR VEHICLE LICENSING AND TAX CODE

Councilor Vazquez moved to approve. Councilor Taylor seconded the motion. Mr. Andy Quetone offered to answer questions about the proposed amendment. After a few questions the motion to approve carried with not opposition.

- 7. [16-024](#) A LEGISLATIVE ACT AMENDING TITLE 18 "CORPORATIONS" OF THE CHEROKEE NATION CODE ANNOTATED PERTAINING TO JOBS GROWTH

Councilor Lay moved to approve. Councilor Baker seconded the motion. After lengthy discussion the motion to approve failed with the following roll call vote:

**Yea:** 3 - Harley Buzzard; Buel Anglen and Dick Lay

**Nay:** 12 - Jack D. Baker; Joe Byrd; Don Garvin; Frankie Hargis ; Curtis Snell; David Thornton, Sr. ; Victoria Vazquez; Keith Austin; David Walkingstick; Shawn Crittenden; Rex Jordan and Bryan Warner

**Abstain:** 2 - Janees Taylor and Wanda Hatfield

- 8. [16-025](#) AN ACT AMENDING LA-04-14 REVISING TITLE 26 ("ELECTIONS") OF THE CHEROKEE NATION CODE ANNOTATED

Councilor Vazquez moved to table to a specific special meeting. Councilor Baker seconded the motion. The motion carried.

ANNOUNCEMENTS

ADJOURNMENT

Councilor Walkingstick moved to adjourn. Councilor Jordan seconded the motion. The motion carried at 2:37 p.m.

STAFF PRESENT:

<i>Chuck Hoskin Jr.</i>	<i>Canaan Duncan</i>	<i>Shannon Buhl</i>
<i>Sharon Swepston</i>	<i>Todd Hembree</i>	<i>Gwen Terrapin</i>
<i>Jamie Hummingbird</i>	<i>Courtney Jordan</i>	<i>Willard Mounce</i>
<i>Jody Reece</i>	<i>Anna Knight</i>	<i>Diane Kelley</i>
<i>Sonja Glory</i>	<i>Nason Morton</i>	<i>John Hammons</i>
<i>Karen Ketcher</i>	<i>Bill John Baker</i>	<i>Claud Stover</i>
<i>John Paden</i>	<i>Bruce Davis</i>	<i>Andy Quetone</i>
<i>Debra West</i>		

VISITORS PRESENT:

<i>Ollie Starr</i>	<i>Johnnie Earp</i>	<i>Harvey Chaffin</i>
<i>Carolyn Allen</i>	<i>Jack Spears</i>	<i>Adam McCreary</i>
<i>Teddy Snell</i>	<i>Dianne Barker Harrold</i>	

