

# Osage Minerals Council Meeting 8/21/2013

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August 23, 2013

The meeting was called to order at 10:05 AM by Chairman Andrew Yates. A prayer was offered by Councilman Myron Red Eagle.

Tribal accountant Leslie Young reported that another small drawdown would be necessary for the C 395 account, due to expense incurred with attorneys working on the wind farm issues.

Tribal accountant Julia Roe gave her report on the S 510 account.

Minerals Council auditor Jim Swan reported that the June 2013 average daily gross barrels of oil produced was 13,303, slightly above the June 2012 numbers. The royalty barrels were 16.27% of the gross barrels produced in June, 2013 and royalty income for June, 2013 was up \$1,115,944.00 over June of 2012.

BIA Supervisory Petroleum Engineer Charles Hurlburt had no report today, but fielded a few questions about including the 30 some odd Thousand acres about to be released from their concession by Chaparral, with the leases available for the November lease sale. Hurlburt deferred the issue to the Acting Superintendent.

Acting Superintendent Rhonda Loftin answered some of the questions, and promised to get answers for the rest ASAP. Chaparral land man Tom Lackey assured the Council that he recognized the time constraint problem and said he would very quickly request a letter from Chaparral to the Council that would include a date certain of their intended release.

A brief executive session was held with Encana's Dan O'Toole, followed by an intermission.

Councilman Crum gave a report on the upcoming U.S. Fish and Wildlife Conference that several of the Council had expressed interest in attending last Friday. He said that although he had volunteered to withdraw to allow others of the Council to attend, he had found out that registration had closed, and no further additions could be made.

Councilwoman Boone presented a resolution that included 3 changes or additions to the Council policy and procedures. It was decided to consider each separately.

1. Ms. Boone objected to the ONG police presence at OMC meetings and proposed a resolution that “the police shall be called only when a physical altercation occurs.” She made the motion and it was seconded. After a lengthy discussion, the vote was 3 yes and 5 no. The motion failed.
2. She then made a motion to require Council approval before any expenditures were made. The motion was seconded, and the vote was 8 yes, 0 no.
3. She then made a motion for a resolution to require the Council Chairman to acquire approval of the media and communications committee and then the full Council before speaking for the Council with any media. The vote was 3 yes and 5 no. Motion failed.

I never did hear a motion, but Councilman Melvin Core again raised the issue concerning One Man, One Vote. He had done some research and had several documents prepared to pass out to the Council. He read from some of the documents, and brought forth the idea that it had been one man, one vote for many years, but then that was changed in 1956. A new rule in 25 CFR, part 90, became effective in 1958 that changed it to where a ballot represented the headright ownership percentage of each individual.

He then presented a BIA generated document stating that 25 CFR Part 90 had been nullified with the advent of the new constitutional form of government in 2006. If I understand him correctly, Mr. Core believes that, because of this nullification, we already have one man, one vote in place. We just haven’t been doing it that way. The motion (the one I never heard) died on the floor for lack of a second.

Ms. Boone was next on the agenda, with a Resolution about the Washington DC trip. She made several statements, including reading an Email from Councilman Abbott to Congressman Supernaw and giving her analysis of it, and then requested some kind of sanction against Councilman Abbott for threatening her by telling her to shut up at the previous Friday meeting. As Councilman Abbott was responding to Ms. Boone, he acknowledged that he had “told her to shut up.” Ms. Boone then interrupted Mr. Abbott and called to a ONG police officer standing in the doorway stating “there, he did it again. He threatened me.” The officer just stood there, doing nothing. Ms. Boone then withdrew her proposed “resolution about the Washington DC trip.”

Councilman Red Eagle then spoke briefly about the Oil and Gas Summit.

This meeting was adjourned about 1 PM.

### **IN MY OPINION:**

Auditor Jim Swan's report was very encouraging. It confirms that the bottom line production numbers for our Osage Minerals Estate are steadily improving.

Cynthia Boone's resolution to establish 3 separate, unrelated policy changes under one resolution was just one more way for her to confuse and further jumble up the Council's policy and procedures. They are bad enough like they are. One of the 3 resolutions was passed. Problem is, I think it is already in there somewhere. I haven't taken time to dig it out, but it requires Council approval before making expenditures. This has always been done anyway.

Then, the presence of the ONG police seems to make her nervous for some reason. The resolution she was proposing to not allow security measures to be taken for meetings was ridiculous. How in the world can anyone set up proper security for a meeting by having no security at all. The whole idea of SECURITY is to PREVENT SOMETHING BAD FROM HAPPENING. You don't wait until you get smallpox to get a vaccination. You get the vaccination to keep from getting smallpox in the first place. It seems that she just tries to come up with new ways to force bad things to happen. I was glad to see the Council toss out this plan.

Finally, with the third resolution, she was trying to muzzle the Chairman of the Council by preventing the Chair from speaking for the Council to the media before asking the media committee's permission. Then, the media committee would need to go before the full Council for final approval. This may be the most obvious thing she has done lately to try to cripple the Minerals Council's effectiveness.

Councilman Core again raised the issue of One Man, One Vote elections. This time he had documentation that seems to indicate that this idea is not so far fetched as some might have thought at first. The problem was, it seemed like this was the first time that most, if not all, of the Council had seen these documents. I'm sure this issue isn't going away any time soon. He had documents from the BIA Regional Director and a letter from the ONG Attorney General and others. I believe Mr. Core

said that the BIA solicitor in Tulsa had not responded, but that is expected. All of the Council now has the documents, and I'd bet that there will be some happy lawyers in the Osage in the next few weeks, as many will want legal opinions of what these documents are saying. Mr. Core is saying that it is already done, and that we have one man, one vote right now, and we have had it since 2006. It just hasn't been happening all this time. This would be a dramatic change to our election procedures, and everyone should be following this and asking questions. He just might be right.

Cynthia Boone's tirade about Councilman Abbott threatening her is the most asinine statement I have heard in some time. Mr. Abbott was rude and disrespectful when he told her to shut up. He was engaged in a conversation with a Shareholder who had asked a question at the Friday meeting. Ms. Boone had rudely interrupted him as he was speaking to this lady. I'm not making excuses for him, but Mr. Abbott was simply responding to her rude interruption with an equally rude comment, and while he was at it, he was giving Ms. Boone every bit of respect she deserved.-None!

She even brought me into the fray, saying that I had been lying about her on this web site. The only specific thing she mentioned was that I had said that the Washington meeting was set for noon. I did say that, --- because that's what Councilman Red Eagle had told me. The meeting was actually at 1PM EDT. (Technically, that's "noon" here isn't it?) If that's the only mistake I have made here, that ain't too bad. But it was hardly a lie. The day I have to tell a deliberate lie or deliberately mis-lead anyone on this web site or anywhere else, is the day I will shut this down and every one of you should tune out. Why would I lie about her? I should be selling tickets to this multi-ring circus she is running. If the success of this Minerals Council was not so very important to all of us, this narcissistic attitude of hers' would be comical to watch. But this Osage Minerals royalty income is a part of my livelihood. It means a lot to me and I'm not laughing. Neither should you.

Ray McClain, Osage Shareholder