

**CHICKASAW TRIBAL LEGISLATURE
REGULAR SESSION
David Stout Building
Ada, Oklahoma
May 16, 2003**

AGENDA ITEM #1 CALL MEETING TO ORDER

Chairperson Scott called the meeting to order at 9:03 a.m.

AGENDA ITEM #2 ROLL CALL

Members present: Beth Alexander
 Linda Briggs
 Melvin Burris
 Scott Colbert
 Tim Colbert
 Mary Jo Green
 Donna Hartman
 Dean McManus
 Mooniene Ogee
 Judy Goforth Parker
 Wanda Blackwood Scott
 Wilson Seawright
 Steve Woods

Chairperson Scott declared a quorum.

Staff present: Doretta Sellers, Recording Secretary
 Bernie Seeley, Sergeant-At-Arms Pro Tempore
 Robert Cheadle, Legislative Counsel

Guests present: James A. Humes, Josephine Wilson, Carol Reed, Willita Garrison, Scott Clark, Georgia Malone, Kim Abbott, Danny Key, Geraldine Sweetman, Novaline Fox, Misty Barker, Pat Woods, Carolyn Claxton, Janet Smith, Jimme Sweat, Jade Eason, Mike Watson, Wilma Watson, Josie Crow, Jay Keel, Lisana Carter, Pamela Filipelli

AGENDA ITEM #3 INVOCATION

The invocation was given by Mrs. Green

AGENDA ITEM #4 SERGEANT-AT-ARMS PRO TEMPORE Honor Guard Bernie Seeley

Chairperson Scott introduced Mr. Seeley as the Sergeant-At-Arms Pro Tempore.

AGENDA ITEM #5 READING OF MINUTES - April 17, 2003

A motion was made by Mrs. Briggs to approve the April 17, 2003 minutes. The motion was seconded by Dr. Goforth Parker.

Typographical and grammatical errors were found throughout the minutes. Mrs. Briggs asked that Mr. Wes Brantley's explanation of finder's fee be more detailed. Mrs. Ogee referred to her comments on page 4, stating her question was who would receive a kick back fee. She asked for the minutes to reflect "kick back fee" instead of "finder's fee."

A motion was made by Mrs. Briggs to table the April 17, 2003 minutes. The motion was seconded by Dr. Goforth Parker.

Members voting yes:

Beth Alexander, Linda Briggs, Melvin Burris,
Scott Colbert, Tim Colbert, Mary Jo Green,
Dean McManus, Mooniene Ogee,
Judy Goforth Parker, Wilson Seawright,
Steve Woods, Wanda Blackwood Scott
12 yes votes

Member voting no:

Donna Hartman
1 no vote

The motion to table the April 17, 2003 minutes carried.

AGENDA ITEM #6: UNFINISHED BUSINESS

There was no unfinished business.

AGENDA ITEM #7: REPORTS OF COMMITTEES

(A) LEGISLATIVE COMMITTEE REPORT by Chairman Linda Briggs

No report.

(B) FINANCE COMMITTEE REPORT by Chairman Scott Colbert

General Resolution Number 20-052, Authorization for Construction - Senior Citizens Center, Pauls Valley, Oklahoma

This resolution approves the Chickasaw Nations' request for funds to be used to construct and equip a senior citizen center in Pauls Valley, Oklahoma. The request seeks funding not to exceed the total amount of \$760,000. Of that amount, \$535,000 will be for construction costs and \$225,000 will be for infrastructure costs. These are all estimated amounts, but costs will not exceed the total amount.

A motion was made by Mr. Seawright to approve GR20-052. The motion was seconded by Mrs. Alexander.

Members voting yes:

Beth Alexander, Linda Briggs, Melvin Burris,
Scott Colbert, Tim Colbert, Mary Jo Green,
Donna Hartman, Dean McManus, Mooniene Ogee,
Judy Goforth Parker, Wilson Seawright,
Steve Woods, Wanda Blackwood Scott
13 yes votes

The motion to approve GR20-052 carried unanimously.

Mr. Scott Colbert concluded his report.

(C) HUMAN RESOURCES COMMITTEE REPORT by Chairman Steve Woods

General Resolution Number 20-049, Gubernatorial Appointment to the Chickasaw Nation Ethics Commission, Judge Doug Gabbard, II

This resolution approves Governor Bill Anoatubby's appointment of Judge Doug Gabbard, II to the Chickasaw Nation Ethics Commission. The terms of office of each commissioner shall be determined by the drawing of lots, once the entire three-member commission is seated. Judge Gabbard serves as the District Judge for the Oklahoma 25th Judicial District in Atoka County.

A motion was made by Mrs. Briggs to approve GR20-049. The motion was seconded by Mrs. Green.

Members voting yes:

Beth Alexander, Linda Briggs, Melvin Burris,
Scott Colbert, Tim Colbert, Mary Jo Green,
Donna Hartman, Dean McManus, Mooniene Ogee,
Judy Goforth Parker, Wilson Seawright,
Steve Woods, Wanda Blackwood Scott
13 yes votes

The motion to approve GR20-049 carried unanimously.

General Resolution Number 20-050, Gubernatorial Appointment to the Chickasaw Nation Ethics Commission, Kevin McCaleb

This resolution approves Governor Bill Anoatubby's appointment of Kevin McCaleb to the Chickasaw Nation Ethics Commission. The terms of office of each commissioner shall be determined by the drawing of lots, once the entire three-member commission is seated. Mr. McCaleb is a licensed realtor in Edmond, Oklahoma.

A motion was made by Mrs. Briggs to approve GR20-050. The motion was seconded by Mrs. Green.

Members voting yes:

Beth Alexander, Linda Briggs, Melvin Burris,
Scott Colbert, Tim Colbert, Mary Jo Green,
Donna Hartman, Dean McManus, Mooniene Ogee,
Judy Goforth Parker, Wilson Seawright,

Steve Woods, Wanda Blackwood Scott
13 yes votes

The motion to approve GR20-050 carried unanimously.

General Resolution Number 20-051, Gubernatorial Appointment to the Chickasaw Nation Ethics Commission, Pat Sutton

This resolution approves Governor Bill Anoatubby's appointment of Pat Sutton to the Chickasaw Nation Ethics Commission. The terms of office of each commissioner shall be determined by the drawing of lots, once the entire three-member commission is seated. Ms. Sutton is an employee of East Central University.

A motion was made by Mrs. Alexander to approve GR20-051. The motion was seconded by Mrs. Hartman.

Mrs. Hartman stated she spoke with Ms. Sutton and learned that she was unable to attend the Committee of the Whole meeting because of a prior engagement. Ms. Sutton had served as a member of the Chickasaw Nation Education Foundation, and appeared before the Legislature at the time of her appointment to that board.

Members voting yes:

Beth Alexander, Linda Briggs, Melvin Burris,
Scott Colbert, Tim Colbert, Mary Jo Green,
Donna Hartman, Dean McManus, Mooniene Ogee,
Judy Goforth Parker, Wilson Seawright,

Steve Woods, Wanda Blackwood Scott
13 yes votes

The motion to approve GR20-051 carried unanimously.

General Resolution Number 20-056, Approval of Application for Funding - Indian Highway Safety Program

This resolution approves the Chickasaw Nation's application for funding to the Bureau of Indian Affairs for funding to establish an occupant program that will provide safety education and distribution of child car safety seats to Native Americans who live inside the Chickasaw Nation. The application requests funding for the purchase of child car safety seats for infants, booster seats for older children, promotional educational material and costs associated with the training of selected staff of the Chickasaw Nation.

A motion was made by Mrs. Briggs to approve GR20-056. The motion was

seconded by Mrs. Green.

Members voting yes:

Beth Alexander, Linda Briggs, Melvin Burris,
Scott Colbert, Tim Colbert, Mary Jo Green,
Donna Hartman, Dean McManus, Mooniene Ogee,
Judy Goforth Parker, Wilson Seawright,
Steve Woods, Wanda Blackwood Scott
13 yes votes

The motion to approve GR20-056 carried unanimously.

General Resolution Number 20-057, Approval of Application for Funding Indian Health Service Children and Youth Initiative

This resolution approves the Chickasaw Nation's application for funding to the Indian Health Service to secure monies for youth camps hosted by the Chickasaw Nation. Four camps will be held throughout the year intending to build healthy lifestyles as well as providing educational components warning of potential risks to today's youth.

A motion was made by Mrs. Briggs to approve GR20-057. The motion was seconded by Mrs. Alexander.

Members voting yes:

Beth Alexander, Linda Briggs, Melvin Burris,
Scott Colbert, Tim Colbert, Mary Jo Green,
Donna Hartman, Dean McManus, Mooniene Ogee,
Judy Goforth Parker, Wilson Seawright,
Steve Woods, Wanda Blackwood Scott
13 yes votes

The motion to approve GR20-057 carried unanimously.

General Resolution Number 20-058, Authorization for One-Time Funding for the Head Start Program

This resolution approves the Chickasaw Nation's supplemental grant application for one-time funds to improve and enhance operations of the Head Start Program. The application seeks funding to assist the program in health and safety and licensing issues.

A motion was made by Mrs. Briggs to approve GR20-058. The motion was seconded by Mrs. Alexander.

Members voting yes:

Beth Alexander, Linda Briggs, Melvin Burris,
Scott Colbert, Tim Colbert, Mary Jo Green,
Donna Hartman, Dean McManus, Mooniene Ogee,
Judy Goforth Parker, Wilson Seawright,

Steve Woods, Wanda Blackwood Scott
13 yes votes

The motion to approve GR20-058 carried unanimously.

General Resolution Number 20-059, Authorization for COLA/Quality Grant Application of the Head Start Program

The Chickasaw Nation Head Start is currently funded to serve 256 children. This resolution seeks funding to increase funding to enhance operations of the Chickasaw Nation's Head Start funding application.

The Chickasaw Nation Head Start is funded by the congressional Head Start Act through the DHHS Head Start Bureau, American Indian Programs Branch. As a federally recognized Indian Tribe, the Chickasaw Nation applies for the continuation of services grant each year.

A motion was made by Dr. Goforth Parker to approve GR20-059. The motion was seconded by Mrs. Alexander.

Members voting yes:

Beth Alexander, Linda Briggs, Melvin Burris,
Scott Colbert, Tim Colbert, Mary Jo Green,
Donna Hartman, Dean McManus, Mooniene Ogee,
Judy Goforth Parker, Wilson Seawright,
Steve Woods, Wanda Blackwood Scott
13 yes votes

The motion to approve GR20-059 carried unanimously.

Mr. Woods concluded his report.

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

General Resolution Number 20-053, Authorization for Acquisition of Property in Pontotoc County (Adjoins McSwain Theater in Ada)

This resolution approves the Chickasaw Nation's request to acquire a commercial building described as Lot 19, Block 91, Original Townsite of Ada, Pontotoc County, Oklahoma. The property will be utilized in the expansion of the McSwain Theater.

A motion was made by Dr. Goforth Parker to approve GR20-053. The motion was seconded by Mrs. Briggs.

Dr. Goforth Parker explained there were no plans to place the McSwain property in trust, or plans for the property to be transferred from Chickasaw Nation Industries (CNI) to the Chickasaw Nation. She did not have estimates for the remodeling of the facility.

Mrs. Ogee stated if there were no estimates to refurbish the building, she could not support this resolution.

Mrs. Hartman stated she was aware that CNI owns the McSwain and when the Nation uses the theater, they lease it from CNI. She asked if the Nation renovates the dressing rooms, will CNI lease it from the Nation. She also asked if the Nation plans to donate this property to CNI.

Mr. Danny Key, from the Reality Department, explained the construction cost for the McSwain Theater had been discussed and three firms had placed bids for its remodeling. If this property is purchased, it will be incorporated into the remodeling efforts. The expansion will provide additional dressing rooms and restrooms.

Mrs. Briggs asked who would pay for the remodeling.

Mr. Key stated he was unsure who would be responsible for the cost of remodeling, but presumed the Enterprises would.

Mr. Tim Colbert asked if the McSwain would be a profitable operation.

Mr. Key responded that the McSwain was operated by the Enterprises and he presumed it was intended to be profitable. When CNI took over the facility, they intended to continue with its operation. Mr. Key did not believe the theater was making a substantial profit prior to its purchase, however it had not been promoted due to the remodeling efforts.

Mr. Tim Colbert suggested tabling GR20-053 until the Legislature received information on the remodeling cost, and if the facility was intended to be a profitable business.

A motion was made by Mr. Tim Colbert to table GR20-053. The motion was seconded by Mr. Seawright.

Dr. Goforth Parker stated according to the discussions she had with Mr. David Hatton and Governor Anoatubby the intended use for the McSwain was for tribal use, not for profit.

A roll call vote was taken to table GR20-053.

Members voting yes:

Beth Alexander, Tim Colbert, Donna Hartman,
Mooniene Ogee, Wilson Seawright
5 yes votes

Members voting no:

Linda Briggs, Melvin Burris,
Scott Colbert, Mary Jo Green,
Dean McManus, Judy Goforth Parker,
Steve Woods, Wanda Blackwood Scott
8 no votes

The motion to table GR20-053 failed.

Mrs. Alexander asked how the facility was operating without meeting city codes.

Mr. Key explained the McSwain has been in existence for more than 60 years and was

grandfathered in when the codes were adopted. However, any major remodeling will have to meet code standards.

Mr. Seawright noted this property was purchased by CNI without Legislative knowledge. The Legislature was being asked to approve the purchase of this property, which would be owned separately from the McSwain Theater. He stated there were several unanswered questions, and it was not good business to consider this purchase without having those questions answered. He urged the Legislators to vote no on GR20-053.

Mr. Tim Colbert stated a facility was to be built in Murray County with a large theater which could house functions the Nation would host. He felt there was no reason to spend more money in downtown Ada.

Mrs. Alexander asked about the parking issue.

Mr. Key explained there was an open parking lot north of the theater. Most of the events were held in the evening when down town businesses were closed. Tribal functions that have been held at the McSwain, aside from Commander Herrington's reception, were the employees' award ceremony, a headstart graduation, and a presentation to the Legislature on the Cultural Center.

Mrs. McManus called for the question.

Members voting yes:

Linda Briggs, Melvin Burris,
Scott Colbert, Mary Jo Green,
Dean McManus, Judy Goforth Parker,
Steve Woods, Wanda Blackwood Scott
8 yes votes

Members voting no:

Beth Alexander, Tim Colbert, Donna Hartman,
Mooniene Ogee, Wilson Seawright
5 no votes

The motion to approve GR20-053 carried.

General Resolution Number 20-054, Utility Right-of-Way in Bryan County (Electric Services)

This resolution authorizes and approves the application for right-of-way to Western Farmer's Electric Co-op, for constructing and maintaining an electrical service line across property owned by the Chickasaw Nation and Choctaw Nation. The total compensation to be paid is \$5,500.00, of which \$1,375.00 shall be paid to the Chickasaw Nation for this right-of-way.

Dr. Goforth Parker read the resolution with the amendment which explained \$1,375 will be paid to the Chickasaw Nation.

A motion was made by Dr. Goforth Parker to approve GR20-054 as amended. The motion was seconded by Mrs. Briggs.

Members voting yes:

Beth Alexander, Linda Briggs, Melvin Burris,
Scott Colbert, Tim Colbert, Mary Jo Green,
Donna Hartman, Dean McManus, Mooniene Ogee,
Judy Goforth Parker, Wilson Seawright,
Steve Woods, Wanda Blackwood Scott
13 yes votes

The motion to approve GR20-054 carried unanimously.

General Resolution Number 20-055, Agricultural Lease No. G09-1482 in Atoka County

This resolution approves Agricultural Lease No. G09-1482 in favor of Larry Winters, in Atoka County, Oklahoma, with a per annum payment of \$5,000.00 with \$1,250.00 to be paid to the Chickasaw Nation, for a term of three (3) years.

A motion was made by Dr. Goforth Parker to approve GR20-055. The motion was seconded by Mrs. Briggs.

Members voting yes:

Beth Alexander, Linda Briggs, Melvin Burris,
Scott Colbert, Tim Colbert, Mary Jo Green,
Donna Hartman, Dean McManus, Mooniene Ogee,
Judy Goforth Parker, Wilson Seawright,
Steve Woods, Wanda Blackwood Scott
13 yes votes

The motion to approve GR20-055 carried unanimously.

Dr. Goforth Parker concluded her report.

Mr. Seawright asked why the Capitol Improvement Plan had not been assigned to a committee.

Chairperson Scott stated it will be assigned Monday.

(E) EDUCATION COMMITTEE REPORT by Chairman Mooniene Ogee

Mrs. Ogee reported Ms. Cindy Griffin gave the committee members a tour of the Child Development Center. The Legislators were impressed with the facility.

(F) HEALTH CARE COMMITTEE REPORT by Chairman Mary Jo Green

Mrs. Green reported she received information on the number of new patients at CAIHF. This issue will be discussed at the 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

Chairperson Scott relinquished the chair to Mrs. McManus. She reported the elevator, which was recently installed in the Capitol building, was in working order and that finishing touches were being made to the building.

She regained the chair from Mrs. McManus.

(I) ELECTION RULES AND PROCEDURES AD HOC COMMITTEE REPORT by Steve Woods

No report

(J) COURT DEVELOPMENT AD HOC SUB COMMITTEE REPORT by Chairman Scott Colbert

No report

AGENDA ITEM #8 NEW BUSINESS (Comments from Citizens)

Comments by Jim Humes

Mr. Humes asked the Legislature to provide for a permanent meeting place for the Oklahoma City Council to hold their council meetings as well as conduct other activities. Mr. Humes also made comments regarding the Cultural Center and urged the Legislature to hire their own bond counsel to review any bonding in the name of the Chickasaw Nation.

Comments by Mill Creek Mayor, Scott Clark

Mayor Clark extended his appreciation to Governor Anoatubby, Lt. Governor Keel and the Legislature for a new fire truck donated to the town of Mill Creek.

Chairperson Scott introduced the Pauls Valley Community Council members.

AGENDA ITEM #9 ADJOURNMENT

The Chickasaw Tribal Legislature adjourned at 10:03 p.m.

Respectfully submitted,

Prepared by,

Dean McManus, Secretary
Chickasaw Tribal Legislature

Doretta Sellers, Recording Secretary
Chickasaw Tribal Legislature