

Called to Order: 5:35

Prayer: Curtis Zunigha

Attendance:

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

Welcome guests and new employees:

Child Support Enforcement Director, Curtis Zunigha, introduces Arleta Snell, member of the Assiniboine Nation, our new Case Management Specialist from North Dakota and our new Financial Management Specialist, Crystal St. John, Cherokee Nation member.

Training is underway with Tribe, State, and County offices.

Approve Agenda

Councilwoman Shea moves to approve.

Councilwoman Holley seconds.

All in favor.

Minutes:

Councilwoman Michael moves to approve with no corrections.

Councilwoman Shea seconds.

6 in favor.

1 abstention (Griffith).

Unfinished Business:

Lawrence, Kansas Land

Appraisal will cost \$2,000

Councilman Young asks if this includes the house and the answer is yes.

As soon as we can find some funding to be able to accommodate this cost, we will proceed.

Other:

Councilwoman Griffith requests to direct Allan to obtain some signs that say, "No Fishing."

Councilwoman Michael adds No swimming, due to liability issues. We have had people fishing.

Councilwoman Griffith motions to have Allan obtain additional signs.

Councilman Young seconds.

All in favor.

New Business:

Resolution 2015-41: *To Administer Section 106 Fees Under the National Historic Preservation Act.*

Councilwoman Ketchum asks if the per mile fee is why "they" make millions of dollars?

Councilwoman Michael clarifies, "You mean the Delaware Nation?" She states yes, the per mile fee is a proportion of the revenues but they make that much due more to the 17 state jurisdiction they claim.

Councilwoman Ketchum wants to know how "we" know they make this much.

Councilwoman Michael explains she worked with the Delaware Nation for four years and we have a copy of their financials. "We," meaning the THPO Oversight Committee. The way it works is the Delaware Tribe will list the states we are to be consulted on the FCC Web Site. Then we actively pursue that projects consult us for any projects. This is a consultation process and we charge a fee for the process. What we are currently doing is waiting until someone contacts us, then we charge them.

Councilwoman Ketchum asks if we are in competition with the Westerns (Delaware Nation).

Councilwoman Michael says no, there is no "competition." This is a federal law for any tribal area of interest. So the Shawnee may have an area that crosses over with ours and the agencies have to consult with every Tribe that has an interest in that area.

Titus Frenchman is recognized: "Our committee (THPO Oversight) met last Thursday with Caddo Chairwoman Tamara Francis-Fourkiller. She oversaw the Delaware Nation THPO and Section 106 Consultation process for 12 years very successfully. They take an aggressive stance on this program. He warns that federal programs can quickly be reversed. He furthers this assertion stating we need to take advantage of the program while it's still strong and we will be shorting ourselves if we do not. I think it's imperative to take full advantage of this now. This was a program initiated in the National Humanities

Council. These funds could fund a FULL language program, such as immersion. We also need someone who is knowledgeable with experience. Levi Randall has 6 months experience in the program and he is ready to go. We need someone overseeing the program. Dr. Obermeyer is doing well. But he emphasizes we need someone in this office here at the headquarters on an equal footing with him. As we sit here today, we are losing thousands and thousands of dollars almost on a daily basis.”

Councilwoman Ketchum inquires about whether Councilman Young is going to attend the training.

Councilman Young: “I don’t know if I am going to attend. I need some more information. I visited with the FCC just yesterday. There appear to be some issues that I am not sure about. One of them is FERT. The other is industry trends and collating. I like the idea of Levi on because of his experience but in the back of my mind, I think about the idea of smoke shops and how profitable it was to begin with. Then Quick Trip and Loves moved in and now they are minimum wage. Railroads are today blaming lack of safety controls on all the consultations required. They have sent a Bill to congress about this very issue. Whatever the issue is, I’ll just say, I am out of it. Let’s just say that.”

Councilwoman Ketchum asks what he means.

Councilman Young doesn’t feel he has enough information from our Tribe. He hasn’t seen how many consultations we have nor business records. I want to find out how the Delaware Nation charged for areas we occupied with them. Some of the other Tribes that made a similar journey and then split up, share their fees—I want to confirm this. I am concerned. I want to raise the fees and bring Levi on. But I am going to pull back. I’m concerned that we will get into it and then we will come in when the trends are going negative. What if the Delaware Nation owes us some money? The Cherokees, UKB, and the Eastern Band all split their fees—at least that is what I was told.

John Sumpter is recognized. I’ve worked with Tammy (Chairwoman Fourkiller) and I brought word of this back of their programs. I’ve seen the financials. They are separate. The Anadarkos are not the only ones. The Chickasaws, Choctaws, and the Creeks run a “20 Man,” 106 office and they are swamped and do not have enough people to carry the workload. We have attended meetings in Oklahoma City. He is close to Tammy. She calls me brother and her daughter calls me uncle (Councilman Young stated she is also a relative of his wife—on the Pawnee side). She has set up three different programs and they are all successful and still succeeding today. As to whether they owe us money. They are a separate entity. There have been mistakes made on our part. Brice has only been covering 1/3 of New York. We cover the whole state of NY and all the way down to Virginia. Everywhere we walked or camped, we have influence and it is federal mandate. The railroads can whine but they have to pay the fee. If you have questions, I will give them to Tammy. She is pretty busy. She did a special favor for us coming up to do the training. The consultation fee for the information she imparted to us was way too little and she is still willing to give us more.

Councilwoman Shea states that she believes the risk is minimal from what she has seen and heard and have studied on my part. The longer we sit, the more we lose.

John Sumpter adds that it is a project he firmly believes in. He says this is a reflection on the tribal Council, how it's set up can't have any cliques. It should be set up right. It has got to be done for the good of the people; not your interests. Your interests are in the back door. If it is short lived, hey, we got our toe in. Personnel has to be about what someone has to bring to the table to get the job done.

Councilwoman Michael agrees that all these issues need to be worked out but regardless of everything else, the fees still need to be implemented in a resolution. She asks if we can get back to the resolution on the table.

Councilwoman Michael moves that we approve the resolution.

Councilwoman Holley seconds.

6 in favor

1 abstention (Young)

Fence in the Back

Councilwoman Griffith explains that the fence in the back of the building needs to be moved. The location is too close due to the attempts that we are trying to make in putting in a stomp dance area there.

Councilwoman Shea asks if there will be additional costs and further asks why the placement wasn't proposed ahead of time.

Housing Director Mr. Scott states that the Tribal Manager at the time thought it was a good idea for that area for all the equipment that we had that needed to be placed behind the fence. Then all the rains stalled the implementation to until recently.

Chief Brooks recalls the Tribal Manager bringing this up in November.

Councilwoman Shea states that this is about lessons learned. No tribal structure should go up without approval from the Tribal Council.

Councilwoman Griffith motions to move the fence.

Councilwoman Shea seconds.

Chief Brooks advises two or three council members look out the back after the meeting to provide guidance.

6 in favor

1 abstention (Ketchum)

Councilwoman Griffith updated the Tribal Council on the trip to Wisconsin. There were lots of giveaways and gifts. Meals were all wonderful and each Tribe participated. Our guys, the Color Guard, "rocked it." They looked the best. All the Tribes gave historical presentations, but Chief Brooks rocked it. Everyone paid attention to it and he really worked the crowd. The participants all really enjoyed the social dances we brought up. We want to host this here at the complex next year.

Delaware Indian News (DIN) deadline for October Edition is Sept. 10th

Councilwoman Michael encourages everyone on the Tribal Council to please write your articles pertaining to your position. She has had complaints about this and wants to address them. Write your articles about what your position is and what you are working on.

Councilwoman Griffith motions to go into Executive Session.

Councilwoman Michael seconds.

6:05

Called to Order at 7:46

Chief Brooks asks for any actions to be taken?

Councilwoman Griffith states the Surface Pro was returned.

Meeting adjourns 7:48