

- I.** Call to order at 10:00 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, via Zoom

Declaration of Quorum

Guest: Candy Thomas, Zane Gordon, Ben Bymers

Discussion: Chairman Waller welcomed Lacee Reynolds back after being gone for medical leave. He said he's glad she back and thanked her for all the hard work she does.

IV. New Business

- a. Resolution:** Move all remaining C-395 2021 monies to professional fees line item

Motion by **Chairman Waller**

Second by **Second Chairman Red Eagle**

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: Lacee Reynolds said remaining money [in the 2021 budget] would be moved to the professional fees line item. Councilwoman Forman asked if the leftover funds were being moved to the FY-2022 budget. Lacee Reynolds said no. Chairman Waller said the accountant Ryan Armstrong gave them the amount. Councilwoman Forman then asked, "As I pointed out on several occasions in the past, we have earmarked money for specific professionals, will the money remain for specific professionals if it's moved to professional funds?" Chairman Waller said, "Yes."

- b. Resolution:** Pay \$1,350 from the C-395 to have core donated at the OU library in Oklahoma City

Motion by **Councilman Redcorn**

Second by **Councilwoman Forman**

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: **Councilman Redcorn** talked with Geologist Bill Lynn about a core donation from the Mississippi on the east side of the reservation. The cost to have the core installed at the University of Oklahoma Core Library in Oklahoma City is \$1,350. **Councilwoman Forman** said this item was donated several months ago, asked the council in an email if it was ever addressed, and appreciates **Councilman Redcorn** for bringing this up for vote. If the core is at OU, will the public be allowed to see it or is it only for research? **Councilman Redcorn** said in the past the core was placed in a lab for research purposes. A tour of the facility to view it is a possibility. He thinks the core could be used to research the western Osage to see what's there, possibly opening it again; it can help with development of enhanced oil recovery. OMC should get as much core as they can. OMC is not attacking areas that are on the orphan well list and EOR locations. It's not a competition with lessees. **Chairman Waller** like the coordination with OU, and technology was good for OMC. He added that the University of Tulsa had a core area specifically for Osage. He said he'd like to request OU to do the same. **Councilwoman Gray** said the donation line item should be added to the resolution.

- C. Resolution:** Chairman write a letter directing her (BIA Superintendent Phillips) to advertise lease sale at OK Energy Today

Motion by **Councilwoman Forman**

Second by **Councilwoman Gray**

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

Discussion: **Councilwoman Forman** shared a daily email with OMC on Govenda. The email is from OK Energy today, a daily email and added the first thing seen are advertisements; she would like the lease sale advertised here. The 2019 Summit was advertised there and, as a result, had good attendance numbers. **Councilman Revard** wanted OMC to have input on what the advertisement says, instead of BIA coming up with something on their own and wanted to review their ad prior to posting. **Councilman Redcorn** thinks this is a good proposal for advertising OMC. Several years ago an oil and gas clearinghouse proposed advertising with OMC; part of the proposal was advertising across the U.S. He thinks further advertising should be explored. He still has notes from the clearinghouse. **Chairman Waller** said this letter will be the answer, OMC could advertise on their own instead of the trustee, i.e. BIA. The clearinghouse may be the way to go. **Councilwoman Forman** said the state of Oklahoma has used the clearinghouse for their lease sales. OMC could contact them to see if their sales were successful. She agrees with **Councilman Revard** about having input on advertising. **Chairman Waller** said the auction advertising is a standard bulletin from the BIA. **Councilwoman Gray** is not opposed to looking at other advertising, but this is BIA's responsibility. She thought **Councilman Revard** wanting to review the advertising would be in appropriate, since he's a producer. She would like **Chairman Waller** to review, instead, because it could be deemed inappropriate if **Councilman Revard** were involved. **Councilman Revard** asked what would be inappropriate. **Councilman Gray** said as a producer, **Councilman Revard** should follow the opinion of the AG and let **Chairman Waller** review. She wouldn't want it to appear that **Councilman Revard** is giving himself the upper hand. **Councilman Revard** said **Councilwoman Gray** apparently didn't know what she was talking about. All he asked was for OMC to have merit and say in advertising for the lease sale. He hasn't interjected himself in any personal way, only observing that OMC should have input.

Councilwoman Harlan said council should sanction Mr. Revard for his inappropriate comments about a colleague.

- d. NDA Wampworx**— **Councilwoman Gray** said this item could be stricken from the agenda, because it was already taken care of by a past resolution.
- e. Resolution:** Chairman contact both the company and BIA on behalf of the tribal member to show support for the need to maintain that property as it should be

Motion by **Councilwoman Harlan**

Second by **Councilwoman Gray**

Motion **PASSED** YES: 7

NO: 0

ABSTAIN: 0

ABSENT: 0

Councilman Redcorn—y

Second Chairman Red Eagle—y

Councilman Revard—y

Chairman Waller—y

Councilwoman Forman—y

Councilwoman Gray—y

Councilwoman Harlan—y

Discussion: **Chairman Waller** said the request was sent to the Nation, BIA, and, now, OMC. **Councilman Revard** stated what authority would be interjected on this. He's unsure of OMC's authority to be involved. OMC has no oversight on maintenance of roads. Perhaps OMC could call the lessee and request they do the right thing. **Chairman Waller** said the lessee knows he has to follow requirements on ingress and egress. He wants to help the elder landowner and resolve the issue. **Councilman Revard** said the BIA should uphold their responsibility to the landowner and protect his rights. **Councilman Redcorn** said Osage elders don't act without regard and careful consideration for all involved. The letter was well thought out, and it is apparent he is in need of help. OMC should push to make sure the Osage elder is taken care of. **Second Chairman Red Eagle** asserted it was the responsibility of the oil company to fix the roads, if they damage it with the heavy equipment. **Chairman Waller** said OMC has to hear their constituents and do the best they can to help them however they can.

V. Motion: Enter Executive Session

Time: 10:48 a.m.

Motion by **Second Chairman Red Eagle**

Second by **Chairman Waller**

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

VI. Motion: Exit Executive Session

Time: 1:39 p.m.

Motion by **Second Chairman Red Eagle**

Second by **Councilwoman Forman**

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

VII. Resolution: Applying for grant funding through the Energy and Mineral Development Program to contract a Hydrogen consultant to conduct a full feasibility study

Motion by **Councilwoman Gray**

Second by **Councilwoman Harlan**

Motion **PASSED** YES: 6

NO: 0

ABSTAIN: 1

ABSENT: 0

Chairman Waller—y

Councilwoman Forman—y

Councilwoman Gray—y

Councilwoman Harlan—y

Councilman Redcorn—y

Second Chairman Red Eagle—y

Councilman Revard—abstain

Discussion: **Councilwoman Gray** announced NOFA was out and funding would be for the last part of the hydrogen study she initiated that was completed by DEMD last year. Now, a hydrogen consulting firm can look at the blue and green to determine the marketability. **Councilman Revard** abstained because he had questions but didn't get the opportunity to ask them.

VIII. Old Business

a. Resolution: Assign Rollie Wilson, attorney, to begin work to get more funds for well plugging

Motion by **Councilman Redcorn**

Second by **Second Chairman Red Eagle**

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: **Councilman Redcorn** said he'd like to have Rollie Wilson apply for funds from the Department of Energy and State of Oklahoma for well plugging and request funding begin in January. **Councilwoman Harlan** added, since this will be sovereign-to-sovereign, OMC will need to get Chief's support. **Councilman Redcorn** wanted to eliminate the state option with 100% DOI funding to OMC, as Mr. Wilson recommended. To do this, Chairman Waller can write a letter to Mr. Wilson, with that mandate, assuring the direction of funds. **Chairman Waller** asked if OMC should go to local congressmen first. The State of Oklahoma will be receiving several million in funds for well plugging and asked whether their funds would be used at Osage. **Councilman Revard** added that original funding was for plugging. Now, funding needs to be requested for remediation. **Councilwoman Harlan** is supportive, but she wants to ensure Chairman follows the proper procedures with the Nation to obtain funding. **Councilwoman Gray** said Mr. Wilson's email says states get funding before tribes. A decision needs to be made on how to direct their lobbyist to approach. **Councilman Redcorn** mentioned the well plugging money—a spinoff from the orphan well project in DC—needs to be monitored. OMC's spending is less than the State of Oklahoma for well plugging activities, and OMC is ahead of the state on plugging. OMC has done a good job on well plugging.

b. Resolution: Hire Weaver & Tidwell, LLC to be OMC's independent auditor not to exceed \$168K

Motion by **Councilwoman Forman**

Second by **Councilman Revard**

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

Discussion: Councilwoman Forman said a resolution passed to hire an independent auditor, prompted by the Osage settlement of 2014 which allows OMC access to BIA records and to audit their accounts. OMC went through the procurement process, received rankings. "We have one applicant who was leaps above others. Their proposal is on Govenda. They have a good proposal with complete understanding of what we are looking for." Councilwoman Gray asked how it would work. BIA would turn over records to the Chief of Staff and "where would it go from there?" Councilwoman Forman said it was in the proposal, but she'd explain, briefly. Chairman has to send an official request to conduct the audit and gain access to BIA records. It's explained, in detail, in the proposal the firm sent. There are three phases to their auditing process. Phase one is discovery and risk assessment. Phase two reviews two years prior. Phase three will be ongoing monitoring and reporting, if needed. Councilwoman Gray asked how much the cost would be. Councilwoman Forman said to go with the high amount from the proposal of \$168K to ensure all areas are covered for the work to be completed. Councilman Redcorn asked for clarification on approving the selection. Work on budgeting can be done. It has taken too long just to select a contractor, then the budget can be amended, if necessary. Councilwoman Harlan said the resolution needed an amount on it and "not to exceed" a specified amount. She asked for the amended motion to stand. Councilwoman Forman deferred to Chairman Waller. Chairman Waller said the amount needed to be included before funds could be spent on a contractor. He added after the vote that he wanted one of the company's first areas to audit be payments.

- C. Election Rules—** Councilwoman Forman, asked for a copy of the election rules over a month ago, which she received from Lacey Reynolds. She said Second Chairman Red Eagle was asked to speak at the Osage Shareholders meeting. When Councilwoman Forman was reading the rules Ms. Reynolds sent, she noticed the rules weren't up to date. She redlined/highlighted the election rules where changes needed to be made and emailed her changes to OMC. Chairman Waller said OMC already voted with the present rules in place. Any changes will be up to the election supervisor. Second Chairman Red Eagle said he was asked by shareholders to put a question on the ballot for next summer. The election board said it has to be passed by resolution by OMC, then to ON Congress, then to the AG for approval. He said OMC needed to look at the rules because there are things that aren't done anymore, i.e. stringing up the ballots. He was also asked about having one person/one vote and asked Council for comments. Chairman Waller said OMC could look into that later. Councilwoman Harlan asked if Chairman Waller appointed anyone to direct Ms. Ponca about the election. Chairman Waller said he didn't do that and doesn't involve himself after the chairman of election is selected. Councilwoman Harlan added that current OMC members need to step back and let Ms. Ponca handle the election.

IX. Motion: Approve minutes

Motion by Councilman Redcorn Second by Councilwoman Gray
Motion **PASSED** YES: 6 NO: 1 ABSTAIN: 0 ABSENT: 0
Councilwoman Harlan — y Councilman Redcorn — y
Second Chairman Red Eagle — y Councilman Revard — y

Chairman Waller—y

Councilwoman Forman—n

Councilwoman Gray—y

X. Motion: Adjournment**Time: 2:13 p.m.**Motion by **Councilman Redcorn**Second by **Councilwoman Harlan**Motion **PASSED** YES: 7

NO: 0

ABSTAIN: 0

ABSENT: 0

Councilman Redcorn—y

Second Chairman Red Eagle—y

Councilman Revard—y

Chairman Waller—y

Councilwoman Forman—y

Councilwoman Gray—y

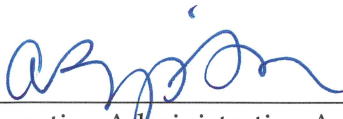
Councilwoman Harlan—y

Discussion: Prior to adjournment, **Chairman Waller** wished the Pawhuska Huskies football team good luck in the state playoff game. They had the toughest division in Class A. He wanted to encourage all of his nephews and nephews, including everyone who is in band, cheerleading, and even fans.

Approved by the Fourth Osage Minerals Council on December 15, 2021.



Everett Waller, Chairman



Executive Administrative Assistant