

DELAWARE TRIBE OF INDIANS
Delaware Tribal Council January 5, 2016 Minutes
By Annette Ketchum, Secretary

At 5:40 p.m. Chief Chet Brooks called the regularly scheduled meeting of the Tribal Council to order, with Annette Ketchum offering a prayer, leading in the Pledge of Allegiance to the Flag and calling roll. In addition to Brooks and Ketchum, Bonnie Griffith, Benita Shea and Nicky Michael were in attendance, with Michelle Holley absent. Chief Brooks welcomed the audience.

Ms. Griffith made a motion to approve the agenda with the addition of a third resolutions 2016-03, to be added under New Business; seconded by Mr. Young, and passed 4 yes, 2 no (Michael, Ketchum). December 15, 2015, minutes were approved with motion by Ms. Griffith, seconded by Ms. Shea, including a correction to Other New Business, Page 3, Item d. changing "American Law Center" to "Nation Institute Sister Organization". Passed unanimously.

Unfinished Business

A motion was made by Ms. Griffith and seconded by Ms. Shea to accept the Code of Ethics for the Tribal Council. Discussion followed with questions from the audience regarding the Code and who wrote it. Chief Brooks explained that this Code of Ethics is for the Delaware Tribal Council only and not for any other elected body. It does not apply to the Judges or Trust Board. It was written by Mr. Young. This document supersedes the original Code of Conduct written by Tribal Court Judge Charles Randall. If the Court and Trust Board wish to prepare their own Code of Ethics, they may do so. Mr. Young offered his help. The motion passed 4 yes, 2 no (Michael, Ms. Ketchum).

The revised Tribal Seal Protection Ordinance was introduced as the next point of business. Attorney David McCullough spoke on the Seal, stating that three years ago the Tribe registered its Seal with the State of Oklahoma, but Trademark protection was not included. He said the cost of getting the Seal Trademarked by his office is \$650 for preparation and \$385 for filing fee and this does not include defending it. Mr. McCullough suggested the Tribe hold off on sending the cease and desist letter until the TM was registered and then he can send a letter to offending group back east and include the serial and registration numbers to put the group on notice. We would have statutory protection. Ms. Griffith made the motion to accept the revised Tribal Seal Protection Ordinance and Dr. Michael seconded it. It was pointed out that there was an ordinance passed in March, 2015; both Ms Griffith and Dr. Michael changed their motions to include that the new ordinance will supersede the previously voted ordinance. Motion passed unanimously.

Motion was made by Mr. Young and seconded by Ms. Griffith to accept Mr. McCullough's offer to TM the tribal seal. Mr. McCullough explained that the Tribe is protected now by the fact that the filing in State of Oklahoma is a legal action taken so violators are breaking federal law now by using the seal. Motion passed unanimously.

Other Unfinished Business

Dr. Michael addressed Mr. Randall about a conference call to University of Arizona, Udall Foundation, pertaining to assistance with Constitution Reform and learning what charges are involved. Mr. Young wants to join the conference call. The Tribal Council was in full agreement that this information-search expedition may be beneficial.

New Business

Resolution 2016-01 to Approve the Pre-development Expense and Consultant Agreement for Hydroponic Development was read and motion made by Ms. Griffith, seconded by Mr. Young, with discussion following. Chief Brooks explained we are hiring a consultant to prepare needed paper documentation pertaining to the business. Consultant, Chip Harriford, III, will be paid approximately \$10,000 plus \$1,000 expenses and Mr. McCullough will receive the balance of \$9,000. The business will most likely be in Caney, KS, adjacent to the Caney offices. This prospective business will allow the Tribe a 51% ownership position with no recourse financing and no collateral. The investment firm is United Commercial Mortgage of Sonora, CA. Passed unanimously.

Resolution 2016-02 to Establish an Unbiased and Objective Editorial Board was read and motion was made by Dr. Michael, but failed for lack of a second, with agreement that revision must be made and guidelines must be established first.

Resolution 2016-03 to Establish Regular Tribal Council Meetings Every Tuesday Evening at 5:30 P.M. Beginning January 12, 2016, was read. Motion made by Ms. Griffith and seconded by Mr. Young. Questions and discussion followed. The resolution supersedes the previously passed meetings resolution. Motion passed 3 yes, 2 no (Michael, Ketchum), 1 abstention (Brooks). Motion by Ms. Griffith, seconded by Mr. Young was made to discontinue the Monday Conference Calls which are now being held. Passed unanimously.

The Tides Foundation Grant was brought to the floor and Brice Obermeyer reported on the meetings he, Anita Mathis, and Curtis Zunigha have had with the Delaware Nation of Anadarko, Delaware Elders and Cultural Preservation Committees, and the meeting to be held later this month in Canada with the Canadian Delaware. Dr. Obermeyer further reported that the Tides Foundation Planning Grant is due February 15, 2016, and Leslie Jerden, tribal member, is writing the grant at no charge to the Tribe. He said he wants the tribal council to made suggestions to Ms Mathis or send him an email. Mr. Zunigha added that he will have a resolution prepared for a Council meeting in February which he needs to accompany the grant application.

Chief Brooks spoke regarding the Brotherton Reservation in New Jersey. A report from Tom Julian is in the packet for each Tribal Council member to read. Chief believes the report is accurate. He explained that the Indian Non-Intercourse Act written by the U. S. Government establishes that Indian land cannot be taken or sold by anyone else and Chief Brooks included some of the history of the Brotherton Reserve. Mr. McCullough and Dr. Obermeyer both commented on the fascination of Brotherton.

Council took a 15 minute break, returning at 7:42.

Other Business

- a) Ms. Griffith presented a form from Grand Gateway asking for the Tribe's representative to its board and made a motion to re-appoint Rick Barnes, who currently serves as the representative; seconded by Mr. Young and passed unanimously.
- b) Ms. Griffith reported that the Lawrence, KS, City/County Working Committee meeting has been scheduled for January 25, 2016, in Lawrence at 9:00 a.m.
- c) Motion was made by Ms Griffith and seconded by Mr. Young that she, Chief Brooks, and Mr. Young be appointed to attend the NCAI Winter Meeting in Washington, D. C. Motion passed 5 yes, 1 no (Michael). Dr. Michael requested that written and visual reports be provided to Council by attendees on return.
- d) Brief discussion about Tribe's Facebook admin person.
- e) Jean Lewis, CFO, and Ron Scott, Housing Program Director, addressed the Tribal Council to report that bids are being let for new metal roofs on 14 units in Delaware Acres. This is part of the 2015 IHP, and of course, Indian preference is specified.

Adjourned at 8:00 p.m. with motion by Ms. Griffith, seconded by Ms. Shea.