

Osage Minerals Council Meeting Oct. 11, 2013

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10/14/2013

The meeting opened at 10:05 AM today. A prayer was offered by Cynthia Boone. Councilmen Abbott and Bear were absent today. In his opening statement, Chairman Yates told us the BIA had been shut down by Congress except for 7 (of about 35) people, including the Acting Superintendent. These were kept on to handle any emergency situations that might arise. However, no one from BIA was at the meeting today. The Chairman then asked for a motion to go to executive session. Those scheduled for executive session were:

Bob and Bill Sullivan—Sullivan & Company
Pat Miser—CVR
Dan O'Toole—Encana
Bill Lynn—Lamamco
Charles Wickstrom—Spyglass Energy Group
Cynthia Boone—The Wind Farm letter

After executive session and an intermission, Chairman Yates told us that no action would be taken today on any executive session matters. He did say that the Wind Farm project had been sold to a new owner, and a letter explaining some of the requirements to the new owners had been sent. It had been approved by phone poll, and would be formally approved by a Council vote next Wednesday.

In "old business," Ms. Boone raised a question about the staff attorney's opinion on access to MC info through the Open Records Act. Chairman Yates said there would be a vote on this next Wednesday, also.

Councilman Core requested an action to remove paragraph #5 from Resolution 2-166. This issue will be discussed again next Wednesday.

The meeting adjourned about 1:15 PM.

In My Opinion: This meeting went fairly well until the last issue was brought up by Councilman Core. You can read Resolution 2-166 for yourself on the next page. Since Mr. Core was against the NRC proposals, I can understand why he would object to paragraph #5. What I don't understand is; In the index it says "in favor of all changes" and then, in the certification section at the bottom, it says that the resolution was "adopted" by a vote of 3 in favor and 5 opposed. This is a conundrum. How do you "adopt" something by voting "no" 5 to 3? This entire mess should be rescinded and a new resolution should be designed to replace it, using a new resolution number.

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Res. 2-166 4/17/2013- Resolution OMC in favor of all changes made in the NRM process voted on April 2, 2013.

RESOLUTION OF THE OSAGE MINERALS COUNCIL

No. 2-166

WHEREAS,

1. The Osage Minerals Council, established pursuant to Article XV of the Osage Nation Constitution, is an independent agency within the Osage Nation; and
2. The Osage Nation Constitution vests the Osage Minerals Council with the powers to administer and develop the Osage Mineral Estate in accordance with the Act of June 28, 1906, 34 Stat. 539, as amended, such powers which prior to ratification of the Osage Nation Constitution were vested in the "Osage Tribal Council"; and
3. The Negotiated Rule Making Committee was comprised of 9 members, 5 from the Osage Minerals Council, 2 from the Bureau of Indian Affairs (B.I.A.), 1 from the Bureau of Land Management (BLM), and 1 from the office of Natural Resources Revenue (ONRR).
4. The Negotiated Rule Making Committee was involved in meetings from August to April 2, 2013. A consensus vote was taken on April 2, 2013. Two of the five Osage Minerals Council voted against the proposed rule changes.
5. We, the dually elected officials, of the Minerals Council, believe the proposed rule changes were discussed in an acceptable length of time and also agree that these changes will benefit the headright owners; and,

THEREFORE, BE IT RESOLVED,

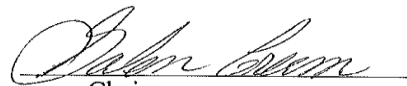
1. The Osage Minerals Council is in favor of all changes made in the Negotiated Rule Making Process voted upon on April 2, 2013.
2. The Chairperson of the Osage Minerals Council is hereby authorized to sign this Resolution.

CERTIFICATION

I hereby certify the foregoing Resolution No. 2-166 was considered by the Osage Minerals Council at a duly called meeting in Pawhuska, Oklahoma, at which a quorum was present and the same was adopted by a vote of 3 in favor, 5 opposed on this 17th day of April 2013.

Attest:


Secretary/Trust Clerk


Chairperson

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Whatever they do with it, it looks to me like an exercise in futility to me. Last year, the full Council held a secret ballot vote among themselves to pick 5 to serve on the Negotiated Rulemaking Committee. These 5 were elected, and expected, to vote their hearts on the issues. No one was supposed to tell them how to vote. The full 10 member NRC took a final vote on April 2, 2013 and reported their findings and recommendations to the BIA. That vote total was 8 yes and 2 no, with Core and Bear dissenting. This vote was the final discharge of the responsibilities of the Osage Negotiated Rulemaking Committee. The Committee was disbanded.

Now, as far as I know, it was not necessary for the Minerals Council to generate a resolution of approval or disapproval of the findings and recommendations, however, I know of nothing that would disallow such a resolution. It is simply a waste of time. Now, they are wasting more time by needing to go back to correct a mish-mash of errors made in the construction of this unnecessary resolution, --- errors that should have been caught and corrected when it was first approved.

Meanwhile, H₂S is wafting through the air and many thousands of cubic feet of valuable methane gas is being vented or flared with no royalties being paid on it. It just looks to me like there is so much more they could be trying to do than something that they can do nothing about anyway.

On another subject, one dear to our hearts, I heard nothing being said today about the effect the US Government shutdown might have on our December payment. I had expected the BIA reps to explain it all to us, but they didn't show up. Maybe they are only allowed to function in emergencies. Who knows?

I know that I'm getting pretty sick of this shutdown. To show you just how dumb it is, 6 US Congressmen signed a letter to the BIA protesting the NRC proposals. The letter was dated September 30, 2013. Then, these Congressmen, and their leader in the US House of Representatives, shut down the BIA and everything else the next day, probably before BIA even had time to read it. This puts the whole thing further into limbo. Sooner or later, this kind of thinking WILL begin to affect our quarterly payment. This worries me.

Ray McClain, Osage Shareholder