

OSAGE MINERALS COUNCIL

REGULAR MEETING

SEPTEMBER 11, 2015

MINUTES

Call to Order

Chairman Waller calls the meeting to order at 10:03 A.M.

Opening Prayer

Chairman Waller gives opening prayer and reads the list of deceased Osage.

Roll Call

Lacey Reynolds calls roll. Osage Minerals Council members present were Cynthia Boone, Joseph Cheshewalla, Galen Crum, Stephanie Erwin, Everett Waller, and Andrew Yates.

Guests in attendance are Jinx Geurin, Nona Roach, Charles Evans, Doug Revard, Jack Yates, Rhonda C. Wallace, Shane Matson, Shannon Duty, Jerri Branstetter, Beverly Brownfield, Linda Heskett, Kyndol King, Julie Wilson, Janel Perry, Joy Ledbetter, Joe Hall, and Curtis O. Bear,

New Business

Pawhuska Dozer-Chuck Evans speaks on behalf of Pawhuska Dozer. He states they need a sandy soil permit. They are building Fairfax Osage Nation Child Care and Senior Center. He states they are building the foundation for the center and they have already started the project. Councilman Crum asks how many cubic yards of dirt is going to be removed. Mr. Evans states they took about 330 yards off the site and about 2500 yards will be hauled in. Councilman Crum states that because it is less than 5000 it stays within the sandy soil permit rather than mining.

Motion to suspend the rules to vote today on Pawhuska Dozer Sandy soil permit for Osage Nation Fairfax by Councilwoman Erwin and 2nd by Councilwoman Boone.

Discussion: Councilman Yates states that they are already working on the project and the BIA is fine with it. Superintendent Robin Phillips states that when they get a resolution it will be fine.

MOTION PASSES: BOONE-YES; CHESHEWALLA-YES; CRUM-YES; ERWIN-YES; WALLER-YES; YATES-YES

6-YES 0-NO

Councilman Crum makes the motion to instruct the BIA to issue a sandy soil permit for Pawhuska Dozer on the Fairfax location for the Osage Nation.

MOTION PASSES: CHESHEWALLA-YES; CRUM- YES; ERWIN- YES; WALLER- YES; YATES- YES; BOONE- YES

6-YES 0-NO

Chairman Waller states he has been asked to take new business items B and C and move them to Wednesday, if it is alright with the Council. There are no objections.

Councilwoman Boone states that recently the Minerals council has been contacted by Senator Lankford and Senator Inhofe's office. She states she has prepared a resolution, it is not in its final form and she will read it into the record. The Osage Minerals Council (OMC) is the elected body by headright owners, whose responsibility it is to administer and develop the Osage Minerals Estate (OME). The Osage Minerals Council has the authority to make decisions regarding the Osage Minerals Estate. This is stated in the federal registers. The Osage Nation has a different constituency. Representatives from Senator Inhofe and Senator Lankford's office presented the OMC with 3 ideas. Elect a regulatory program established by the Osage Nation (ON). This program would be established under a TERA (tribal energy resource agreement) like system and subject to Bureau of Indian Affairs (BIA) approval. While the TERA was being structured, the Oklahoma Corporation Commission (OCC) would be responsible for the permitting. A TERA has been available to tribes since 2005 but no one has adopted this agreement. Allow the OMC to establish, with the ON, another council for providing self-regulation of oil and gas activities by hiring outside experts. Allow the OMC to retain the BIA as the primary regulatory entity and continue its work updating the regulations. Therefore, be it resolved, The OMC does not believe it would be in the best interest of the headright owners to have a TERA like system developed for the OME due to our uniqueness. We are not in favor of having involvement by the OCC in any way. The OMC does not believe it is in the best interest of the headright owners to establish another council with the ON government that would diminish the OMC authority. As the elected body, with responsibilities over the OME, the OMC does not authorize or approve any official of the ON government to engage in communications with the United States representatives regarding the OME. The ON chief acknowledged OMC authority in this situation by informing these representatives that it would be our decision. The OMC does not authorize or approve either Senator Lankford or Senator Inhofe to prepare any legislation regarding the OME. The OMC believes it is in the best interest of the headright owner to retain its trust relationship as established in the U.S. Congressional Act of 1906. It is our decision that the BIA continues its work by updating the regulations. This is currently in litigation. Councilwoman Boone states it will be voted on Wednesday. Councilman Crum asks where she is referring to on number 4. Where exactly is it state in the federal registry. Councilwoman Boone states it is in the July 31st 2012 federal register. Councilman Crum asks if it is under the negotiated rulemaking rules. Councilwoman Boone states that if it is about the statement she can take it out. Councilman Crum states her statement is correct he was just asking where it came from.

Motion to enter executive Session is made by Councilwoman Erwin and Second by Councilwoman Boone.

MOTION PASSES: CRUM- YES; ERWIN- YES; WALLER- YES; YATES- YES; BOONE- YES; CHESHEWALLA-YES

6-YES 0-NO

Executive Session entered at 10:24 A.M.

Motion to exit executive was made by Councilman Crum 2nd by Councilman Yates

MOTION PASSES: ERWIN- YES; WALLER- YES; YATES- YES; BOONE- YES; CHESHEWALLA-YES; CRUM- YES

6-YES 0-NO

Executive Session exited at 11:00 A.M.

Chairman Waller states that there will be an update on Wednesday from the BIA. He then states the meeting minutes are still being completed and will be available Monday for review to be voted on Wednesday. In the books there are proposed meeting dates to be voted on Wednesday. Councilman Yates asks if they are pretty much the third Wednesday and the Friday before. Administrative Assistant Lacey Reynolds states yes they are, but November needs to be adjusted. We will take care of that Wednesday.

Committee Reports-

Budget will be discussed on Wednesday. Councilman Yates states Councilwoman Red Corn called him the previous night and said she wanted to make room in the 2016 budget for indirect costs.

Councilman Crum states that in the past there was an award given away every year to the "Outstanding Producer of the Year" and he was going to propose a resolution for Wednesday.

Councilman Yates states that the brochures are in and asks if Councilman Yates has reviewed it. Councilman Yates states yes he has and he is okay with it. The website is also up. Councilman Cheshewalla asks what the dates are. Councilman Yates says November 4th and 5th he believes. Councilwoman Boone states that the brochures will be here Monday. Councilman Yates states it is at the Mayo.

Councilwoman Boone states that it has come to her attention that a council member is bringing outside people and that is where the mail is kept and other things, and she would like it to be brought up under the policy committee Wednesday.

Motion to adjourn was made by Councilman Crum and 2nd by Councilwoman Erwin.

MOTION PASSES: ERWIN- YES; WALLER- YES; YATES- YES; BOONE- YES; CHESHEWALLA-YES; CRUM- YES

6-YES 0-NO

Meeting Adjourned at 11:09 A.M.

Submitted by: Lacey Reynolds
Approved by: [Signature]