

DELAWARE TRIBE OF INDIANS
TRIBAL COUNCIL MEETING
MONDAY, SEPTEMBER 29, 2008

The Tribal Council of the Delaware Tribe of Indians met Monday, September 29, 2008 in the Delaware Community Center, Bartlesville, OK. The meeting was called to order at 6:00 p.m. by Chief Jerry Douglas. Members present at roll call were Chief Douglas, Wayne Stull, Raymond Cline, Verna Crawford, Curtis Zunigha arrived at 6:10 p.m. Absent was Annette Ketchum and Judy Harmon. Present in the audience were Darrell Glenn, Donna Adams and Chet Brooks. Tribal employees present were Earnest Tiger and Marilyn Cole. Invocation was given by Darrell Glenn.

Minutes of the previous meeting were reviewed. **Motion to approve the minutes with corrections if necessary was made by Wayne Stull, seconded by Raymond Cline. Motion carried with all in favor.**

Treasurer's report was reviewed by members. Chief Douglas stated that he will have Mary Jo Peterson assist us with setting up tracking to keep the old BIA money separated from the new. **Motion to table the Treasurer's report until the October meeting was made by Raymond Cline, seconded by Wayne Stull. Motion carried with all in favor.**

Reports:

Federal recognition was given by Chief Douglas, he stated that the MOA needs to be approved tonight so we can keep the ball rolling for the OIWA application. The rules committee of the Cherokee Nation will need to approve so that it may be taken to their tribal council. Discussion of the changes followed. The main changes were land in trust issues and enforce ability issues. Tom will be called later in the meeting to clarify the changes.

Curtis then gave a housing update. He stated that he has prepared a budget that can be taken to the Cherokees to ask for assistance in the maintenance of the elder units. He estimates that \$13,000 per year with replacement costs of appliances factored in. He stated that currently there is a need for a refrigerator, stove and garbage disposal. He will supply an invoice for payment. Chief Douglas stated that the Cherokees will likely help, we will be like the housing authority and have to invoice for repairs.

Marilyn read the poll vote taken concerning the chiefs salary, ballot question and resolution 07-07 for the record. The new tribal members were read. **Motion to approve resolution 2008-08 approving new tribal members was made by Wayne Stull, seconded by Verna Crawford. Motion carried with all in favor.**

Motion 2008-09 approving delegates to NCAI annual meeting was made by Raymond Cline, seconded by Verna Crawford. Motion carried with all in favor.

Curtis then questioned about our D & O policy and stated that we should file a claim for the attorney fees from his lawsuit against the tribal council. **Motion to file claim on our insurance policy as**

opposed to filing suit against each other was made by Curtis Zunigha. Motion died from lack of second. Curtis discussed the case and stated that the court has set a date concerning a motion that was filed last month by Vicki Sousa requesting attorney fees and attorney costs. He also expressed his concerns about Judge Young. This will be addressed at a later meeting when Vicki is present.

Election report reviewed. Darrell Glenn stated that he would like to add Edna Havens to the committee. **Motion to appoint Edna Havens to the election committee was made by Raymond Cline, seconded by Wayne Stull.** Discussion, Curtis expressed his concerns and stated that he did not want her appointed. Darrell stated that he has worked with Edna in the past and she is trust worthy and responsible. Chet also stated he has worked with Edna and she is a most dedicated worker. **Motion carried with all yes and one no, Curtis Zunigha.**

New Business:

Motion to take a ten minute break was made by Verna Crawford, seconded by Wayne Stull. Motion carried with all in favor. Meeting recessed at 6:40 p.m. Meeting resumed at 6:50 p.m.

Tom Peckham was called to clarify and explain changes on the MOA. He explained that the two changes were land in trust and enforce ability. Comments from the CNO on the 'consent provision' to taking land in trust wording was taken out. There is a process for this to happen and both tribes would have to agree.

The original enforce ability wording held the United States as the enforce. Chad did not think it could be enforced against the US. New provision lets both tribes sue each other and seek injunctive relief. He then provided an example of this. Another issue was that the CNO would give up jurisdiction on internal Delaware issues. Language concerning taxation of Delaware business in the 14 county area was allowed only if the state could not tax. Lengthy discussion followed. **Motion to approve the MOA and resolution 2008-10 was made by Wayne Stull, seconded by Raymond Cline. Motion carried with all in favor. One no, Curtis Zunigha.**

Verna stated that the DIN is at the printers and will be mailed tomorrow. The new issue is also on the website. Raymond Thanked Verna for her work on the DIN.

Motion to adjourn the meeting was made by Wayne Stull, seconded by Raymond Cline. Motion carried with all in favor. Meeting adjourned at 7:00 p.m.