



Cherokee Nation Tax Commission

P.O. Box 948 Tahlequah, OK 74465

Steve Wilson, Tax
Commissioner

Michael Doublehead, Tax
Commissioner

Fan Robinson, Tax
Commissioner

DRAFT

CHEROKEE NATION TAX COMMISSION MEETING SEPTEMBER 15, 2021 4:30 PM

Commission Present: Chairman Wilson, Commissioner Doublehead, and Commissioner Robinson (telephone)

Staff Present: Sharon Swepston, Chelsea Fisher, Tammy Guinn (telephone), Senita Mapps, and Fonda Gritts

Visitors Present: Gregory Calvert-Attorney General Office

Roll Call: Chairman Wilson

Meeting was called to order by Chairman Wilson at 4:30 p.m. Quorum was established with Commissioner's Robinson, and Doublehead present.

The Commission began with agenda items #1 – Approval of Minutes for June 9, 2021- Commissioner Robinson wanted to make a correction on Agenda #5, there is no name for Commissioner that sit that motion to order and needs to be shown in the minutes.

Commissioner Doublehead wanted to make a correction on the second paragraph of Agenda item #1. It should reads *Approval of Minutes for March 10, 2021* not 2020. With those corrections Commissioner Robinson made a motion to approve the minutes. Commissioner Doublehead seconded that motion. Motion carried.

Agenda#2 – Approval of Minutes for Special Meeting for July 23, 2021- Commissioner Doublehead made a motion to approve. Commissioner Robinson seconded the motion. Motion carried

Agenda #3 – MV: 01-2-235.1 – Abandoned Vehicle – Tammy stated this regulation is adding a portion at the bottom of the page. *All the transfers from the court order, bankruptcy and sheriff's bill of sale must be submitted to our Audit Department for approval.*

Commissioner Robinson made a motion to approve. Commissioner Doublehead seconded that motion. Motion carried.

Agenda #4- MV: 01-1-102 – Definitions – Tammy stated the street legal utility vehicle has been added to the definitions. Tammy read the addition to item DD. Sharon added since the state is now tagging and registering the UTV. We are allowed to do the same, we need to add the language to our rules and regulations definitions. This addition does mirror the state guidelines and we have added to that. The *electric engine* in red will be taken out of this description.

Commissioner Robinson said under AA it reads “*shall mean a boy or cab*”, that error needs to be changed to *body*.

Commissioner Robinson was asking to explain item C and G definitions. Sharon stated this is referring to 1866 jurisdictional boundaries, we have expanded that and we encompass all of Wagoner, Tulsa, Muskogee, Mayes and Rogers counties for motor vehicle purposes only. That is outside of our jurisdictional boundaries, but they have let us expand those and let us include that just for the motor vehicle compact.

Commissioner Robinson ask about G definition. She said it talks about within Reservation of Boundaries of the Cherokee Nation. She thought we had the whole State of Oklahoma. Sharon said we do but we have two separate compacts with the state. In order to get the in jurisdiction rate they do have to live within the Reservation boundaries. We can tag outside of those boundaries within the State of Oklahoma, but they get charged the state rate and get a 10% discount.

Commissioner Robinson ask if we needed to add that language in with that? Sharon stated it is a separate compact and we may need to come back in and put that language in. Gregory Calvert stated we are just providing definitions for eligible vehicle this is the appropriate definition. If we are talking about vehicle we could expand that and clarify that language.

Sharon said Tammy and her can work on that language and have it ready to present for next meeting.

Commissioner Doublehead made a motion to approve. Commissioner Robinson seconded the motion. Motion carried.

Agenda #5 – MV: 01-2-215.12 – Utility Terrain Vehicle –UTV – Tammy stated this is a regulation to put fourth of the Utility Terrain Vehicle in our other vehicle. This list everything that is required of a utility vehicle, the bench seat, and four wheels.

Item # 4 - for each occupant, safety belts or safety shoulder harnesses which shall be of a type and shall be installed pursuant to 49 C.F.R., Section 571.208. That is a Federal Motor Vehicle Safety Standard.

Item # 5- All equipment required with respect to equipment on vehicles by provision of Oklahoma Statutes Title 47 Sections 2-201 through 12-232. Cherokee Nation does not have provisions in Title 47 for Vehicle Equipment except for seatbelts.

Gregory stated on this one we need to insert in that first line between utility and vehicle terrain. Just to be consistent with the definition that we provide.

In the packet is the application that has all the safety standards noted on it, that the citizen fills out in order to apply for the UTV.

Sharon stated this *Affidavit for the Street Legal Utility Vehicle* is something that the citizen will need to sign. They will not need to bring the vehicle in for inspection. This is an Affidavit that they are stating their vehicle has everything that is listed on this sheet. If they register the vehicle and it is not street legal and they get a ticket, Tax Commission is not liable.

Commissioner Robinson made a motion to approve. Commissioner Doublehead seconded the motion. Motion carried.

Agenda #6 – Monthly Reports – Sharon reported through June Motor Vehicle for year to date we have 22% increase than what we were last year this time. The month to month we had a decrease due to the boat issue for the month of June. The month of June is when all boats are due and some people had three years registrations, so if it happens to be a year that all the three years are renewing it will be larger amount than it is on an off year. The overall year to date we are still having an increase.

On Cigarette, Tobacco, Retail Sales, and Alcohol year to date we are down approximately 22%, for the month it has increased 96%.

She said she did look at the August numbers and we have an increase in Motor Vehicle of 28% year to date compared to last year at this time.

Commissioner Robinson ask if the Stilwell Tag Office is open. Sharon said No, they are still using the building, they haven't decided if they are going to need it for a vaccination site. Until they decide what they need to do we will not be utilizing that space.

Commissioner Robinson ask if we had any new smoke shops. Sharon said No, any new shop will come through this commission to be approved for license. Sharon said some shops that say Indian Smoke shop will be licensed by the State.

Commissioner Robinson made a motion to approve the monthly report. Commissioner Doublehead seconded the motion. Motion carried.

Agenda #7 – Consideration, discussion, and possible approval regarding any matter not known about or which could not have reasonably been foreseen prior to the time of posting.

None

Agenda #8 – Executive Session

a. Exit Executive Session

None

Other New Business: None

Public Comments: None

Adjournment: Commissioner Doublehead made a motion to adjourn. Commissioner Robinson seconded the motion. Motion carried.

Next meeting will be December 8, 2021 at 4:30 P.M.

Commission Approval