

- I. Call to order at 10:05 a.m. by Chairman Waller
- II. Opening prayer by Second Chairman Red Eagle

- III. Roll call

Councilwoman Forman—present, via Zoom

Councilwoman Gray—present

Councilwoman Harlan—present, via Zoom

Councilman Redcorn—present

Second Chairman Red Eagle—present

Councilman Revard—present, via Zoom

Chairman Waller—present

**Declaration of Quorum**

**Discussion:** Chairman Waller announced NIOGEMS training being very helpful training for the council and ON realty department employees Katie Free and Russell Bellamy; he liked their participation and coordinating with the nation. Instructors will be having a virtual training soon for all of council and employees. Next, he asked everyone to please expedite the meeting and limit comments to three minutes because he had a national meeting where he's representing Osage Nation at 1:00 p.m. **Councilwoman Forman** requested discussion about the data enhancement analysis with Mark Cooper in Executive Session. Also, she requested another topic for Executive Session—ownership of pore space for carbon injection.

- IV. New Business

- a. **Resolution:** OMC will request a feasibility study by DEMD to survey gas resources for power generation and/or data generation

Motion by **Councilman Redcorn**

Second by **Councilwoman Gray**

Motion **PASSED**      YES: 7

NO: 0

ABSTAIN: 0

ABSENT: 0

Councilwoman Forman—y

Councilwoman Gray—y

Councilwoman Harlan—y

Councilman Redcorn—y

Second Chairman Red Eagle—y

Councilman Revard—y

Chairman Waller—y

**Discussion:** Second Chairman Red Eagle said he and Geologist Bill Lynn met with Tony Mueller, a petroleum engineer. Second Chairman Red Eagle said he has pushed for gas generation since OMC-2. **Councilman Redcorn** added gas infrastructure on the reservation is possible. He wanted to meet with DEMD so they could find what the best option is. **Councilwoman Forman** said this is a good idea, but there were legal questions that would need to be answered. **Chairman Waller** said this might be a good avenue for OMC, since Washington is pushing to go green.

- b. Resolution:** Following Osage Nation procurement procedures, obtain a contractor to clean the newly-attained pipe yard using funds from the C-395 budget

Motion by **Second Chairman Red Eagle**Second by **Councilman Redcorn**Motion **PASSED**

YES: 7

NO: 0

ABSTAIN: 0

ABSENT: 0

Councilwoman Gray—y

Councilwoman Harlan—y

Councilman Redcorn—y

Second Chairman Red Eagle—y

Councilman Revard—y

Chairman Waller—y

Councilwoman Forman—y

**Discussion:** **Second Chairman Red Eagle** said Osage Nation Tribal Works doesn't have enough people to clean the pipe yard. Space needs cleared to make room for the pipe racks. He added there are structures that held tank batteries that need to be removed, and brush is everywhere. The warehouse is clean, but the platform needs repaired; boards are unsteady. The fence line has trees growing too closely to it. **Chairman Waller** added that the fence is good. Inventory will be taken, and council will be updated on what needs to be done to get the building up to code 88. **Councilman Revard** was concerned about the pipe racks purchased at auction, and transporting them to the yard. He said Candy Thomas would not approve plugging funds to transport racks. **Second Chairman Red Eagle** said there were two sets of racks—large and small. The small rack is in Hominy, and someone has agreed to transport them to the new location. The second set is still in Arkansas. **Councilwoman Forman** asked whether the cleanup was a one-time job or ongoing maintenance. **Chairman Waller** said it would only be once.

- c. Resolution:** Accept the 2022 Osage Minerals Council regular meeting dates, as presented

Motion by **Chairman Waller**Second by **Councilman Redcorn**Motion **PASSED**

YES: 7

NO: 0

ABSTAIN: 0

ABSENT: 0

Councilwoman Harlan—y

Councilman Redcorn—y

Second Chairman Red Eagle—y

Councilman Revard—y

Chairman Waller—y

Councilwoman Forman—y

Councilwoman Gray—y

**V. Motion:** Enter Executive Session

Time: 10:25 a.m.

Motion by **Councilwoman Gray**Second by **Second Chairman Red Eagle**Motion **PASSED**

YES: 6

NO: 1

ABSTAIN: 0

ABSENT: 0

Councilman Redcorn—n

Second Chairman Red Eagle—y

Councilman Revard—y

Chairman Waller—y

Councilwoman Forman—y

Councilwoman Gray—y

Councilwoman Harlan—y

**VI. Motion: Exit Executive Session**

Time: 11:45 p.m.

Motion by **Second Chairman Red Eagle**Second by **Councilwoman Harlan**Motion **PASSED** YES: 7 NO: 0 ABSTAIN: 0 ABSENT: 0

Second Chairman Red Eagle—y

Councilman Revard—y

Chairman Waller—y

Councilwoman Forman—y

Councilwoman Gray—y

Councilwoman Harlan—y

Councilman Redcorn—y

**VII. Motions from Executive Session****a. Resolution:** Appoint Billie Ponca as election supervisor of the 2022 Osage Minerals Council electionMotion by **Councilwoman Gray**Second by **Chairman Waller**Motion **PASSED** YES: 7 NO: 0 ABSTAIN: 0 ABSENT: 0

Councilman Revard—y

Chairman Waller—y

Councilwoman Forman—y

Councilwoman Gray—y

Councilwoman Harlan—y

Councilman Redcorn—y

Second Chairman Red Eagle—y

**b. Resolution:** Accept BGI five-year concession to February 5, 2026Motion by **Second Chairman Red Eagle**Second by **Councilwoman Gray**Motion **PASSED** YES: 5 NO: 2 ABSTAIN: 0 ABSENT: 0

Chairman Waller—y

Councilwoman Forman—y

Councilwoman Gray—y

Councilwoman Harlan—n

Councilman Redcorn—n

Second Chairman Red Eagle—y

Councilman Revard—y

**Discussion:** Councilwoman Forman said to clarify that they have to meet certain requirements to meet the extension—they need to adhere to reporting. Councilman Revard thought to amend the motion to be subject to quarterly reports. Second Chairman Red Eagle said it is in the concession agreement. Councilman Revard wants to make sure reporting is acceptable to OMC. Chairman Waller said non-compliance terminates the concession.

**c. Resolution:** Accept personnel recommendation as presented—title changeMotion by **Councilman Redcorn**Second by **Councilwoman Harlan**



Motion PASSED YES: 5

NO: 2

ABSTAIN: 0

ABSENT: 0

Councilwoman Forman—n

Councilwoman Gray—y

Councilman Redcorn—y

Second Chairman Red Eagle—y

Councilman Revard—n

Chairman Waller—y

**Discussion:** Councilman Revard will vote no unless the position is advertised. Chairman Waller said it will be filled in-house because of the expertise of the person in the position. Second Chairman Red Eagle reiterated no matter who it is—if it's an outside person—they will have to be trained. Councilwoman Forman said her vote is no because the position is not vetted, and there has been no discussion qualifications of position. Councilwoman Gray advised Council not to use the person's name in an open meeting, and she is in favor.

- d. Production Tracking—**Councilwoman Forman said there are quarterly reports that track production OMC gets from the BIA. She continued, "One form—it comes in three different forms—for production reporting required by the BIA. So, we have been getting this information for 10 years. So, we decided quite a while ago to hire a new staff member to start tracking production...I'm guesstimating that with 10 years of these reports, it might take one staff member one, maybe two months to get this stuff on a spreadsheet, so we can actually track our production by lease, see how it's rising and falling...This is so critical to working and to make smart decisions...download the document in our osageminerals.org. I'm working with our geologist, as well as a data consultant to figure out what format, what bits of information we need, and I wanted to show this to you because we need to get this started...with one of our four staff members...This is part of our data enhancement work." Councilwoman Gray shared that she thought NIOGEMS was excellent for these reports. It is apparent to her the budget needs to be redone. An ArcGIS position is needed who will work with the nation and well plugging. This could catch OMC up with other innovative tribes, and be a competitor in the industry. OMC is understaffed and underfunded. Councilman Redcorn said once other council members have the NIOGEMS training, they can see how beneficial and helpful it is to OMC. He thinks a position for production tracking and GIS would be good. He added that Osage Nation could work well with a GIS system. Chairman Waller said NIOGEMS training will answer many of the production questions being discussed. Councilwoman Forman said not to rely on BIA or DEMD reports because they only provide partial information. OMC should track the numbers to be in control.
- e.** Councilwoman Harlan was excused at 12:07 p.m. to attend a national meeting.

**VIII. Old Business****a. Resolution: Table auditor selection**Motion by **Councilwoman Forman**Second by **Councilman Redcorn**Motion **PASSED**      YES: 6      NO: 0      ABSTAIN: 0      ABSENT: 1

Councilwoman Gray — y

Councilman Redcorn — y

Second Chairman Red Eagle — y

Councilman Revard — y

Chairman Waller — y

Councilwoman Forman — y

**Discussion:** **Chairman Waller** said the auditor position is done internally after he took office in March. **Councilwoman Forman** said Council agreed to hire an auditor. The lawsuit settlement allows OMC to view and audit BIA records. An accountant certified by COPAS needs to be hired for this. "We've gone through the whole procurement process. The only thing we don't have are the rankings. They've been held up." **Lacey Reynolds** said the procurement person who had the rankings is no longer employed at ON. OMC hasn't received the rankings. **Councilwoman Forman** said, "No. We turned in the rankings. I'm not gonna say who held them up. I'm just gonna say that it's time to get them rankings." **Councilman Redcorn** suggested that Councilwoman Forman make a trip to Pawhuska, go to procurement, Clair Wood, executive office, and/or accounting to find out why there is a delay. **Councilwoman Forman** said, "I actually did go to procurement and ask them. They advised me that Chairman Waller told them not to release it...Lauren White did. So, that's why I keep bringing it up. Plus, I can't go. They told me I have to go through the chairman, so I think that advice is good for the chairman to go and get the rankings and release them to us, so we can make the decision on hiring an auditor. That's a fact." **Chairman Waller** asked, "Where's the email that says I stopped them from doing it? Have you seen it?" **Councilwoman Forman** said, "It wasn't an email. Lauren White said." **Chairman Waller** said, "I didn't have that sent. I've been told this about three times. I've never had an email that I sent to direct you (Lacey Reynolds) to stop it. Don't use their names in an open meeting discussion. But, I want you to send me an email to show where this was done. Now that you have brought it up in a public meeting, I'll take it to task with Lacey. Thank you." **Councilwoman Forman** said, "Thank you. I just wanna get the rankings. That's all." **Chairman Waller** said, "It goes longer than that when you said what you said." **Councilwoman Forman** said, "I'm just repeating what was told to me." **Chairman Waller** said, "You're gonna put it in print in an email, so I can take it to their supervisor." **Councilwoman Forman** said, "Okay, I'll be glad to." **Chairman Waller** said he did not hold up any rankings. The time in question was prior to him becoming chairman. "It was the other chairman who I just value so much, and then we lost him." He directed Lacey Reynolds to follow up on the task.

**b. Resolution: Table budget discussion**Motion by **Councilwoman Forman**Second by **Councilman Redcorn**

Motion **PASSED**      YES: 6      NO: 0      ABSTAIN: 0      ABSENT: 1

Councilman Redcorn—y      Second Chairman Red Eagle— y

Councilman Revard—y      Chairman Waller—y

Councilwoman Forman—y      Councilwoman Gray—y

**Discussion:** Councilwoman Forman said, "Thank you. Let me see if I can read this thing. I have asked, we need to have a budget report. And I see one that's been posted. I can barely read the columns...I asked that Ryan Armstrong be here, and, if Lacey's here, maybe she can start answering some questions about this budget. But, we need to know where we are. We need to know how much money we have...you know where the money's gonna come from for some of these things that we need to hire. I am, I guess everybody is looking at the budget that's before us, that's in Govenda. I'm a little concerned about the legal fee item. I thought we were all paid up on that, and it shows us behind, and are we gonna continue to pay out of that." Directed to respond by Chairman Waller, Lacey Reynolds said that the fiscal year just started on October 1. No money has been spent except travel and office expenses. The legal fee line item shows a negative balance because it's a blanket PO, which is easier and faster to get people paid out of that. Nothing is negative. Councilwoman Forman asked, "So you're not showing the new appropriations of money, our budget money, the \$500K drawdown isn't in here?" Lacey Reynolds said the \$500K is a different budget. The budget being shown is the C-395. The new appropriation has not been touched yet. Councilwoman Forman asked, "What are we looking at? Are we looking at the C-395?" Lacey Reynolds confirmed. Councilwoman Forman continued, "And does not have the new fiscal year money reflected? Is that what I'm hearing?" Lacey Reynolds confirmed, adding the C-395 is different than money coming from the nation. Councilwoman Forman, "What I need to know, all of it. Where do we draw from like to pay professional fees and legal fees, upgraded positions? This doesn't tell me that. We need to see all of it. Chairman Waller said when accounting finished reconciling all of the fiscal year 2021 budgets for all Osage Nation departments, all of the council would see it.

**c.** Table natural gas rules

Motion by Councilwoman Forman

Second by Councilman Redcorn

Motion **PASSED**      YES: 6      NO: 0      ABSTAIN: 0      ABSENT: 1

Second Chairman Red Eagle— y      Councilman Revard—y

Chairman Waller—y      Councilwoman Forman—y

Councilwoman Gray—y      Councilman Redcorn—y

**IX.** Motion: Accept meeting minutes

Motion by Second Chairman Red Eagle

Second by Chairman Waller



Motion **PASSED**      YES: 6      NO: 0      ABSTAIN: 0      ABSENT: 1

Councilman Revard—y

Chairman Waller—y

Councilwoman Forman—y

Councilwoman Gray—y

Councilman Redcorn—y

Second Chairman Red Eagle—y

**X.** Motion: Adjournment

Time: 12:24 p.m.

Motion by Councilwoman Gray

Second by Chairman Waller

Motion **PASSED**      YES: 5      NO: 0      ABSTAIN: 0      ABSENT: 1

Chairman Waller—y

Councilwoman Forman—y

Councilwoman Gray—y

Councilman Redcorn—y

Second Chairman Red Eagle—y

Councilman Revard—y

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*Approved by the Fourth Osage Minerals Council on November 5, 2021.*

  
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Everett Waller, Chairman  
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Executive Administrative Assistant