

Tribal Council Meeting

May 7, 2012

Minutes

Chief Pechonick called the May 7th meeting to order at 6pm. Chet Brooks gave the invocation. Roll call: Chief Pechonick, Assistant Chief Chet Brooks, Wayne Stull, Janifer Brown, Verna Crawford, Nathan Young and Jenifer Pechonick.

The Chief recognized the guests present. Charles and Mary Randall, Curtis Zunigha, Cy Hughes, Nicky Micheal, Bruce Martin, JoAnn Markley, LuAnn Hainline, CeCe Runnels, Greg Brown, Brice Obermeyer, Rick Barnes, Don and Priscilla Mason, Rich Lillard, Mike Taylor, Teri Jo Aaroe, Titus Frenchman, Nancy Sumpter and Levi Randoll.

Rich Lillard presented to the Council regarding health insurance for the Tribal employees for the next year. He discussed the idea of raising the deductible to save the monthly premium and encouraged the Tribe to contribute money towards the deductible to offset the increase this year.

Wayne made a motion to approve insurance plan RX485 with the Tribe paying the 2nd \$500 portion of the deductible. 2nd Wayne Stull. Motion passed all in favor.

Jenifer Pechonick made a motion to amend the agenda to include Resolution 2012-20 and an executive session. 2nd Janifer Brown. Motion passed all in favor.

Verna Crawford made a motion to approve the minutes with corrections if needed from April 7, 2012. 2nd Wayne Stull. Motion passed all in favor.

Treasurer's report: Janifer Brown presented the financials. The general fund balance as of 3/31/12 is \$806,760.17. Janifer requested support from the Council to discuss with Jade having the financials ready by the 15th of the month prior to the Council meeting.

Jenifer Pechonick made a motion to approve the financials pending audit. 2nd Chet Brooks. Motion passed all in favor.

Unfinished Business:

Personnel Policy: Curtis Zunigha presented some proposed changes of the personnel policy regarding accrual and use of annual leave and sick leave. He reviewed the current policy: 5 days/yr for the first 3 years, after 3 years 10 days/yr. Proposed: 5 days/yr for the first year and years 2-10 10 days/yr, 11th year – 15 days/yr. 40 hours can be carried over to the following year. Proposed: employee is able to take leave as accrued after probation. Sick leave: proposed: accrue 1.85 hours/pay period (current: 2 hrs) to bring the Tribe closer to industry standard. Proposed: carryover 48 hours of sick leave at anniversary.

Jenifer Pechonick made a motion to accept the proposed changes to the personnel policy. 2nd Verna Crawford. Discussion: Wayne Stull asked if this will be an ongoing process. Curtis said there are additional sections to revisit. Motion passed all in favor.

Election Committee: Chet Brooks made a motion to appoint LuAnn Hainline, James Hammon, Missy Gillman, Laura Maynor, Cy Hughes, and Nicole Hammon. 2nd Jenifer Pechonick. Discussion: The election committee will need to prepare some new rules. The election will be the same day as the General Council. There will be 3 Council members' and 3 Judges' vacancy.

Janifer Brown made a motion for General Council and the election to be on the 1st Saturday in November (November 3rd, 2012). 2nd Chet Brooks. Discussion: Vicki Sousa suggested setting up a polling place in Kansas. Motion passed all in favor.

Jenifer Pechonick made a motion to return to requesting absentee ballots to vote. 2nd Janifer Brown. Discussion: Jenifer Pechonick said that she was on the Council when the change was made to send out ballots to everyone because the Council thought this would increase voters, but it didn't. Chet Brooks said that he feels like maybe we shouldn't send out ballots to people who won't take the time to request a ballot. He said it has a large effect on who is going to elect our Tribal officials. He said a former employee gave the list of absentee voters to certain candidates. He said this could be prevented by providing the absentee list to all candidates. Nathan Young said that in county and state elections, the list requesting absentee ballots is public information. Levi Randoll said that he would be in favor of Chet's suggestion. Charles Randall asked how candidates could get an updated list (if someone moved between the time the

list was issued and the time the candidate would do a mail out). 5 in favor, Verna - no, Chet – Abstain.

Reports:

Tribal Manager Curtis Zunigha reported some highlights of activities of the last month. Two positions were advertised, the executive assistant to the Chief and a wellness center attendant, the interviews were completed last week. The final selection will be completed this week. We will have those employees hired and working soon. The network server, internet and phones were updated in Caney and Bartlesville. The new enrollment software has been loaded and is ready for implementation by the new executive assistant. EPA – submitted AIR grant for renewal. Social Services – Lacey Harris and Jade Johnson are attending Indian Child Welfare training in Shawnee. Caney Property Fee-to-Trust Application – Curtis and Nathan Young met with BIA Realty officers on further details of the application. There is a meeting May 10 with Horizon Engineers to contract environmental review. Cherokee MOA – Curtis and Nathan met with Cherokee Nation officials to review federal dollars attributed to the Tribe. Secretary of State for the Cherokee Nation Charles Head indicated that the Nation would work with the Tribe to identify any funding from 2003-2004 and turn them over to the Tribe. They will also meet with CN's planner/grant writer to identify Tribal needs in the next funding cycle and identify mechanisms by which the Tribe can receive direct funding with the intention of this being drafted into a modified MOA negotiated between both tribal councils.

Jenifer Pechonick made a motion for a 5 minute recess. 2nd Verna Crawford. Motion passed all in favor.

Judges' report: Don Mason reported on the trip the judges took for training in Albuquerque. Rick Barnes thanked the Tribe for sending the judges to the training. He said he noticed that Indian people look to rehabilitate citizens. Rick and Don said that domestic violence was a topic of the training. They said the Kansas Potawatomi's weren't forthcoming with information. Charles Randall said that the training took them through all the steps and documentation required. They were able to get a lot of discussion on the trip amongst themselves. The judges continue to work on the judicial system. Nathan Young asked what the judges' top priorities are. Charles Randall said that code review is top priority. Don Mason said we need a basic civil, basic domestic, basic corporation and basic criminal codes. Charles Randall said we were the only landless Tribe. Vicki

will send the statutes to the judges. Verna Crawford asked the judges to let the Council know what staff support they need.

New Business:

Janifer Brown made a motion to approve Resolution 2012-20 approving the submission of the report on Delaware Burial Practices in the Archaeological Record titled "Traditional Delaware Funerals: An Ethnographic Approach for Documenting Funerary Objects under NAGPRA" as a grants deliverable for the FY 2010 NAGPRA Documentation grant. 2nd Nathan Young. Motion passed all in favor.

Brice Obermeyer said they have been working with archaeologists from the University of Missouri who have been working in the James River Valley. They will be here Tuesday, May 15 at 12:30pm at the Community Center.

Verna Crawford made the motion to approve Resolution 2012-17, Approval of Tribal Membership, 2nd Chet Brooks. Discussion: There are 12 new members. Motion passed all in favor.

Jenifer Pechonick made a motion to approve Resolution 2012-18 Housing Policies, 2nd Nathan Young. Discussion: There were no significant changes to the policies, only the name of "Housing Authority" to "Housing Program". Motion passed all in favor.

Verna Crawford made a motion to approve Resolution 2012-19 to approve the purchase of the home at 408 Mistletoe Lane, Bartlesville. 2nd Janifer Brown. 6 yes, 1 abstain – Jenifer

The Council will have workshop Tuesday May 15 at 11am to discuss the presented Code of Conduct.

The Council went into Executive Session.

The meeting was adjourned at 8:20pm.