

**CHICKASAW TRIBAL LEGISLATURE
REGULAR SESSION
David Stout Building
Ada, Oklahoma
June 21, 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 (Late arrival, 9:01)
 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
 Harlean Hamilton, Sergeant-At-Arms Pro Tempore
 Monette Richardson, Administrative Assistant
 Lori Hamilton, Legislative Legal Assistant
 Robert Cheadle, Legislative Council

Guest present: James A. Humes, Nancy Morey, Jade Eason, Melissa Wilkerson, Freda
 Ozbirn, Traile G .Glory, Marlene Tims, Don Tims, Jay Keel, Lynne
 Jackson, Wilma Watson, Mike Watson, Jennifer D. Barnes, Betty Kemp,
 Dusk Monetathchi, Kim Abbott

AGENDA ITEM #3 INVOCATION

The invocation was given by Mrs. Ogee.

AGENDA ITEM #4 SERGEANT-AT-ARMS PRO TEMPORE

Chairperson Wanda Blackwood Scott announced Mr. Stick was serving in the National Guard and a Sergeant-At-Arms Pro Tempore needed to be elected.

Chairperson Wanda Blackwood Scott nominated Mr. Harlean Hamilton to serve as Sergeant-At-Arms Pro Tempore.

A motion was made by Mrs. Shephard to approve the nomination. 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,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
12 yes votes

AGENDA ITEM #5 READING OF MINUTES - May 17, 2002

A motion was made by Mrs. Shephard to approve the May 17, 2002 minutes. The motion was seconded by Mrs. Alexander.

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 the May 17, 2002 minutes carried unanimously.

AGENDA ITEM #6: UNFINISHED BUSINESS

There was no unfinished business.

AGENDA ITEM #7: REPORTS OF COMMITTEES

(A) LEGISLATIVE COMMITTEE REPORT by Chairman Wanda Blackwood Scott

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

General Resolution Number 19 - 063, Authorization for Referendum to Establish a

New Capitol for the Chickasaw Nation

This resolution authorizes a referendum election to put to a vote of the Chickasaw electorate the question of whether or not the tribe should establish a new capitol. The Legislature adopted such a resolution in the summer of 2001; however, since that time, rules and regulations for referendum elections have been devised by the Legislature which require a nine-vote majority. The 2001 resolution was adopted by an 8-vote majority and therefore does not qualify for calling a referendum election. In addition, the new rules and regulations provide for an introductory paragraph to explain the question; such paragraph was not included in the earlier resolution. The introductory paragraph and question reads as follows:

The historic capitol of the Chickasaw Nation has been Tishomingo, Oklahoma, since 1856. The Chickasaw Nation, as a sovereign nation, has the ability to designate its capitol city and to construct or purchase an existing structure to be used as the tribe's capitol building. The historic capitol in Tishomingo will not change or be affected by the decision of the people in this referendum election. The question is:

Are you in favor of establishing a new capitol for the Chickasaw Nation?

Yes _____ No

Mr. Seawright stated this is a measure of extreme importance to everyone and that it was the responsibility of the Legislature for the people to clearly understand what this issue is about. He stated he would support this resolution because the people have a right to vote, however, he was not pleased with the way it was proposed and handled.

Mrs. Alexander stated she would support this resolution, however, she disagreed with it's wording.

Mrs. Shephard stated it is her goal at the community councils to review the resolutions with the people and get their input before she makes any decisions. This resolution was presented at the Committee of the Whole and there was not enough time to be informed. She felt the sentence that read, "...the historic capitol in Tishomingo...will not be affected," will indeed be affected by this vote. She felt that the people did need a voice, so she would support this resolution.

Mrs. Hartman stated the Legislature has known since November that the referendum resolution was approved, yet this resolution was presented this past week to vote on today. The people need to have the opportunity to decide whether they want to build a capitol rather than establish a new capitol. She felt more time could have been spent on this resolution.

Chairperson Wanda Blackwood Scott called for a roll call vote.

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 GR19-063 carried unanimously.

General Resolution Number 19-064, Approval of General Counsel Contract for the Chickasaw Nation Election Commission (Dustin P. Rowe)

This resolution approves the Chickasaw Nation Election Commission's choice of Mr. Dustin P. Rowe to serve as its consulting legal counsel. This action is authorized by Section 2-1044 of the Code of the Chickasaw Nation. Mr. Rowe is a citizen of the Chickasaw Nation.

A motion was made by Mrs. Shephard to approve GR19-064. The motion was seconded by Mrs. McManus.

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 GR19-064 carried unanimously.

Permanent Resolution Number 19-019, Amendment to Title 6, Chapter 1 of the Chickasaw Nation Code (Child Support Guidelines)

The Chickasaw Nation Supreme Court is in the process of expanding the tribal court system to include a district court. The Chickasaw Nation Supreme Court has found the need to develop Child Support Guidelines, to help define and clarify future duties and responsibilities overseen by the district court. This resolution authorizes and approves amendments to Title 6, Chapter 1 of the Chickasaw Nation Code. All other Sections of Title 6, Chapter 1 are to remain the same and are not affected by this resolution.

A motion was made by Mrs. Green to approve PR19-019. The motion was seconded by Mrs. McManus.

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 PR19-019 carried unanimously.

**Permanent Resolution Number 19-020, Amendment to Title 5, Chapter 1, Article A
of the Chickasaw Nation Code (Chickasaw Bar Association)**

This resolution authorizes and approves the establishment of a Chickasaw Bar Association as desired by the Chickasaw Nation Supreme Court. Admission to the Chickasaw Bar Association will authorize qualified individuals to practice law in any Court of the Chickasaw Nation. The Chickasaw Supreme Court participated in the drafting of this resolution.

A motion was made by Mrs. Briggs to approve PR19-020. 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 PR19-020 carried unanimously.

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

(B) FINANCE COMMITTEE REPORT by Chairman Wilson Seawright

Mr. Seawright reported the Finance Committee has reviewed the FY 2003 budget in detail and a number of questions have come from that review. Budget Hearings have been held in Ada and Tishomingo. Additional hearings are scheduled for Purcell and Ardmore.

Mr. Seawright concluded his report.

(C) **HUMAN RESOURCES COMMITTEE REPORT** by Chairman Lisa Shephard

General Resolution Number 19-061, Authorization for Chickasaw Nation Health System to Apply for Indian Health Service Tribal Management Grant

The Indian Health Service (IHS) has recently announced the availability of Tribal Management Grants for tribal projects designed to improve the administration and operation of tribal health programs. The Chickasaw Nation is eligible to apply for such grant in order to seek funding for a project to implement a third-party billing software system that aims to increase revenue collections through improved claims processing, as well as increase the efficiency of cost report tracking. This resolution authorizes the Chickasaw Nation to apply for an IHS Tribal Management Grant for Approximately \$100,000 per year for three years. There will be no matching requirements. The Chickasaw Nation Health System (CNHS) will purchase and implement the “Chargemaster” billing software.

A motion was made by Mrs. Shephard to approve GR19-061. 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 GR19-061 carried unanimously.

General Resolution Number 19-062, Authorization of Application for Funding Project Strong Family to the Administration for Native Americans Social and Economic Development Strategies Program

This resolution approves the Chickasaw Nation’s application for funding to the Administration for Native Americans, Administration for Children and Families, Social and Economic Development Strategies Projects Program, for “Project Strong Family,” to enhance the overall well being of families in the Chickasaw Nation.

This application requests funding in the amount of \$250,000 with a 20% (\$50,000) tribal in-kind match committed.

Mr. Jay Keel was present to answer questions of the Legislature.

Mr. Keel stated this application is for an 18 month project. It would set up the office for Project Strong Family with three employees. Their primary focus would be on family

counseling groups, fatherhood and men's accountability groups, and abstinence training for youth. The end result is to further integrate the Youth and Family Services to approach the whole family. The long term goal would be to obtain long term funding which would enable the program to establish a permanent Office of Strong Family Development. The \$60,000 match is in kind. It will be met with employees currently working in the division which will commit a portion of their time to this project.

A roll call vote was taken.

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 GR19-062 carried unanimously.

Mrs. Shephard concluded her report.

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

General Resolution Number 19-057, Revocable Permit No. G09-1398 in McCurtain County

This resolution approves Revocable Permit No. G09-1398 in favor of James T. Wax on property containing 22.50 acres, more or less, in the amount of \$35.00 per annum, for a term of three (3) years beginning July 1, 2001, and ending June 30, 2004.

A motion was made by Dr. Goforth Parker to approve GR19-057. 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 GR19-057 carried unanimously.

General Resolution Number 19-058, Business Lease G09-1410 in Bryan County

This resolution approves Business Lease No. G09-1410 on property owned by the Chickasaw and Choctaw Nations in Bryan County, Oklahoma, in favor of Larry Frazier Self, of Durant, Oklahoma. The term is for five (5) years beginning November 1, 2001, and ending October 31, 2006, with a per annum payment of \$100.00.

A motion was made by Dr. Goforth Parker to approve GR19-058. 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 GR19-058 carried unanimously.

General Resolution Number 19-059, Business Lease G09-1411 in Pittsburg County

This resolution approves Business Lease No. G09-1411 on property owned by the Chickasaw and Choctaw Nation's in Pittsburg County, Oklahoma, in favor of Tony Wallis, Lake Eufaula Rod & Gun Club, Krebs, Oklahoma. The lease is for a term of five (5) years beginning November 1, 2001, and ending October 31, 2006, with a per annum payment of \$100.00.

Mrs. Shephard noted there was a different explanation page attached to the resolution.

Mr. Colbert made the suggestion to table GR19-059 due to the confusion of the explanation page. He felt that the explanation page for GR19-059 was the explanation page for GR19-058.

A motion was made by Mr. Colbert to table GR19-059. The motion was seconded by Mrs. Johnson-Billy.

Members voting yes:

Tim Colbert, Donna Hartman, Lisa Johnson-Billy,
Wilson Seawright, Lisa Shephard,

5 yes votes

Members voting no:

Beth Alexander, Tim Colbert, Mary Jo Green,
Dean McManus, Mooniene Ogee, Judy Goforth Parker,

Wanda Blackwood Scott
7 no votes
The motion to table GR19-059 failed.

Dr. Goforth Parker read the resolution with the recommended amendments. The first amendment corrected the weed and brush control on the five acres from \$750.00 for a yearly value to \$100.00. It also corrected the last paragraph of the resolution by changing “Agricultural Lease” to “Business Lease”.

A motion was made by Dr. Goforth Parker to amend the resolution as read. The motion was seconded by Mrs. Briggs.

Mr. Colbert asked why the lease changed from \$750.00 per year to \$100.00.

Ms. Kim Abbott, from the Office of Reality, replied it was a typographical error.

Mr. Colbert asked how the leasee would use the property.

Ms. Abbott answered it would be used for a Rod and Gun Club.

Mr. Colbert asked if it was located on the lake.

Ms. Abbott stated the lease was located on Lake Eufaula.

Mrs. Alexander stated if this was property joining their business and they were using it for part of their business, it should be worth more than \$100.00. She understood this resolution had been passed by the Choctaw Council. She suggested asking them to reconsider.

Mrs. Shephard asked what would happen if the Legislature does not approve this resolution.

Mr. Traile Glory, BIA Superintendent, stated they would go ahead and lease the property. It is divided three quarter, one quarter. They would send one-quarter of the lease payment over and put it into the proper account.

Mrs. Alexander stated in the past the Legislature had questioned other leases and Ms. Robin Phillips researched them. As a result of her research, the Tribe received more money from the leases. Mrs. Alexander asked that GR19-059 be tabled and that the Choctaw Council be contacted and asked to reconsider their decision in approving this resolution.

Mr. Glory noted this lease went into effect November 1, 2001.

Mr. Glory answered Mr. Colbert’s question of how the leasee utilizes the property. He stated they shoot trap and skeet. The trap club is located on five acres, and consists of one building on this property.

A motion was made by Mrs. Alexander to table GR19-059. The motion was seconded by Mrs. Hartman.

Members voting yes:

Beth Alexander, Tim Colbert, Donna Hartman,
Lisa Johnson-Billy, Mooniene Ogee, Judy Goforth Parker,
Wilson Seawright, Lisa Shephard, Wanda Blackwood Scott
9 yes votes

Members voting no:

Linda Briggs, Mary Jo Green, Dean McManus
3 no votes

The motion to table GR19-059 carried.

General Resolution Number 19-060, Farming and Grazing Lease G09-1408 in Pushmataha County

This resolution approves Agricultural Lease No. G09-1408 on property owned by the Chickasaw and Choctaw Nations described in Pushmataha County, Oklahoma. The lease contains 40 acres and is in favor of Tom Reed, of Talihina, Oklahoma. The lease is for a term of three years beginning September 1, 2001 and ending August 31, 2004, with a per annum payment of \$125.00, including brush and weed control on 20 acres of open pastures for a yearly value of \$200.00.

A motion was made by Dr. Goforth Parker to approve GR19-060. The motion was seconded by Mrs. Green.

Mrs. Alexander stated this property is 20 acres adjoining the leasee's property which is being used for grazing. This is inexpensive lease property to run livestock on for grazing.

Chairperson Wanda Blackwood Scott asked if more information could be given regarding the property.

Mr. Glory stated he had not viewed this property. Warehouse is located in Pushmataha County, and that land is rough terrain.

Mr. Glory stated if the Legislators were willing, he would set up tours of the properties. It would take two days to complete the tour.

A roll call vote was taken.

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 GR19-060 carried unanimously.

Dr. Goforth Parker concluded her report.

(E) EDUCATION COMMITTEE REPORT by Chairman Beth Alexander

Mrs. Alexander reported her committee was reviewing the Education Foundation plan and would be bring a resolution forward soon.

(F) HEALTH CARE COMMITTEE REPORT by Chairman Donna Hartman

No report.

(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 Wanda Blackwood Scott relinquished the Chair to Mrs. McManus.

Mrs. Scott reported progress was being made on the old capitol building. The walls were up on the second floor and the elevator will be installed by festival time.

Mrs. Scott concluded her report and regained the Chair from Mrs. McManus.

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

Permanent Resolution Number 19-022, Amendments to Title 8, Chapter 8 of the Chickasaw Nation Code (Referendum Elections)

This resolution approves rules and procedures for referendum votes/elections.

Mrs. Ogee reported her committee recommended a “no pass” on PR19-022.

PR19-022 failed for lack of a motion.

AGENDA ITEM #8 NEW BUSINESS (Comments from Citizens)

Mr. James Humes made comments regarding gaming issues in the State of Oklahoma and the need for the tribe to adopt a Corporation Act.

Mr. Mike Watson made comments regarding the land leased by the Choctaws and Chickasaws. He felt that because the Choctaws have 75% interest of the leased property, it should not give them full control of the property.

AGENDA ITEM #9 ADJOURNMENT

Chairperson Wanda Blackwood Scott adjourned the meeting at 9:48 a.m.

Respectfully submitted,

Dean McManus, Secretary
Chickasaw Tribal Legislature

Prepared by,

Doretta Sellers, Recording Secretary
Chickasaw Tribal Legislature