

Called to Order: 5:38

Prayer: Mary Watters

Attendance:

Chief Chet Brooks, Assistant Chief Bonnie Jo Griffith, Treasurer Benita Shea, Councilwoman Annette Ketchum, Councilwoman Michelle Holley, Councilman Nate Young.

Absent: Nicky Michael, Secretary

Welcome guests.

Approve Agenda

Councilman Young moves to approve.

Councilwoman Shea seconds.

All in favor.

Minutes:

Councilwoman Shea moves to Approve the July 7, 2015 Minutes.

Councilwoman Griffith seconds.

All in favor

Councilman Young notes that the title should read "Special Tribal Council on the 20th"

Other Corrections: Councilwoman Griffith states that at the bottom of page 1, it reads, "the CFO and Jean..." It should read, "and she."

Page 5 when Councilwoman Griffith asks "how many we have in Bartlesville," it should also include "facility," regarding the childcare.

Councilwoman Ketchum motions to accept the minutes with corrections for July 20th.

Councilwoman Shea seconds.

All in favor.

Unfinished Business:

Economic Development Report: Tim Houseberg, the Director, is absent. However he did call in today and will be here tomorrow and he has found another contract for Tahkox e2.

Child Support Enforcement: Curtis Zunigha, Director, states that the program is moving forward and is working with the CFO to set up the debit card payment system. We have a visit from our representative in Dallas. We are taking applications and are in an aggressive public outreach mode right now.

Councilwoman Shea inquires if we have any cases set up?

Director Zunigha states yes, we have several cases and files established. When we visited Washington County, they want to provide hundreds of cases to our office. Cherokee Nation was very cooperative and set up a personal meeting with Chief Baker to address our program delegates.

Tribal Manager, Allan Barnes: August 26th, representatives Mike Longan and Diane Jobe came to examine our 2015 year-ends. They seem quite pleased with the answers to the questions they asked. We toured the facilities and the one area that they were pleased with was our enrollment.

Chief Financial Officer, Jean Lewis: The BIA spent time with us and went over our books. They seemed pleased with us. We are close to having our new software up and going and have been working closely with our Internet Technology Director on this.

Other:

No other unfinished business from the Tribal Council.

Resolution 2015-45: To Deny Tribal Membership

Councilman Young motions to approve.

Enrollment Director Leslie Fall-Leaf explains that the individuals either have not submitted the paperwork needed to proceed or did not have an ancestor on the base roll.

Councilman Young clarifies, "they are not being dis-enrolled; they have not met the criteria."

Director Fall-Leaf affirms.

Councilwoman Shea asks about the correspondence to the individuals. Have they had ample time and proper notification?

Director Fall-Leaf affirms yes, the individuals have been notified by phone, emails, and letters.

Councilwoman Griffith notes that they can come back later, that this action does not preclude application at a later date.

Councilwoman Ketchum states that no ancestor on the 1906 roll would be conclusive.

Director Fall-Leaf explains that the Tribe will send them a letter notifying them of the decision and they can appeal to the Tribal Court.

Chief Brooks asks if any of these applicants has any ancestor enrolled on the base roll.

Director Fall-Leaf: No

Titus Frenchman is recognized: "Can Leslie provide us with the population number of our Tribe today?"

Director Fall-Leaf: 10,800

Mr. Frenchman: "What about members in Oklahoma?"

Director Fall-Leaf: She can provide that tomorrow morning.

Councilwoman Ketchum seconds.

All in favor.

New Business:

Nancy Sumpter is recognized. She states that the previous Tribal Council and this Tribal Council call for Executive Session and stay in there "forever until we just get tired and go home. I want to know what can be told about Executive Sessions; what can we be told as a tribal member? It can't be all that important because you are making resolutions like crazy and we the tribal members do not know what's going on."

Councilwoman Holley explains that our Executive Sessions should deal with "sensitive information, personnel, and information covered under the privacy act."

Ms. Sumpter: "So that's the reason you go in there to decide who to hire and fire?"

Councilwoman Holley: "No, we have a Personnel Committee that handles that. Trust me, I don't want to sit in there any longer than you guys sit out here."

Ms. Sumpter: “I understand Personnel issues are private and should be done there. But I want to know what else is being done. Any poll votes?”

Councilwoman Holley: “Absolutely not, I am against Poll voting.”

Councilwoman Griffith: There has been one poll vote for when Chief Brooks and she went to Washington D.C.—because there was a deadline. “I think the consensus of this whole council is we are not doing poll votes.”

Councilwoman Holley: “I do not support Poll Voting whatsoever and whenever this has come up I adamantly refused to partake in it.”

Councilwoman Shea believes we are all in agreement on no poll voting.

Councilwoman Griffith notes we did one more when Titus went to Pennsylvania for the Insurance—for him to be able to drive the tribal vehicle.”

Chief Brooks states, “we would only take a poll vote if it concerned the life or death of a tribal member or the life or death of the Delaware Tribe of Indians and that’s the way I feel.”

Councilwoman Ketchum states that she would participate in one if we had a deadline for a grant and it meant money for our Tribe.

Ms. Sumpter: “That doesn’t make sense to me. I understand about deadlines but the trips—you should have known about this way ahead of time.”

Councilwoman Griffith: “With the discounts available and the travel involved, the vote enabled us to save money for the Tribe.”

John Sumpter: “I want to follow up what Dude (Nancy Sumpter) said. Executive Session is not addressed in our constitution, so that is an open question you can do what you want with. The only place that Executive Session is addressed is in the Trust Board document.”

Curtis Zunigha: “As a past Chief and having sat in that seat, our constitution says that Executive Session will be run by Roberts Rules of Order. That’s where the guidelines are listed.”

Chief Brooks affirms that yes, we do have to follow Roberts Rules (moral turpitude of a Tribal Council member or Personnel) unless specifically addressed in our Constitution.

Mr. Sumpter: But the results have to be addressed afterwards in the open meeting. His point was that Executive Session IS NOT addressed in our Constitution.

Titus Frenchman is recognized: Thanks the Tribal Council for coming to the NAGPRA and Section 106 Oversight Committee meeting last Wed., where there was a good discussion. “I’m in the process of developing recommendations for the Committee to provide to the Tribal Council.”

Mr. Frenchman then states he looks forward to an update on our 1.2 million dollar investment in Kansas. “What’s our one-year-plan; five-year-plan?”

Joe Brooks is recognized: “I would like to start out by asking our Tribal Council leaders how many years they have on the Tribal Council. You Nate? 10-12; Michelle: first year; Bonnie: first year (and Trust Board before this); Chief: Trust Board from 1995 to 1998, then Tribal Council 6 years ending last November, Chief going on 10 months; Benita: 10 months; Annette: 7 years. I don’t know about the rest of you all, but I’ve been involved with this Tribe for 35 years. I find it very offensive that the Tribal Secretary wants to slam dunk, not only me but all the other former administrations. All of them, that none of us know what we are doing, including you all. I think that’s unprofessional to do that on Facebook and cut this Tribal Council to the bone. This Tribal Council is supposed to be a democratic way to accept whatever the Tribal Council votes and move on for what’s in the best interest of the Tribe. For that reason I think she should be removed as Secretary of the Tribe. Not from the Tribal Council, you can’t remove her from the Tribal Council except for the ways defined in the Constitution. She is not acting in a professional way as being the Secretary of this Tribe and I for one take offense that she says that I, Dee Ketchum, Paula Pechonick, none of us knew what we were doing. I’ve been around this Tribe for 35 years, I also know that Section 106 Consultation money can be spent any way this Tribal Council deems fit. There is no regulation because that money comes from cell phone companies—US Cellular, AT&T, Sprint, can’t regulate that money. This Tribal Council can spend that money any way it sees fit. So for them reasons I’m asking the Tribal Council to remove her as Secretary and appoint someone else. I’m sick and tired of reading negative emails, Facebook, about myself, this Tribal Council. It’s uncalled for. If you don’t have anything positive to say about this Tribal Council, don’t be sending me any more emails—lose my email address. This Tribal Council is supposed to be working for the best interest of the people. Act as one. Treat everyone as equal and I don’t think the Elders on this Tribal Council are picking on anyone. I think they have a lot of wisdom and they know a lot more about the tribal programs and what this Tribe needs.”

Chief Brooks: Did anyone on this Tribal Council ask you to say these things.

Mr. Brooks: “Absolutely not, I’m speaking on my own and if I have something to say I will say it to this Tribal Council and not behind your back on Facebook.”

Nancy Sumpter: “If you are going to read Facebook, it must be true. Feelings get hurt, oh well. I roll up and down and comment ‘Lol, wthay,’ etc. I don’t believe because a person doesn’t like what a member of this Tribal Council says when they are not here to stand up for themselves should be removed. This could have been done when she was here. Unlike Joe, I don’t condone anyone talking about someone else. If I have something to say to someone, go up to their face and say it. If I hurt your feelings, oh well. That’s my opinion, you are allowed one. Leave things alone right now. It seems like the biggest problem in here right now is the Section 106 monies, who is going to get it, where is it going to go? Who gets to spend it, which is a bunch of BS. If it’s going for the Tribe let it be used that way.”

Councilwoman Griffith states we are arguing over money, we don’t even have yet.

Levi Randall: "I'll be the first one to say that I do like Facebook. I write on there a lot. I critique things and if I have an opinion, if I don't like something, I am going to put it on there. This Council needs to be reminded that they do not have the authority to tell Tribal members what to say or what to do. That would be overstepping. As citizens of this Tribe, we have a right to say and do as we please. Though you are Chief, Chet Brooks, you don't have the authority over me to say what I can do; Bonnie Jo cannot either. If you are an employee here, possibly. But on our free time you can't do that. You don't want to be the first Tribal Council to put the hammer down on tribal citizens telling them what they can do or write. That would be pretty strange. This isn't Nazi Germany, you can't go through everyone's Facebook pages, and say, well, I don't like that, I don't agree with that. It is the Internet. Everyone is entitled to their opinion. There is nothing sensitive that is being written that I read about and what she wrote about the Section 106, I agree with. I agree it's for cultural programming. That's my opinion and this would have been better suited for when she was here. I don't agree with that. That's my opinion and the Internet is the same way."

John Sumpter is recognized: "I've been there before if you all remember. Freedom of Speech is a fundamental right of every American. Also, proof. What is inflammatory? What is derogatory? Who takes offense to what? Removal is a process that is outlined in the Constitution. Go through court, bring the proof forward, if she is indeed guilty deemed by the judges, remove her. But if not, leave it alone. You have got to have the proof. Is it not Nate Young?"

Councilman Young: "Removal? Removal is by recall."

Councilwoman Griffith: States she understood Mr. Brooks to refer to Secretary; not as a Tribal Council member.

Mr. Sumpter: "I would like proof of what, where and when. That's got to be considered."

Chief Brooks: I don't disagree with you in Principle except to say one thing, it is the Delaware Tribal Council that elects the Assistant Chief, the Treasurer, and the Secretary.

Councilwoman Holley: "I would like to go on the record stating that was a low blow for Joe to do that when Nicky was not here to defend herself. I think it was very inappropriate of you to do that."

Mr. Brooks states he did not know she was not going to be here.

Councilwoman Holley: "She isn't seated here."

Titus Frenchman is recognized: "In regard to Facebook, a lot of things are posted on Facebook, all you have to do is delete. As far as tribal members posting about other tribal members, that can get a little hairy at times, but we elect a diverse group of people with different opinions to come together to discuss opinions, outlooks and come to a conclusion for what's going on. If someone steps up and disagrees, that's fine. If it carries weight that's fine, the council can act on it. But to stifle someone for giving their opinion—I'm against that. I had three hundred rounds dumped around my head just so I could come back and have that ability. Joe's a Veteran; John's a Veteran; we have a lot of veterans here. The fact that Joe said not to talk behind someone's back and she's not here, you see that she is not here."

Councilwoman Griffith states “That just as Nicky has a right to free speech so does Joe.”

Councilwoman Holley: “We all do.”

Councilman Young moves we adjourn.

Councilwoman Ketchum seconds.

Meeting adjourns: no time announced: approximately 6:37