



Council of the Cherokee Nation

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

Meeting Minutes - Draft RULES COMMITTEE

Joe Byrd, Chair

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

Tuesday, March 21, 2017

10:00 AM

Tribal Council Offices

CALL TO ORDER

Chair Byrd called the meeting to order at 10:00 a.m.

INVOCATION

Councilor Warner gave the invocation.

ROLL CALL

Present 15 - Jack D. Baker; Harley Buzzard; Joe Byrd; Frankie Hargis ; Curtis Snell; Janees Taylor; David Thornton, Sr. ; Victoria Vazquez; Keith Austin; Buel Anglen; Dick Lay; Shawn Crittenden; Wanda Hatfield; Rex Jordan and Bryan Warner

Absent 1 - Don Garvin

Late Arrival 1 - David Walkingstick

APPROVAL OF MINUTES

Councilor Baker made a motion to approve the February 22nd regular session minutes. Councilor Jordan seconded the motion. The motion carried.

REPORTS:

Marshal Service - Shannon Buhl

Marshal Buhl announced he and several other Marshal's visited the St. Francis Children's Cancer Unit to do a special deputization of a two year-old Cherokee citizen Warrior Kai McAlpain. He gave an update on the recently held Polar Bear Plunge. He stated in regard to campaign season they are here to support everyone therefore if anyone sees a Marshal at a campaign event working they are performing their job duties. If anyone should have questions regarding this please contact him. Councilor Buzzard inquired if they provide security at the Claremore Indian Hospital.

Office of the Attorney General - Todd Hembree

Attorney General Hembree announced they will appear before the Oklahoma Supreme Court regarding the temporary injunction concerning Sequoyah Fuels. On Thursday they will have hearing on the Temporary Restraining Order on the Sequoyah Fuels case. He commented they are giving what guidance is allowed to the Election Commission and to Human Services that is allowed in regard to campaign season. He reported they were able to give testimony and defeat a resolution in Arkansas that would have recognized a tribe that was attempting to co-op Cherokee history. They were also able to help facilitate the progression of a Native Arts and Crafts Bill in Missouri that is virtually identical to the one that Representative Hoskin brought forward and became law in Oklahoma. They are progressing on our trust lawsuit. He offered to answer questions from the committee.

FOIA-GRA - Gwen Terrapin

Ms. Terrapin reported she attended the To Bridge A Gap Conference last month. She commented on the success of the conference and gave appreciation to all of the support. She reported a final listing of the 2016 requests has been provided and updated on the website. There has only been one request for 2017 which has been answered. They are working on a few issues with the website. She offered to answer questions.

Tax Commission - Sharon Swepston

Ms. Swepston apologized for missing the meeting last month. She offered to answer questions from the report provided.

Self-Governance - Karen Ketcher

No one was present to report.

Gaming Commission - Jamie Hummingbird

No one was present to report.

Human Resources - Nason Morton

Mr. Morton announced the open enrollment for insurance begins the second week of April. He gave follow up information from questions raised last meeting regarding notification to applicants when they do not get the position applied for. Councilor Byrd inquired about the percentage of our employees who participate in 401k. Councilor Buzzard inquired if exit interviews are a requirement.

AMEND THE AGENDA

Councilor Austin made a motion amend the agenda to move the new business items prior to old business. Councilor Hargis seconded the motion. The motion carried.

NEW BUSINESS

1. [17-025](#) A RESOLUTION SPONSORING THE CHEROKEE NATION SCOUT AWARD FOR THE BOY SCOUTS OF AMERICA

Councilor Austin made a motion to approve. He introduced Terry Hancock the Boy Scout Leader from Rogers County and gave a brief background for the resolution. Councilor Anglen seconded the motion. The motion carried.

2. [17-026](#) A RESOLUTION CONFIRMING THE NOMINATION OF DEWAYNE MARSHALL AS A BOARD MEMBER OF THE CHEROKEE NATION SEQUOYAH HIGH SCHOOL BOARD OF EDUCATION

Councilor Walkingstick moved to approve. Councilor Vazquez seconded the motion. Following a few questions of clarification the motion to approve carried with Councilors Hargis, Taylor and Crittenden opposed.

3. [17-027](#) AN ACT RELATING TO INGRESS AND EGRESS AND ENCROACHMENT

Councilor Lay moved to approve. Councilor Anglen seconded the motion. Councilor Lay gave a brief overview of the reason for the Act. The motion to approve carried by acclamation.

OLD BUSINESS

1. [16-121](#) A RESOLUTION FOR THE COUNCIL OF THE CHEROKEE NATION TO REQUIRE A CONFIDENTIAL REPORT MONTHLY OF ALL CHARITABLE DONATIONS AND SURPLUS EQUIPMENT OF ALL SUBSIDIARIES IN THE CHEROKEE NATION

Councilor Walkingstick gave an update on the work group's progress. He moved to table for another month. Councilor Hargis seconded the motion. The motion carried.

2. [TMP-347](#) DISCUSSION ONLY: TRIBAL COUNCIL TRAVEL EXPENSE POLICY

Councilor Baker stated they are still gathering information and moved to table. Councilor Thornton seconded the motion. The motion carried.

3. [17-023](#) A RESOLUTION PROPOSING AN AMENDMENT TO TITLE 43 SECTIONS 1 & 3 OF THE CHEROKEE NATION CODE ANNOTATED, AMENDING LEGISLATIVE ACT; TO APPROVE AND REFER THE MEASURE ON WHETHER THE DEFINITION OF MARRIAGE AS A CIVIL CONTRACT CONSENT OF PARTIES SHALL BE AMENDED TO INCLUDE OF THE OPPOSITE SEX; TO APPROVE AND REFER THE MEASURE ON WHETHER THE DEFINITION OF WHO MAY NOT BE MARRIED SHALL BE AMENDED TO INCLUDE NOR BETWEEN PARTIES OF THE SAME SEX UNDER "THE CHEROKEE NATION MARRIAGE AND FAMILY PROTECTION ACT OF 2004" AND CODIFIED AS TITLE 43, OF THE CHEROKEE CODE ANNOTATED; AND TO DIRECT IT BE PLACED ON THE BALLOT AT A REGULAR GENERAL ELECTION

Councilor Walkingstick introduced the resolution with an explanation and purpose. He made a motion to approve. Councilor Snell stated he filed a petition with the Court opposing the opinion of the Attorney General and requested Councilor Walkingstick table this resolution indefinitely to allow the court to rule. Councilor Crittenden seconded the motion to approve. Councilors inquired as to the

whereabouts of their legal counsel. Councilor Vazquez requested clarification if Councilor Snell made a motion to table indefinitely. Councilor Snell stated yes, he would like to make a motion to table indefinitely. Councilor Vazquez seconded the motion. Chair Byrd requested each Council member be given the opportunity to speak prior to voting on the motion to table indefinitely.

After each Councilor was given the opportunity to speak and lengthy discussion was held the motion to table indefinitely carried with Councilors Crittenden, Lay and Walkingstick opposed.

ANNOUNCEMENTS

ADJOURNMENT

Councilor Hargis made a motion to adjourn. Councilor Vazquez seconded the motion. The motion carried at 10:57 a.m.

STAFF PRESENT:

| | | |
|-------------------------|-----------------------|----------------------|
| <i>Sharon Swepston</i> | <i>Canaan Duncan</i> | <i>John Young</i> |
| <i>Nason Morton</i> | <i>Shannon Buhl</i> | <i>John Paden</i> |
| <i>Bill John Baker</i> | <i>David Cornsilk</i> | <i>Jami Murphy</i> |
| <i>Jody Reece</i> | <i>Todd Hembree</i> | <i>Gwen Terrapin</i> |
| <i>Linda O'Leary</i> | <i>Chad Harshaw</i> | <i>Chrissi Nimmo</i> |
| <i>Chuck Hoskin Jr.</i> | <i>John Hammons</i> | |

VISITORS PRESENT:

| | | |
|-------------------------|-----------------------|-----------------------|
| <i>DeWayne Marshall</i> | <i>Teddye Snell</i> | <i>Martha Calico</i> |
| <i>Claud Stover</i> | <i>Linda Sacks</i> | <i>Richard Budder</i> |
| <i>Terry Hancock</i> | <i>Grant Crawford</i> | |