

I. Call to order at 10:00 a.m. by Chairman Waller

II. Opening prayer by Second Chairman Red Eagle

III. Roll call

Councilmember Forman—present, via Zoom

Councilmember Gray—present

Councilmember Harlan—present, via Zoom

Councilmember Redcorn—present, via Zoom

Second Chairman Red Eagle—present

Councilmember Revard—present, via Zoom

Chairman Waller—present, via Zoom

Declaration of Quorum

Discussion: Chairman Waller wished everyone a Happy New Year and, then, announced item 6A—Status of Lease Request with Michael Hiner—would be tabled until the next meeting. He further stated that the election discussion should wait until the Superintendent could be present.

IV. New Business

- a. Resolution:** Send whoever wants to attend the National Congress of American Indians conference in February be granted the opportunity

Motion by **Councilmember Gray**

Second by **Councilmember Harlan**

Motion **PASSED** YES: 7

NO: 0

ABSTAIN: 0

ABSENT: 0

Councilmember Forman—y

Councilmember Gray—y

Councilmember Harlan—y

Councilmember Redcorn—y

Second Chairman Red Eagle—y

Councilmember Revard—y

Chairman Waller—y

Discussion: Council Gray announced the upcoming NCAI meeting would be February 13-16 in Washington, DC. This is a meeting where the latest and most important discussions regarding Indian Country takes place. Issues taking place at OMC would be good to discuss there, too. **Council Forman** said when Council Gray attended the last NCAI, she was not aware of what was going to be discussed and thought OMC should be informed about what Council Gray will be discussing prior to her attending the meeting, since she met with Congress at the prior meeting and no one knew until after Council Gray returned. There should be an agenda of who's going and what will be discussed by the next meeting, so OMC will know what will be said to Congress as representative of the Council. **Council Revard** inquired whether Lucas and Cole would be attending NCAI and **Council Gray** affirmed they would be there. **Council Revard** added he thought OMC should meet with Rollie Wilson [attorney] while they are there, and Wilson should attend the meeting with OMC. **Chairman Waller** added the documents Mr. Wilson is working on should be finished when it's time for the meeting. He thought it would be an ideal time to approach Congress for well plugging funding and ask NCAI for help in this endeavor.

b. Resolution: Accept the biannual meeting reportMotion by **Councilmember Redcorn**Second by **Councilmember Gray**Motion **PASSED** YES: 6

NO: 0

ABSTAIN: 0

ABSENT: 1

Councilmember Gray—y

Councilmember Harlan—absent

Councilmember Redcorn—y

Second Chairman Red Eagle—y

Councilmember Revard—y

Chairman Waller—y

Councilmember Forman—y

Discussion: **Council Forman** stated the opening paragraph needs clarification. There is a referral to a “decision” but the explanation of what it’s referencing is never mentioned. **Chairman Waller** said the explanation could be made in the cover letter or in adding an attachment.

c. Resolution: Approve sending any OMC and Bill Lynn to the EnergyInData Conference in FebruaryMotion by **Councilmember Forman**Second by **Councilmember Redcorn**Motion **PASSED** YES: 6

NO: 0

ABSTAIN: 0

ABSENT: 1

Councilmember Harlan—absent

Councilmember Redcorn—y

Second Chairman Red Eagle—y

Councilmember Revard—y

Chairman Waller—y

Councilmember Forman—y

Councilmember Gray—y

Discussion: **Council Forman** said the conference topics are timely and trending for the industry and OMC; it embarks on energy transition areas. The conference is a collaboration between several oil entities such as AAPG, Society of Petroleum Engineers, etc. **Council Redcorn** likes the topics. OMC has several problems with data and the ability to share it with customers. Current staff is impressive, but more training is needed. He wants to see more Osages hired and keep them on staff. Osages are doing more than Oklahoma in their well plugging efforts. Successes needed to be shared. **Chairman Waller** said funding will help send people to training. Fieldworkers will be paid to attend training. He’s heard several training opportunities are forthcoming.

d. Resolution: Hire Christy Red Eagle to begin planning the event [Osage Summit]Motion by **Councilmember Gray**Second by **Councilmember Redcorn**Motion **PASSED** YES: 3

NO: 2

ABSTAIN: 1

ABSENT: 1

Councilmember Redcorn—y

Second Chairman Red Eagle—abstain

Councilmember Revard—n

Chairman Waller—y

Councilmember Forman—n

Councilmember Gray—y

Councilmember Harlan—absent

Discussion: **Council Gray** said the Summit will be a joint effort with the Tulsa Geological Society. Keisha at Osage Casino in Tulsa has been contacted and reserved rooms. Christy Red Eagle has done great work on OMC Summits in the past and will be helpful. **Council Forman** thinks it’s totally impossible to plan a good Summit in such a short length of time. It can’t be done since the date is so close; it takes at least a year to plan, if a good meeting is to happen, since sponsors and others, e.g. speakers, need to be obtained. No chair or team is assigned to plan it. **Second Chair Red Eagle** asked if the dates were March 16 and 17 and jointly with the geological society; **Council Gray** said yes [tentative dates are March 17 and 18]. **Council Gray** said a DOE consultant will be included in the event and will be a speaker.

JANUARY 7, 2022

- e. Resolution:** Apply for a natural gas grant written by Myron Red Eagle, Talee Redcorn, Bill Lynn and Tony Muller entitled *Driving Towards Resiliency by Assessing Natural Gas Opportunities in the Osage Nation Reservation*

Motion by **Second Chairman Red Eagle**Second by **Councilmember Redcorn**Motion **PASSED** YES: 6

NO: 0

ABSTAIN: 0

ABSENT: 1

Second Chairman Red Eagle—y

Councilmember Revard—y

Chairman Waller—y

Councilmember Forman—y

Councilmember Gray—y

Councilmember Harlan—absent

Councilmember Redcorn—y

Discussion: **Council Redcorn** announced an upcoming funding opportunity and title of the project. Second Chair Red Eagle, Bill Lynn and Tony Muller will be working together to write the proposal. He commended the work Petroleum Engineer Tony Muller did on Avant with DOE. The project will be assessed very closely, will be a drive to get Osage off the grid, and move towards resiliency. It coincides with Osage Nation's long-term plan. **Council Revard** asked what the funds were going to be used for. **Chairman Waller** said the application will be reviewed prior to submission. **Council Forman** asked whether the application had been approved. **Chairman Waller** explained that the resolution is only to apply for funds. **Council Gray** commended them for applying and said OMC has good success with grant funding and she supports their effort. She shared that a NOFA would be available at the end of the month. She, too, is working on a grant opportunity and likes that Osage will be on the map. DEMD is excited about the opportunities OMC is pursuing. **Second Chair Red Eagle** said this will be good for the future with electric vehicles becoming more popular. This will be helpful for their children and grandchildren. Natural gas is a way to sustain payment. Right now, this is only a feasibility study. **Council Redcorn** said funding is \$200K. He will keep Council updated of all work as it progresses. **Second Chair Red Eagle** added funding is good for Osages to get resources, because no one will do what they need to do for themselves. **Council Revard** asked if natural gas would be used to for elders to run their oxygen machines. **Council Redcorn** said it was a possibility and added the feasibility study is necessary to see what natural gas volumes are available before they know what can be done with it. Burning natural gas vs. coal eliminates a lot of CO₂ emissions and moves Osages to the future, helping them survive as an independent body. He thanked Second Chair Red Eagle for the grant idea.

V. Motion: Enter Executive Session**Time:** 10:51 a.m.Motion by **Second Chairman Red Eagle**Second by **Councilmember Redcorn**Motion **PASSED** YES: 6

NO: 0

ABSTAIN: 0

ABSENT: 1

Councilmember Revard—y

Chairman Waller—y

Councilmember Forman—y

Councilmember Gray—y

Councilmember Harlan—absent

Councilmember Redcorn—y

Second Chairman Red Eagle—y

VI. Motion: Exit Executive Session**Time:** 11:35 a.m.Motion by **Councilmember Gray**Second by **Second Chairman Red Eagle**Motion **PASSED** YES: 6

NO: 0

ABSTAIN: 0

ABSENT: 1

Chairman Waller—y

Councilmember Forman—y

JANUARY 7, 2022

Councilmember Gray—y

Councilmember Harlan—absent

Councilmember Redcorn—y

Second Chairman Red Eagle—y

Councilmember Revard—y

VII. Motions from Executive Session

- a. Resolution:** Accept Blake Bledsoe, Allison Koopman, and Elizabeth Weyl for the spring semester—\$1,000 scholarships.

Motion by **Second Chairman Red Eagle**Second by **Councilmember Gray**Motion **PASSED** YES: 6 NO: 0 ABSTAIN: 0 ABSENT: 1

Councilmember Forman—y

Councilmember Gray—y

Councilmember Harlan—absent

Councilmember Redcorn—y

Second Chairman Red Eagle—y

Councilmember Revard—y

Chairman Waller—y

- b. Resolution:** Authorize Tim Dowd, Oil & Gas Attorney, to assist the Council in establishing primacy for CCS and CCUS concerns...to establish Mineral Estate pore space primacy and right to royalty revenue from all sales, present and future, of 45-Q credit arrangements entered by Osage County businesses for the purpose of storing and/or utilizing CO₂

Motion by **Councilmember Forman**Second by **Chairman Waller**Motion **PASSED** YES: 6 NO: 0 ABSTAIN: 0 ABSENT: 1

Councilmember Gray—y

Councilmember Harlan—absent

Councilmember Redcorn—y

Second Chairman Red Eagle—y

Councilmember Revard—y

Chairman Waller—y

Councilmember Forman—y

- c. Resolution:** Authorize utilizing Tim Dowd's services on the Enhanced Oil Recovery project with MI3, all fees obtained from Tim Dowd's services, associated with this project, are to be paid out of the C-395 and request the Osage Nation Attorney General to work with Osage Minerals Councilmember Talee Redcorn and Tim Dowd on the Enhanced Oil Recovery project

Motion by **Councilmember Redcorn**Second by **Councilmember Gray**Motion **PASSED** YES: 6 NO: 0 ABSTAIN: 0 ABSENT: 1

Councilmember Harlan—absent

Councilmember Redcorn—y

Second Chairman Red Eagle—y

Councilmember Revard—y

Chairman Waller—y

Councilmember Forman—y

Councilmember Gray—y

VIII. Old Business

- a. Resolution:** Amend Resolution 4-482 to include Atencio Consulting & Services LLC's compensation will not exceed \$128,744.

Motion by **Councilmember Forman**Second by **Councilmember Redcorn**

JANUARY 7, 2022

Motion **PASSED** YES: 6 NO: 0 ABSTAIN: 0 ABSENT: 1
Councilmember Redcorn—y Second Chairman Red Eagle—y
Councilmember Revard—y Chairman Waller—y
Councilmember Forman—y Councilmember Gray—y
Councilmember Harlan—absent

Discussion: Council Forman said the original resolution (4-482) neglected to include the maximum amount to pay the gas consultant to hire him. She inquired whether to make a new resolution or amend the resolution. Chairman Waller answered that amending the resolution would be acceptable.

- b. Resolution:** Assign writing a legal opinion as to whether or not the Osage Nation owns and/or has a right to see all Osage County well records without delay or redaction to Patterson, Earnhart, Real Bird and Wilson, LLP

Motion by **Councilmember Forman** Second by **Councilmember Revard**
Motion **PASSED** YES: 5 NO: 0 ABSTAIN: 0 ABSENT: 2
Second Chairman Red Eagle—y Councilmember Revard—y
Chairman Waller—y Councilmember Forman—y
Councilmember Gray—absent Councilmember Harlan—absent
Councilmember Redcorn—y

Discussion: Council Forman stated that the absence of well data in the Minerals Estate is problematic and negatively affects the ability to conduct business. It became very clear during a luncheon at the AAPG Conference; the presentation she attended included two or three additional areas where OMC needs improvement, e.g. saltwater well locations. She said obtaining a legal opinion to see who owns the records would be most helpful in getting records with or without redactions. OMC needs to fight for their data. Chairman Waller said there is an element that shows saltwater production. NIOGEMS needs to be coordinated. He added this information should not need to be requested; it belongs to OMC. Council Redcorn said he 100% agreed with Chairman Waller, and OMC shouldn't have to ask for what already belongs to them.

- c. Resolution:** For the purpose of observing sovereign right to self-determination, assign Patterson, Earnhart, Real Bird, and Wilson the task to assist the Minerals Council in writing its own Osage Mineral Estate oil and gas regulations.

Motion by **Councilmember Forman** Second by **Councilmember Revard**
Motion **PASSED** YES: 6 NO: 0 ABSTAIN: 0 ABSENT: 1
Councilmember Revard—y Chairman Waller—y
Councilmember Forman—y Councilmember Gray—y
Councilmember Harlan—absent Councilmember Redcorn—y
Second Chairman Red Eagle—y

Discussion: Council Revard commented that it's a matter of time before DOI tries to stop the business of OMC. He commended Council Forman for writing gas regulations. Writing their own regulations gives credibility to OMC, especially using the law group Patterson, et al. Council Redcorn said there are new opportunities with the EOR and orphan wells. If OMC sat back and waited for DOI, nothing would get done. He agrees with Councils Revard and Forman. Previous Chairman Yates stood up to DOI. It proves sovereignty to write their own regulations. Council Revard built on Council Redcorn's statement saying DOI isn't being responsible and protecting the Mineral Estate. OMC has to do it themselves. He said it takes a lot of effort, but

OMC can do it. He agreed with Council Gray's statement saying we can prove it to DOI and do it. **Second Chair Red Eagle** added that under Chairman Yates' leadership OMC unanimously voted to write their own rules. Everything goes back to the 1906 Allotment Act. DOI's purpose was to take away Osage land. Osage is blessed that Bigheart helped save the land and minerals. He was educated and helped his people; he could speak English. Unfortunately, some Osages were declared incompetent because of their inability to speak English. He was taught him, "If you don't change, change will change you." OMC needs to change with time.

IX. Motion: Approve minutesMotion by **Councilmember Redcorn**Second by **Second Chairman Red Eagle**Motion **PASSED** YES: 5 NO: 0 ABSTAIN: 1 ABSENT: 1

Chairman Waller—y

Councilmember Forman—abstain

Councilmember Gray—y

Councilmember Harlan—absent

Councilmember Redcorn—y

Second Chairman Red Eagle—y

Councilmember Revard—y

X. Motion: Adjournment**Time: 11:58 a.m.**Motion by **Councilmember Redcorn**Second by **Second Chairman Red Eagle**Motion **PASSED** YES: 6 NO: 0 ABSTAIN: 0 ABSENT: 1

Councilmember Forman—y

Councilmember Gray—y

Councilmember Harlan—absent

Councilmember Redcorn—y

Second Chairman Red Eagle—y

Councilmember Revard—y

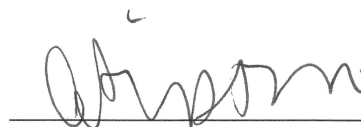
Chairman Waller—y

Discussion: Council Gray wished Council Harlan, "Happy birthday." **Chairman Waller** sang happy birthday in Osage. He also sent condolences to Osages who have lost loved ones.

Approved by the Fourth Osage Minerals Council on January 19, 2022.



Everett Waller, Chairman



Executive Administrative Assistant