DELAWARE TRIBE OF INDIANS

Tribal Council Meeting Minutes of February 27, 2021

Call to Order by the Chief:

Chief Chester Brooks called the Tribal Council meeting to order at 2:51 pm.

Prayer:

Curtis Zunigha gave the invocation followed by the Pledge of Allegiance.

Roll Call:

Secretary Nicky Michael called roll and present were Chief Chet Brooks, Assistant Chief Brad Kills Crow, Secretary Michael, Treasurer Rusty Brown, members Joe Brooks and Homer Scott, Member Jeremy Johnson was absent. A quorum was present.

Chief Brooks asked if there were any tribal members who wished to address the tribal council or make a statement in general. Curtis Zunigha spoke about new items in the gift shop.

Joe Brooks motioned to approve the agenda with the addition of late New Business items. Homer Scott seconded motion. Motion was passed unanimously. 6 yes, 0 no, 0 abstained

Reading of Minutes of Last Meeting:

Joe Brooks made a motion to approve the minutes of January 16, 2021 and Rusty Brown seconded. Motion passed unanimously. 6 yes, 0 no, 0 abstained

Executive Session:

Joe Brooks motioned to adjourn to Executive Session and Homer Scott seconded. Vote was unanimous to go to Executive Session. 6 yes, 0 no 0 abstained. Council adjourned at 3:06 PM.

Regular Council meeting resumed from Executive Session and no action was taken during regular meeting.

Reports:

Secretary Nicky Michael read the Poll Votes into the minutes

Poll Vote 01-20-21 Yes or no vote to approve Beverly Chafin as Tribal Appellate Judge. 6 yes, 0 no and 1 abstention (Nicky Michael).

Poll Vote 01-26-21 Yes or no vote to seek advice from legal counsel regarding Shawnee Cares Act funds lawsuit. 5 yes, 1 no (Chief Brooks) and 1 abstention (Assistant Chief Brad Kills Crow).
Joe Brooks motioned to approve the Poll Votes as read into the minutes motion was seconded. Motion was approved unanimously. 6 yes, 0 no, 0 abstain.

Assistant Chief Brad Kills Crow took a moment to introduce and thank him for his service Bosun’s Mate 2nd Class Trey Johnson currently on duty and home on leave. A round of applause was issued by council and audience.

October, November and December Special meeting minutes for 2020 were discussed for approval after being tabled in prior meetings. Joe Brooks motioned to approve all meeting minutes and Nicky Michael seconded. Motion was approved unanimously. 6 yes, 0 no, 0 abstain.

Treasurer Rusty Brown read the Financial Summaries for January 31, 2021 with the following totals, $6,863,009.93 cash, 4,142,050.56 investments, 284,314.02 Tribe 106 fund cash balance and 829,958.78 106 revenue funds. Joe Brooks motioned to approve the January 2021 financials pending audit, (inaudible) seconded motion. Motion passed unanimously. 6 yes, 0 no, 0 abstain.

Brice Obermeyer gave an update on the significant developments in the Historic Preservation office. An allocation of THPO funds in the amount of $61,414.00 for fiscal year 2021 was received. It is hoped that with an acting FCC director and pending new director the 106 consultations will be revisited. NAGPRA will begin re-burials sometime this year and several Universities are now allowing historic collections to be examined by NAGPRA.

Joe Brooks made a motion to have Brice Obermeyer draft a letter to the acting FCC director and Vice President Harris regarding the re-evaluation and re-instatement of 106 Consultation fees. Brad Kills Crow seconded. Motion passed unanimously. 6 yes 0 no 0 abstain.

Rusty Brown moved to approve the Historical Preservation Office budget for FY 2021 in the amount of $150,009.35 and the funds coming from 106 revenue funds, Joe Brooks seconded. Motion passed unanimously. 6 yes, 0 no 0 abstain.

Curtis Zunigha presented the Cultural Resources budget and discussed the reasons for the budget. Joe Brooks moved to approve the Cultural Resources budget in the amount of $182,580.33 and the funds will come from the tribal 106 fund, Rusty Brown seconded. Motion passed unanimously. 6 yes 0 no 0 abstain.

**New Business:**

Allan Barnes gave a brief overview of the resolutions that he had presented to the tribal council for approval.
Joe Brooks motioned to approve Resolution 2021-03 to Amend Title 27 – Insurance Company Act, Brad Kills Crow seconded. Unanimously approved. 6 yes 0 no 0 abstain.

Nicky Michael motioned to approve Resolution 2021-04 to Amend Title 18 – Business Corporation Act, Brad Kills Crow seconded. Unanimously approved. 6 yes 0 no 0 abstain.

(inaudible) motioned to approve Resolution 2021-05 to rescind Resolution 2013-10, Joe Brooks seconded. Unanimously approved. 6 yes 0 no 0 abstain.

Joe Brooks motioned to approve Resolution 2021-06 to rescind Resolution 2013-11, Homer Scott seconded. Unanimously approved. 6 yes 0 no 0 abstain.

Joe Brooks motioned to approve Resolution 2021-07 to rescind Resolution 2013-22a, Homer Scott seconded. Unanimously approved. 6 yes 0 no 0 abstain.

Brad Kills Crow motioned to approve Resolution 2021-08 to rescind Resolution 2014-33, Homer Scott seconded. Unanimously approved. 6 yes 0 no 0 abstain.

Homer Scott motioned to approve Resolution 2021-09 Certification of Leslie Jerden as a Delaware Tribal Artist. Joe Brooks seconded, following brief discussion. Vote was called and approved unanimously. 6 yes 0 no 0 abstain.

Brad Kills Crow motioned to approve Resolution 2021-10 Enrollment February 2021, seconded by Rusty Brown. Approved unanimously. 6 yes 0 no 0 abstain.

Joe Brooks motioned to approve Resolution 2021-11 to appoint Jeremy Johnson and Levi Randoll as representatives for DTI to CPAIN, Rusty Brown seconded. Secretary Michael requested an amendment to the resolution to include 501(c) companies and Rusty Brown asked that "of Oklahoma" be removed as part of tribal name. Motion passed unanimously, 6 yes 0 no 0 abstain.

Joe Brooks made the motion to approve Resolution 2021-12 (later changed to 2021-17 as 12 was used) to sign a contract with Linda Kills Crow as a representative of Delaware Tribe in all matters regarding the Delaware Child Development Center. Homer Scott second. Motion passed unanimously, 5 yes 0 no 1 abstention (Brad Kills Crow).

Nicky Michael spoke about old business of motions being passed regarding letters being written to the Cherokee Nation asking for ICWA and Scholarships being funded by 638. It was decided that the attorney for the tribe should write letters.

Rusty Brown motioned to approve the Delaware Tribe of Indians Controller job description as written and have it posted/advertised immediately. Joe Brooks seconded motion and it passed unanimously. 6 yes 0 no 0 abstain.

Discussion was held regarding an email from Lisa Griffith about the tribe partnering with the Osage Hills School as a part of a grant that the school applies for the 21st Century Learning Grant. It was decided that as the school is located in Osage County, the Osage Nation should be consulted to partner.
Nicky Michael and Rusty Brown both stated that more social media was needed and the possibility of email blasts.

Joe Brooks made a motion that all tribal departments wanting to be on agenda along with department reports should give notice one week and one day before the monthly meeting to allow the agenda to be set and the Tribal Council packets to be sent to council members 5 days prior to meeting and anyone not in compliance will be written up. Nicky Michael seconded motion. In discussion it was decided that the tribal operations manager would determine if late/emergency agenda items would be added. Motion passed, 5 yes 1 no (Chief Brooks) 0 abstain.

Adjournment:

The motion to adjourn was made by Joe Brooks and Brad Kills Crow seconded. Motion passed unanimously.

Respectfully submitted by:

Charla L. Mann
Administrative Assistant to Chief Chet Brooks

Attested by: