

**CHICKASAW TRIBAL LEGISLATURE
REGULAR SESSION
David Stout Building
Ada, Oklahoma
April 19, 2002**

AGENDA ITEM #1 CALL MEETING TO ORDER

Chairperson Wanda Blackwood Scott called the meeting to order at 9:00 a.m.

AGENDA ITEM #2 ROLL CALL

Members present: Beth Alexander
 Linda Briggs
 Tim Colbert
 Mary Jo Green
 Donna Hartman
 Lisa Johnson-Billy
 Dean McManus
 Mooniene Ogee
 Judy Goforth Parker
 Wanda Blackwood Scott
 Wilson Seawright
 Lisa Shephard

Chairperson Blackwood Scott declared a quorum.

Staff present: Doretta Sellers, Recording Secretary
 Harold Stick, Sergeant-At-Arms
 Monette Richardson, Administrative Aide
 Lori Hamilton, Legislative Legal Assistant

Guest present: Jay Keel, James A. Humes, Freda Ozbirn, Phyllis Avanzini, Shannon Campbell, Deanna Hartley, Fran Koontz, Jennifer Barnes, Matthew Morgan, Wanda Farrow, Shirley Duncan, Lenara Hobbs, Ernestine Tolleson, Pat Woods, Evan O. Zorn, Jade Eason, Breanna Eason, Mike Watson, Wilma Watson, Jon Dohser, Danny Key, Kim Abbott, Kelley Allison, Tony Choate, Robin M. Phillips, J. L. Green, R. Decora

AGENDA ITEM #3 INVOCATION

The invocation was given by Mrs. Shephard.

AGENDA ITEM #4 READING OF MINUTES - March 15, 2002

Mr. Seawright noted a typographical error on page five of the minutes.
A motion was made by Mrs. Shephard to approve the March 15, 2002 minutes, as amended. The motion was seconded by Mr. Colbert.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wanda Blackwood Scott, Wilson Seawright, Lisa Shephard,
12 yes votes

The motion to approve the minutes of March 15, 2002, as amended, carried unanimously.

AGENDA ITEM #5: UNFINISHED BUSINESS

There was no unfinished business.

AGENDA ITEM #6: REPORTS OF COMMITTEES

(A) LEGISLATIVE COMMITTEE REPORT by Chairman Wanda Blackwood Scott

Chairperson Wanda Blackwood Scott relinquished the chair to Mrs. McManus.

Permanent Resolution Number 19-016, Amendments to Title 5, Chapter 2, Article D of the Chickasaw Nation Code (Process)

Explanation: This resolution approves of amendments to Title 5, Chapter 2, Article D of the Chickasaw Nation Code. Said amendments will augment the "Process" Section of the Enabling Act, as passed in FY 2001, to help define and clarify future duties and responsibilities overseen by the district court which is currently being developed.

A motion was made by Mrs. Briggs to approve PR19-016. The motion was seconded by Mrs. Green.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
12 yes votes

The motion to approve PR19-016 carried unanimously.

Chairperson Wanda Blackwood Scott concluded her report and regained the chair from Mrs. McManus.

(B) FINANCE COMMITTEE REPORT by Chairman Wilson Seawright

General Resolution 19-033, Authorization for Tribal Non-Trust Funds to be Used for Chickasaw Nation Family Life Center Facilities

Explanation: The preceding resolution approves the Chickasaw Nation's request for funds to expand and construct additional Chickasaw Nation Health System and Division of Youth and Family Services office, service and program space on the Family Life Center campus in Ada, Oklahoma.

This request seeks funding not to exceed the total amount of \$5,636,066. If funded, then \$3,806,317 will be used to construct a 30,585 square-foot addition to the existing Family Life Center. This addition will house a telecommunications conference center, physical therapy center, and healthy heart center on the ground floor. A nutrition center, walking track, and shelled future program space will occupy the second floor .

The remaining \$1,829,749 will be used for the construction of 21,540 square-feet of office space for the Chickasaw Nation Division of Youth and Family Services including, the Department of Child Support Enforcement, Department of Family Advocacy, Office of Violence Prevention, and Department of Youth Services.

Many of the current services are provided at sites not owned by the tribe creating the need to maintain leasing agreements and pay rent. Consolidating these service programs into a single, tribally-owned facility would greatly enhance the efficiency with which these services are provided to the Chickasaw people.

Mrs. Hartman noted there were needs in other districts which have lost health services yet this resolution is asking for more than \$5 million dollars to expand services that are in existence and to expand office space. She stated that the Tribe was not equally distributing facilities and services to all areas of the Nation. Mrs. Hartman asked if this expense was written into the budget for this year.

Mr. Seawright stated the budget for this facility was not included in the budget. He agreed there should be services in other districts, however, the largest number of the Chickasaw population resides in Ada and in Pontotoc District. Mr. Seawright explained the expansion of office space is to decrease the rental of offices, thus creating somewhat of a cost savings. He encouraged the Legislators to review items of this nature in next year's budget.

Dr. Goforth Parker noted the physical therapy services will be expanded to outpatient care. An outpatient physical therapy facility at the Kingston site has been discussed. Physical therapy is a huge industry and could become an income generating program for the Tribe.

Mrs. Alexander reminded the Legislators the Education Foundation was denied funding

last month because it was not in the budget. The Legislature is now considering a facility which is a greater expense than the amount requested for the Education Foundation. She stated she would like to see the Tribe invest in the education of Chickasaws to carry on the Chickasaw government.

Mrs. Briggs noted the money requested on behalf of the Education Foundation was provided in the amount of \$139,000.

Chairperson Blackwood Scott stated a shuttle would provide transportation from Ardmore to Ada to access this facility.

Mrs. Hartman asked that this resolution be tabled until an in-depth study could be performed to determine what facilities will be developed in other areas of the Nation.

A motion was made by Mrs. Hartman to table GR19-033. The motion was seconded by Mrs. Alexander.

Mr. Seawright explained one reason for bringing this resolution forward at this time is that it will save the Tribe one half million dollars to keep the contractor on site to complete this project.

Members voting yes:

Beth Alexander, Donna Hartman, Lisa Johnson-Billy
3 yes votes

Members voting no:

Linda Briggs, Tim Colbert, Mary Jo Green,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
9 no votes

The motion to table GR19-033 failed.

Mrs. Alexander stated the Achille Community Council is beginning to unite to see services expanded its way.

A roll call vote was taken on GR19-033.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wanda Blackwood Scott, Wilson Seawright, Lisa Shephard
12 yes votes

The motion to approve GR19-033 carried unanimously.

Mr. Seawright concluded his report.

(C) HUMAN RESOURCES COMMITTEE REPORT by Chairman Lisa Shephard

General Resolution Number 19-034, Authorization for Chickasaw Nation Health System to Apply for Health Professions Recruitment Program for Indians Grant

Explanation: The Indian Health Service (IHS) has recently announced the availability of Health Professions Recruitment Program for Indians Grants under the authority of the Indian Health Care Improvement Act. The Chickasaw Nation is eligible to apply for such grant in order to seek funding for a grant project that aims to develop additional human resources in the health professionals from among the Chickasaw people.

This resolution authorizes the Chickasaw Nation Health System to apply for an IHS Health Professionals Recruitment Program for Indians Grant.

A motion was made by Mrs. Shephard to approve GR19-034. The motion was seconded by Mrs. Briggs.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
12 yes votes

The motion to approve GR19-034 carried unanimously.

General Resolution Number 19-035, Approval and Assurances for the Indian Community Development Block Grant Program U.S. Department of Housing and Urban Development Southern Plains Office of Native American Programs

Explanation: This resolution approves the Tribe's application and funds from the U.S. Department of Housing and Urban Development, Southern Plains Office of Native American Programs for an Indian Community Development Block Grant (ICDBG) Project. The application will seek approval to establish an infrastructure for the Purcell Area/Northwest Regional Office.

This resolution assures that the Chickasaw Nation has followed the citizen participation requirements for the Indian Community Development Block Grant (ICDBG) Program prior to submission of the application for the ICDBG grant. The first public hearing is to explain the availability of the funding as well as the eligible and ineligible projects that might be undertaken through ICDBG Program. The second public hearing is to give the Indian community the opportunity to review the Tribe's application.

This resolution states the Chickasaw Nation will commit \$250,000 in resources for leverage to support this project.

This resolution states future project benefits will be directed to low and moderate income persons as required annually.

A motion was made by Mrs. Shephard to approve GR19-035. The motion was seconded by Mrs. Johnson-Billy.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
12 yes votes

The motion to approve GR19-035 carried unanimously.

General Resolution Number 19-041, Authorization for Runaway and Homeless Youth Program Application

Explanation: This resolution approves the Chickasaw Nation's grant application to apply for the Transition Living Program funding through the Administration of Children and Families. The grant amount is \$200,000 per year for five years and will serve to supplement the Carter Seminary program budget and enhance the services provided to the Indian students.

A motion was made by Mrs. Shephard to approve GR19-041. The motion was seconded by Mrs. Briggs.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
12 yes votes

The motion to approve GR19-041 carried unanimously.

General Resolution Number 19-043, Approval of Application for Funding Administration for Native Americans Social and Economic Development Grant

Explanation: This resolution will allow the application for federal funding to grant access to Chickasaw citizens for qualified legal services. The project would focus upon

providing increased access to legal services to Native Americans within the jurisdictional area through educational awareness and direct assistance with will preparation. Resources would be provided to pre-approved consultant attorneys to assist with the preparation of wills. All senior citizens would be eligible for the program with specific cut-off points set. However, preference would be given to Chickasaw citizens.

A motion was made by Mrs. Shephard to approve GR19-043. The motion was seconded by Mrs. Johnson-Billy.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
12 yes votes

The motion to approve GR19-043 carried unanimously.

General Resolution Number 19-044, Approval of Application of Funding Tribal Youth Program

Explanation: This resolution authorizes and approves the Chickasaw Nation's application for Tribal Youth Program funds from the U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention.

A motion was made by Mrs. Shephard to approve GR19-044. The motion was seconded by Mrs. Green.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
12 yes votes

The motion to approve GR19-044 carried unanimously.

Mrs. Shephard concluded her report.

(D) LAND DEVELOPMENT COMMITTEE REPORT by Chairman Judy Goforth Parker

General Resolution Number 19-036, Authorization for Purchase of Property in Love County

Explanation: This resolution approves the Chickasaw Nation's request to purchase a

tract of land contiguous to property surrounding Thackerville Travel Plaza, Love County, Oklahoma, containing 85 acres, more or less. Said property shall be placed U.S.A. in Trust for the Chickasaw Nation after property is acquired.

A motion was made by Mrs. Goforth Parker to approve GR19-036. The motion was seconded by Mrs. Briggs.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
12 yes votes

The motion to approve GR19-036 carried unanimously.

General Resolution Number 19-037, Authorization for Funding to Construct Infrastructure for Initial Development in McClain County

Explanation: This resolution approves the funding from tribal, non-trust funds, for infrastructure for the initial development phase of property held U.S.A. in Trust for the Chickasaw Nation in McClain County, Purcell, Oklahoma.

The Chickasaw Nation Nutrition Program previously received authorization by General Resolution Number 18-064, for the expenditure of \$350,000.00 for the construction of a Nutrition Services Center within said tract in McClain County.

A motion was made by Mrs. Goforth Parker to approve GR19-037. The motion was seconded by Mrs. Briggs.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
12 yes votes

The motion to approve GR19-037 carried unanimously.

General Resolution Number 19-038, Utility Easement in McClain County (Electric Services)

Explanation: This resolution approves a 20' utility easement to the Purcell Public Works Authority to construct and maintain an electrical system across tribal property in McClain

County, Oklahoma, to provide electric services to the proposed Nutrition Services Center in Purcell. Compensation is hereby waived because the easement is providing electrical services to the Nutrition Services Center.

A motion was made by Mrs. Goforth Parker to approve GR19-038. The motion was seconded by Mrs. Briggs.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
12 yes votes

The motion to approve GR19-038 carried unanimously.

General Resolution Number 19-039, Utility Easement in McClain County (Sewer Services)

Explanation: This resolution approves a 20' utility easement to the Purcell Public Works Authority to construct and maintain a sewer system across tribal property in McClain County, Oklahoma, to provide sewer services to the proposed Nutrition Services Center in Purcell. Due to the easement providing sewer services to the Center, compensation is hereby waived.

A motion was made by Mrs. Goforth Parker to approve GR19-039. The motion was seconded by Mrs. Briggs.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
12 yes votes

The motion to approve GR19-039 carried unanimously.

General Resolution Number 19-040, Revocable Permit No. G03-2453 in Love County Repeals General Resolution No. 19-031

Explanation: This resolution approves Revocable Permit No. G03-2453 in favor of Lamar Advantage Outdoor Company, LP, Love County, Oklahoma, containing 1.00 acre, more or less, in the amount of \$510.00 per annum, for a term of two (2) years beginning April 1, 2001, and ending March 31, 2003.

A motion was made by Dr. Goforth Parker to approve GR19-040. The motion was seconded by Mrs. Briggs.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
12 yes votes

The motion to approve GR19-040 carried unanimously.

General Resolution Number 19-042, Utility Easement in McClain County (Water Services)

Explanation: This resolution approves a 151 utility easement to the Purcell Public Works Authority to construct and maintain a water line across tribal property in McClain County, Oklahoma, to provide water to the proposed nutrition services center in Purcell. Due to the easement providing water services to the nutrition services center, compensation is hereby waived.

A motion was made by Dr. Goforth Parker to approve GR19-042. The motion was seconded by Mrs. Briggs.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
12 yes votes

The motion to approve GR19-042 carried unanimously.

Dr. Goforth Parker concluded her report.

(E) EDUCATION COMMITTEE REPORT by Chairman Beth Alexander

Mrs. Alexander announced the Education Summit would be held May 31. The committee will be discussing increase of funding for educational scholarships.

(F) HEALTH CARE COMMITTEE REPORT by Chairman Donna Hartman

Mrs. Hartman announced the committee will be discussing the development and expansion of services to other districts at their next committee meeting.

(G) HISTORICAL AND CULTURAL COMMITTEE REPORT by Chairman Dean McManus

No report.

(H) HISTORIC CAPITOL AD HOC COMMITTEE REPORT by Chairman Wanda Blackwood Scott

No report.

(I) ELECTION RULES AND PROCEDURES AD HOC COMMITTEE REPORT by Mooniene Ogee

Mrs. Ogee asked Mrs. Shephard to present her report.

Permanent Resolution Number 19-017, Amendments to Title 8 and Title 2, Chapter 10, Article D of the Chickasaw Nation Code, (Elections and Campaigns & Chickasaw Election Commission)

Explanation: This resolution approves of Amendments to Title 8 and Title 2, Chapter 10, Article D of the Chickasaw Nation Code. Amendments to Title 8 will promote clarity in tribal election laws and procedures and establish a more uniform system of conducting elections, both primary and runoff, including recounts. Amendments to Title 2, Chapter 10, Article D will clarify the duties and responsibilities of the Chickasaw Nation Election Commission and Election Secretary/Tribal Registrar.

A motion was made by Mrs. Shephard to approve PR19-017. The motion was seconded by Mrs. Briggs.

Mr. Seawright stated this committee made recommendations to improve the authority of the Election Commission. There was discussion about the specific duties of the Election Commission and the Election Secretary and attempts were made to clarify those duties. In doing so it required changing several portions of the law which stated the Election Commission has responsibility over the election as opposed to the Election Secretary. Those recommendations were made by the this Committee and changed back to the original language in the Committee of the Whole. Mr. Seawright explained the intent of the original legislation was that the Election Commission have the authority to make decisions in regard to the election process. He recommended to amend this resolution back to the language that the Election Committee recommended prior to the Monday evening Committee of the Whole meeting.

A motion was made by Mr. Seawright to amend PR19-017 to the language proposed by the Election Committee prior to the Committee of the Whole meeting. Mrs. Hartman seconded the motion.

Members voting yes:

Beth Alexander, Donna Hartman, Lisa Johnson-Billy,
Wilson Seawright, Lisa Shephard
5 yes votes

Members voting no:

Linda Briggs, Tim Colbert, Mary Jo Green,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wanda Blackwood Scott
7 no votes

The motion to amend PR19-017 failed.

Mrs. Hartman noted at the Committee of the Whole meeting Monday night it was agreed to add the job description of the Election Secretary. This is a new part which was inserted on page two, Part 13. She asked for an explanation of the sentence, “making decisions in the absence of guidance in the Chickasaw Nation Code.” She asked if this would give the Election Secretary the sole power to make this decision instead of the Election Commission.

Mr. Cheadle noted this language was taken from the Ethics Commission Act which stated there would be no advice, input or interference from any of the three branches of government, any officer, or employee thereof, or any one else not sitting on the Commission. This sentence strengthens the fact that the Election Secretary should not seek any advice or input from any of the branches of government and if there are no guidance in the Code, the Election Secretary should make those decisions.

Mr. Colbert suggested striking the phrase.

A motion was made by Mr. Colbert to strike the phrase, “making decisions in the absence of the guidance of the Chickasaw Nation Code.” The motion was seconded by Mr. Seawright.

Members voting yes:

Beth Alexander, Linda Briggs, Tim Colbert,
Mary Jo Green, Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
12 yes votes

The motion to amend PR19-017 carried unanimously.

A motion was made by Mr. Colbert to approve PR19-017 as amended. The motion

was seconded by **Mrs. Briggs.**

Members voting yes:

Linda Briggs, Tim Colbert, Mary Jo Green,
Donna Hartman, Lisa Johnson-Billy,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
11 yes votes

Member voting no:

Beth Alexander
1 no vote

The motion to approve PR19-017 as amended carried.

AGENDA ITEM #7 NEW BUSINESS (Comments from Citizens)

Mr. Jay Keel commended the Legislators for approving the request for expanding the Family Life Campus.

Ms. Fran Koontz voiced her disappointment in the amendments made to the Election Laws. She stated the Election Commissions worked hard in their meetings to provide suggestions for the election laws to be more specific to the candidates and all three branches of government. It was her understanding at the last joint meeting with the Legislators they were in agreement on this legislation. She learned later that what was agreed upon at this meeting had been rejected by the Legislative body. It was her hope that the Commission and Legislature could begin working on the Election Rules and Regulations in October to create more specific election laws.

Mr. James Humes expressed a need for a Chickasaw Corporation Act which would provide jobs for Chickasaw citizens and expand the land base.

Mr. Mike Watson commented about the legislation passed to provide Senior Citizens with prescription medication. He asked that this legislation be reviewed. One of it's requirements was that only Carl Albert doctors write the prescription for the medication. He felt that the Carl Albert doctors were not writing prescriptions for arthritis medication for the Seniors who need it. Instead they were issuing other medications. Mr. Watson also expressed his concern of the expenditures on tribal projects.

Mrs. Johnson-Billy recognized the Purcell Senior Citizens. She announced that the Ada Johnson 'O Malley group asked her to thank the Legislature for their contribution to their banquet. Mrs. Johnson-Billy also announced that the Purcell Community Council recently had their elections and they were in the process of developing a web site.

AGENDA ITEM #8 ADJOURNMENT

The Chickasaw Tribal Legislature adjourned at 10:04 a.m.

Respectfully submitted,

Dean McManus, Secretary
Chickasaw Tribal Legislature

Prepared by,

Doretta Sellers, Recording Secretary
Chickasaw Tribal Legislature