

**OSAGE MINERALS COUNCIL  
REGULAR MEETING  
OSAGE COUNCIL CHAMBERS  
PAWHUSKA, OKLAHOMA  
OCTOBER 17, 2014  
MINUTES<sup>1</sup>**

**CALL TO ORDER**

Chairman Everett Waller called the meeting of the Osage Minerals Council to order at 10:00 A.M.

**OPENING PRAYER**

Chairman Waller gave the opening prayer.

**ROLL CALL**

Dawn Haney called the roll. Osage Minerals Council Members present were Cynthia Boone, Joseph Cheshewalla, Galen Crum, Stephanie Erwin, Kathryn Red Corn, Everett Waller, Andrew Yates. A quorum was declared. Councilman Redcorn came in at approximately 10:07 A.M.

There was no sign-in sheet for visitors.

**ACCOUNTING REPORTS**

Both Leslie Young and Julia Roe were not present.

**AUDITOR REPORT – Jim Swan**

Osage Information Sheet for September. Collections for September – \$6,898,944.44; Average price for a barrel of oil in August – \$94.60/bbl., down \$10.68 from the year before; Average highest posted price in September – \$89.60/bbl.; Today is \$79.25/bbl.; Average daily barrels of oil produced in August – 13,138, down 662 barrels from the year before; Gross barrels produced in August – 407,208 barrels; Royalty barrels – 65,200; Royalty barrels vs. Gross barrels – 16.01%; Total oil royalties collected in September – \$6,168,352; gas royalties – \$619,886; Tank bottoms – \$1,115; Total oil and gas royalties collected in September – \$6,789,353. Average bonus for August was \$1.91/bbl.

Chairman Waller noted that the gas royalty payment had tripled since last year.

**OSAGE AGENCY REPORT**

CHAIRMAN WALLER: Superintendent Robin Phillips

SUPERINTENDENT PHILLIPS: I'm also going to report on Minerals, as well. During the month of September, the Field Operations performed 17 tanks were gauged; 7 calculations were performed and there were no discrepancies found; 25 lease inspection letters sent out for non-compliance; 4 trucking permits were issued; 5 penalty letters were issued for failure to promptly comply; reviewed 2,380 purchaser runs; 65 lease inspections were performed. Lease Management reported that 2 leases were approved; 34 assignments were approved; 32 Division orders were approved. On September 9, 2014, Heather Little and

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<sup>1</sup> These minutes are recreated from the audio recordings in its entirety, due to change in staff.

Dale Jesse held a presentation. Heather went over the use of the owner's room, and Dale Jesse and a representative from CEP provided a tour of a well site location. She reported Stephanie, Cynthia and Andrew were in attendance. The Oil & Gas Lease Summit, the Lease sale generated \$93,700 in revenue, and all 20 tracts involved in the Lease Sale brought an offer. Sub-Surface is working on, identified, right now, we have 117 APDs. We found that there was 15 incomplete APDs that were returned for completion. We are working, right now, on 8 emergency APDs. The NEPA requirement is being addressed with the emergency APDs first, before proceeding on. Ben continues to work on addressing the workovers, as well. The proposed rules continue to be under the review of the Secretary through the Department of Interior. Once I find out when that is going to be published, I'll be happy to let you know, and that pretty much concludes my report.

CHAIRMAN WALLER: Councilman.

COUNCILMAN CRUM: I have one that's generated by your report question. You said there were 8 emergency APDs?

DEPUTY SUPERINTENDENT JEANINE HALE: Yes.

COUNCILMAN CRUM: Would they, perhaps, try to solve the problems by pointing them out at the Summit, where someone was getting pressure from...

DEPUTY SUPERINTENDENT JEANINE HALE: EPA?

COUNCILMAN CRUM: ...EPA, the hold up being in compliance was...

DEPUTY SUPERINTENDENT JEANINE HALE: ...waiting for the permit for us? I believe there were two.

COUNCILMAN CRUM: What's your status?

SUPERINTENDENT PHILLIPS: I believe there were two to that effect. Yes, and Jeanine, the Deputy Superintendent, is going to work with EPA and let them know where we're at on that.

CHAIRMAN WALLER: Councilman.

COUNCILMAN YATES: I've got two questions, one on the lease sale, and the first one will be on, we had a potential question at the last meeting, and you may already have this information...but we had an individual that was fined. He was getting his production reports in. Could you give me an example, or idea of how many operators out there that are under that type of function.

SUPERINTENDENT PHILLIPS: Right now, at this point, we had Chaparral that had submitted 65,000 for incomplete or incorrect reporting. There was an assignment – actually, three assignments that they were wanting us to approve, and we found that those three did not have production reported, and, so, we did have a penalty assessed against them. They paid it. Mr. Young or Andrew Smith, we did the same thing with him and he has appealed that decision. So, right now, at this point, it's up at the Regional Office.

COUNCILMAN YATES: OK, so there's not that many out there?

SUPERINTENDENT PHILLIPS: There's not that many.

COUNCILMAN YATES: And there is an appeal process with the Regional Director?

SUPERINTENDENT PHILLIPS: Yes. As I mentioned, during the Oil and Gas Lease Summit, what we're trying to do is, we're pulling reports from our system. If there's no production in six months, all of the

operators and producers will be notified that our records reflect this, so that they'll have an opportunity to correct it, or come back in, and let us know what is going on, out there.

COUNCILMAN YATES: I got the word that they need to get their reports in. So, hopefully...one more question. On that lease sale, we had one that was, I believe, protested, or they all pretty much went minimal, but there was one that was a question on it. Whatever came of that?

SUPERINTENDENT PHILLIPS: He came up and talked to me and the Oil and Gas Lease Sale, and I haven't received any. What I suggested he do is put it in a written format to the Agency as to his protest or what he didn't like, and that we would review it and send it on out.

COUNCILMAN YATES: He would bring it up the next day...

SUPERINTENDENT PHILLIPS: I've never received any...

COUNCILMAN YATES: He didn't bring it to the Minerals Council. We didn't have a staff.

CHAIRMAN WALLER: But, we were here.

COUNCILMAN YATES: Thank you.

CHAIRMAN WALLER: You've received nothing of that type, did we?

COUNCILWOMAN BOONE: No.

CHAIRMAN WALLER: Stephanie, did you receive anything?

COUNCILWOMAN ERWIN: You don't have another fine on Chaparral for over 160...?

SUPERINTENDENT PHILLIPS: I do have one more. That is for some pending assignments as well, and I believe there's four of them, and the total came to \$164. We don't have a lot of them...

COUNCILWOMAN ERWIN: ...That's just the two you told us about.

SUPERINTENDENT PHILLIPS: Yes.

COUNCILWOMAN ERWIN: Are there any others out there?

SUPERINTENDENT PHILLIPS: That, I'd have to check, Stephanie. I'll be happy to check it for you, and report back to the Chairman.

COUNCILWOMAN ERWIN: OK.

CHAIRMAN WALLER: Finally, Joseph.

COUNCILMAN CHESHEWALLA: Yes, any tags turned down this past month, and guys going out on tank bottoms?

SUPERINTENDENT PHILLIPS: Give me just a second.

COUNCILMAN CHESHEWALLA: I didn't hear any. I just can't believe oil is that clean, everybody just running everything.

SUPERINTENDENT PHILLIPS: I do apologize. I have 4 tank bottoms that were witnessed.

COUNCILMAN CHESHEWALLA: Cool. Thank you.

CHAIRMAN WALLER: Cynthia.

COUNCILWOMAN BOONE: And just for clarification, it was initial fine to Chaparral \$65,000, and then an additional fine of \$160,000?

SUPERINTENDENT PHILLIPS: That is correct.

COUNCILWOMAN BOONE: And, Andrew Smith was how much?

SUPERINTENDENT PHILLIPS: \$47,500 ("Forty-Seven Five").

COUNCILWOMAN BOONE: \$47,500 ("Forty-Seven Five"), and that money goes where, once it's collected?

SUPERINTENDENT PHILLIPS: It goes to, well, it's still being questioned. We believe that it goes to the U.S. Treasury.

COUNCILWOMAN BOONE: But not to our shareholders.

SUPERINTENDENT PHILLIPS: Not to the shareholders, nor to the Agency.

CHAIRMAN WALLER: It's never went to the Agency, nor the shareholders.

SUPERINTENDENT PHILLIPS: Not that I know of. Right.

CHAIRMAN WALLER: If it had, we'd have to go back to it.

COUNCILMAN CRUM: Thank you for the letter to ENEL on what we brought to you the estimation and mining the rock. I'm kind of curious, did you receive any sort of response to that, as of yet?

SUPERINTENDENT PHILLIPS: No, I didn't receive a response from them directly. What happened was Richard Winlock went out there and shut them down from one site. Then we found out they were doing something else. So, the next day, we tried to shut them down, as well, and they gave us some names to call, and we made that call and now, they checked with their attorneys, and so forth. They called yesterday and said that they're going to talk with our Solicitor. But, right now, at this point, they've advised us they're going to continue on.

CHAIRMAN WALLER: In writing?

SUPERINTENDENT PHILLIPS: They didn't do it in writing. It was vocal, and so we notified our Solicitor, and let our Solicitor know that there's going to be a call coming from an attorney.

CHAIRMAN WALLER: Any more, Council? Yes.

COUNCILMAN REDCORN: Thank you for your report. My question is, regarding some of the comments. I just got back from the Ute Tribe Energy Conference, and, across the board, Indian Country, with tribes that have significant amount of real estate for oil and gas production are feeling the pinch from the Bureau, the Department of Interior on how they're handling property that is held in trust by the United States for the benefit of certain native tribes. I want to get a comment from you that, do you feel like that treatment of these properties that as public land rather than the ownership belongs, say, to the Osage Nation, and/or the Osage Annuitants for the Mineral Estate – and it's in my view that it belongs to the annuitants – how

can we protect that relationship between us as owners, and you as protector, if when we start dealing with these problems, we're dealing with it like this property belongs to the United States of America, and not the Osages? So, I want to make a comment, because, not only us, but now we're feeling it from the Southern Ute, some of the Navajo and the others. Have you been given an edict from your Superintendent, or your boss, that we're going to treat these properties as such that they belong to the United States of America and not the Osage people?

SUPERINTENDENT PHILLIPS: I recognize we have a fiduciary responsibility to the Osage Nation and the shareholders. So, I don't really know how to answer that, because if you were to say, well, what are you doing as an advocate for the Osage shareholders and the people. I would say that I'm going to be consistent in that I'm going to hold everybody accountable, as well as do my job. So, I don't know what all has been said out there, as far as that goes. But, as a government employee, I do have certain policies and procedures and regulations, and I have to follow them, and I will follow them.

COUNCILMAN REDCORN: In reference to treatment of tribal lands as public lands, my question is, that's what's been given. Maybe you don't understand, and I'm trying to understand it, myself, but I'm feeling a warning shot from our ownership claim to these properties is being severely attacked when we treat them as, say, Yellowstone National Park. This property belongs to the Osage annuitants, and that it's held in trust by your organization. So, my question is, if you treat it as a public entity, like Yellowstone, you bring in all the -isms that go along with it on a Federal level, what protections do we have? Or, #1, do you feel that way?

SUPERINTENDENT PHILLIPS: No, I don't.

COUNCILMAN REDCORN: Do you feel like we're moving toward public land treatment of our Mineral Reserve?

SUPERINTENDENT PHILLIPS: No, I don't.

COUNCILMAN REDCORN: OK. Do you feel like, not only us, but several tribes who mentioned to, I believe it was, Dot Harris, who is the head of the Minority and Department of Energy under President Obama that several of the tribes has asked, specifically, requested to talk to the President of the United States and deal with this issue and treatment of the public land, as has been edicted by – I feel like it's coming down from your chain of command.

SUPERINTENDENT PHILLIPS: I don't believe I can answer that question, Talee. I am here to –

CHAIRMAN WALLER: Councilman. That's how I would address it.

SUPERINTENDENT PHILLIPS: Sorry. Councilman, I don't believe that I'm doing that. I'm trying to meet all the regulations that I have to use in order to sign off on documents. So, no. I am here to help you do your job as a Council member, Councilman, in protecting and preserving the Mineral Estate. So, I don't know whatever anybody else is saying out there. No.

COUNCILMAN REDCORN: Are you aware that drilling has come to a halt in Osage County?

SUPERINTENDENT PHILLIPS: Right now, at this point, we're trying to address the NEPA requirements, and...

COUNCILMAN REDCORN: I mean, are you aware that drilling has come to a halt, that our service units are moving out of Osage County?

SUPERINTENDENT PHILLIPS: No, I'm not.

COUNCILMAN REDCORN: We've been told that by more than a few folks at the summit, and elsewhere, given data that's going that direction. Do you have a comment on that?

SUPERINTENDENT PHILLIPS: I'm not aware of that.

COUNCILMAN REDCORN: Would you like to see the results?

SUPERINTENDENT PHILLIPS: Sure, if you would like to provide that, that's fine.

COUNCILMAN REDCORN: And, we'll have someone present that here, in just a little bit.

SUPERINTENDENT PHILLIPS: OK.

COUNCILWOMAN ERWIN: May I ask a question?

CHAIRMAN WALLER: Go right ahead.

COUNCILWOMAN ERWIN: On September 8, I sent you a letter requesting for some information and on October 2, you sent a letter back saying the information contained the Hulah Lake funds and unclaimed monies would be sent by Mr. Brian Ross. I also requested a letter, September 8, I wanted the accounting information on the Osage Tribal Account, the PL Account, for the last 32, 38 years, and you told me that you could go back to 1983, and you didn't address that in your October 2 letter, and it's my understanding, as of yesterday, or the day before, that Mr. Ross is no longer here at the Agency.

SUPERINTENDENT PHILLIPS: That is correct. Mr. Ross, apparently, got another job. There was another letter, Councilmember Erwin, that was sent to the Chairman, that talked about how you can go about requesting that information. I was informed that information can be requested, per the settlement agreement. So, that's what I gave you back.

COUNCILWOMAN ERWIN: OK.

SUPERINTENDENT PHILLIPS: So, can I go back, even a little further? All of the penalty letters and everything we're doing over at the Osage Agency, I'm ensuring that the Minerals Council Chairman gets a copy of the letter. So, you all should get a copy of the letter. You should have a copy of the letter that was sent out the other day on Candy Creek Crusher, as well.

COUNCILWOMAN ERWIN: Yes.

CHAIRMAN WALLER: We got it, and we'll discuss that, later. Could you help us out on a little bit of the information on the production element on the Superintendent? She has not received information like you provided us?

SUSAN FORMAN: Well, I heard that drilling has come, it's been through a third party, a third hand, that drilling has come to a halt, but my question is to direct it to the Superintendent. How many drilling rigs do we have running, right now, in the Osage County?

SUPERINTENDENT PHILLIPS: Do you know, Dale? I'll have to get back with you.

DALE JESSIE: I sure don't.

SUSAN FORMAN: You think there's some out there?

DALE JESSIE: Yeah, I talked to a producer, yesterday or the day before, and he had some already improved drilling permit.

SUSAN FORMAN: Well, actually, the question was, not how many drilling rig permits we have, but how many drilling rigs are operating in the Osage, right now?

DALE JESSIE: That's what I was trying to explain.

SUSAN FORMAN: Oh, OK.

DALE JESSIE: He has some approved permits and his drilling rig was coming in, and he was notifying me of this intent on his spud day.

SUSAN FORMAN: So we had one drilling rig coming in to drill one well.

DALE JESSIE: No. He got probably about eight wells to drill.

SUSAN FORMAN: Well, one after another.

DALE JESSIE: Yeah.

SUSAN FORMAN: So, we have one well that's going to be spud, but right now, are varying in the operating.

DALE JESSIE: Drilling rigs?

SUSAN FORMAN: Yes.

DALE JESSIE: I'm not for sure. I'd just have to go back to my daily log, because the majority of them will call me of an intent to spud the day they think they'll be there, or move in and rig up.

SUSAN FORMAN: How many rigs are currently operating in Osage County?

DALE JESSIE: I have no idea. I don't think anybody could give you that answer, ma'am, because they rig up, they have permission. If they just go in and do a rock job, or a pump chain, they don't have to have a permit to do that.

SUSAN FORMAN: OK. How many permits do we have out there for drilling rigs, as well as, what are the rigs that are approved?

DALE JESSIE: As of today?

SUSAN FORMAN: Yeah.

DALE JESSIE: I'm thinking the first part of August, I sent out like 150-160-some workover permits...

SUSAN FORMAN: ...that are approved.

DALE JESSIE: Yes, approved. Then, I sent out – I can't remember how many drilling permits I sent out...

SUPERINTENDENT PHILLIPS: We'll be happy to provide that information.

CHAIRMAN WALLER: Thank you. Please continue.

SUSAN FORMAN: I just have one more question. Superintendent Phillips, could you, please, reiterate what your responsibility is, again? So, after finding out that you guys don't have this information, I'd like to

be a little more specific in what you're responsible for doing to protect the Mineral Estate and make sure it's run properly.

SUPERINTENDENT PHILLIPS: Well, I have a staff that, basically I have a Petroleum Engineer. Fortunately, he's not in right now, he is coming back part-time. I have a Petroleum Engineer that reviews everything. We have leases that we have lease sales that generate leases, and I have a staff that reviews all of that. They ensure that we're in compliance. They send it in to me, pending approval, has my signature authority to approve those actions. So, my overall responsibility is to ensure that I have adequate staff that are doing their job in a professional manner, and the delegated authority for signatures on me, and that's not the only thing I do.

CHAIRMAN WALLER: Councilman.

COUNCILMAN REDCORN: Last Friday, Susan shared the whole gamut of data that was presented at the Oil and Gas Summit. From several of our major producers showing that drilling APDs are totally tanked in Osage County.

SUPERINTENDENT PHILLIPS: So, you have that information?

COUNCILMAN REDCORN: I can give you mine, if you care to read it.

SUPERINTENDENT PHILLIPS: Sure.

COUNCILMAN REDCORN: OK.

SUSAN FORMAN: I'll be lugging a presentation. I'm assuming you'll be here for the whole meeting.

SUPERINTENDENT PHILLIPS: No, I won't.

SUSAN FORMAN: You'll be able to see it.

SUPERINTENDENT PHILLIPS: Jeanine will be here.

SUSAN FORMAN: Were you at the summit for all the presentations, because...?

SUPERINTENDENT PHILLIPS: No.

SUSAN FORMAN: There was data/slides that were presented about the drilling going done. That'll be presented again, today, if you're interested.

CHAIRMAN WALLER: Yes, ma'am. Thank you so much.

SUSAN FORMAN: I just have a question, then I'm finished. Thank you.

CHAIRMAN WALLER: Councilman.

COUNCILMAN CRUM: If he stays on the same subject, I was just ready to change it a little bit.

COUNCILMAN REDCORN: My question to the Superintendent is, we're getting data that shows these things from qualified individuals that are operating and verified by consultants. Is that, kind of, ringing a bell? Does it have your interest? What's it doing to you? I mean, I know you're telling us 'I'll get back to you,'...? Give us a recommendation. If we need more information from certain types of individuals, we'll get it.

SUPERINTENDENT PHILLIPS: OK, what information that you have, then you can share that with us. That'd be great.

COUNCILMAN REDCORN: OK.

SUPERINTENDENT PHILLIPS: At one of the last Council meetings I attended, you asked me if by chance I would be willing to work with you or whoever you brought on, and I said, "Yes, I would".

COUNCILMAN REDCORN: Yes.

SUPERINTENDENT PHILLIPS: You and I are working toward the Mineral protecting production, all that kind of stuff for the Mineral Estate, right?

COUNCILMAN REDCORN: Mm-hmm.

SUPERINTENDENT PHILLIPS: So, yes, if somebody's coming to you with information, that'd be great.

COUNCILMAN REDCORN: OK, and that's what we've done. We've asked a consultant.

SUPERINTENDENT PHILLIPS: Have we received anything?

COUNCILMAN REDCORN: ...last Friday, your representative was here and heard that, as directed by you, I understand...

SUPERINTENDENT PHILLIPS: Yes.

COUNCILMAN REDCORN: ...to listen and take notes. Did she report to you, then?

SUPERINTENDENT PHILLIPS: She did report to me some information, but nothing like that. No.

COUNCILMAN REDCORN: OK.

CHAIRMAN WALLER: But, she was in the room?

SUPERINTENDENT PHILLIPS: She was in the room.

CHAIRMAN WALLER: Council.

COUNCILMAN CRUM: I meant to ask, a while ago, when she was talking about these things, or the letter. Can you tell me right now, whether you would consider it your policy at the moment to issue a sandy soil permit that came through the Council? In other words, the letter you sent, are you feeling that Council would have to approve that before you could issue the sandy soil permit?

DS: We'd need a resolution.

SUPERINTENDENT PHILLIPS: Yes.

COUNCILMAN CRUM: OK. I just wanted to make sure and be clear on that.

CHAIRMAN WALLER: Do we have any other questions from the Council?

COUNCILWOMAN RED CORN: Mr. Chairman, I just have one question to Ms. Phillips about the fines that are collected and, you say they go to Washington, and do they go to the Department of Interior, or where do they...?

DS: We, right now at this point, we believe they will go to the U.S. Treasury. If there is a question, we want to ensure that this is correct before we send the money. So, we've got the money setting in a lockbox, right now. We're waiting on a Solicitor's opinion.

COUNCILWOMAN RED CORN: Since this is on our property, it seems like those fines should go to us.

SUPERINTENDENT PHILLIPS: I would like to give you the fines. Unfortunately, it's a penalty that is assessed by the United States Government. So, we're looking into that. That's why we haven't sent the monies, yet. We would like to give you the funds.

COUNCILWOMAN RED CORN: I would like for those funds to stay here with this...

SUPERINTENDENT PHILLIPS: I would like...

COUNCILWOMAN RED CORN: ...and especially the price of oil and all the problems that we're going through, we need that for our Osage annuitants.

COUNCILMAN CHESHEWALLA: One more question.

CHAIRMAN WALLER: Actually, I have two. First, Councilman Crum, then Councilman Cheshewalla.

COUNCILMAN CRUM: I'd like to follow through what the Councilwoman talked about. That's been the subject twice within the Consultation Meeting, and what was requested by the Council in those meetings, perhaps, we couldn't put it back into the actual shareholders' hands, but what we're requesting be redirected here to Osage, to be used, administratively, to help out with obvious budget restrictions that we have here. So I just want to pass that on.

SUPERINTENDENT PHILLIPS: He'll probably bring that up. I would like to see those monies come back, if we could, split those monies three ways.

COUNCILWOMAN RED CORN: Right.

SUPERINTENDENT PHILLIPS: And, what would be good is if we could utilize those monies at the Agency for plugging wells. I know that you all have that function, but we could identify that additional money. So, there are so many things that we would like to do, split the money. But at this point, we looked at the regulations and we do believe it's going to have to go to the U.S. Treasury.

COUNCILMAN CRUM: And there was discussion about trying to find an imaginative solution to that, and it didn't happen, that you guys were exploring.

CHAIRMAN WALLER: Councilman.

COUNCILMAN CHESHEWALLA: Yes. Ms. Superintendent, let's try and get more tank work, next month, please.

SUPERINTENDENT PHILLIPS: OK.

COUNCILMAN CHESHEWALLA: 17, you know, how many guys we got, 10?

SUPERINTENDENT PHILLIPS: We're at 11.

COUNCILMAN CHESHEWALLA: 11. OK, yeah.

CHAIRMAN WALLER: I counted 9, when I drove by.

COUNCILMAN CHESHEWALLA: Let's try and get more tanks worked.

CHAIRMAN WALLER: One effort I want to talk about, this all goes back to the Treasury, but office managing budget, we might as well start sending in. Did you receive an extra \$2 Million for next year's funding?

SUPERINTENDENT PHILLIPS: We have a total of \$2 Million, but we're not receiving an extra \$2 Million.

CHAIRMAN WALLER: You're not?

SUPERINTENDENT PHILLIPS: We'll get \$1 Million, next year.

CHAIRMAN WALLER: That you'll actually get?

SUPERINTENDENT PHILLIPS: It will be for lease compliance and enforcement.

CHAIRMAN WALLER: Yes, ma'am.

SUPERINTENDENT PHILLIPS: And it'll be to help bring additional people for the field where we've used those monies, and for training.

CHAIRMAN WALLER: Yes. Thank you.

**Motion to go into Executive Session by Councilwoman Erwin, Second by Councilman Cheshewalla.**

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

**EXECUTIVE SESSION – 10:33 A.M.**

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**Motion to come out of Executive Session at 11:00 A.M.<sup>2</sup>**

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

No resolutions came out of Executive Session. There was an update by the Council's attorney on some matters.

## **OLD BUSINESS**

**Motion to approve finish paying Mr. Swan for FY 2014 on that contract and a new contract for Mr. Swan for FY 2015 be approved by Councilwoman Erwin, Second by Councilwoman Red Corn.**

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<sup>2</sup> Due to staff changes and no records on the times coming out of Executive Session or adjournment, times are approximate plus there is no recording of who made the motion and 2<sup>nd</sup> the motion.

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

**Motion to approve new signatory, Stephanie Erwin, to sign leases and approve letters that need to be signed and sent out on the Chairman's behalf, in the absence of the Chairman by Councilwoman Boone, Second by Councilwoman Red Corn.**

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

#### **NEW BUSINESS**

**Motion that the Council take Tim Dowd's appeal letter to the BIA for their NEPA actions and have Akin & Gump review the letter and determine if there's any issues regarding Tribal Sovereignty by Councilman Red Corn, Second by Councilwoman Erwin.**

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

**Motion that all of the accounts that were identified as being able to be liquidated within the Settlement Agreement be liquidated as of the earliest time possible and pay it out in the December 2014 payment by Councilman Crum, Second by Councilwoman Boone.**

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

Councilman Crum brought up the Consultation Meeting and his suggestion is that the Council empowers Chairman Waller to consult with the BIA about dates that the Council sets, which would be late November or in December to set the date for the meeting.

Councilman Yates reported that he had Jay Spahn, Senior Analyst from the U.S. Government Accountability Office and interviewed the entire Council regarding fracking rules and is coming on the 29<sup>th</sup>, and Councilman Yates directed him to Chairman Waller to set this up.

## **ADJOURNMENT**

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

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

**Adjournment – 12:15 P.M.**

**Approved:**

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**Chairman**

\_\_\_\_\_  
**Executive Administrative Assistant**