

OFFICIAL ORIGINAL MINUTES

SPECIAL TRIBAL COUNCIL MEETING
MINUTES
NOVEMBER 17, 2007

MEETING BEGIN: 11:10 A.M.
MEETING PLACE: HAMMON COMMUNITY HALL, HAMMON, OKLAHOMA
MEETING CALLED: BY TRIBAL COUNCIL PETITION
TYPE OF MEETING: SPECIAL TRIBAL COUNCIL MEETING
WELCOME/CALL TO ORDER BY: RACHEL LYNN, TRIBAL COUNCIL
COORDINATOR
INVOCATION: GARY BIG HORSE
CHAIRMAN: JESSE BLIND JR.
SECRETARY: TERESA MURRAY
SERGEANT OF ARMS: CHESTER WHITEMAN
COUNTERS: ROSEMARY AMENDARIUS, SHAREE PARIS, JOSHUA SMITH,
KYLE SPOTTED HORSE, LA DONNA TALLBEAR, HARRIET WHITESHIRT
SELECTION: CHAIRMAN, SECRETARY, & SGT. OF ARMS, CHAIRMAN
APPOINTS SIX (6) COUNTERS

Nomination for Chairman:

Joyce Woods nominated Jesse Blind Jr. for Tribal Council Chairman. There were no other nominations made to be chairman. Jesse Blind Jr. was made Tribal Council Chairman by acclamation.

Nomination for Secretary:

Teresa Murray nominated Joyce Woods. Joyce Woods declines nomination. Joyce Woods nominated Janice Wilson. Janice Wilson declines nomination. Joyce Bullcoming nominates Teresa Murray as secretary. Janice Roswell seconds the nomination. Vera Franklin makes a motion to cease nomination. Joyce Woods seconds the motion to cease nominations. Teresa Murray is secretary by acclamation.

Nomination for Sergeant of Arms:

Joyce Woods nominated Wilbur Birds Head, seconded by Janice Wilson. Joyce Starr nominates Chester Whiteman, seconded by Michael Martin. Wilbur Birdshead received 27 votes. Chester Whiteman received 63 votes. Chester Whiteman is the Sergeant of Arms.

Chairman appoints counters: Joshua Smith, La Donna TallBear, Rosemary Amendarius, Harriet Whiteshirt, Vera Franklin declines, Sharee Paris, Charlie Blackbear declines, Freddie Ramirez declines, Ruby Standingwater declines, Kyle Spotted Horse.

Robert Rule of Order procedures, Tribal Council Resolution 111707STC 000.

Ida Hoffman read the resolution. Ida Hoffman made a motion to adopt the Robert Rules of Order to conduct the Special Tribal Council Meeting. The motion was second by Robert Wilson. Discussion: Rachel Lynn stated that the Robert Rules of Order

Prepared by
Tribal Council Secretary
Teresa Murray

procedures were in effect already. Rick Greflner, Tribal Council Attorney said that Tribal Council needs to established procedures for every tribal council meeting. In accordance, with Article V section 2 (d). The Tribal Council shall have the power to establish its own rules of order and procedure. For 76, Opposed 0, Abstain 1, Not Voting 3.

2. Ida Hoffman makes a motion to approve the Agenda by unanimous consent. Vera Franklin seconded the motion. No Tribal Member objected. The Agenda was approved by unanimous consent.

Agenda Item 1: Minor Per Capita Payments Tribal Council Resolution 111707STC 001.

Minor Per Capita Payment resolution was read by the Rachel Lynn, Tribal Council Coordinator. Discussion: The Per Capital Payment resolution was supposed to be made into law before it is presented to the Tribal Council. The Tribal Council has the power to establish policy. The Tribal Council does not have the power to make law. Ida Hoffman maintained that this resolution was unconstitutional, as this was a legislative authority rather than Tribal Council authority. No motion was made to accept the resolution. No second was made to accept motion. The Minor Per Capita Payment resolution died.

Agenda Item 2: Enrollment Membership Ordinance Tribal Council Resolution 111707STC 002.

Linda Hulbutta read the Enrollment Membership Ordinance resolution. A motion was made by Rachel Lynn to accept the resolution. Barbara Paukia seconds the motion to accept the resolution.

Discussion was made by Robert Wilson, Teresa Murray; recommends that another legal opinion is needed to go over the Enrollment Membership Ordinance. Linda Hulbutta had Robert Lytle's legal opinion on the Enrollment Ordinance but it was left in her office. Carol Whiteskunk makes a motion to table the resolution. Joshua Smith seconds the motion. Carol Whiteskunk withdrew the motion to table. Carol Whiteskunk makes a suggestion to move the resolution to the end of the agenda to allow the Tribal Council attorney Rick Greflner to read over the Enrollment Ordinance for his legal opinion.

Agenda Item 3: Special Secretarial Election to Re-instate the 1975 Constitution as Amended Tribal Council Resolution 111707STC 003.

Reading of the resolution was made by Ida Hoffman.

Discussion was made by Rachel Lynn to table the resolutions for the next Tribal Council meeting because she states that the resolutions would not be in effect because the resolutions are listed on the next agenda on December 1, 2007. Clarification was made

by Rick Grellner, Tribal Council Attorney, if the resolution passed in this meeting these resolutions would still be in effect even if the resolutions were listed on the next agenda.

Rachel Lynn makes a motion to table the Tribal Council resolutions that are listed as items on the next agenda on December 1, 2007. Ron Kauley seconds the motion. Motion fails to table resolutions. For 4, Opposed 79, Abstain 0, Not Voting 0.

Motion was made by Ida Hoffman to accept resolution Special Secretarial Election to Re-instate the 1975 Constitution as amended. The motion was seconded by Sharon Antelope. The main motion along with the Germane Amendments 1, 2, 3, passes. For 91, Opposed 1, Abstain 1, Not Voting 0.

Rachel Lynn called a point of order on the amendment, asking how it was germane to the proposed secretarial election on the constitution. Hoffman read a statement from Grellner arguing that it was germane because it concerned "constitutional provisions that have failed to promote more unified tribal economic progress, to better transact our tribal business and industrial affairs, to establish guidance and direction for our government, to establish and promote justice for all people and to advance the general welfare for ourselves posterity," which was in the language for the secretarial election resolution.

Tribal Council Resolution 111707STC 003 Germane Amendment 1.

Subject: To validate the exclusive power of the Tribal Council to approve the Annual Tribal Budget, and for other purposes, by adding the following clauses to the existing Tribal Council Motion.

Ida Hoffman read the Germane Amendment 1.

Discussion was made by Rachel Lynn: stated that she did not post the amendments for the fourteen days period. Ida Hoffman said that there can be up to 3 germane amendments to the resolutions.

Discussion: Ramona TallBear states that Darrell Flyingman failed to sign a veto on the 2007 Budget. Darrell Flyingman alleged that the 2007 budget was stolen from his office, that's why he couldn't veto it. The 2007 Budget is in place. Darrell Flyingman refuses to follow the 2007 budget and he continues to misappropriate tribal money.

Motion was made by Ida Hoffman to approve the Germane Amendment 1. Second the motion was made by Vera Franklin. Motion passes. For 90, Opposed 0, Abstain 1, Not Voting 0.

Tribal Council Resolution 111707STC 003 Germane Amendment 2.

Subject: Declares the Tribal Council's support of the Legislature's efforts to authorize the retrocession of Multi-Year (06/07/08) Tribal Court Contract No. CTB05T80183 and

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authorize the Bureau of Indian Affairs' re-assumption of judicial jurisdiction, through operation of a Court of Indian Offenses, until the Tribes can reassume operation of the Tribal Court system, by adding the following clauses to the existing Tribal Council Motion.

Ida Hoffman read the Germane Amendment 2.

Discussion was made by Pat Smothers on questions about the BIA court system.

Motion was made by Ida Hoffman to accept the Germane Amendment 2. Second the motion was made by Vera Franklin. Motion passes.
For 88, Opposed 1, Abstain 0, Not Voting 0.

Tribal Council Resolution 111707STC 003 Germane Amendment 3.

Subject: To acknowledge the validity of the Election Commission in their current positions as members of the current election commission to remain effective until reappointed or until another commission is properly elected in the 2007 election, to chastise the Supreme Court as they attempt to usurp the Constitutional powers of both the Tribal Council and the Election Commission, and for other purposes by adding the following clauses to the existing Tribal Council motion.

Ida Hoffman read the Germane Amendment 3.

Discussion: Wilbur Birdshead was angry about the Supreme Court's decisions against the Election Commission and the Tribal Council in allowing Darrell Flyingman to abuse his executive power over the people. The Supreme Court denied the Tribal Council their civil right to vote.

Motion was made by Ida Hoffman to accept the Germane Amendment 3. Second the motion was made by Vera Franklin. Motion passes. For 87, Opposed 2, Abstain 0, Not Voting 0.

Agenda Item 4: Two Year Contract to Re-instate the 1975 Third Amended Restated Gaming Management Agreement with Southwest Casino & Hotel Corp., as amended on April 14, 2007. Tribal Council Resolution 111707STC 004.

Ida Hoffman read the Tribal Council Resolution 111707STC 004

Discussion: Pat Smothers questions the resolution.

Motion was made by Ida Hoffman to accept the resolution. Second the motion was made by Louella Oldbear. For 91, Opposed 3, Abstain 0, Not Voting 0.

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Agenda Item 5: Five Year Contract with Southwest Casino & Hotel Corp. to Expand Lucky Star Concho, and Lucky Star Clinton, Tribal Council Resolution 111707STC 005.

Reading of the resolution was made by Ida Hoffman.

Discussion: Pat Smothers questions the resolutions.

Motion was made by Ida Hoffman to accept the resolution. Second the motion was made by Louella Oldbear. For 90, Opposed 2, Abstain 1, Not Voting 0.

Agenda Item 6: Five Year Contract with Southwest Casino & Hotel Corp. to Manage and Expand Gaming Facilities at Feather Warrior Casinos at Watonga and Canton, Tribal Council Resolution 111707STC 006

Reading of the resolution was made by Ida Hoffman.

Discussion: None

Motion was made by Ida Hoffman to accept the resolution. Second the motion was made by Carol Whiteskunk. For 82, Opposed 3, Abstain 0, Not Voting 0.

Agenda Item 7: Five Year Contract with Southwest Casino & Hotel Corp. to Develop and Manage Gaming Facilities at Hammon, Seifing, and Colony, Tribal Council Resolution 111707STC 007.

Reading of the resolution was made by Ida Hoffman.

Discussion: Ida Hoffman stated that the Cheyenne people need jobs in the Hammon area. Motion was made by Ida Hoffman to accept the resolution. Second the motion was made by Tonita Little Raven. Motion passes. For 84, Opposed 2, Abstain 0, Not Voting 0.

Agenda Item 8: Five Year Contract with Southwest Casino & Hotel Corp. To Develop and Manage a Casino & Travel Plaza at Elk City, OK, Tribal Council Resolution 111707STC 008.

Reading of the resolution was made by Ida Hoffman.

Discussion: None

Motion was made by Ida Hoffman to accept the resolution. Second the motion was made by Gus Wilson.

Motion passes. For 93, Opposed 2, Abstain 1, Not Voting 0.

Agenda Item 1 Enrollment Membership Ordinance, Tribal Council Resolution 111707STC 003.

Linda Hulbutta read the amendments to the Enrollment Membership Ordinance.

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Amendment 1 was on the Membership committee to be comprised of nine membership committees, eight would be comprised of registered voters from each voting district and 1 ex-aficio invited person. The quorum would be comprised of 5 members. The Tribal Council shall select the Membership committee. Quarterly meetings shall be held beginning in March 2008. The membership committee will review enrollment applications and instruct Enrollment Director who will be accepted or denied.

Amendment 2 had clarification on DNA testing for Enrollment applicants would be responsible for DNA testing expense.

Amendment 3 had clarification on disenrollment procedures, incorporating court determinations, mistakes in the blood quantum computation or inadequate research as justifications.

Ida Hoffman makes a motion to accept the amendments to the Enrollment Membership Ordinance. Linda Hulbutta seconds the motion. First count not enough votes to make a quorum. For 68, Opposed 1, Abstain 0, Not Voting 0.

Ida Hoffman makes motion to accept the main motion to approve Enrollment Membership Ordinance. Linda Hulbutta seconds the motion. First count not enough votes to make a quorum. For 70, Opposed 1, Abstain 0, Not Voting 0.

Jesse Blind Jr. calls for a quorum recount. The quorum recount was 81 Tribal members present at the meeting.

Revote to accept the amendments to the Enrollment Membership Ordinance. For 84, Opposed 0, Abstain 0, Not Voting 0.

Revote to approve the main motion Enrollment Membership Ordinance with amendments. For 86, Opposed 0, Abstain 0, Not Voting 0.

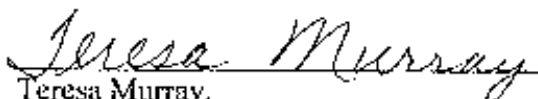
Jesse Blind Jr., Tribal Council Chairman adjourned the Special Tribal Council meeting.

MEETING ENDED: 4:05 PM

DATE: 11-17-07

Approved of the Minutes


Jesse Blind Jr., Tribal Council Chairman


Teresa Murray,
Tribal Council Secretary

Prepared by
Tribal Council Secretary
Teresa Murray

**CHEYENNE & ARAPAHO TRIBES
SPECIAL TRIBAL COUNCIL MEETING
November 17, 2007
HAMMON COMMUNITY HALL, HAMMON, OK**

RESOLUTION NO: 111707STC 000

SUBJECT: A Resolution to adopt Robert's Rules of Order of parliamentary authority for this Special Tribal Council Meeting.

WHEREAS: the Cheyenne & Arapaho Tribes (the "tribes") are a sovereign federally recognized Indian tribe with all rights, privileges and powers attendant thereto; and

WHEREAS: the Tribes are organized under a duly approved Constitution of the Cheyenne and Arapaho Tribes (the "Constitution"), approved by the tribal membership on April 4, 2006 and approved by the Secretary of the Interior; and

WHEREAS: Article V, Section 2 (a) of the Constitution grants the Tribal Council the power to set policy for the Tribes and all other powers and duties specifically provided by the Constitution; and

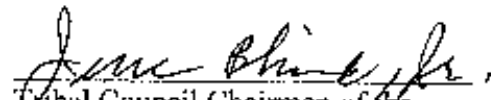
WHEREAS: Article V, Section 2 (d) grants the Tribal Council the power to establish its own rules of order and procedure; and

WHEREAS: the Tribal Council finds it necessary to adopt meeting procedures that will promote uniformity, establish guidance and direction, establish and promote justice for all tribal members, and to advance the general welfare for our Cheyenne and Arapaho Tribes.

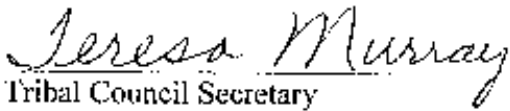
NOW THEREFORE BE IT RESOLVED, the Tribal Council directs that the rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Tribal Council in this Special Meeting; and

BE IT FURTHER RESOLVED, that the Tribal Council, at a duly called Special Meeting with a quorum present, hereby authorizes the appointment of a parliamentarian to resolve any parliamentary issues that may arise during this Special Meeting upon adoption of this Resolution; and

BE IT FINALLY RESOLVED, that the Tribal Council hereby adopts and directs its officers and Tribal Council Coordinator to execute this Resolution, and further directs its officers and Tribal Council Coordinator to take any and all actions necessary to cause the intent of this resolution to be consummated.

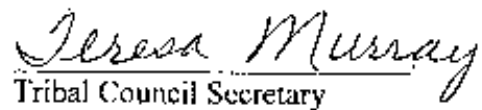

Tribal Council Chairman of the
Cheyenne and Arapaho Tribes

Attest:


Tribal Council Secretary

CERTIFICATION

I, Teresa Murray, hereby certify that the foregoing is a true and correct copy of Resolution No. 111707STC 000, which was passed by the Tribal Council of the Cheyenne-Arapaho Tribes, Special Tribal Council Meeting, by roll call vote on the 17th day of November 2007, by a vote 76 for, 0 against, 1 abstaining.


Tribal Council Secretary