

**OSAGE MINERALS COUNCIL
REGULAR MEETING
OSAGE COUNCIL CHAMBERS
PAWHUSKA, OKLAHOMA
AUGUST 17, 2016
MINUTES**

Call to Order:

As Chairman Everett Waller was absent this day, Councilman Joseph Cheshewalla called the meeting of the Osage Minerals Council to order at 10:08 A.M.

Opening Prayer:

Eddie Red Eagle gave the opening prayer.

Roll Call:

Minerals Council Executive Administrative Assistant Lacey Reynolds called the roll. Osage Minerals Council Members present were Cynthia Boone, Joseph Cheshewalla, Galen Crum, Stephanie Erwin and Kathryn Red Corn. A quorum was declared. Andrew Yates arrived at 10:15 A.M. Absent were Talee Redcorn and Everett Waller.

Visitors to the meeting were Janel Perry-OST, Joy Ledbetter-OST, Gene Bowline, Patricia S. Bright, Eddy Red Eagle, Jinx Geurin, Don Williams, Leigh Kuykendall, Greg Shelly, Nona Roach, Linda Jackson, Sharon Long, Linda Heskett, Scott Dulham and Bob Knappe.

Accounting Report:

Ms. Young was not present for the report; however, a C-395 document was placed in the binder for review.

Auditor Report:

JIM SWAN: I'll give my report. From off of the Osage Information Sheet for July, our July collections were \$2,841,030.25. Our average price for a barrel of oil in June was \$47.24/bbl. Our average posted price for July was \$41.60/bbl. Our average daily oil per barrel of oil produced in June was 11,938 barrels. Our September payment will be \$3,230 per headright. Our gross production taxes paid to the State of Oklahoma was \$391,408.86. Our gross barrels produced in June was 358,492 barrels. Royalty barrels 55,249. Gross barrels vs. royalty barrels 15.41%. Our total oil royalties collected in July \$2,610,626.00. Our gas royalty \$173,191.00. Tank bottom royalty \$581.00. This gives us a total oil and gas royalties collected in July \$2,784,398.00, and our bonus for June was \$2.02 a barrel average.

COUNCILMAN CHESHEWALLA: Thank you, Jim. Any questions?

COUNCILMAN CRUM: I do have a comment. This is to remind people that the bonus is actually the difference between the average price paid and the NYMEX average. So, the actual price paid is \$2.02 that's above the HPP. Which means that our floor price is set at \$2.02 this last month below what the average is paid, and what goes along with that in this discussion is NYMEX monthly average. People tell us that's an unfavorable price. Actually NYMEX monthly average is only 74 cents a barrel above the average price paid. If you looked at the report that just came out, you'll see that there's a lot of oil that was sold at \$2 above the average, that NYMEX price. Last month, it was actually only two cents above the average monthly price, which is almost exactly average. I just wanted to point out those facts.

Superintendent Report:

COUNCILMAN CHESHEWALLA: Alright. Ms. Phillips.

SUPERINTENDENT PHILLIPS: Yes. During the month of July, the Osage Agency Branch of Lease Management approved 19 division orders; two assignments and terminated two leases. We received five non-FOIA requests, no FOIAs were received. The Branch of Sub-Surface approved eight workover permits and four plugging permits, and we issued 25 non-compliance letters and two extension letters. There were no fine letters issued. We did 72 lease inspections and 26 lease inspection follow-ups; 30 leases were checked for production of primary term; 13 trucks were stopped for permit check and 25 spill leaks inspections were followed up and we had 22 tanks that were gauged that were reported by ODOT.

COUNCILMAN CHESHEWALLA: Any questions, Council?

COUNCILWOMAN ERWIN: Could you explain the 2,260 archaeological survey. In parentheses, it says land sales. Is that acres or is that people? I mean, what is the 2,260?

SUPERINTENDENT PHILLIPS: That's 2,260 acres that we performed archaeological surveys on. That is the property that was purchased recently by the Osage Nation, known as Bluestem.

COUNCILMAN CHESHEWALLA: Councilman Crum.

COUNCILMAN CRUM: I have a follow-up just for my own edification. There was some land that was sold. How did they determine there was 2,260, or how did anybody determine which needed archaeological survey?

SUPERINTENDENT PHILLIPS: Actually, all of them need to be inspected. That is all that we got accomplished during the month of July.

COUNCILMAN CRUM: So, this is a multi-month deal here.

SUPERINTENDENT PHILLIPS: Yes.

(Councilman Yates arrived at 10:15.)

COUNCILMAN CRUM: Ten months.

SUPERINTENDENT PHILLIPS: And, the Agency is using pretty much all field personnel, as well as individuals in the archaeology office.

COUNCILMAN CRUM: So that's going to be an on-going drain on our resources. OK. Thank you.

COUNCILMAN CHESHEWALLA: Councilwoman Erwin.

COUNCILWOMAN ERWIN: So, I'm trying to find it on your report, here about the tanks gauged. You only gauged 22 tanks. Correct? That's on...

SUPERINTENDENT PHILLIPS: That's what is reported. Yes.

COUNCILWOMAN ERWIN: OK. Since you're doing all this extra stuff on the archaeological survey, do you think there's going to be less tanks gauged a month?

SUPERINTENDENT PHILLIPS: I would have to go back and look at what we inspected last month, because I don't have that information in front of me. But all lease inspections continue. What we're trying

to do in the archaeological surveys, if our guys go out, we're trying to go ahead and look at those tracks as well. So we're doing lease inspections and spills and so forth, in the midst of doing these archaeological surveys.

COUNCILMAN CHESHEWALLA: Councilman Yates.

COUNCILMAN YATES: Good Morning. Sorry for being late, today. 2,260 acre archaeological surveys. Is that as a result of the Fee-to-Trust process?

SUPERINTENDENT PHILLIPS: That is correct.

COUNCILMAN YATES: So that's a Federal action?

SUPERINTENDENT PHILLIPS: The inspection? Yes.

COUNCILMAN YATES: OK.

COUNCILMAN CHESHEWALLA: Any other questions? Councilman Crum.

COUNCILMAN CRUM: I have a question outside of this report. I see Councilwoman Boone with her hand up. I'll certainly yield.

COUNCILMAN CHESHEWALLA: Councilwoman Boone.

COUNCILWOMAN BOONE: I have one question.

COUNCILMAN CRUM: Well then, I called you this morning, looking over the Coffeyville Report, I noticed that within Chaparral's report, there seemed to be a lot of things that were reporting from past months that was a part of this month's report, and I don't remember seeing that before. Do you have an answer on why that showed up that way?

SUPERINTENDENT PHILLIPS: Our accountant contacted Chaparral, and Chaparral had apparently done a six-month audit and they provided us with information as to the additional monies that were paid. So, it was actually in our favor, their audit was in our favor, and at this point, the Osage Agency's going to have to go back in, review everything, then send something to Chaparral for interest due the Mineral Estate. So, we are aware of that.

COUNCILMAN CRUM: OK.

COUNCILMAN CHESHEWALLA: Councilwoman Boone.

COUNCILWOMAN BOONE: This question had to do with compacting. It's my understanding that Congress is making an effort to compact the Branch of Realty, and I want to know, this is information that I got, attending one of their meetings, that if they were to take that Trust program, and if it were to fail, they could turn that program back to the Bureau without any penalty. Is that true?

SUPERINTENDENT PHILLIPS: I can't really comment on that, because I haven't seen anything in writing, but in past experience, there have been Tribes that have assumed functions of the BIA, and if it failed, then the BIA went back and reassumed those.

COUNCILWOMAN BOONE: And there was no penalty?

SUPERINTENDENT PHILLIPS: There was no penalty.

COUNCILWOMAN BOONE: OK.

SUPERINTENDENT PHILLIPS: Not that I'm aware.

COUNCILWOMAN BOONE: Thank you.

SUPERINTENDENT PHILLIPS: You're welcome.

COUNCILMAN CHESHEWALLA: Anything else for the Superintendent? Councilwoman Erwin.

COUNCILWOMAN ERWIN: I have a question. If the compacting is approved by the Osage Nation Congress, does the Chief, does he still have the ability to go over there and contract the realty?

SUPERINTENDENT PHILLIPS: I am not the self-governance specialist, so I really cannot respond on to that question.

COUNCILMAN CHESHEWALLA: Anything else? Thank you, Ms. Phillips.

SUPERINTENDENT PHILLIPS: You are welcome.

NEW BUSINESS

Close PL Account:

COUNCILMAN CHESHEWALLA: OK, now we'll go on to new business. Close the PL Account.

COUNCILWOMAN ERWIN: OK, we'll table that until next time.

COUNCILMAN CHESHEWALLA: Just going to table that until next time? Alright. Table that until next time.

COUNCILMAN CRUM: Why are we tabling that?

COUNCILMAN CHESHEWALLA: Close the PL Account.

COUNCILMAN CRUM: There was no discussion.

COUNCILWOMAN ERWIN: Yeah, I don't know why. That's what Everett said he was going to do today was to table it. He didn't explain to me why. If he was here, we'd know why. I don't know.

COUNCILMAN CHESHEWALLA: I don't know, so we'll wait until Chairman gets back.

COUNCILMAN CRUM: Yeah, because all we have is a vote to table and I don't wish to trip your day, because he's not here, and then we could leave it to come back later in the meeting.

COUNCILWOMAN ERWIN: Well, he's supposed to be here, later on, in the meeting.

COUNCILMAN CHESHEWALLA: Yeah, so maybe we could not table it.

(Several people speaking at same time.)

COUNCILMAN CHESHEWALLA: Yes, sir.

COUNCILMAN YATES: He won't be back.

COUNCILMAN CHESHEWALLA: He won't be back.

COUNCILMAN YATES: That's the word I got from him is that he will not be back.

COUNCILMAN CHESHEWALLA: He won't be back.

COUNCILWOMAN BOONE: Mr. Chairman? Do you need a motion to table this subject until next meeting?

COUNCILMAN CHESHEWALLA: OK. Do we have a motion?

COUNCILWOMAN ERWIN: So moved.

COUNCILWOMAN RED CORN: On that settlement, we really don't have any choice. We have to do this, anyway.

COUNCILMAN CHESHEWALLA: On the settlement today?

COUNCILWOMAN RED CORN: I don't know why we should delay it.

COUNCILMAN CHESHEWALLA: Alright.

COUNCILMAN YATES: Motion on the table.

COUNCILWOMAN ERWIN: Yeah, motion on the floor to table it.

COUNCILMAN CHESHEWALLA: OK. Do we have a second?

COUNCILWOMAN BOONE: I second.

COUNCILMAN CHESHEWALLA: To table?

COUNCILWOMAN BOONE: To table this until the next meeting. It's my motion.

COUNCILMAN CHESHEWALLA: Who seconded?

COUNCILWOMAN ERWIN: I made the motion.

COUNCILWOMAN BOONE: I second.

COUNCILMAN CHESHEWALLA: OK. Call for the question.

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

COUNCILMAN CHESHEWALLA: OK. I was told earlier that we have a member of the audience that would like to make a statement. If they'd like to come forward now, that'd be their chance.

LINDA HESKETT, SHAREHOLDER: Can I wait until all of them are here?

COUNCILMAN CHESHEWALLA: What's that?

LINDA HESKETT, SHAREHOLDER: Can I wait until all of them are here?

COUNCILMAN CHESHEWALLA: OK.

COUNCILWOMAN ERWIN: They're not coming back.

COUNCILMAN CHESHEWALLA: They're not all coming back, ma'am. Alright, thank you.

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

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

EXECUTIVE SESSION – 10:18 A.M.

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11:00 A.M. – Motion to come out of Executive Session by Councilwoman Erwin, Second by Councilman Crum.

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

COUNCILWOMAN ERWIN: May I make a motion on the subject matter we discussed about the pay increase? It's right here. I can make it that Lacey Reynolds be afforded an increase retroactive back to November, 2015, and her salary to the next step increase, and that the Chairman is hereby authorized to sign this resolution and all supporting documents.

COUNCILWOMAN BOONE: I second.

COUNCILMAN CHESHEWALLA: I have a motion on the floor by Councilwoman Erwin, second by Councilwoman Boone on the increase. Call for the question.

COUNCILMAN CRUM: No. Discussion. I want to point out to the people listening that she's worked for us for almost two years this next November, and through our fault, we did not evaluate her in November, 2015, so she did not receive an increase. So, we're giving her the increase that we feel she should have already gotten back then, and that's the reason we're retroacting to November, 2015. A one-step increase.

COUNCILMAN CHESHEWALLA: OK, Councilman Crum. Councilwoman Erwin.

COUNCILWOMAN ERWIN: Well, I'll just wait and ask Everett, because the step increase, I don't know what that means, but that's OK. He talked about it, the other day. I just don't recall what he said.

COUNCILWOMAN RED CORN: We're going to add a third part here that we make it retroactive...

COUNCILWOMAN ERWIN: OK. Alright.

COUNCILMAN CHESHEWALLA: Councilman Crum.

COUNCILMAN CRUM: I'm going to say what was said the other day, but I'm going to say what I think I heard that it would be 3% step, that it's whatever the Nation has in for steps.

COUNCILWOMAN ERWIN: Yeah.

COUNCILMAN CRUM: And we're going to use that percentage.

COUNCILWOMAN ERWIN: OK. That's right. That's what I thought. That's what I wanted to hear. OK.

COUNCILMAN CRUM: It should have been a resolution.

COUNCILWOMAN ERWIN: Do you want me to put it in there?

COUNCILWOMAN RED CORN: I don't think you need to, because it would be retroactive.

COUNCILWOMAN ERWIN: OK. Thank you.

COUNCILMAN CHESHEWALLA: Any more discussion? Call for the question.

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

COUNCILMAN CHESHEWALLA: You're doing a good job, Lacey. Thank you.

COUNCILWOMAN RED CORN: Yes.

COUNCILMAN YATES: Joe.

COUNCILMAN CHESHEWALLA: Yes?

COUNCILMAN YATES: Weren't we going to do something new, also?

COUNCILWOMAN RED CORN: We have the Tulsa.

COUNCILMAN YATES: Oh, OK. One other item. It was brought to my attention that the vote on the PL Account was a 3-3 tie, so that was a 'no' vote. Is that correct?

COUNCILWOMAN RED CORN: Yes.

COUNCILMAN YATES: So, that's a 'no' vote to table. So, actually we should vote on it. So, the PL Account is up for a vote.

COUNCILMAN CHESHEWALLA: OK. Councilwoman Erwin.

COUNCILMAN YATES: I make the motion to move the PL Account to be paid out to the shareholders in the shareholders' account. Actually, it reads, *'the Proceeds of Labor (PL 7386706) account and for the funds to be disbursed to Headright holders'*.

COUNCILMAN CHESHEWALLA: Alright.

COUNCILWOMAN RED CORN: Second.

COUNCILMAN CHESHEWALLA: Second by Councilwoman Red Corn. I have a motion on the floor by Councilman Yates, seconded by Councilwoman Red Corn on the PL Account. Call for the question.

MOTION PASSED: KATHRYN RED CORN-YES, TALEE REDCORN-ABSENT, EVERETT WALLER-ABSENT, ANDREW YATES-YES, CYNTHIA BOONE-NO¹, JOSEPH CHESHEWALLA-YES, GALEN CRUM-YES, STEPHANIE ERWIN-NO².

OLD BUSINESS

IHS – OEP Project Permit:

COUNCILMAN CHESHEWALLA: OK, now we're into Old Business. Item A, I.H.S. – OEP project permit. We're going to table that until next month. That's something that Chairman Waller's working on.

COUNCILWOMAN ERWIN: Mr. Chairman?

COUNCILMAN CHESHEWALLA: Yes?

COUNCILWOMAN ERWIN: I'd like to make a motion that we go ahead and we pass, or give Mr. Waller permission to write a letter that they go ahead and do what they're going to – I don't know exactly what – but, for them to go ahead and do the sanitation facilities construction in Hominy. It's a waterline extension. I think that we need to go ahead and do a letter of support for them. You think that would cover it, Everett?

COUNCILMAN CHESHEWALLA: Councilman Crum.

COUNCILMAN CRUM: I'll second it.

COUNCILMAN CHESHEWALLA: Alright.

COUNCILMAN CRUM: And I'd like a little discussion.

COUNCILMAN CHESHEWALLA: Yes. Go right ahead.

COUNCILMAN CRUM: What we're doing here is similar to what we've done in the past when people come to us with projects where they have to move dirt and doesn't meet our criteria where we would charge royalty for it. Not 5,000 cu. yds., not removing royalty-type material, just trenching in to do some work there. So, this is pretty standard for us, and there's an Osage family down there who don't have any water. So, I don't want to table this. That's the reason I'm in favor of it.

COUNCILMAN CHESHEWALLA: OK. Alright. Call for the question.

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

Amshore Letter:

COUNCILMAN CHESHEWALLA: Councilwoman Erwin.

¹ During the vote, Councilwoman Boone said, "I thought we were going to wait until we got a legal opinion from our attorney, so without having that additional information, I don't think I can make a really good vote on this. So, I'm going to vote 'no'."

² During the vote, Councilwoman Erwin said, "Until I get the legal opinion from the Solicitor in D.C., which I have requested, I want to see his rationale on that. I'll be voting 'no'."

COUNCILWOMAN ERWIN: I believe we have a letter in there. It's to Amshore. I'd like to make a resolution that we send this letter to Amshore.

COUNCILWOMAN BOONE: I'll second.

COUNCILMAN CHESHEWALLA: We have a motion by Councilwoman Erwin on the Amshore letter, and second by Councilwoman Boone. Councilman Yates, you have a question.

COUNCILMAN YATES: Since we have someone to read it into the minutes.

COUNCILWOMAN ERWIN: Would you like to read it?

COUNCILMAN YATES: No. Just read it into the minutes.

COUNCILWOMAN ERWIN: OK. This is a letter to Mr. Jeff Neves, Amshore US Wind, L.L.C., 802 N. Carancahua, Suite 1250, Corpus Christi, TX 78401.

"I am writing to you on behalf of the Osage Minerals Council and in response to your letter received by our office on June 28, 2016. We do recall your letter of November 3, 2014, and we responded to that letter on January 7, 2015.

"The Osage Minerals Council is the elected, governing body of the Osage Mineral Estate and represents the royalty owners of the Osage Mineral Estate, and has such powers and authority which were previously vested in the Osage Tribal Council, in accordance with the Act of June 28, 1906, 34 Stat. 539, as amended. The Osage Mineral Estate is held in trust by the United States on behalf of the Osage Tribe. Mining, excavation, or other work involving the Osage Mineral Estate requires compliance with federal law and regulations found at 25 C.F.R. part 214.

"Our letter of January 7, 2015 made several requests: (1) a request for specific information related to the wind turbine construction and development plans; (2) a request that Amshore begin the process of obtaining the necessary tribal and federal approvals required under 25 C.F.R. §§ 211 and 214; and (3) a request for a meeting between the OMC and Amshore. The OMC never received a response from Amshore nor has the OMC received any of the specifically requested information. A copy of our letter of January 7, 2015 is attached to this letter.

"The OMC still requests a meeting with you if Amshore is moving forward with this proposed project. However, in order to make such a meeting productive, we again request that you provide us with the following information in advance of the meeting: (1) Amshore's status of obtaining a federal permit as required by 25 C.F.R. § 214; (2) The number of turbines proposed; (3) Dimensions of the foundations (height/width/depth) to be excavated for (a) the construction of each turbine; and (b) the construction of any other project features, including but not limited to, roads, transmission line poles/towers, buildings, meteorological towers (collective, "ancillary project features"); (4) Amount (in cubic yards) of solid materials that will be excavated for the construction of: (a) each turbine; and (b) ancillary project features; (5) Method(s) of excavating solid materials; (6) Manner in which turbines will be secured/affixed in the sub-surface; (7) Location/placement of solid materials following excavation for turbines and ancillary project features; (8) Any on-site or off-site treatment of excavated solid materials (e.g., crushing of solid materials).

"We look forward to your prompt response. Sincerely."

COUNCILMAN YATES: Thank you.

COUNCILMAN CHESHEWALLA: Any questions, Council? Call for the vote.

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

COUNCILMAN CHESHEWALLA: Good. Kind of got to wonder out loud here. Should we have included anything regarding our oil production, any input from our Lessees? Like, when these things go up, how are they going to get a fuel unit out around...

COUNCILWOMAN ERWIN: I don't know. I think that's if we have a discussion with them, and set up a meeting. If they send us what they're going to do with the project, maybe where the wind turbines are going to be. I don't know. We need information from them.

COUNCILMAN CHESHEWALLA: Do you think, Lessee-wise, that a representative from the OPA, or something, should do that?

COUNCILWOMAN ERWIN: I don't know. We'll have to ask Mr. Waller.

COUNCILMAN CHESHEWALLA: Yeah, OK. Alright.

Resolution for Letter to BIA Regarding Trust Assets:

COUNCILMAN CHESHEWALLA: Now we got Resolution for Letter to BIA Regarding Trust Assets. Discussion. Councilwoman Erwin.

COUNCILWOMAN ERWIN: I'd like to make a motion that we accept to pass this resolution on the authorizing Mr. Waller, Chairman, to send a letter which requests the Bureau of Indian Affairs a legal reason why the Bureau of Indian Affairs authorized conveyance of Osage Mineral Estate, Osage Trust properties and Osage Headrights to the Osage Nation. That's what this resolution is for, is to submit a letter to them, and requesting them. We've been trying to get a list of our assets, and as time goes on, I keep finding more and more assets that we didn't know we had. Galen clued me in on a big one. You did. Anyway, but, we need to find out what our assets are, and that's exactly what we're doing. We're trying to find out our assets.

COUNCILWOMAN BOONE: I'll second.

COUNCILWOMAN ERWIN: Now, we can discuss it.

COUNCILMAN CHESHEWALLA: Councilwoman Erwin, seconded by Councilwoman Boone. Discussion. Councilman Crum.

COUNCILMAN CRUM: To say that we're trying to find assets is, I think, disambiguous. We know what the Trust assets are. What we're trying to establish is who owns those Trust assets. We're asking the BIA, assuming that a transfer of assets was made from one group to another, when the 2006 Constitution was put into place. This question has been raised, and other lawsuits at other times is the exact same question that it goes back to, and that's whether the 2006 Constitution is correctly in effect, according to what it says there. If you look at the 'Whereases', down here, I think I should read the whole thing before we get done.

"The Osage Mineral Estate and other Tribal Trust properties, including Osage Tribal Government buildings, and Headrights of the Osage Tribe have been conveyed to the Osage Nation and recognized by the Bureau of Indian Affairs". And, of course, goes down, "Therefore, be it resolved," we don't think that happened. So, that statement is what we're complaining happened, when we write this letter. That's this building, the villages, the headrights, everything that has to do with Trust assets, still belong to another Tribe of Indians, other than the Osage Nation. We're saying there's two tribes. Osage Tribe, which, by our definition, is Headright Holders, or the rest of the Osage people. So, I don't know. I was born Osage. I don't know

about the rest of you. I didn't become an Osage Tribal member when my Dad died, and I'm pretty sure my great grandfather and my grandmother, we were born Osage got their Headrights, because they were already Osage. They got their allotment, and they got their Headright, because they were already Osage. The 1906 Act did not make them Osages. The 1906 Act just laid out a roll that were Osages, at the time, and that the descendants of those people would be Osages from then on. The Osage Nation has adopted that same roll, so the continuation of the thing went on. What I believe my grandparents, my grandmother, my great grandfather, who were the original allottees directly passing down to me to receive what was the right, in terms of the Headright, was the right to income generated by the communally held assets, what I'm trying to say is mineral income from those assets. That's what they inherit. That's what they can pass on to me. Another thing that they inherit, that I take it very seriously, is their vote. They got to vote on it, and so they inherited the responsibility of seeing that those assets were properly managed, properly done, and properly kept for the Osage people for now in perpetuity during, at the 1906 Act, it was just for just 25 years, but since then, there were actions made in perpetuity. So, the BIA has already answered the questions in other lawsuits about why they did it, why they said there was no change of ownership. It was the same people that gets passed on and they already answered those questions. So any further attempt to do that would just be wasting money, if all you're doing is asking for them to tell you why they did it. Now, I don't, for a second, believe that's all we're asking. We're doing the set up for them, if we're going to sue somebody, probably the BIA saying they shouldn't have done that, which brings us into a different deal, like, say, Jech lawsuit or others that the interveners within the Trust case, when the Federal judge rules that there was no conveyance of property. It was merely the same group establishing that they still owned it and went on forward with it. If what you want to do is fight for control of the Mineral Estate, and who should have the autonomy in running it, and that's one thing I think should be the Osage Minerals Council, which is elected by the Osage Headright Holders. But as far as trying to say that the Headright Holders are the only owners of the Mineral Estate, I think that's wrong. It goes against what they did in 1906. They fought against allotment of the whole thing. They had to allot the land. We ended up having to make up that compromise. But those people said 'no', and prior to that, all of it that we ever owned was from Kansas City to Baton Rouge, at first contact, or we got swept down here to the Osage Nation. The Osage Reservation was owned by all Osages. There wasn't any individual ownership by any member of the Osage people. It was all a communal ownership. They owned it altogether, and the thought that they would fight allotment of the Mineral Estate does not follow with me that when they allotted it, then they give ownership to those people, as individuals. They didn't. I don't believe my grandfather, great grandfather, grandmother received ownership on an individual basis of the minerals under the ground. They had it as a group on that thicker snapshot of history, those 2,229 representatives of the Osage people. I venture to say there was people who didn't have a headright, that were just as much Osage, way more Osage than me. They had the culture. They had everything. So, those people were Osage that didn't have a headright, I didn't have my great grandfather say that one of his children was not that much Osage as the older ones. He wouldn't have done that, and we have a statue up here commemorating one of the leaders at the time who fought for that asset, that wonderful gift that was given to us to remain communally owned by the Osage people, and I think that the Constitution improperly delegated who had the authority. It didn't get the proper protections it was promised to the Headright Holders in terms of electing the people who could run it. Actually, I fought for the Constitutional amendments that would have actually done some of the things we say we want to do. But those failed, partially because some of the people in this room fought hard against it. So, people can see how hard it is. So, I think you've heard off more than you want from me. I'm voting against it.

COUNCILMAN CHESHEWALLA: Councilwoman Erwin.

COUNCILWOMAN ERWIN: OK. Well, let me start out by saying that HR 2912, they recognized that there was a legal membership and there's a membership for all other purposes. That legal membership, they can't do away with, because we bought and paid for the land, the 2,229, and at no time has Congress ever passed any laws or mandates that actually absolved the Osage Tribe. I'm wanting to find out, because it is such a mess. You just finished describing how much of a mess it is, and the annuitants are entitled to know what our assets are. I truly believe that we need to know what our assets are, and we need to have them identified. I mean, we paid for, our elders, our ancestors paid for it. I think we have a right to know

what they are. I don't think other people should be using them to make money, and us not getting anything for it. Once again, everything has to be made on the shareholder's back. We're paying for everything. Everybody's always asking us for stuff, paying for stuff, and you know what? I went back and researched the records. We even paid for the new government to establish itself, and carried it. That came out of shareholders' money. I didn't bring it with me, but I did have them in there. I'm just saying I think that needs to be researched. I want to know where all the assets are. I have found accounts that I didn't know there was money in them. I didn't even know these accounts existed, until I started searching, and I still think there's some more assets out there. It's not just the building the stuff up here. There's assets sitting over in accounts that we didn't even know about.

COUNCILMAN CHESHEWALLA: Councilman Yates.

COUNCILMAN YATES: Again, Councilwoman Erwin, you made the motion. Do you mind reading the letter into the minutes, and let some of the people in the audience hear what is requested?

COUNCILWOMAN ERWIN: OK. The Osage Minerals Council established, pursuant to Article XV of the Osage Nation Constitution, is a governmental entity in the Osage Nation...

COUNCILMAN YATES: No, no. The letter.

COUNCILWOMAN ERWIN: Oh. You don't want me to read the resolution?

COUNCILMAN YATES: Well, I'd rather you read the letter. The resolution's authorizing the letter.

COUNCILWOMAN ERWIN: *"I am writing to you on behalf of the Osage Minerals Council as a tribal governing body elected by the beneficiaries of the Osage Mineral Estate to whom the United States owes fiduciary duties. This letter concerns the conveyance and transfer of Osage Tribe trust assets to the Osage Nation; namely: the Osage Mineral Estate; Osage Tribe trust properties including, but not limited to, trust property located at the Grayhorse Indian Village, the Pawhuska Indian Village and the Hominy Indian Village, and land held in trust for the Osage Tribe; and Osage Headrights given back to the Tribe for the purposes of education. These assets were specifically granted to the Osage Tribe to be held in trust under the 1906 Act, 34 Stat. 539. The Bureau of Indian Affairs has recognized the transfer of these trust assets from the Osage Tribe to the Osage Nation.*

"Since the conveyance of these Osage Tribe trust assets to the Osage Nation, the Osage Nation has hindered the ability of the OMC (formerly the Osage Tribal Council) to utilize these trust assets for the benefit of the Osage Headright owners. The Osage Nation has consistently exercised and/or claimed authority over these trust assets, especially the Osage Mineral Estate, in violation of the 1906 Act. The 1906 Act specifically states that "the oil, gas, coal, or other minerals covered by the lands for the selection and division of which provision herein made are hereby reserved to the Osage [T]ribe..." 34 Stat. 543.

"In an effort to address ownership issues of Osage Tribe trust property, the OMC is formally requesting that the Bureau of Indian Affairs explain its legal reasoning and rationale for why it authorized the conveyances of the above mentioned Osage Tribe trust assets from the Osage Tribe to the Osage Nation. The OMC requests this explanation in order to better understand its legal rights with regards to this trust property. The OMC requests that this explanation include specific legal authority authorizing and justifying these conveyances.

"Thank you very much for your cooperation, the OMC appreciates any explanation that the Bureau of Indian Affairs can provide to address these issues. Sincerely," OK, I read it.

COUNCILWOMAN BOONE: Mr. Chairman?

COUNCILMAN CHESHEWALLA: Councilwoman Boone

COUNCILWOMAN BOONE: I was born Osage. I was raised here in Osage County with other Osages. I got my Indian name when I was thirteen. I didn't just come from another state and think, 'Oh boy, it's keen that I've got an Osage name. I'm going to get a name'. No, that's not the way it was for me. I've lived here practically all my life. I've danced here for years. My husband is on the Grayhorse Committee. I was raised according to the 1906 Act. I believe the 1906 Act is still alive and well. It has never been destroyed by the U.S. Congress, and there's an important question in here, and this resolution is saying, *'It is in the best interest of the Headright Owners for the Osage Minerals Council to request that the Bureau of Indian Affairs explain its legal reasoning, rationale and authority for authorizing the transfer of the Osage Mineral Estate, the Osage Tribal trust properties and Osage Tribe Headrights to the Osage Nation.'* In my mind, this is a legitimate question. Why shouldn't they answer our question? If there's a fight to be had down the road, it's not going to be with the Nation, it'll be with the Bureau of Indian Affairs. The letter that was written into the record states exactly what we're asking for, in this resolution. I don't see any problem with it, and I'll be voting 'yes' for it, and we all know that it wasn't me or you that decided to have two separate sets of people. We have House Bill 2912 that set us apart. We have an Osage Nation for all those for other purposes. We have the Osage Tribe of Headright owners, and the legal membership. We can sit here and say, 'Oh, I'm for the Headright owner, I'm for the Headright owner'. Well, our vote, I think, will tell us where we stand, and I'm going to vote 'yes' on this. Thank you, Mr. Chairman.

COUNCILMAN CHESHEWALLA: We have some hands up in the crowd. I'd like to recognize those. Ms. Spurrier?

PATRICIA SPURRIER BRIGHT, SHAREHOLDER: Yes. My great-grandfather was there. He fought and kept statehood for ten years, and he did not want to allot the land, because he said the whites will come in and take it away from us, and that's exactly what happened. When they – I have about 90 pages of arguments in Washington on this very subject. When they decided to vote to – See, Oklahoma was tribal lands, but we had the only reservation. We bought and paid – They had to get our permission to allocate the land. What they had to do was pay you, I don't know. Well, he was on his way to a meeting to get another vote, and he was drug into an alley and beaten up, to the point of a stroke. The vote to allocate the land, and from his bed, he ran the tribe until almost 1906 and he had put in there that the Tribe owned the assets because he did not want some slick lawyer to come in and get a few shareholders together and say, and break the trust, and he did a pretty good job, because that trust is still here, and the Minerals Council, and I'm getting so tired of hearing about how the Constitution is illegal, the shareholders voted for the 31st Council. The 31st Council are the people who voted to have the Constitution. It was all done. The I's were dotted and the T's were crossed, and there's, I believe, Article XX in there that conveys the 1881 Constitution, the assets to the Nation, and it's just a change of title, name only, from the Tribe to the Nation. I don't see what the big problem is. The Minerals Council, you all have never owned any of it. You are here to protect our rights, make decisions, approve the leases, that we get the most money that we can from these producers.

COUNCILMAN CHESHEWALLA: Ms. Heskett. Go ahead. Come on to the podium.

LINDA HESKETT, SHAREHOLDER: Are you trying to rock the CFR's over 1906? They are Federal laws. We were the recognized tribe, and this allotment had a lot of fraught with it. I've read the history of it. I also read the Congressional Record, before the Nation was formed that these four Senators asked each time, 'You will not inhibit the Minerals Council', and they all said, 'No, we're not'. And here they are, lawsuits, ethics. Here they are getting into our accounts. Here they are, I would say conveyance on that Highest Posted Price, conveyance and trust property over to them. So, I understand it's the BIA. BIA is implicit in this, so they can let the Nation do whatever they want it to do. Regardless of those CFR laws, and have you all read the CFR laws? I've read them, all of them, and they're still on the books. They're Federal laws. They're not Nation, Tribal Court laws. They have to be in Federal Court, and now we have a second mess with this Mineral Estate on that Negotiated Regulation, which was a fiasco, because not everybody was involved, just like these people are not here. I understand there's a funeral. But they could have come up here and voted and express their opinions to the shareholders, and to the shareholders out there, why or

why not? So, it's best just to stay away. I don't appreciate that. You've read this opinion, 177, I don't know how many times. It's merely asking that the BIA put out, since they regulate the CFR laws, that they tell us what we own and what we don't own, and what the Nation has come in, and BIA has let them do it. Because they want to get out of the Indian business. They wanted to, from 2006 on. So, I think this is a very important vote, because we need to get back our property. We need to get our villages back, before the Nation picks out who we want for our village. That's not right. We are in that village, and all of these other things that we have. This was our building. These were our buildings. Whatever they've built over there, that's fine. It's theirs. I'm not saying, 'Destroy the Nation'. I'm saying they need to step back from all their interfering, and the BIA's turning a blind eye to it, and coming in and make the lawsuits, conveyance of property, our accounts. We need to know exactly what we have. And if you have to go and read all those CFR laws, you will understand there's laws still on the books. They're Federal laws, and we need to know what is going to take place, because this is going to take some time to unravel. We may even need to negotiate with the Nation on what we should be doing, and what they have and what we have, where they shouldn't step over, and whether they should stay here. I think it's a very important question. I'm disappointed that our Chairman is not here. Our Vice-Chair is not here, because this is an important question for the shareholders. We've been living with this mess for nine years, and it continues to go on, the compacting of the realty. That's not a good idea because you can get in a whole mess of who controls what. I don't like that. This is what I mean, interference from the Nation. So, if they know what they can do, and we know what we can do, then stay with it. And, yes, the 2,229, they were the Federally-recognized tribe. The Headright owner came after that, their descendants. They were not Headright holders like them. They were called annuitants, but that came after into the 40's, when they began to die off, and that inheritance went to their family. Now, we've lost some of them, we don't know how. So, this is a very important question that's going to touch on a lot of things, and we do have helium up there. You need to unravel this with a generation of Headright owners who own the Mineral Estate. You can have laws start coming in. I've set out here for six years, watching the BIA hesitate to answer a question, hesitate to do anything about it, and turn the other cheek. I was there when Vanessa Rae Hodge said, oh, you can have these villages, you can move into these so-and-so. I was there. That's not good. She also told a lie that she didn't meet with the ranchers. Well, we're property owners. We went to it, and she just missed us, then turned around and sit out in the audience and say, 'No, I didn't do that'. Yes, she did. So you can see how we can be fraught with all kinds of things here that will impact this Mineral Estate, and I want to keep it like it is, put it back in order, because when I was with Standing Bear, we were both campaigning. His big promise was 'I'm not going to touch that Mineral Estate. No way. That's separate'. Separate. And now, I see what is happening, and I see that other shareholders in other states want to control what we do here. They don't live here, most of them are not red, and I think that if we allow, which outnumber us, 4,000 and start conducting dismantling the very essence of our Mineral Estate, you are now starting at the basis to destroy us. That's all I want to say. Thank you.

COUNCILMAN CHESHEWALLA: Thank you, Ms. Heskett. Councilman Crum.

COUNCILMAN CRUM: I made my comments earlier, but I think we ought to read the resolution in. Also, I'll volunteer to do it.

COUNCILWOMAN ERWIN: Go ahead.

COUNCILMAN CRUM: Because this is important enough to hear the letter and the resolution. *"The Osage Minerals Council established pursuant to Article XV of the Osage Nation Constitution is a governmental entity within the Osage Nation"*. That's kind of a strange 'Whereas' to start off, if you're going to say if you're no longer in there. But that's what we have. That's what our attorneys put in there, and they put it in there, because it's the truth. There was no such thing as Osage Minerals Council and an Osage...

COUNCILWOMAN ERWIN: Will you read the resolution or just make comments?

COUNCILMAN CRUM: Oh, I can do both. I had my hand up. *"The Osage Mineral Estate was reserved to the Osage Tribe..."*

COUNCILMAN CHESHEWALLA: Mr. Crum. Just a second. I'm sorry.

LINDA HESKETT, SHAREHOLDER: Go ahead.

COUNCILMAN CRUM: Please. Let me finish this, and then you can go ahead. I'm not trying to stop you from talking. *"The Osage Mineral Estate was reserved to the Osage Tribe in Section 3 of the Act of June 28, 1906," blah-blah-blah, I won't read the whole thing, "...as amended, and extended into perpetuity under the Public Law..." blah-blah-blah, "...Statute of 1978. Under Public Law 98-60598, in the 1984 amendment, is what that one is, Congress defined the term Osage Mineral Estate to mean any right title or interest, oil, gas, coal or other mineral held by the United States in trust to benefit the Osage Tribe under Section 3 of the Osage Allotment Act.*

"Whereas...", these are all Whereases, I should have said Whereas, before. "Whereas the Osage Mineral Estate and other Osage Tribe trust properties, including Osage Tribal Government buildings and Headrights of the Osage Tribe have been conveyed to the Osage Nation and recognized by the Bureau of Indian Affairs; and,

"Whereas, it is in the best interest of the Osage Headright Holders for the Minerals Council to request that the Bureau of Indian Affairs explain its legal reasoning, rationale and authority for authorizing the transfer of the Osage Mineral Estate, the Osage Tribe trust properties and Osage Tribe Headrights to the Osage Nation.

"Now, let it be resolved,

"That the Osage Minerals Council authorizes its Chairman, Everett Waller, to contact the Bureau of Indian Affairs, through the letter attached, hereto..." That's what we read, earlier. "...as Exhibit A, which requests the explanation of the Bureau of Indian Affairs legal reasoning for why the Bureau of Indian Affairs authorized the conveyance of the Osage Mineral Estate, Osage Trust properties and Osage Headrights to the Osage Nation.

"Be it further resolved,

"That the Osage Minerals Council adopts the letter attached, hereto, as Exhibit A, and authorizes its Chairman, Everett Waller, to sign the letter on behalf of the Minerals Council.

"Be it finally resolved,

"The Chairman of the Osage Minerals Council is hereby authorized to sign this resolution and all supporting documents necessary to carry the purpose and intent of this resolution."

"I hereby certify the foregoing resolution was considered by the Osage Minerals Council at a duly called meeting in Pawhuska, at which a quorum was present, and the same was adopted by..." blank aye, blank no, blank abstained, on the day this was voted on. Thank you.

COUNCILMAN CHESHEWALLA: Ms. Heskett.

LINDA HESKETT, SHAREHOLDER: When the Nation was formed, one of the CFR laws was wiped off the books right then, and they're still on there that we still have a Chief and an Assistant Chief. We weren't given that right. There was not even a discussion of it. I went over there and voted for a Chief and Assistant Chief, and we don't have anything, or whatever. And, a lot of people brought in an affidavit that they were not going to vote, because this was not right, and they threw it in the trash. And, as I said before, the BIA has been trying to get rid of us, ever since the twinkle of the Nation's eye came in, and I think, 'What is your problem with unraveling this and seeing what belongs to who?' Get it finalized. You don't have the Nation

coming in here and saying, 'Well, I'm going to sue you', and now you've got to pay for the building, you've got to pay for the janitorial things. This is ours, now. That wasn't given to them. It belongs to us, and by unraveling that thing, you'll see who belongs to what, and what is the problem with seeing how this goes? The BIA had sit in the back nine years, and had not done anything about the CFRs to go by. They're still written. They're still on the books, despite what 'Whereases' and everything else that's in there. Some of those 'Whereases' was when the Minerals Council was just here. There was no Nation. So, I don't understand why this Minerals Council, and you say you're for the annuitants, that they put you in these seats, and you work against us. You've been working against us. The neg-regs are a real good point. You've been working against us, because the BIA allowed it. When you have eight people, they should all have input on what was being said, but no, you only picked a few. You stuck the others as standbys, and those were a fiasco. A lot of things that has been done here has not been done for the shareholders. It's like we have a Nation now, and, oh, boy, we're a Nation. Fine. We can be a Nation, but we don't need to entangle the Mineral Estate in to what the Nation wants to do with the Mineral Estate. They're not the Headright owners of this. We own this Trust property. We own this Trust, and we need to know, finalize. We need to know how this runs about. And what's wrong with the letter and resolution that you don't want to step on, or do you want a light landing for the Nation? I can't understand what you're doing. This is about the BIA.

COUNCILMAN CHESHEWALLA: Councilman Yates.

COUNCILMAN YATES: I just want to respond to the neg-reg question. The members were elected by the 2nd Minerals Council, so we all voted to be on that. I've got a question for Ms. Erwin, since you made the motion on this letter...

COUNCILWOMAN ERWIN: Yes?

COUNCILMAN YATES: ...I'm not going to give a very long speech. I'll get to the point. The people I deal with, they can go on for 30 minutes, and I could listen to what they say. I could ask that in five minutes. I could have gotten to the point just that quick. They just have that gift of communication. My question to you is, are you going to add the Constitution with this letter? Is that what you're wanting to do, challenge the new government?

COUNCILWOMAN ERWIN: No, sir. I'm leaving the Constitution, and actually, what it says there is that, I'm going to go back and refer to something, because they said who owns whatever. The United States actually owns the Trust, and it's for the benefit of the annuitants. OK, but, we were never asked our permission to vote on, and we should have been only tribal-recognized at that time, the annuitants were on the new Constitution. No, I'm not trying to do away with the new Constitution. I'm trying to resolve some issues here, and we're never going to move forward until we resolve these issues. They're always coming up. Did you not see the letter that the Chief sent us on those grants?

COUNCILMAN YATES: I did see that. Your point?

COUNCILWOMAN ERWIN: My point is, it's part of the Mineral Estate. Yeah, he's trying to put his hands in it. Anyway, we have the Osage Nation Congress. They took off the table the ability to compact, because they felt like it was going to interfere with the Mineral Estate. That was the Osage Congress, over here. They know it was going to give him just a little opportunity to filter in to us, and try to take over, and those letters that we got is just another point. It shows that, yeah, it's there. I just want to identify the assets which belong to the Trust, and that includes Headrights, it includes money in those accounts. Galen told me about one, but anyway, it's also about property, it's also about our identity. You know, we do have an identity. We're actually considered the legal membership, if not with the 2912. It says we're the legal membership. I just want to identify our assets, and you know what? The Bureau of Indian Affairs, since they're so astute about what they do, they probably can tell us or show us the law that conveyed it. I just want them to do their Trust responsibility, their due diligence.

COUNCILMAN YATES: The letters that you described, you're referring to the two letters from the Chief to Jack Stevens...

COUNCILWOMAN ERWIN: I couldn't remember who is was to.

COUNCILMAN YATES: Supporting documents...

COUNCILWOMAN ERWIN: Yeah, but he also – Go ahead, sister.

COUNCILWOMAN BOONE: No, I wasn't called on.

COUNCILWOMAN ERWIN: But I also said he was the supreme ruler, or something, I don't know. Something like that. Everything'd have to go through him, and be all about him. I don't have the letter in front of me. The Constitution says we can develop the Mineral Estate.

COUNCILMAN YATES: Exactly.

COUNCILWOMAN ERWIN: Yeah, and he's not letting us do that.

COUNCILMAN YATES: In what way?

COUNCILWOMAN ERWIN: In what way? He's keeping us from actually going in and doing that for ourselves. We don't have to have him.

COUNCILMAN CHESHEWALLA: Councilwoman Boone and Councilman Crum.

COUNCILWOMAN BOONE: I'm going to digress a little bit, the compacting issue. Yes, I have the letters in front of me that he wrote. I also had information about Candy Thomas, the Director of Self Government after we submitted the grants went ahead and notified him that, don't pay any attention to the Minerals Council, the Osage Nation is the governing body, blah-blah, but anyway, that's another fight for another day, because it's my understanding these grants go through the Nation. He can skim off 20% of the total income to use as he pleases, but let's just put that aside for a little bit, and let's get on what we're talking about here. I don't know where the Constitution Councilman Yates even enters into the resolution. I don't see it in this resolution, and I don't see it in this letter, and going back to one of the 'Whereases', it says, "it's in the best interest of the headright owners for the Minerals Council to request the Bureau of Indian Affairs explain its reasoning, rationale and authority for authorizing the transfer of the Osage Mineral Estate, Osage Tribal trust properties, and Osage Tribe Headrights to the Osage Nation. We can sit here and talk about this until hell freezes over, but the bottom line is, we need to vote today. So, will you call for the question, Mr. Chairman?

COUNCILMAN CHESHEWALLA: Councilman Crum and Councilwoman Red Corn.

COUNCILMAN CRUM: Actually, I was going to do the same thing, but I'll defer to Councilwoman Red Corn who wanted to have a statement before the roll call.

COUNCILMAN CHESHEWALLA: Yes.

COUNCILWOMAN RED CORN: I just wanted to say I think that the main thing in this letter is the third paragraph, and to me, it doesn't really question anything. It's just saying, in an effort to address ownership issues of the Osage Trust property, the OMC, and this is the part that seems to me, kind of weak, the OMC is formally requesting that the Bureau of Indian Affairs explain its legal reasoning and rationale for why it authorized the conveyance of the above mutual Osage Tribal assets from the Osage Tribe to the Osage Nation. But, I mean, to me, that's all it's saying. It's just saying, explain yourself why you did it, these two things, and it doesn't seem very strong to me.

COUNCILWOMAN ERWIN: Can we call for the question?

COUNCILMAN CHESHEWALLA: One last statement. Ms. Spurrier, then we'll call for the question.

PATRICIA SPURRIER BRIGHT, SHAREHOLDER: It seems to me that the BIA, the Trust is the Tribe or the Nation owns the Minerals. The Minerals Council is the one that deals and gets us the best price for the assets. The shareholders are the ones delegated to receive that and the Trust, the Government doesn't own the Trust, doesn't own the Minerals. They just handle it. They do the paperwork, and they're the ones that send out the checks, but they don't own that money. That money is ours, that comes in for the sales of oil and lots and whatever. But the Government doesn't own that money.

COUNCILMAN CHESHEWALLA: Thank you. Call for the question.

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

EDDY RED EAGLE, JR., SHAREHOLDER: Chairman?

COUNCILMAN CHESHEWALLA: Yes.

EDDY RED EAGLE, JR., SHAREHOLDER: May I have a moment?

COUNCILMAN CHESHEWALLA: Yes, sir.

EDDY RED EAGLE, JR., SHAREHOLDER: The effort that you're doing is proper. The effort on votes are proper. We have a right to move with our conscience and our history because we are tribal people. The letter itself I don't know how it works, but you've made your opinions, so let's let that work. The last shareholder meeting, I made a point that this does not have to be dramatic. It does not. I think that the key to this, and we've reached in our history, unfortunately, we're at a point of history that falls on us. We've got no choice in it. I would rather this fail or else, and it'll be set up for us to give it movement. I told my children I said I wanted this question to be in your lifetime, not mine. I didn't want this in my life. I didn't want to see this, because I knew it would be extremely difficult, and you know it is. We are a people. I think we're at a critical process for the Osage people, and there's only four elements that have to be resolved, and you're incorporating one as to the BIA to make a stand, and a comment, and I think there are three others that need to be really be done today and resolve this for us, for my children, and the BIA. It's the Chief, it's the Minerals Council and the Congress, historically will put us. Now, I hope that out of this comes, the word I hear in this is management. A management plan. A management plan of the Estate. We don't see those plans from the Chief or from Mr. Waller. We don't see Congressional plans, and they're trying to bring plans. They may not be put into the Master Plan, and I hope that your letter excites this. I really do. I hope the Chief does his job, and I hope that Everett does his job, and I hope that Archive, the Speaker, does his job, and bring this together, at a very critical point of history. Unfortunately, it's upon us to see that it happens. So, my encouragement, my support of the future over here, and I hope that you can sustain your energy and your enthusiasm and dedication. Let us resolve these things. But let's resolve them quickly, and if we need to, we can get the referee with the whistle to put on his striped shirt. But they put on a black coat and they set at a bar of three people, and that's a legal entity for us. This can be resolved in the Courts, but make it resolved in our Courts, Osage Courts. Let them three individuals say what is our right, legally, in the Osage world. That may be part of the solution. But before then, I think that our people can get a working plan of the assets. An asset is an asset. It's supposed to do things. So, when you get the asset, what are you going to do with it? And that's the simple question. So, let's just resolve this, and my point is, let's do this quickly, so we can get to the management, and having fun of development, and the fun of seeing it grow and increase and multiply. That's the fun part, coming out of this very difficult strain. We don't need this strain. We really don't. Maybe calling an Executive Summit,

high level for our people to see doing this, resolving this, and getting this settled in our lifetime. We're going to do this, in our lifetime, and see how that works, as we fade out. We can have the right to say we were exactly right or we were wrong here. Let's fix this, let's stop this, let's redo this, and let it left to the kids to do that. You kids figure this out. We've got it this far, now you carry it on, and we'll meet you on the other side. But I see we're at a very, very critical point we need resolving as quick as we can. I appreciate all you're doing. Thank you all.

COUNCILMAN CHESHEWALLA: Thank you. Committee Reports.

COUNCILMAN CRUM: Move to adjourn.

COUNCILWOMAN ERWIN: I'll second.

COUNCILMAN CHESHEWALLA: With that, we have a motion on the floor for adjournment. Councilman Crum, second by Councilwoman Boone. Call for the question.

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

Adjournment – 12:05 p.m.

Approved:


Executive Administrative Assistant
Chairman