

**OSAGE MINERALS COUNCIL
SPECIAL MEETING
OSAGE COUNCIL CHAMBERS
PAWHUSKA, OKLAHOMA
NOVEMBER 21, 2016
MINUTES**

CALL TO ORDER

Chairman Everett Waller called the meeting of the Osage Minerals Council to order at 10:25 A.M.

OPENING PRAYER

Councilwoman Cynthia Boone gave the opening prayer.

ROLL CALL

Osage Minerals Council Executive Administrative Assistant Lacey Reynolds called the roll. Osage Minerals Council Members present were Cynthia Boone, Joseph Cheshewalla, Galen Crum, Stephanie Erwin, Kathryn Red Corn, Talee Redcorn, Everett Waller. A quorum was declared.

Visitors signed in were Dr. Joe Connor, Sharon Long, Sandra Akins, Nanette Kelley and Linda Heskett.

NEW BUSINESS

Amshore:

COUNCILWOMAN ERWIN: We have Amshore. They're still in the process of trying to get their act together, supposedly. I think they're marching on and doing whatever they want to, like Enel, and I think that we need to put some kind of roadblock up for them, and if we have to file an injunction, whatever, to keep them – because they're still doing it, and you know, we've already had the bad taste of Enel left in our mouth. They went ahead and did what they wanted to do. 24-7, 'til they got it done, and then everything became a moot point. Now we have windmills out there. So I would like to take what steps necessary to slow them down until we get a petition to 10th Circuit. I'd like to have an injunction filed against them, until that time that we get a decision from that court, and I'd like to have our attorney do it. I wasn't real happy or thrilled last time that we depended on the Solicitor's, when they lost the case, and wanting to appeal it. They wait until the last day to tell us that they weren't going to be able to appeal. I don't think that was very professional of them. It was almost like they were setting us up to fail. So, it will be your decision whether or not how we go about this, but if you go through the Solicitor's and ask them to do it, can we not give them a timeframe when they don't respond to us within a couple of weeks, that we get our attorney to do it and move on with it?

CHAIRMAN WALLER: Are you making that in the form of a motion?

COUNCILWOMAN ERWIN: Well, I'd like to, but I don't know what timeframe. Twenty days, thirty days for the Solicitor's to do something. I would like our attorney involved in it, so we don't get rickeydood like we did, last time from the Solicitor's.

CHAIRMAN WALLER: Would you like to put that in a form of a motion, so we can have a discussion, or is it alright for me to open the floor up?

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COUNCILWOMAN ERWIN: Well, I'd like to make a – This is just me, personally. I'd like to make a motion that we hire Tom Fredericks and his law firm to file an injunction against Amshore from them moving forward with any of their work on their proposed project of the wind turbines out west of Fairfax, until we hear from the 10th Circuit, until there's a decision.

COUNCILMAN REDCORN: You made a motion? Second.

CHAIRMAN WALLER: I have a second. Now we open it for discussion. Councilman Crum.

COUNCILMAN CRUM: We already have (Mr.) Fredericks working on this, and if I'm reading it right, his advice to us was to, first, pass a resolution that we were requesting the Federal Government to do that exact thing, to ask for a stay, or ask for the work to be stopped until after the 10th Circuit rules on our appeal that we did to the Circuit ruling. Apparently, there was a reason why he wanted us to do it that way. I think we should follow that process, and he also suggested was that we could pass one out at the same time to authorize them to file one, if the Government fails to do what we're asking them to do. I have no problem putting in the timeframe. That seems to fall in right with what Mr. Fredericks has advised us to do, and maybe we could ask for, in terms of the actual dates and timeframe to ask Mr. Fredericks what he thinks the timeframe to wait on, if we file our own. He has a plan laid out for us to do. I'd like to follow up.

CHAIRMAN WALLER: Yes, Council. Actually, I had spoken with his office on this, on the 16th. The request is exactly that, that we ask our Trustee to step in and file the appropriate paperwork as we did on Enel. I concur with Councilman. I'd like to have that resolution approved first, then the second resolution in front of you is exactly that, if our Trustee is not able to fill the relief that we need for our headright owners, and then we also passed today the resolution that will automatically allow the Fredericks, Peebles & Morgan to go right in and do the appropriate paperwork that you request.

COUNCILWOMAN ERWIN: I have no problem with that, putting a time on that for the Solicitor's to act. Thirty days. They should be able to respond to us in thirty days.

CHAIRMAN WALLER: I agree, completely. Councilwoman Boone.

COUNCILWOMAN BOONE: Point of order to Mr. Chairman. We have a motion on the floor that we go to directly to our attorney, Tom Fredericks, to handle the case. So we need to vote on that, first, and then we should move on to the other suggestion that was made. Thank you.

CHAIRMAN WALLER: Very good. Any other discussion? Council.

COUNCILMAN YATES: Getting back to your timeframe, it may be after we take a vote on it, first motion. Thirty days, you think that may be a little long to wait for? I'm sure they'll come up with an answer within two weeks. I'd say two weeks, then...

CHAIRMAN WALLER: Yes, sir.

COUNCILMAN YATES: OK.

CHAIRMAN WALLER: I like the 14 days. I concur with that. Council, does everyone feel good about it? Would you like to call for the question?

COUNCILWOMAN ERWIN: Yes.

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COUNCILMAN CRUM: In order to go with the original order, we need to defeat the first one and reintroduce the order to fire our attorney.

(Several Council members said, 'Yes'.)

COUNCILMAN CRUM: I just want to make sure everyone understands what we're doing.

MOTION FAILED: CYNTHIA BOONE-NO, JOSEPH CHESHEWALLA-NO, GALEN CRUM-NO, STEPHANIE ERWIN-NO, KATHRYN RED CORN-NO, TALEE REDCORN-YES, EVERETT WALLER-NO, ANDREW YATES-NO.

CHAIRMAN WALLER: I'd like to entertain a motion on the first resolution, please, that allows Tom Fredericks and his organization to approach our Trustee to request the documents and file them from the Solicitor's office. Councilwoman Boone, do you want to take care of it?

COUNCILWOMAN BOONE: Yes, I will. I make the motion that we follow our attorney's suggestion to first ask our Solicitor to handle this case, and if they do not do it, within a period of two weeks, then we allow our attorney, Mr. Fredericks, to take over.

COUNCILMAN REDCORN: I second it.

COUNCILMAN CRUM: I do have one question.

CHAIRMAN WALLER: Yes?

COUNCILMAN CRUM: On the wording of the resolution, I think she said they hadn't done it. They may not be able to file it in two weeks, but they should be able to give us an answer of whether they're going to do it.

CHAIRMAN WALLER: No response. Yes, sir.

COUNCILMAN CRUM: No response from her, rather than acting...

CHAIRMAN WALLER: Councilwoman Boone.

COUNCILWOMAN BOONE: I would agree with that amendment.

COUNCILMAN CRUM: OK.

CHAIRMAN WALLER: Thank you, ma'am. Second, agreed?

COUNCILMAN REDCORN: Of course.

CHAIRMAN WALLER: Very good.

MOTION PASSED: JOSEPH CHESHEWALLA-YES, GALEN CRUM-YES, STEPHANIE ERWIN-YES, KATHRYN RED CORN-YES, TALEE REDCORN-YES, EVERETT WALLER-YES, ANDREW YATES-YES, CYNTHIA BOONE-YES.

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CHAIRMAN WALLER: Yes sir.

COUNCILMAN CRUM: I would like to address another issue on these. Our attorney, also, several months ago, advised us that we should ask the Osage Nation Congress to pass a Nation law that requires permitting, before anyone can come in and do this sort of thing, and they said that it wouldn't happen, because we'd set a new course, because Federal Court is not answering the (*inaudible*) appeal, and they said the Osage Nation Congress had to do it, it needed to be monitored and enforced. I believe the Osage Nation Congress will prepare a law to be presented to them to be used as a template, at least...

CHAIRMAN WALLER: Yes, sir.

COUNCILMAN CRUM: ...on what we wanted to have done. We already paid for having that prepared, months ago. I would suggest that we have a vote to ask Congress to do that. They're actually going to start in Special Session in a couple of weeks. I don't know whether we can get it in there, but we should try to get someone to put that in, in Special Session and work on that this next Special Session.

CHAIRMAN WALLER: Yes, Council. I've already contacted my appropriate people in Congress. Let's do a resolution real quick...

COUNCILWOMAN ERWIN: Wait a minute. I have something to say.

CHAIRMAN WALLER: Let me finish.

COUNCILMAN CRUM: And, I'm making that in the form of a motion.

CHAIRMAN WALLER: Yes, I have a form of a motion to request Congress to go into the laws, which we've had written for us. I need a second.

COUNCILMAN YATES: I second.

CHAIRMAN WALLER: Open for discussion. I'll finish with my comment. They have an agenda item. We're going to ask Congressman Maker if we could have this put in there. They've already had this request before in our meeting, publicly. But I appreciate the resolution, and now Councilman Redcorn, Councilwoman Erwin.

COUNCILMAN REDCORN: Thank you, Chairman. I would like to...when's our Minerals Meeting in December? When's our next regular meeting?

LOU BROCK: 16th.

CHAIRMAN WALLER: Thank you, sir.

COUNCILMAN REDCORN: Thank you, Lou. I think we need to have time to talk to our attorney about this, because one thing I'm worried about, Chairman, is we, as a Minerals Council, will have moved this in the Federal venue, which I think this thing needs to belong. So we want to ensure that whatever happens in the Nation that they move it, as with ours, because it could cause problems if they start, at least in my mind, moving in some of these venues that are not Indian tribunals. So, I'd like to ensure that our attorney knows that this issue's...We just want a clear understanding on what the Nation intends to do and that's

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the only caveat I have, is we want to move forward in a Federal venue. This is the Mineral Estate. This is not tribal authority. This is the Mineral Estate, and we've got to ensure that our Trust stays in our Federal venue, as we move forward lightly, and that's why we've been so successful. I've said this from Day One. We move in a Federal venue. We've refocused our attorney team to stay in a Federal arena with a Federal question. So, we want to make sure that whatever they do on their side reflects that, because if I think we don't, we can run into a case like Irby's, which we all know, that's when we lost a round in the Supreme Court case. So, make sure that the new government doesn't move into that with our Mineral Estate.

CHAIRMAN WALLER: Councilwoman Erwin.

COUNCILWOMAN ERWIN: I just happen to agree with Councilman Redcorn, and actually, that's called an access permit, and I think that needs to be put in our neg-regs, and I think we need to ask our attorney about that.

CHAIRMAN WALLER: We already have. Access permit.

COUNCILWOMAN ERWIN: No, this is a little different.

CHAIRMAN WALLER: Yes, you have an ingress and egress on any Federal property to get that CFR code, isn't that correct, sir?

COUNCILWOMAN ERWIN: That is to go into a well. This is for anybody that comes in on it.

CHAIRMAN WALLER: It say, "to drill". We can add that in.

COUNCILWOMAN ERWIN: Well, I'd still like to discuss it...

CHAIRMAN WALLER: Yes, ma'am. Councilwoman Boone.

COUNCILWOMAN BOONE: I agree with Councilman Redcorn to do what Councilman Crum is suggesting right now. I think it's a little premature, and I would like for our attorney to get into the issues of this lawsuit before we involve the Osage Nation in any oil business.

CHAIRMAN WALLER: But we do want to keep Fredericks' people, Morgan's legislation they...

COUNCILMAN REDCORN: Yes. We're not saying no, but we need time to see what's going to happen in our Federal case. Then we can direct the ship. If we have a successful Federal case, and they run off and file in another County Court, we might have some problems.

CHAIRMAN WALLER: Council?

COUNCILMAN CRUM: Well, this is something that would have to be handled in Osage Nation Court. That's the purpose of having it be the Osage Congress writing the laws. It wouldn't be right when we go to District Court. However, the attorneys have already worked on this and told us this is what we should have done, first. We should have already done this. We should have had this in place. (Mr.) Fredericks already done this, months ago. I don't understand why, and if we wait and pass the law after they've started, I worry that they would say we don't have any jurisdiction over here, because they were already doing it before.

COUNCILWOMAN ERWIN: We don't have jurisdiction. That's why they didn't serve subpoenas on them.

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CHAIRMAN WALLER: Council. Council. Finish.

COUNCILMAN CRUM: The reason we didn't have jurisdiction is because we had an Osage Nation law that our courts and our police department can't enforce. That's what he said we needed. I'm going with you guys' attorney.

COUNCILWOMAN BOONE: He's your attorney, too.

COUNCILMAN REDCORN: Thank you, Chairman. We do have a law in Congress. They tried it. They passed a law and I'll just summarize, because if you're Osage, even on fee simple, we're going to drag you to court. Then they ran out there, and tried to serve it, and I heard, I don't know what the facts are, but the police, they were rejected by the County Sheriff and Deputies. So, there is something on the books of Congress. That's what I'm saying, we've got to make sure that they act appropriately with a Trust, and I think they will. But, we're in a Federal Courtroom. The reason we're moving forward is because we move into a Federal Court. I'm not talking bad about our Tribal Court, but we need time to see what this thing's going to do to reinforce...I think if we rush off and give them something, possibly another County Court tribunal, and we might even lose ground in that. This is very serious, and I want everybody to stop and think, what is the result of their lawsuit. It's about two or three weeks ago, they looked lost. They lost in County Court, and I'm just thankful they didn't keep going with his mouth, the judge could have said a lot of things we'd had to fight, and then called Tom Fredericks, and say, look, we got to undo some of the damage this judge said coming out of his mouth. That's what we're up against. This is Indian land. Treat it as such. Next step, Federal. We feel like it's strong and solid, and we will, but I think we need to make sure the Congress understands, and I talked to some of them yesterday. I think some of them do, and they said we need time to think about these things, but to rush in and do what they just did, they did something. They do have a law. It's in place. They try to enforce it, out there. People, I don't know. Maybe someone out there knows more than I do what happened out there. Dr. Conner, are you familiar with that?

CHAIRMAN WALLER: Please.

DR. JOE CONNER, SHAREHOLDER: Yeah, there is no such law and the Attorney General took it on his self to file an injunction in Tribal Court, and as soon as he did, he heard from the District Attorney in Osage County. He said, 'If you try to enforce this, we won't assist you'. I told my County Deputies to lay down...

COUNCILMAN REDCORN: I'm going to talk to Shannon Walker, right now. I'm going to say...

UNKNOWN: Let Dr. Conner finish.

DR. JOE CONNER, SHAREHOLDER: They were never served.

COUNCILMAN REDCORN: OK. I'm going to talk to...Thank you, sir. I'm going to talk to Shannon Walker. They had a Special Session, and they passed a law. What was that Special Session for, regarding Enel?

DR. JOE CONNER, SHAREHOLDER: They pass a law to able the Chief and Attorney General to do that. They didn't pass any Mineral Protection law.

COUNCILMAN REDCORN: No, they said (*unintelligible*) so there is a law.

DR. JOE CONNER, SHAREHOLDER: That, the law that they can do that serving, but that was no base law protecting the Minerals, or anything else. There is no law for that.

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CHAIRMAN WALLER: In a misdemeanor court.

DR. JOE CONNER, SHAREHOLDER: Yep.

CHAIRMAN WALLER: Thank you.

CHAIRMAN WALLER: I'd like to have Councilwoman Boone.

COUNCILWOMAN BOONE: We could sit and argue this all day, and I think we need to call for the question.

MOTION FAILED: GALEN CRUM-YES, STEPHANIE ERWIN-NO, KATHRYN RED CORN-NO, TALEE REDCORN-NO, EVERETT WALLER-NO, ANDREW YATES-YES, CYNTHIA BOONE-NO, JOSEPH CHESHEWALLA-NO.

CHAIRMAN WALLER: I'd like to entertain a motion to go into the other resolution presented to you by Tom Fredericks and his organization, and in case, in two weeks, we feel like we're not being represented by our Trustee, that we go ahead and let Tom Fredericks, Peebles and Morgan to represent us in the case against Amshore. I'd entertain that motion.

COUNCILMAN REDCORN: What? Say that again?

COUNCILWOMAN BOONE: We already did that motion, Mr. Chairman.

CHAIRMAN WALLER: Did we already have that voted through? Do we have it written though?

LACEE REYNOLDS: As to follow our attorney's suggestion and ask the Solicitor...

CHAIRMAN WALLER: I thought that was included in the one we just voted down.

COUNCILWOMAN BOONE: No.

CHAIRMAN WALLER: So we have that in place, now?

COUNCILWOMAN ERWIN: If they don't give us some kind of proof...

CHAIRMAN WALLER: I need your answer.

LACEE REYNOLDS: The motion that was approved was to follow our attorney's suggestion on asking the U.S. Government to (unintelligible) two weeks' response.

COUNCILMAN REDCORN: We need to talk to our attorney.

COUNCILWOMAN ERWIN: If they don't do anything in two weeks, the Fredericks' people, we give it to them. Was that not the resolution?

LACEE REYNOLDS: The one I had written was, there was two resolutions. One was to allow the U.S. Government to do it, and one was to allow Fredericks to do it, after the U.S. Government doesn't.

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COUNCILWOMAN BOONE: So, Councilman Crum asked for a timeframe of two weeks, didn't you, Councilman Crum?

COUNCILMAN CRUM: That's what I said, I would agree to it.

COUNCILWOMAN BOONE: Well, and then I said, as amended, we would do that. So, it's out there. We didn't vote on it, yet?

COUNCILMAN CRUM: We didn't combine them in language, is my recollection, but I see no problem in actually passing the second one, saying we could hire them if we don't...

CHAIRMAN WALLER: I was just trying to protect my headright owners.

COUNCILWOMAN ERWIN: OK. That's fine.

CHAIRMAN WALLER: I've been to the Federal Court of Claims.

COUNCILMAN CRUM: And perhaps, they'd like to have a resolution saying they were hired.

COUNCILWOMAN ERWIN: OK.

CHAIRMAN WALLER: May I please entertain a motion?

COUNCILWOMAN ERWIN: I make a motion that we pass the resolution, there's not a number on it, hiring Fredericks, Peebles and Morgan to initiate litigation against Amshore, if the United States fails to do so within two weeks.

COUNCILMAN REDCORN: I second.

CHAIRMAN WALLER: Councilman Crum.

COUNCILMAN CRUM: We had the same problem in doing so, rather than respond to them in two weeks. If they haven't responded in two weeks.

CHAIRMAN WALLER: Councilwoman Red Corn.

COUNCILWOMAN RED CORN: This says, "In the event the United States fails to initiate litigation against Amshore, the Osage Minerals Council will be gravely harmed as a result". Are we talking about that one?

COUNCILMAN CRUM: Yes.

COUNCILWOMAN ERWIN: Yes. All I needed was the 'Whereas'. I read it. It said, 'If the United States fails to do so, in two weeks'.

COUNCILWOMAN RED CORN: And then, the second one, is, in the event that we seek the legal assistance of...

COUNCILWOMAN ERWIN: Yeah, that was a mistake there.

COUNCILWOMAN RED CORN: No, there's two different ones...

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CHAIRMAN WALLER: No. Two different...In the event the United States. Read it back, the motion.

LACEE REYNOLDS: Hire Fredericks, Peebles and Morgan if the U.S. Government has not responded in two weeks.

COUNCILWOMAN ERWIN: Actually I read the "Whereas" clause.

CHAIRMAN WALLER: I'd like for you to add in, *"In the event the United States fails to initiate litigation against Amshore U.S. Wind, LLC, the Osage Mineral Estate will be gravely harmed as a result of the projects action within the Osage Mineral Estate, and Whereas, the Osage Minerals Council has determined in the best interests of the headright owners, Fredericks, Peebles and Morgan, LLP, to initiate litigation against Amshore U.S. Wind, LLC, if the United States fails to do so."* Councilwoman Erwin. Give them two weeks.

COUNCILWOMAN ERWIN: I'll put that in there.

COUNCILMAN REDCORN: Second.

CHAIRMAN WALLER: Make that, it will be put in as a 'Whereas'.

MOTION FAILED: STEPHANIE ERWIN-YES, KATHRYN RED CORN-YES, TALEE REDCORN-YES, EVERETT WALLER-YES, ANDREW YATES-YES, CYNTHIA BOONE-YES, JOSEPH CHESHEWALLA-YES, GALEN CRUM-YES.

CHAIRMAN WALLER: Like to entertain a motion to adjourn. Excuse me. Superintendent.

DEPUTY SUPERINTENDENT WINLOCK: Are you going to give signed copies of the resolution?

CHAIRMAN WALLER: Yes, sir.

DEPUTY SUPERINTENDENT WINLOCK: OK. That way, I'll submit them to the Solicitor's office.

CHAIRMAN WALLER: Yes, sir. Thank you so much for being here.

DEPUTY SUPERINTENDENT WINLOCK: Sure.

CHAIRMAN WALLER: We appreciate it.

COUNCILMAN REDCORN: Excuse me, Chairman. We have somebody on the floor.

DR. JOE CONNER, SHAREHOLDER: I'd like to make an announcement. I just want to say I appreciate you guys that are protecting our Mineral Estate. I did want to make a suggestion.

CHAIRMAN WALLER: Go right ahead, sir.

DR. JOE CONNER, SHAREHOLDER: You certainly are in your power. We're all in it together. I was talking to one of the Councilmen who said, looking back, there's a tangible overlap between the business of the Nation and the Mineral Estate, and it's this: About three weeks ago, we had a fellow come by the

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newspaper office, and tell us, and honestly, he didn't say he moved in, and he didn't say anything else, but digging the pits in the wind turbines out west, they found skeletal remains and was told to rebury them.

CHAIRMAN WALLER: Inadvertent finding.

DR. JOE CONNER, SHAREHOLDER: Bury them back. Didn't say any names. So, what they were doing, of course, they were excavating in the Mineral Estate, and they found human remains. So, the oil well and the Minerals and our cultural archaeological heritage is locked together. So, when they start digging a 12-ft. deep pit, that's about an acre size, which they did out there, and if they do it in Amshore, there'll be 107 of those pits. I figure in a whole quarter section of land, they will dig 12 ft. down in the pit.

CHAIRMAN WALLER: Yes.

DR. JOE CONNER, SHAREHOLDER: It's probably most likely one of our most important prehistorical sites on the reservation, because of the old hunting grounds that went out through the Bend and up the Salt Fork to the Salt Plains. So, the towns out there, I know they're going to be digging in the Mineral Estate. That's not right. We know that, and they're likely to find human remains. Are they our ancestors? They could be. And that's why I encourage you to work with the Nation closely on this, because if you dig up a backhoe-full of minerals out there, they're ours, and it can also contain our ancestors remains. So, I know that's not your charge to protect our ancestors remains, other than as citizens. But it is the Nation's. So, there's tangible overlap, between your job and theirs.

CHAIRMAN WALLER: I just have one comment on that. I come out of the Executive, when we had our 106, Native American Graves Protection Act review out there, they said they had 27 sites. We found over 100, and then they had a categoric exclusions not following under that Federal tripper that I agree. With that, Councilman Redcorn, thank you for waiting.

COUNCILMAN REDCORN: Thank you. Dr. Conner, I agree with you. We are in this together, and we've got to move very slow and sure. We're not afraid of Congress, or at least, I'm not. I'm encouraged, and I think they'll do the right thing. But right now, we've got a big important decision to make in Federal Court, and I think this is layer upon layer of what we're going to do, eventually, and I talked to several representatives of Congress yesterday on Oil and Gas matters. This is the same issue on a different level. We've got our Tribal stuff. In my view, we're not being heard, because we're not pushing our sovereignty. We need to push our sovereignty. Our decision making power under Federal law that's been given to us so the Congress can act. There's a lot of Federal law in the Environmental Natural Resource laws. There's Tribal authority built into those things, and in my view, with the neg-reg and the IES, they're not recognizing our sovereignty. They're not looking out for the Osage to their ability for us to make that decision ourselves. That's been my continuous complaint to the Federal Government on these issues. And it won't stop. I'll continue to say it. Until they recognize that the Osages had a right to determine their natural resources to determine how they're going to protect their environment to determine pretty much how they're going to move, financially. In the future, all is covered under "Federal law" that they're not recognizing. So I think we can build the strength under Federal law. When we get the DOI personnel lined up and seeing that, then I think we move the Tribe into this arena, which they have all the ability to just sit down and make the law. What I don't want to see is to go and put it in another category, because we would be in two separate things, like redundant form. Well, they were in County Court. You recognize they were there, and it made me a little nervous, because of what happened in the Irby case. We're off Federal land, off Federal Trust property, and then it should be in Tribal tribunal. I get that. I understand. We got called in. It's just something we need to move slow in a Federal arena, where the Tribe will abound, through our Tribal authority, through our Tribal sovereignty in the Federal arena. As soon as we all get on the same page, and I think we will, we'll be able to move, and I think this right up here is going to be the first step. I don't

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want to alter that. That's going to be the foundation for things to come, in my view. I'm a little more optimistic. I don't want anything to hurt it. We get a good, favorable ruling, we can expand our Tribal forum in a lot of areas. Thank you.

CHAIRMAN WALLER: Thank you. Councilman Crum.

COUNCILMAN CRUM: I'll yield to you, if you want.

DR. JOE CONNER, SHAREHOLDER: I appreciate your comments on it. I understand your concerns in wanting to do this right. I appreciate that you're not going to wait too long. Now, on another side issue, not related to this issue, but it's one that you need to be aware of, if you haven't, and there have been meetings by (a) law firm, also, actually, the ground work is being done by a law firm in Tulsa to build a class action lawsuit out in the Bend on landowners who are damaged by injection well earthquakes. They're planning a class action against the Feds. They've been meeting with people out in the Bend, gathering information, preparing to put a clamp down on injection wells on the Reservation.

CHAIRMAN WALLER: Yes, sir.

DR. JOE CONNER, SHAREHOLDER: So, I just wanted you to know about that. Now, we have...

COUNCILWOMAN ERWIN: I have.

CHAIRMAN WALLER: Councilman Crum.

COUNCILMAN CRUM: I want to go back to what we were talking about to clarify what I meant, when we said we were going to check with our attorney about the Osage Nation law. I hope that means we're going to check on that right away. Given Councilman Redcorn's legal opinion on how to go forward, I very much would like to hear whether Fredericks, Peebles and Morgan think it's a good idea to do what they suggested, earlier then to do it now, rather than later, in order to try to stop. We've stopped what I wanted to do right now, until we get their opinion, but I would like to get that opinion as soon as possible, because we know for a fact, that once they start getting structure up, infrastructure, then it's almost impossible to stop, because you have to go out there and shoot them. If we can stop them, I'm just saying, so I'm recommending that the Chairman contact them immediately and find out if they think it's a good idea or not.

COUNCILWOMAN ERWIN: I have a motion on the floor.

COUNCILWOMAN BOONE: Was it seconded?

CHAIRMAN WALLER: Amended to second. Excuse me.

COUNCILWOMAN BOONE: I'll second.

COUNCILMAN REDCORN: I concur. I think this is an important issue. I know there's a Congressional law out there that said that they're not going to move on the Mineral Estate until they get a resolution from us. Well, we need to figure out what that's going to say, and run that by our attorney. That's all I'm asking. I just don't want to throw it together and give it to him. I want to make our attorney sees it and not cause a problem in our Federal Court case. So, I think it's a responsible way. If we have to have another Special Meeting, it's there.

CHAIRMAN WALLER: *(Leaving a message on the phone with Mr. Fredericks.)*

Osage Minerals Council Minutes
Special Meeting
November 21, 2016

Councilwoman Erwin made the motion to adjourn, second by Councilwoman Boone.

CHAIRMAN WALLER: Out of courtesy, please state your name.

NANETTE KELLEY, SHAREHOLDER: I am Nanette Kelley and Stephanie Erwin had asked that Scott Lohah be here today. He is ill, so he sent me. Since he could not be here, he asked me to read to you all a letter, and it reiterates a little of Dr. Conners' statement in regard to our branches of government. It explains...that was done by the Oklahoma State Legislature, last year. (*Papers rustling – cannot transcribe*).

CHAIRMAN WALLER: Thank you, dear.

COUNCILMAN REDCORN: Just want to clarify before that I had a legal opinion on this matter, it's not a legal opinion. I just want to disagree that the State has more on the lines on standing on property trying to protect it. I have a lot of experience. 85% of my life, I've lived on Trust property. So, I feel like from personal experience that I'm reflecting on legal experience.

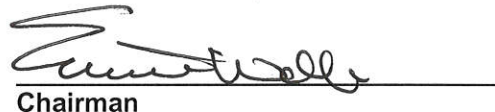
MOTION PASSED: KATHRYN RED CORN-YES, TALEE REDCORN-YES, EVERETT WALLER-YES, ANDREW YATES-YES, CYNTHIA BOONE-YES¹, JOSEPH CHESHEWALLA-YES, GALEN CRUM-YES, STEPHANIE ERWIN-YES.

Adjournment – 11:17 A.M.

Approved:



Executive Administrative Assistant



Chairman

¹ Before voting, Councilwoman Boone stated, "On the letter that was submitted to us, there's no signature on this letter. So, in the future, for the letters presented, I appreciate one signed," to which the Chairman agreed.